**MEMORANDUM**

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

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

**SUBJECT:** State Fiscal Year 2015-16 Memorandum **(Effective April 2015)** of Revised Salaries for Professional, Scientific, and Technical (PS&T) Legal Traineeships

**DATE:** April 2015

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This Memorandum supersedes all previous Professional, Scientific, and Technical (PS&T) Legal Traineeship (“Legal Specialties”) Advisory Memoranda, and the spreadsheet supersedes all previous spreadsheets.

The Legal Traineeships covered in this memorandum and the accompanying spreadsheet lead to the titles of Senior Attorney, Senior Insurance Policy Examiner, Hearing Officer, Unemployment Insurance Referee, and Motor Vehicle Referee.

These revised salary rates are **effective April 2015** and apply to all parenthetics. The default Negotiating Unit (05) designation for the legal titles dealt with in these documents is Professional, Scientific, and Technical Services (PS&T). The Target titles overwhelmingly are found within the PS&T unit. However, cases exist where specific items may be classified in other negotiating units (primarily but not exclusively the unrepresented Managerial/Confidential, or M/C, unit). In these cases, please contact either your Classification and Pay Analyst or the Office of the State Comptroller. There also is one Traineeship, known as the Trial Examiner Traineeship, leading to a title which is M/C by default: Assistant Trial Examiner, M-1. This title is found at only one agency: The Public Employment Relationship Board. There is no publication regarding this Traineeship, please contact your agency’s Classification and Pay Analyst if you wish to know more.

The pay scales effective for these Traineeships on April 2014 represented 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. It should be noted, however, that, as of the time of writing, no new salary schedule for the PS&T negotiation unit for the Fiscal Year 2015-2016 has been propagated, and the relevant contract negotiations have not yet been concluded. The same salary schedule that was in effect for the Fiscal Year 2014-2015 still is in effect at present. This document will be revised when a new salary schedule eventually is available.

As in previous years, Traineeship information is being provided in Excel spreadsheets. The spreadsheets 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 and/or at the start of a new Fiscal Year. A new salary schedule, for example, would count as a Traineeship being amended, and thus a new spreadsheet will be produced.

Note that there are differences between how the Legal Traineeships work and how other Traineeships work. Information regarding appointments to Traineeships leading to the Target Titles of Senior Attorney and Hearing Officer is available in the Division of Staffing Services General Information Bulletin #01-01. By extension that bulletin also has been applied to the Traineeships leading to the other legal titles covered by this memorandum and spreadsheet.

Generally speaking, the appointment level to the Legal Traineeships 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. 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.

The basic progression is as follows:

* Attorney Trainee 1. After 26 weeks and successful performance (as defined), progression to:
* Attorney Trainee 2. After 26 weeks and successful performance (as defined), progression to:
* Assistant Attorney 1. After 26 weeks and successful performance (as defined), progression to:
* Assistant Attorney 2.

After Assistant Attorney 2, the Trainee titles split off, depending upon the Target Title being sought. See the following table.

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| --- | --- |
| Attorney 1 | Leading to: Senior Attorney |
| Attorney 2 |
| Assistant Hearing Officer 1 | Leading to: Hearing Officer |
| Assistant Hearing Officer 2 |
| Motor Vehicle Referee Trainee 1 | Leading to: Motor Vehicle Referee |
| Motor Vehicle Referee Trainee 2 |
| Insurance Policy Examiner 1 | Leading to: Senior Insurance Policy Examiner |
| Insurance Policy Examiner 2 |
| Assistant Unemployment Insurance Referee 1 | Leading to: Unemployment Insurance Referee |
| Assistant Unemployment Insurance Referee 2 |

The following attachment seeks to explain the Excel spreadsheet format.

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 general salary rates may 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 of this memorandum to your appropriate personnel and payroll staff.

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Abner JeanPierre

Attachments

**ATTACHMENT – TRAINEESHIP EXCEL SPREADSHEET LEGEND**

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| --- | --- |
| **Header** | **Description** |
| **Trainee Title** | This column displays the Traineeship Title(s). Note that distinct Trainee Titles within the Legal Traineeship begins at the third level. At the first two levels the Trainee Titles are the same across the Legal Traineeships. |
| **Qualifications** | These are the specific minimum qualifications associated with appointment to each Traineeship Title. Appointments can be made to any Trainee level depending on the specific qualifications of the hiree. Sometimes an appointment can be made to the Target Title, depending upon the degree, and type, of qualifying experience, relative to the Target Title at issue.  |
| **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). The amounts payable are increased with the general salary increase for the negotiation unit. Most of these Trainee titles, as noted, are in the PS&T negotiation unit, for which there is no general salary increase effective for the 2015-2016 Fiscal Year. Hence these amounts have not changed from 2014-2015. The spreadsheet and the accompanying Word document, the document you are reading now, will be updated when a new schedule is propagated for the unit.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. Honors Premiums are not dealt with within these documents.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. Conditions often are specified herein wherein a Trainee must be terminated, due to failure to progress. |
| **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.) Note that the strong differentiation between the Performance Advancement for “Effective” and “Outstanding” performance begins at the second level (“Assistant Attorney”). At the first level, the amounts are identical or nearly so. |
| **Not To Exceed Amount** | This number represents the Job Rate of the salary grade of the full performance level title (also known as the “Target Title” or the “Journey Level”) – a PS&T Grade 25, the legal Traineeships dealt with in these documents all 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.  |