

1 **2025 NYSAC Legislative Conference**  
2 **Standing Committee on Intergovernmental Relations, General Government**  
3 **& Public Employee Relations**  
4 **Resolution # 2**

5  
6 **Resolution Calling on the State to Increase the Salary Cap for Retired Public**  
7 **Employees Seeking County 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  
12

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 \$5,000 and  
22 this increase has eroded in value due to inflation over this time; and  
23

24 **WHEREAS**, the ability to hire enough qualified public employees on the State and  
25 county level to perform our residents' needed services has reached crisis level; and  
26

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  
36

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  
40 in a limited fashion is being deterred by state policies; and  
41

42 **WHEREAS**, in 2024 a bill was introduced (S.3144D, Mannion/ A.6419-B Stirpe) that  
43 recognizes adjusting this cap to \$50,000 will provide the State and the local  
44 governments more hiring options when they seek to fill a position that requires unique  
45 skill sets, government experience, and, in some cases, reduces health insurance costs as  
46 the person is already retired, and

1 **WHEREAS**, this bill passed unanimously in the Senate but did not make it to a floor  
2 vote in the Assembly.

3  
4 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of  
5 Counties (NYSAC) hereby calls on the Governor and the legislature to enact legislation  
6 supporting an increase in this earnings rate as part of their 2025-2026 state budget  
7 negotiations; and

8  
9 **BE IT FURTHER RESOLVED**, copies of this resolution be sent to the counties of  
10 New York encouraging member counties to enact similar resolutions; and

11  
12 **BE IT FURTHER RESOLVED**, NYSAC shall forward copies of this resolution to  
13 Governor Kathy Hochul, the New York State Legislature and all others deemed  
14 necessary and proper.