

Office of Operations  
2015 Fall Conference  
December 8-9

# *Partners in Excellence*

## NS to Grade



Office of the New York State Comptroller  
Thomas P. DiNapoli, Comptroller

### **Office of Operations**

John Traylor, Executive Deputy Comptroller

### **Division of Payroll, Accounting and Revenue Services**

Chris Gorka, Deputy Comptroller

Dave Hasso, Assistant Comptroller

Robin Rabii, Director, Bureau of State Payroll Services

# Civil Service Employee's Association

## Public Employees Federation

### Management Confidential



# Types of NS to Grade Situations

- Employee held a graded position before appointment to the NS position
- Employee held only a NS position, either or both annual or hourly before moving to the graded position



# Types of NS to Grade Situations

- Employee held a graded position before appointment to the NS position
  - If the prior grade is lower than or equal to the new grade,
    - Reinstated to prior graded position and using the NS service when at least equal to the hiring rate of the prior grade bring to current. At that point the employee can be promoted or laterally moved into the new grade.
  - If the prior grade is higher than the new grade,
    - Use all higher graded and NS service to demote.



# Types of NS to Grade Situations

- Employee held a only a NS position, either or both annual or hourly before moving to the graded position

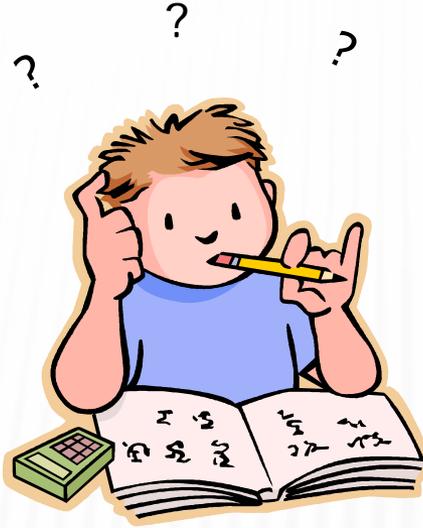
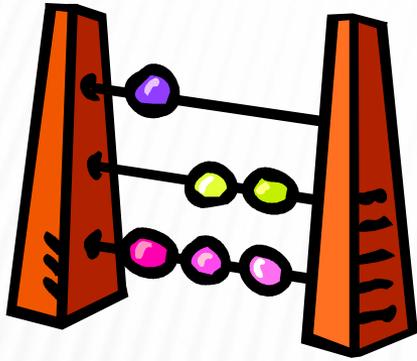


# NS Moving to Grades

- Its not where you are going but where you are coming from



# Calculation Method



# Determine Type of Appointment (Promotion, Demotion, Lateral)

Use the NS position in effect **immediately prior** to the move to the graded position to determine the type of appointment.



# If the 'Immediately Prior' Position is:

- **Annual NS Equated to Grade**
  - Compare the equated grade of the NS position to the NEW graded position to determine if the appointment is a promotion, demotion or lateral.



# If the 'Immediately Prior' Position is:

- **Annual NS Not Equated to Grade**
  - Assign the NS salary to the highest grade level using the Hiring Rate.
  - Compare the assigned grade to the NEW graded position to determine if the appointment is a promotion, demotion or lateral.



# If the 'Immediately Prior' Position is:

## ■ Hourly NS

- Convert the Hiring Rate of the NEW graded position to an hourly rate by dividing by 2088.
- Compare the resultant hourly rate to the employee's CURRENT hourly rate to determine if the appointment is a promotion, demotion or lateral.



# Calculate New Salary

**Based on the type of appointment and the ‘immediately prior’ position, calculate the new salary.**



# Type of Appointment = Promotion

## From any NS Position:

- **Annual NS Equated to Grade**
  - Use the equated grade to determine the appropriate promotion percentage.
  - The employee may be eligible for a promotion recalculation.



# Type of Appointment = Promotion

- **Annual NS Not Equated to Grade**
  - Use the assigned grade to determine the appropriate promotion percentage.



