



NEW YORK STATE ASSEMBLY, 25 DISTRICT

NEW YORK STATE SENATE, 22 DISTRICT

*Assemblyman Rory I. Lancman      Sen. Martin Golden*

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**Governor Paterson Signs**  
**“Public Servant Soldier Salary Act”**  
**To Relieve Crushing Debt On Returning**  
**NYC Employee Citizen-Soldiers And Establish**  
**Differential Pay Program For Future Deployments**

*New law fixes NYC’s broken financial support system for its deployed employees, saves returning veterans tens of thousands of dollars, and ensures financial security for employees mobilized for active duty in Iraq and Afghanistan*

Albany, NY (August 26, 2008) – Two bills comprising the “Public Servant Soldier Salary Act” ([A.9106](#) & [A.9872/S.6180](#) & [S.6772](#)), sponsored by Assemblyman Rory Lancman (D-Queens) and State Senator Martin Golden (R-Brooklyn), were signed into law by Governor David Paterson today.

The legislation provides substantial financial relief to New York City employees who were mobilized for military duty in Iraq and Afghanistan and who participated in the City’s existing Extended Military Benefits Program, under which mobilized City employees were receiving their full civilian salary while deployed but were required to repay the lesser of their civilian or military salary to the City upon their return.

Unlike New York State itself and many other localities (and many private sector companies) who

pay their employee citizen-soldiers the difference between their civilian and military pay during their deployment, New York City has established the highly peculiar “repayment” method of civilian-military differential pay, whereby City employees are given the option of (1) receiving both their military and their entire City salary (with its City health benefits) during deployment, and then repaying the lesser of the two salaries when they return to their civilian jobs, or (2) not receiving any part of their City salary at all (and losing their City health benefits during that period as well).

Many of the City’s mobilized employees elected to continue their full City salary with the added financial protection it affords their families while they are away and with the more desirable City health benefits. However, one result of the City’s repayment system is that service members are hit with staggering bills from the City on their return home, some in excess of \$100,000. Imagine coming home from running convoys through Faluja and discovering you owe the City what amounts to a second mortgage. Not only that, but the repayment terms the City applied were especially onerous: the amount owed is based on the gross amount of the employee’s City pay, not the net received (meaning service members are paying back not just the money they actually received from the City, but they must pay back city, state and federal taxes which the City withheld, i.e., money they never actually received); and repayment must be made in full within five years, or within 90 days of separation from City employment through resignation, termination, retirement or death (yes, the families of veterans who die must pay the City the entire outstanding balance within 90 days, and those choosing retirement can only retire if they can come up with the money to pay off the balance of their debt within 90 days).

This legislation abolishes the City’s “repayment” system altogether and replaces it with a true differential payment system whereby mobilized employees will receive the difference between their civilian and military salaries during the period of their deployment, meaning returning employees will not have to repay any amount to the City at the conclusion of their mobilization. The legislation also changes the terms of repayment for employees already participating in the current repayment system, by (1) reducing the amount owed by between 22% and 27% to approximate the amount of federal, state and city taxes already paid; (2) doubling the repayment period to ten years; (3) allowing retirees the same ten years to repay; and (4) extinguishing the debts of employees killed in the course of military service.

The legislation was the product of nearly a year of negotiations led by Assemblyman Lancman and Senator Golden involving the legislature, the City and municipal unions. The final legislation was supported by the Uniformed Firefighters Association; the Detectives’ Endowment Association; the Uniformed EMTs, Paramedics and Inspectors – F.D.N.Y.; the N.Y.S. Association of PBAs; and New York City.

“City employees serving in Iraq or Afghanistan are defending our city and our country, and they deserve better on returning home than a collection notice from the City,” said Assemblyman Lancman. “This legislation guarantees them and their families’ financial security during and after their military service.”

“On 9/11, New Yorkers showed the best of their characters. Not only did we pull together to meet immediate crisis, we showed that we were in it for the long haul. Many of our public employees, such as police and firemen, joined the National Guard or the Military Reserves. They continued serving New Yorkers in the mountains of Afghanistan and in the deserts of Iraq. We owe it to them to protect them from a technical glitch,” said Senator Golden.

“The Uniformed Firefighters Association is grateful for passage of this bill. This bill recognizes the sacrifice and will help to alleviate the burden on our members that have served in the military in Iraq and Afghanistan,” Stephen Cassidy, President of the Uniformed Firefighters Association.

“When enacted, this legislation will allow the City to recoup its monies while ensuring that our EMS Citizen Soldiers and their families will not have to face financial ruin,” said Robert Unger, Legislative Counsel for Uniformed EMTs, Paramedics, and Inspectors – FDNY.

“This legislation is designed to ensure that our dedicated, hardworking civil servants, who are doing double duty on the front lines of our “War on Terror” both at home and abroad, are treated with utmost respect and gratitude.” said Detectives’ Endowment Association President Michael J. Palladino

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