

Determining the Salary and Anniversary Date for Lawyers and Social Workers

What step do you start on when you are hired?

Count the number of years and months since you graduated from law school or social work school. Section 18.3 of the CBA states that you will be placed on the steps based on the number of years since graduation from law or social work school.

If your total years include a partial year of eight months or more, you will be given credit for one additional year of service.

Example: Martin graduated from law school in May 2013. He is hired in December 2014. He has one year and eight months of experience since graduation. The partial year of eight months qualifies him for credit for an additional year of service. He starts with two years of service on step three.

If your total years include a partial year of less than eight months, your step placement will be recalculated when your total years first include a partial year of eight or more months, and your anniversary date will be adjusted to that month.

Example: Diana graduated from law school in May 2013. She is hired in September 2014. She has one year and five months of experience since graduation. She starts with one year of service on step two.

Three months later, in December 2014, when Diana has one year and eight months of experience since graduation, she moves up to step three. Her new anniversary date becomes December 2014.

What about gaps in my work history?

Did you take time off to travel around the world? Or to raise a child? Periods of time when you were not practicing law or social work 75% of the time are not counted towards the calculation of your years of experience since graduation. But time spent studying for the bar *does* count.

When do you move to the next step?

Section 18.4 of the CBA states that you move to the next step at the beginning of the quarter of your anniversary date.

Example: Martin's anniversary date and Diana's adjusted anniversary date are both December 2014. They both move to the next step at the beginning of the fourth quarter of the year, which is October.

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18.3 Placement on Steps for New Employees

(A) Attorneys

Attorneys will be hired based on year of graduation from law school, i.e. placement on the salary structure will be based on the number of years since graduation, except when an attorney has not practiced law full-time at least 75% of the time since graduation from law school. In such case, an attorney will be credited with one (1) year of service for each year of full-time practice. The Employer shall calculate the actual number of years, including months, since the affected employee graduated from law school.

Where the employee's total years since graduation includes a partial year of eight (8) months or more, s/he shall be given credit for one (1) additional year of service.

Where the new employee's total years include a partial year of less than eight (8) months, his/her step placement shall be recalculated when his/her total years first include a partial year of eight (8) months or more, as if s/he had been hired at that later date and his/her anniversary date for all purposes affecting salary shall be adjusted to that month.

(B) Legal Workers

For legal workers, other than MSWs, placement on the step system shall be determined at the time of employment based on years of experience comparable to LSNYC legal workers' experience. In order to accomplish this, all employees currently at Step 3 or below shall be placed at the step, up to step 4, that reflects prior experience. New hires in calendar year 2004 shall be awarded up to 4 years' credit; new hires in calendar year 2005 shall be awarded up to 5 years' credit. In each subsequent calendar year, one (1) year shall be added to the maximum numbers of years' credit that shall be awarded. Placement on the step system shall not affect seniority, which shall be governed by date of hire as provided in §18.2 of the collective bargaining agreement. Prior experience shall mean one year of credit for each year of employment in a position equivalent to the one for which the employee is being hired. The amount of credit given to an incoming employee will be proposed by the Project Director and will be accompanied by a written justification and resume, and approved by the Executive Director. The resume and written justification for placement on a higher step shall be attached to the Personnel Action Form sent to the Union.

(C) Law Graduates

Law graduates shall remain at the Law Graduate salary rate until admitted to the bar. Upon admission, s/he shall be paid in accordance with the applicable attorney salary schedule, based on § 18.3(A) above.

Any applicable increase(s) shall be retroactive to the date of publication on the New York Board of Law Examiners website of bar passage. Any Law Graduate who takes and passes the ethics portion of the bar examination within four (4) months of the publication of the bar examination results shall be paid retroactively to the date of said publication; however, any Law Graduate who takes and passes the ethics portion of the bar examination more than four (4) months after the publication of the bar examination results shall be paid retroactively to the date of the notification of the passing of the ethics portion.

(D) Masters of Social Work

Masters of Social Work will be hired based on year of award or receipt of the Master of Social Work degree, i.e. placement on the salary structure will be based on the number of years since the award or receipt of the degree, except when an employee has not practiced social work at least 75% of the time since the award or receipt of the Master of Social Work degree. In such case, the employee will be credited with one (1) year of service for each year of full-time practice. The Employer shall calculate the actual number of years, including months, since the affected employee was awarded or received the Master of Social Work degree.

Where the employee's total years since the award or receipt includes a partial year of eight (8) months or more, s/he shall be given credit for one (1) additional year of service.

Where the new employee's total years include a partial year of less than eight (8) months, his/her step placement shall be recalculated when his/her total years first include a partial year of eight (8) months or more, as if s/he had been hired at that later date and his/her anniversary date for all purposes affecting salary shall be adjusted to that month.

18.4 Movement from Step to Step on Salary Scale

(A) Implementation at Beginning of Anniversary Quarter

Steps will be implemented at the beginning of each quarter in which the employee arrives at the anniversary date (but for non-wage purposes, see section 7.4).