# Type of Appointment = Promotion

## ■ Hourly NS

- Convert the employee's hourly rate to an annual salary by multiplying by 2088.
- Assign this salary to the highest grade level using the Hiring Rate.
- Use the assigned grade to apply the appropriate promotion percentage.



# Type of Appointment = Promotion

- The Anniversary Date will be the effective date of the promotion **to the new graded position** and will determine the employee's Performance Advance cycle and Increment Code.



# Type of Appointment = Lateral or Demotion

## From Annual NS Position:

- Reconstruct the salary beginning with the Hiring Rate of the graded position giving credit for all service where the salary (including hourly and annual) is at least equal to the Hiring Rate of the graded position.



# Type of Appointment = Lateral or Demotion

- Upon reconstruction, the salary should be limited to the Job Rate of the graded position but may exceed the employee's last NS salary.
- If the employee is eligible, longevity payments should be included in the reconstruction.



# Type of Appointment = Lateral or Demotion

- The Anniversary Date will be determined using the appointment date to the graded position adjusted by the amount of creditable service.
- The Anniversary Date will determine the employee's Performance Advance cycle and Increment Code.



# Type of Appointment = Lateral or Demotion

## From an hourly NS Position:

- Use only those hours paid where the employee's hourly rate is at least equal to the Hiring Rate of the graded position.
- Do not include hours paid as overtime.



# Type of Appointment = Lateral or Demotion

- Hourly employees who have not had hours reported during the last year prior to the appointment will be considered to have a break in service of one or more years whether or not the employee was actually terminated from the payroll. Credit for service prior to the break **will not** be counted.



# Type of Appointment = Lateral or Demotion

- The number of creditable hours reported by the agency will be divided by the employee's required hours per day (7 ½ or 8) to determine the number of full work days to be used as creditable service.
- NS service in hourly and annual positions can be combined to determine the amount of creditable service.



# Type of Appointment = Lateral or Demotion

- It is the appointing agency's responsibility to report all qualifying hours and the employee's required hours per day to be used in determining creditable service including hours worked in another agency.



# Type of Appointment = Lateral or Demotion

- Reconstruct the salary beginning with the Hiring Rate of the graded position giving credit for all service where the salary is at least equal to the Hiring Rate of the graded position.
- Upon reconstruction, the salary should be limited to the Job Rate of the graded position but may exceed the employee's last NS salary.



# NS to GR.6

Employee History Information

Additional Pay Summary

ID	Empl Record	0
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Effdt	Act / Rea	Pos #	NYS Title	Anniv Dt	Salary	EE% / Ind	Appt Cd	EE Type	Long NYS Title
Seq #	Agency	NYS Pos#	Grade	Inc Cd	PBC	Jur CL	Pay Grp	Earn Prog	Long Agency Name
EE Status	Act Dt	Line#	BU	FIS Sal	Comp Rt	Wk Sch	Pos FTE	Company	Position Loc Code

History Information Find  View 1 First 1-12 of 12 Last

09/04/2014	PAY / RHS	00120958	CLERK 1	09/04/2014	\$28927	1.0000 / F	PERM	S	CLERK 1
2	20010	00120958	006	1003	ANN	0	AL8	N02	Department of Tax & Finance
A	09/12/2014	45925	02		\$1116.12	NYYYYYN	1.00	NYS	0110

09/04/2014	REH / OCM	00120958	CLERK 1	09/04/2014		1.0000 / F	PERM	S	CLERK 1
1	20010	00120958	006	1003	ANN	0	AL8	N02	Department of Tax & Finance
A	09/08/2014	45925	02			NYYYYYN	1.00	NYS	0110

09/04/2014	TER / RSN	00440379	STORES CLE	03/19/2012	\$13.45	1.0000 / F	TEMP	H	STORES CLERK 1
0	20020	00440379	600	0000	HRV	0	IE2	HRV	Dept of Tax & Finance HRV
T	09/04/2014	70058	02		\$13.45	NYYYYYN	1.00	NYS	0110

