

Governor Hochul and DOCCS Commissioner Martuscello want to thank the staff that remained on duty throughout the 22-day illegal strike, as well as those that returned to duty prior to the deadline on March 10th.

As publicly stated, despite not meeting the 85 percent return threshold set by the March 8th Memorandum of Agreement (MOA), the State is recognizing components of both the March 6th and March 8th agreements including:

- HALT Committee - The parties agree to establish a committee comprised of representatives of NYSCOPBA and DOCCS and other parties, as set forth herein. The committee will begin its work immediately after the signing of this MOA and within 60 days of the date of this MOA present agreed upon recommendations to the New York State Legislature regarding changes to the Humane Alternatives to Long-Term (HALT) Solitary Confinement Act. The committee will focus on areas that address the safety of staff and incarcerated individuals to include, but not be limited to, keeplock, assaults on staff, and assaults on incarcerated individuals. The committee will establish a minimum number of meetings to be held. The committee will be made up of as follows:
 1. NYSCOPBA will present 1 representative from each facility and then identify one of the representatives from each Hub/Region to participate.
 2. Other State Unions - Council 82, CSEA and PEF, shall be offered the opportunity to have a representative on the committee.
 3. DOCCS will appoint as many State agency representatives as necessary to carry out the objectives of the committee.
- 90-day HALT programming suspension - The Commissioner of DOCCS will exercise his existing discretion under the HALT Act and continue the temporary suspension of the programming elements of the HALT Act for 90 days from the date of this MOA due to the ongoing emergency and exigent circumstances that exist within each facility due to the illegal strike and the significant staffing deficit that existed prior to the illegal strike. After 30 days from the date of this MOA, the Commissioner of DOCCS will begin to evaluate the operations, safety, and security of DOCCS facilities relative to staffing levels and determine whether re-instituting the suspended elements of HALT would create an unreasonable risk to the safety and security of the incarcerated individuals and staff. This analysis will be done on a facility-by-facility basis and will be ongoing. The suspension applies only to the HALT Act provisions contained within Correction Law sec. 137 pursuant to which the Commissioner has operational discretion, and specifically to the provisions that have been directly impacted by the staffing crisis and illegal strike, and not to the other elements of the HALT Act. DOCCS will continue to follow all other elements of the HALT Act requirements.
- 12-hour shifts during emergency – DOCCS agrees that it will maintain 12-hour shifts for Correction Officers and Correction Sergeants until it determines that each facility has returned to normal operations. When normal operations return to a facility, DOCCS will return employees to their shifts/squads prior to the strike. Each facility superintendent will take measures, to the best of their ability to honor an employee’s regularly scheduled day off.

2.5 times OT for 30 days from March 6th - DOCCS agrees to paying the 2.5 times over time rate for 30 days from the date of the March 6th MOA for all staff who are currently working in the facilities in support of the strike recovery.

- Civil Service re-evaluate the classification – The State agrees that the Department of Civil Service will complete its analysis of the union's previously submitted reallocation request to increase the salary grade of a Correction Officer from SG-14 to SG-17 and Correction Sergeant from SG-17 to SG-20, within two (2) months from the date of this award.
- No NODs – DOCCS shall not issue notices of discipline under the collective bargaining agreement for an employee who engaged in the strike so long as the employee returned to work by the deadline and in accordance with Section 12 of the MOA. b. This does not apply to employees who engaged in criminal/illegal activity separate and distinct from the accusation of strike participation. For example, employees who engaged in vandalism or violence will be issued notices of discipline for such misconduct.
- Taylor penalties remain - The provisions do not include any Taylor Law deductions pursuant to Civil Service Law 210 for any employee who engaged in the strike.
- 70/30 memo rescinded – DOCCS confirms that it rescinded its “70/30” memorandum dated February 10th, 2025, on February 20, 2025.
- Legal Mail Screening – a. DOCCS shall investigate and pursue a contract with a qualified vendor to provide equipment and/or services for the screening of all incarcerated individual legal mail in an effort to further curtail the introduction of drugs into correctional facilities. Such screening shall not include, in any form, the review of the communications within legal mail. b. Representatives from NYSCOPBA shall be considered a stakeholder so as to provide meaningful feedback in committee form to DOCCS once potential vendors are established. c. The parties will continue discussions on Transportation Security Administration screening devices.
- National Guard remains at the Governor’s discretion – The National Guard will remain in a support posture and begin to draw down as staff return to work. The overall support and draw down will remain under the Governor’s discretion. National Guard that remains in place will be used to help prevent an employee from being mandated to work a 24-hour overtime shift.
- Health insurance reinstated immediately - The State will reinstate, effective immediately and back to the first date of absence, the health insurance of any employee who had their health insurance terminated, so long as the employee pays the Cobra rate for such coverage for the period of termination and so long as the employee returns to work by the deadline and as set forth in Section 12 of this MOA. However, an employee does not have to elect to pay such rate if they elect not to have health insurance restored to such date. NYSCOPBA must withdraw the health insurance litigation without prejudice.
- Also, allow employee to purchase health insurance covering the full state share and employee share to first day of AWOL/terminated health insurance.

- Committee on Plot Plan Efficiency – The parties jointly agree to establish a Committee to analyze each facilities staffing and operational inefficiencies with the goal of providing more relief to existing staff. An independent staffing specialist shall be retained to conduct this analysis. As part of the review, the independent specialist, along with the Committee, will review all post orders for potential consolidation or elimination, realignment of non-security specific tasks and conduct a review of both 8-hour and 12-hour staffing plans in order to provide more relief to existing staff. The parties will also review the Annual Leave Day Formula, Vacation Bid Reposting Practice, and Incidental Time as part of this committee. The Commissioner 2 (4) retains all final authority on staffing decisions and both parties retain their rights with respect to changes to terms and conditions of employment.
- Referral bonus program – Any staff that refers a non-DOCCS employee to become a Correction Officer or Correction Officer Trainee will receive a \$1,500 Referral Bonus upon their graduation of the academy and completion of on-the-job training and a second Referral Bonus upon their completion of the 52-week probationary period.

We are also focused on the future and recruiting the correction officers of the future. New York continues to expand efforts to increase recruitment and hiring of new correction officers. This includes:

- Introducing Article 7 language in this year’s Executive Budget to amend the public officers’ law, in relation to residency requirements for certain positions as a correction officer, allowing recruiting from other states which would greatly expand the number of potential applicants.
- DOCCS has contracted with OGS Media Services on a large-scale social media recruitment campaign that includes a multi-channel approach including social media, multicultural digital, streaming audio, video and static ads to better familiarize the public on DOCCS mission. The campaign went live in February 2025 targeting upstate NY community college campuses and military bases.
- DOCCS Statewide Recruitment Unit has been running Recruitment Centers in various locations and currently is operating Recruitment Centers in the Destiny USA mall (Syracuse) and Champlain Centre mall (Plattsburgh).
- DOCCS launched an advanced placement initiative to attract applicants with Correction Officer experience into our Correction Officer ranks at a pay rate commensurate to their experience.
- In July 2024, the Department launched “CNY200”, a regional hiring incentive promoting direct placement of Correction officer recruits to vacancies – a program that has been expanded to eight counties.
- The DOCCS recruitment team launched a new initiative to increase DOCCS applications into the NYS HELPs program, by collecting electronic resumes at career and community events and disseminating them to the facilities in their regions.