

1 **2024 NYSAC Fall Seminar**
2 **Standing Committee on Intergovernmental Relations, General Government**
3 **& Public Employee Relations**
4 **Resolution #1**

5
6 **Resolution Calling on the State to Increase the Salary Cap for Retired Public**
7 **Employees Seeking Public Employment**
8

9 **WHEREAS**, under current state law a retired public employee may only earn up to
10 \$35,000 annually if retained/rehired to a state or local government position without
11 this salary impacting their retirement benefits; and
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13 **WHEREAS**, any retired public employee salary amount over \$35,000 will result in a
14 decrease in pension payments for the employee; and
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16 **WHEREAS**, the \$35,000 cap was set in 2019, with the intent of minimizing misuse in
17 hiring practices, while at the same time providing enough incentive for employees with
18 broad experience and institutional knowledge to be retained in a government service
19 capacity; and
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21 **WHEREAS**, this cap has been adjusted just once since 2007 at a rate of \$50,000 and
22 this increase has eroded in value due to inflation over this time; and
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24 **WHEREAS**, the ability to hire enough qualified public employees has impacted our
25 ability to deliver mandated services; and
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27 **WHEREAS**, this hiring crisis during COVID resulted in an Executive Order action
28 allowing for the removal of the \$35,000 cap to help ease this issue, unfortunately, this
29 was a limited allowance and the Executive Order expired in 2023; and
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31 **WHEREAS**, New York counties have unique challenges when hiring for certain skilled
32 or knowledge-based positions due to each county having different populations,
33 economics, and demographics including but not limited to retired corrections deputy
34 sheriffs, school resource officers, public health nurses, registered nurses, caseworkers,
35 mental health professionals, and other critical positions; and
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37 **WHEREAS**, county governments are being asked to provide more services with less
38 funding, a goal that becomes more difficult when those who best understand local
39 government service needs are retiring and their continued connection to public service

1 in a limited fashion is being deterred by state policies; and

2

3 **WHEREAS**, in 2024 a bill was introduced S.3144D (Mannion) / A.6419 (Stripe),
4 passing unanimously in the Senate, that recognizes adjusting this cap to \$50,000. This
5 legislation will provide the State and the local governments with more hiring options
6 when they seek to fill a position that requires unique skill sets, government experience.

7

8 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
9 Counties (NYSAC) hereby calls on the Governor and the State Legislature to enact
10 legislation supporting an increase in this earnings rate as part of their 2024-2025 state
11 budget negotiations; and

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13 **BE IT FURTHER RESOLVED**, copies of this resolution be sent to the counties of
14 New York encouraging member counties to enact similar resolutions; and

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16 **BE IT FURTHER RESOLVED**, NYSAC shall forward copies of this resolution to
17 Governor Kathy Hochul, the New York State Legislature and all others deemed
18 necessary and proper.