03/27/2014	PAY / SAC	00440379	STORES CLE	03/19/2012	\$13.45	1.0000 / F	TEMP	H	STORES CLERK 1
0	20020	00440379	600	0000	HRV	0	IE2	HRV	Dept of Tax & Finance HRV
A	04/18/2014	70058	02		\$13.45	NYYYYYN	1.00	NYS	0110



# Determine Type of Transaction

- Hiring Rate of Grade 6:  
$$\$28299 \text{ (2014 chart)}/2088 = \$13.55$$
- NS money: in the range of Grade 5 (Hiring Rate = \$26799)  
$$\$13.45 * 2088 = \$28084$$
- Promotion: from Grade 5 to Grade 6  
NS Annual money \* 1.03  
$$\$28084 * 1.03 = \$28927$$
- Compare to Hiring Rate vs. Promotion
- Promotion Is Better



# NS TO GR.6 – Promotion Method

Employee History Information

Additional Pay Summary

ID	Empl Record	0
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Effdt	Act / Rea	Pos #	NYS Title	Anniv Dt	Salary	EE% / Ind	Appt Cd	EE Type	Long NYS Title
Seq #	Agency	NYS Pos#	Grade	Inc Cd	PBC	Jur CL	Pay Grp	Earn Prog	Long Agency Name
EE Status	Act Dt	Line#	BU	FIS Sal	Comp Rt	Wk Sch	Pos FTE	Company	Position Loc Code

History Information

Find View 1 First 1-12 of 12 Last

09/04/2014	PAY / RHS	00120958	CLERK 1	09/04/2014	\$28927	1.0000 / F	PERM	S	CLERK 1
2	20010	00120958	006	1003	ANN	0	AL8	N02	Department of Tax & Finance
A	09/12/2014	45925	02		\$1116.12	NYYYYYN	1.00	NYS	0110
09/04/2014	REH / OCM	00120958	CLERK 1	09/04/2014		1.0000 / F	PERM	S	CLERK 1
1	20010	00120958	006	1003	ANN	0	AL8	N02	Department of Tax & Finance
A	09/08/2014	45925	02			NYYYYYN	1.00	NYS	0110
09/04/2014	TER / RSN	00440379	STORES CLE	03/19/2012	\$13.45	1.0000 / F	TEMP	H	STORES CLERK 1
0	20020	00440379	600	0000	HRY	0	IE2	HRY	Dept of Tax & Finance HRY
T	09/04/2014	70058	02		\$13.45	NYYYYYN	1.00	NYS	0110
03/27/2014	PAY / SAC	00440379	STORES CLE	03/19/2012	\$13.45	1.0000 / F	TEMP	H	STORES CLERK 1
0	20020	00440379	600	0000	HRY	0	IE2	HRY	Dept of Tax & Finance HRY
A	04/18/2014	70058	02		\$13.45	NYYYYYN	1.00	NYS	0110



# CALCULATIONS SPECIFIC TO PUBLIC EMPLOYEES FEDERATION



# Longevity Lump Sum (LLS) Payment

- Type of Appointment = Promotion
  - The LLS portability will be factored in the promotion calculation.
- Type of Appointment = Lateral or Demotion
  - If the employee has the required years at Job Rate, the LLS will be paid [after six (6) pay periods.][the following April.]



# Institution Teachers

## ■ Summer Session

- NS to Grade rules do not apply to appointments from a Summer Session position to a graded position.
- Summer Session hours cannot be used as creditable service.



# Institution Teachers

- If the NS position is a teaching title, the factor is 1736; if the NS position is a non-teaching title, the factor is 2088.
- Creditable service in an NS position will only be counted if it totals at least 150 days during each individual academic year.



