**MEMORANDUM**

**TO:** Directors, Human Resources Management/Personnel

**FROM:** Director, Division of Classification and Compensation

**SUBJECT:** State Fiscal Year 2014-15 Memorandum **(Effective April 2014)** of Revised Salaries for Professional, Scientific, and Technical (PS&T) Legal Traineeships

**DATE:** January 2015

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This Memorandum supersedes all previous Professional, Scientific, and Technical (PS&T) Legal Traineeship (“Legal Specialties”) Advisory Memoranda. The one Legal Traineeship which led to a title that was Managerial/Confidential (M/C) by default, that for the now-defunct title of Junior Trial Examiner, no longer exists. It has been replaced by a Traineeship leading to the title of Assistant Trial Examiner, a title which exists at only one agency.

The Legal Traineeships covered in this memorandum and the accompanying spreadsheet lead to the titles of Senior Attorney, Hearing Officer, Motor Vehicle Referee, and Unemployment Insurance Referee. Consult your Classification and Pay Analyst and/or the Office of the State Comptroller if a given position to which a Legal Traineeship leads is M/C. This memorandum, and the accompanying spreadsheet, should apply to most Legal Traineeships.

These revised salary rates are **effective April 2014** and apply to all parenthetics. Appointments to the Legal Traineeships can occur at any Traineeship Title Level, and sometimes to the Full Performance Level Title (sometimes known as the “Target Title” or the “Journey Level”), depending on the qualifications of the hiree. The pay scales effective April 2014 represent a 2% increase from the previous year, reflecting the 2% increase represented in most PS&T titles as provided for in the most-recently negotiated contract agreement, which became effective in Fiscal Year 2014-2015.

Note that there are differences between how the Legal Traineeships work and how other Traineeships work. Information regarding appointments to these Legal Traineeships is available on the Division of Staffing Services General Information Bulletin #01-01. Generally speaking, the appointment level is determined by the qualifications of the hiree, specifically referring to a combination of law school graduation, admission to the New York State Bar, legal experience post-graduation, and legal experience post-admission to the Bar. As noted, generally appointment can be made to any level of the Traineeship, and/or to the Target Title (also known as the “Journey Level”) as determined by the noted qualifications. All service during Traineeships is in probationary status and performance must be evaluated every six (6) months against established standards.

As in previous years, information on the Traineeships is provided in an Excel spreadsheet. The spreadsheet can be found on the Department of Civil Service’s Web Site at <http://www.cs.ny.gov/businesssuite/Appointments/Traineeships/>. The spreadsheet only will be updated when a Traineeship is added, deleted, or amended.

The following attachments explain the format of the Excel spreadsheet.

This information is for ***general information purposes only*** and should not be used to make an official offer or commitment to any employee. Questions regarding titles and salary rates should be directed to your Division of Classification and Compensation analyst. Questions regarding payroll preparation and salary rate calculation should be directed to the Office of the State Comptroller and/or the Office of the State Comptroller’s Salary Manual.

Please distribute copies to your appropriate personnel and payroll staff.

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Abner JeanPierre

Attachments

**ATTACHMENT A – TRAINEESHIP EXCEL SPREADSHEET LEGEND**

**A. First Level, Second Level, and Third Level – Headers and Descriptions**

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| --- | --- |
| **Header** | **Description** |
| **Trainee Title** | This column displays the Traineeship Title(s). |
| **Qualifications** | These are the minimum qualifications associated with appointment to each Traineeship Title. Appointment can be made to any Trainee level depending on the qualifications of the hiree. |
| **Salary** | This number is the starting salary of a Traineeship Title. (Please note that Legal Traineeship (Legal Specialties) salaries are not equated to a salary grade).  There will be cases, based on prior graded State service, where State employees appointed to a Traineeship will be compensated at a higher rate than the rates indicated on the spreadsheet. Additionally, salaries may vary depending on whether an incumbent qualifies for an Honors Premium (a bonus sometimes awarded based upon the Trainee’s performance in law school). Honors Premiums are available only for the duration of the Traineeship period.  As with all Traineeships, ultimately the actual salary for these employees will be calculated by the Office of the State Comptroller. |
| **Advancement** | This information details how incumbents progress through a Traineeship. |
| **Advancement Salary** | This information details the salary progression between Traineeship Titles. |
| **Performance Advancement Upon Completion of a Level (Effective Performance)** | This number represents the advancement increment value an incumbent receives when transitioning between Traineeship Titles if that incumbent is rated “Effective.” |
| **Performance Advancement Upon Completion of a Level (Outstanding or Substantially Exceeds Performance)** | This number represents the advancement increment value an incumbent receives when transitioning between Traineeship Titles if that incumbent is rated “Outstanding.” (For these purposes, “Outstanding” and “Substantially Exceeds” should be considered synonymous. For the non-legal Traineeships, described in other memoranda and spreadsheets, “Substantially Exceeds” is the term more commonly used to express the concept.) |
| **Not To Exceed Amount** | This number represents the Job Rate of the salary grade of the full performance level title (or “Target Title”) – a PS&T Grade 25, as most Legal Traineeships lead to a Target Title (or “Journey Level”) which is allocated to Grade 25. Due to prior graded State service, certain State employees can enter a Traineeship above this rate and/or have their salary progress beyond this rate.  This number will vary for those who are progressing towards the full performance level title of Senior Attorney based on the Negotiating Unit (NU) designation of the full performance level title. (When designated M/C, the title of Senior Attorney is allocated to M-1.) PS&T is the default unit for most Target Titles for the Legal Traineeships and, hence, this memorandum and the accompanying spreadsheet should apply in most cases. As noted the grade allocation for PS&T for most of the Target Titles to which Legal Traineeships lead is Grade 25. |

**ATTACHMENT A – TRAINEESHIP EXCEL SPREADSHEET LEGEND**

**B. Full Performance Title Level – Headers and Descriptions**

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| **Header** | **Description** |
| **Full Performance Level Title** | This is the “graded” title to which all State employees move upon completion of a Traineeship. Note that there are various legal titles into which a legal Traineeship can lead. The Full Performance title sometimes also can be known as the “Target Title.” |
| **Qualifications** | These are the minimum qualifications associated with appointment to the full performance level title (also known as the “Target” title). Appointment can occur at this level without progressing through the Traineeship depending on qualifications, as noted. |
| **Grade** | This represents the salary grade associated with the full performance level title (also known as the “Target” title). In most cases this is a PS&T Grade 25. |
| **Salary** | This indicates what the salary of an incumbent will be when successfully transitioning to the full performance level title (or “Target” title). The salary at the full performance level title will be the higher of an incumbent's current salary when completing the Traineeship (minus any honor’s premium) **OR** the Hiring Rate of the PS&T Grade 25 or the M/C M-1 level. (PS&T Grade 25 applies in most instances.) There is no Increase Upon Completion amount associated with Legal Traineeships. |
| **Not To Exceed Amount** | This number represents the Job Rate of the salary grade of the full performance level title. Due to prior graded State service, certain State employees can enter a Traineeship above this rate and/or have their salary progress beyond this rate.  This number varies for those who are progressing towards the full performance level title of Senior Attorney based on the Negotiating Unit (NU) designation of the full performance level title, but in most cases a PS&T Grade 25 will apply. |