# PEF NS to Grade

Effdt	Act / Rea	Pos #	NYS Title	Anniv Dt	Salary	EE% / Ind	Appt Cd	EE Type	Long NYS Title
Seq #	Agency	NYS Pos#	Grade	Inc Cd	PBC	Jur CL	Pay Grp	Earn Prog	Long Agency Name
EE Status	Act Dt	Line#	BU	FIS Sal	Comp Rt	Wk Sch	Pos FTE	Company	Position Loc Code

History Information Find | View 1 First 1-26 of 26 Last

08/28/2014	POS / APT	00156705	ENGRG TECH04/14/2012	\$31353.00	1.0000 / F	PROV	S	ENGRG TECH	
0	17070	00156705	008	1001	ANN	0	AL4	N05	DOT Region 7
A	09/12/2014	42703	05		\$1202.58	NYYYYYN	1.00	NYS	2310
04/24/2014	PAY / RHS	00383237	TRANS CONS 04/24/2014	\$15.21	1.0000 / F	TEMP	H	TRANS CONST INSPTR 3	
1	17070	00383237	600	0000	HRY	1	AL4	HRY	DOT Region 7
A	05/05/2014	48903	05		\$15.21	NYYYYYN	1.00	NYS	2310
04/24/2014	REH / APT	00383237	TRANS CONS 04/08/2013		1.0000 / F	TEMP	H	TRANS CONST INSPTR 3	
0	17070	00383237	600	0000	HRY	1	AL4	HRY	DOT Region 7
A	05/05/2014	48903	05			NYYYYYN	1.00	NYS	2310
11/09/2013	TER / RSN	00383237	TRANS CONS 04/08/2013	\$14.91	1.0000 / F	TEMP	H	TRANS CONST INSPTR 3	
0	17070	00383237	600	0000	HRY	1	AL4	HRY	DOT Region 7
T	11/13/2013	48903	05		\$14.91	NYYYYYN	1.00	NYS	2310
04/08/2013	PAY / RHS	00383237	TRANS CONS 04/08/2013	\$14.91	1.0000 / F	TEMP	H	TRANS CONST INSPTR 3	
1	17070	00383237	600	0000	HRY	1	AL4	HRY	DOT Region 7
A	04/08/2013	48903	05		\$14.91	NYYYYYN	1.00	NYS	2310
04/08/2013	REH / APT	00383237	TRANS CONS 04/16/2012		1.0000 / F	TEMP	H	TRANS CONST INSPTR 3	
0	17070	00383237	600	0000	HRY	1	AL4	HRY	DOT Region 7
A	04/08/2013	48903	05			NYYYYYN	1.00	NYS	2310
12/29/2012	TER / TER	00383237	TRANS CONS 04/16/2012	\$14.91	1.0000 / F	TEMP	H	TRANS CONST INSPTR 3	
0	17070	00383237	600	0000	HRY	1	AL4	HRY	DOT Region 7
T	01/02/2013	48903	05		\$14.91	NYYYYYN	1.00	NYS	2310
04/16/2012	PAY / RHS	00383237	TRANS CONS 04/16/2012	\$14.91	1.0000 / F	TEMP	H	TRANS CONST INSPTR 3	
1	17070	00383237	600	0000	HRY	1	AL4	HRY	DOT Region 7
A	04/18/2012	48903	05		\$14.91	NYYYYYN	1.00	NYS	2310
04/16/2012	REH / APT	00383237	TRANS CONS 05/12/2011		1.0000 / F	TEMP	H	TRANS CONST INSPTR 3	
0	17070	00383237	600	0000	HRY	1	AL4	HRY	DOT Region 7
A	04/18/2012	48903	05			NYYYYYN	1.00	NYS	2310
11/24/2011	TER / TER	00383237	TRANS CONS 05/12/2011	\$14.91	1.0000 / F	TEMP	H	TRANS CONST INSPTR 3	
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T	11/30/2011	48903	05		\$14.91	NYYYYYN	1.00	NYS	2310
05/12/2011	PAY / RHS	00383237	TRANS CONS 05/12/2011	\$14.91	1.0000 / F	TEMP	H	TRANS CONST INSPTR 3	
1	17070	00383237	600	0000	HRY	1	AL4	HRY	DOT Region 7
A	05/24/2011	48903	05		\$14.91	NYYYYYN	1.00	NYS	2310
05/12/2011	REH / APT	00383237	TRANS CONS 05/13/2010		1.0000 / F	TEMP	H	TRANS CONST INSPTR 3	
0	17070	00383237	600	0000	HRY	1	AL4	HRY	DOT Region 7
A	05/24/2011	48903	05			NYYYYYN	1.00	NYS	2310



# Determine Type of Transaction

- Hiring Rate of Grade 8:  
$$\$30126 \text{ (2014 chart)} / 2088 = \$14.42$$
- NS hourly rate of \$15.21 is in the range of Grade 8
- Lateral: from NS to Grade 8



# NS to Grade 8 – Lateral

- Reconstruct using creditable service
  - Per agency comments:  
4946 hours/8 hour days = 618 days
  - Anniversary Date adjusted from 8/28/14 to 4/14/12
  - Anniversary date is on the October payment cycle  
(Increment code is 1001)
- Based on the adjusted Anniversary Date for this employee, Hiring Rate plus one Performance Advance is appropriate ( $\$30126 + \$1227 = \$31353$ )



# M/C Eligibility per Payroll Bulletin No. 682

Employees must continuously occupy the same unallocated (NS) position:

- in the same title;
- within the same agency/appointing authority;
- within the same negotiation unit;



# M/C Eligibility (cont)

- at the same salary or equated salary grade level (excluding normal Performance Advances and general salary increases);
- in continuously Active paid status (Active, paid Sick Leave, Workers' Comp Leave, Military or Military Stipend Leave);



# M/C Eligibility (cont)

- for a minimum of one (1) calendar year on a full-time basis, and
- with no reduction/change in the percentage of time worked during the above-mentioned calendar year.



# M/C Eligibility (cont)

- Employees on approved VRWS are considered to be qualified as continuously occupying a position
- Termination or Resignation from an NS position who is then reappointed to the same position on a later date, constitutes a break in pay status and not qualified for the NS calculation



# M/C NS to Grade

Employee History Information

Additional Pay Summary

ID	Empl Record	0
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Effdt	Act / Rea	Pos #	NYS Title	Anniv Dt	Salary	EE% / Ind	Appt Cd	EE Type	Long NYS Title
Seq #	Agency	NYS Pos#	Grade	Inc Cd	PBC	Jur CL	Pay Grp	Earn Prog	Long Agency Name
EE Status	Act Dt	Line#	BU	FIS Sal	Comp Rt	Wk Sch	Pos FTE	Company	Position Loc Code

History Information

Find View 1 First 1-15 of 15 Last

05/10/2013	TER / RSN	00257056	SECRETARY	02/05/2007	\$53366.00	1.0000 / F	PERM	S	SECY 2
0	53000	00257056	615	2007	ANN	1	AL3	N06	Office Alcoholism&Substance Ab
T	05/17/2013	00295	06		\$2046.91	NYYYYYN	1.00	NYS	0110
08/06/2012	POS / APT	00257056	SECRETARY	02/05/2007	\$53366.00	1.0000 / F	PERM	S	SECY 2
0	53000	00257056	615	2007	ANN	1	AL3	N06	Office Alcoholism&Substance Ab
A	08/16/2012	00295	06		\$2046.91	NYYYYYN	1.00	NYS	0110
03/29/2012	PAY / FAC	00256089	SECY	02/05/2007	\$59504.00	1.0000 / F	PERM	S	SECY
0	53000	00256089	600	2011	ANN	2	AL3	N06	Office Alcoholism&Substance Ab
A	04/13/2012	00020	06		\$2282.34	NYYYYYN	1.00	NYS	0110
03/31/2011	PAY / PAV	00256089	SECY	02/05/2007	\$59504.00	1.0000 / F	PERM	S	SECY
1	53000	00256089	600	2011	ANN	2	AL3	N06	Office Alcoholism&Substance Ab
A	12/08/2011	00020	06		\$2276.09	NYYYYYN	1.00	NYS	0110



# M/C NS to Grade- Demotion

Employee History Information

Additional Pay Summary

ID	Empl Record	0
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Effdt	Act / Rea	Pos #	NYS Title	Anniv Dt	Salary	EE% / Ind	Appt Cd	EE Type	Long NYS Title
Seq #	Agency	NYS Pos#	Grade	Inc Cd	PBC	Jur CL	Pay Grp	Earn Prog	Long Agency Name
EE Status	Act Dt	Line#	BU	FIS Sal	Comp Rt	Wk Sch	Pos FTE	Company	Position Loc Code

History Information

Find View 1 First 1-15 of 15 Last

05/10/2013	TER / RSN	00257056	SECRETARY	02/05/2007	\$53366.00	1.0000 / F	PERM	S	SECY 2
0	53000	00257056	615	2007	ANN	1	AL3	N06	Office Alcoholism&Substance Ab
T	05/17/2013	00295	06		\$2046.91	NYYYYYN	1.00	NYS	0110
08/06/2012	POS / APT	00257056	SECRETARY	02/05/2007	\$53366.00	1.0000 / F	PERM	S	SECY 2
0	53000	00257056	615	2007	ANN	1	AL3	N06	Office Alcoholism&Substance Ab
A	08/16/2012	00295	06		\$2046.91	NYYYYYN	1.00	NYS	0110
03/29/2012	PAY / FAC	00256089	SECY	02/05/2007	\$59504.00	1.0000 / F	PERM	S	SECY
0	53000	00256089	600	2011	ANN	2	AL3	N06	Office Alcoholism&Substance Ab
A	04/13/2012	00020	06		\$2282.34	NYYYYYN	1.00	NYS	0110
03/31/2011	PAY / PAV	00256089	SECY	02/05/2007	\$59504.00	1.0000 / F	PERM	S	SECY
1	53000	00256089	600	2011	ANN	2	AL3	N06	Office Alcoholism&Substance Ab
A	12/08/2011	00020	06		\$2276.09	NYYYYYN	1.00	NYS	0110



# Determine Eligibility: New or Old Rules?

- M/C Employee meets criteria per bulletin 682
- Determine if promotion, demotion or lateral
  - NS Position equated to Grade 618, therefore = Demotion
  - NS money exceeds Job Rate of NEW graded position
- Calculation Options
  - Eligible to hold money not to exceed Job Rate of New graded position
  - Reconstruction Needs to be considered, but in this case employee would have been below job rate, therefore, holding prior NS, not to exceed job rate of new grade.



# Holding Money on Lateral Movement

- If the employee is moving from an NS position with an equated grade to a graded position with the same grade, the NS salary can be retained upon movement to the grade.
- This rule applies to M/C employees only.



# Holding Money on Demotion

- If M/C employee is moving from an NS position with an equated grade to a lower graded position, the salary should be calculated using the higher grade service to build the salary in the lower grade or the employee's current NS salary (not to exceed the Job Rate of the lower grade.)



# Remember

- It is not where you are going but where you are coming from
- The rules associated with the bargaining unit of the NS position must be used.



**\*\*IMPORTANT\*\***

**Always, Always, Always**

Enter General Comments for all  
NS to Grade calculations



# Tools

## Currently Available

- RGH Query – Q91\_IND\_RGH\_HIST\_NS\_GRADE  
(to determine the number of hours to be used for creditable workdays)

## Under Construction

- NS to Grade Anniversary Date Calculator



# NS to Grade Questions

**Please refer to these bulletins:**

Payroll Bulletin No. 682 -MC NS to Grade bulletin

Payroll Bulletin No. 835 - CSEA NS to Grade bulletin

Payroll Bulletin No. 882 -PEF NS to Grade bulletin

**Before contacting the Earnings Unit.**



# Call for Assistance

- Complex situations
- Employee's with extensive histories
- Longevity
- Any M/C Hourly NS to Grade



# How to Get With Salary Questions



- **Send an e-mail to**

[Payrollearnings@osc.state.ny.us](mailto:Payrollearnings@osc.state.ny.us)



- **Call a staff member from the Earnings Unit.**



# Questions?

