



THE NEW YORK STATE PUBLIC EMPLOYEES FEDERATION TESTIMONY

Human Services Joint Legislative Budget Hearing
2026-2027 Executive Budget Proposal

February 5, 2026

Testimony by Wayne Spence

Good afternoon Chairpersons Krueger, Pretlow, Brisport, Hevesi and other honorable members of the Legislature. My name is Wayne Spence and I am the president of the 55,000-member strong New York State Public Employees Federation (PEF). I want to thank you for the opportunity to speak to you about Governor Hochul's 2026-27 Executive Budget.

Our union is composed of professional, scientific and technical experts who provide critical services to the residents and taxpayers of New York State, including staff at the New York State Office of Children and Family Services (OCFS). PEF members take a great deal of pride in their work and the care they provide to New Yorkers and have continued to faithfully deliver these services through challenging times.

PEF is pleased with many of the proposals advanced by Governor Hochul in the area of Human Services and urges your support for the following proposal:

2026-27 Executive Budget Proposal

“Authorize Use of Body Scanners in Youth Detention and Justice Facilities”

(S.9006/A.10006, PART J)

State and locally operated juvenile justice programs have seen significant increases in incidents involving dangerous contraband, despite implementation of varying methods of contraband detection and screenings. Much of this contraband, including nonmetal and ceramic blades, is not detectable by current facility metal detecting equipment (“Oversight of Juvenile Justice Facilities,” Office of Children and Family Services; Office of the State Comptroller, April 2024).

To reduce the flow of weapons, drugs and other contraband in state correctional facilities, New York state rightly enacted legislation and provided funding to equip DOCCS facilities with body scanners.

We are pleased that the Governor has agreed with legislation proposed by Assemblymember Hevesi and Senator Skoufis (A.9333/S.8963) to permit body scanners at OCFS facilities.

However, PEF believes that the Governor's proposal to allow for body scanners at state-operated juvenile justice facilities operated by OCFS should also include authorization to use body scanners in other secure and forensic facilities operated by the Office of Mental Health (OMH) and the Office for People with Developmental Disabilities (OPWDD) (See also S.8054 Baskin/A.8232 Paulin). At a minimum, some type of equipment is required to detect weapons and other contraband entering state-operated facilities.

In addition to authorizing the use of body scanners at OCFS, OMH and OPWDD facilities, PEF requests that the final budget include \$10 million in additional financial support to allow these agencies to purchase and operationalize the new scanning equipment and/or new metal detection equipment and to provide updated communications equipment for the staff at OCFS and OMH. Communications equipment has become critical in emergency response situations, especially because of the low staffing levels. PEF members are particularly concerned that some of the equipment currently in operation allows clients to overhear when incidents occur and when the staff is responding to incidents. Unfortunately, this has led to clients overhearing conflict responses and then engaging in the dispute further escalating already dangerous situations. PEF requests the purchase of new communications equipment that does not broadcast staff conversations, that can be used without interruption regardless of the physical structure of the facility and which include a geo-locator so staff can respond immediately to the correct location.

PEF BUDGET REQUEST:

SUPPORT S.9006/A.10006 Part J and expand it to OMH and OPWDD facilities and include \$10 million funding to purchase the scanners and updated communications equipment.

ADDITIONAL REQUESTS TO IMPROVE STAFF CONDITIONS:

A. **Workplace Violence Reduction:**

PEF is also requesting amendments to Labor Law Section 27-b to expand protections for public employees regarding workplace violence and to require public employers to take specific action to prevent workplace violence (See also S.7658 (Sen. Ramos)/A.8223 (Asm. Bronson)).

PEF BUDGET REQUEST:

INCLUDE S.7658/A.8223 in the final budget agreement.

B. Recruiting Efforts for OCFS Staff:

While the proposed 2026-27 budget includes funding for approximately 57 more FTEs at OCFS (associated with the new Office of Child Care and Early Education), this is still far below the number of staff needed to properly and safely operate the juvenile justice facilities. Staffing levels are 200 positions less since “Raise the Age” was effectuated. PEF believes that a \$3,000 hiring bonus program, similar to what has been implanted for DOCCS staff, would be beneficial for bringing additional staff on board to help with the detention and justice programs.

PEF BUDGET REQUEST:

ADD \$10 million to the OCFS budget to provide for hiring bonuses and additional FTEs for juvenile justice facilities.

C. Fix Tier 6:

One way to increase the likelihood of filling some of the vacancies at state agencies is to “Fix Tier 6.”

PEF appreciates the efforts made as part of the 2024 State Budget which continued the process of correcting the inadequacies of the Tier 6 pension plan by reducing the final average salary calculation from five years to a three-year final average salary benefit and excluding overtime compensation from the calculation of an employees’ contribution rate until March 31, 2026. We need to do more. Working with other public employee unions, we will be seeking your support for additional affordable improvements that will help attract and retain a career workforce. We know that these conversations always boil down to cost, but we also must consider the other costs the state, municipalities and school districts are paying in consultant fees, overtime compensation, civil service exams and onboarding costs, and the

costs associated with training and re-training new staff. These are real, but in many cases, unnecessary costs.

Public-sector salaries cannot keep pace with the private sector. While the state maintains an excellent health insurance plan, premiums and employee cost sharing have increased significantly over the years. The most cost effective, universal way to positively impact public-sector hiring, and more importantly retention, is to improve the Tier 6 pension plan. We look forward to engaging in this discussion with you directly over the coming weeks.

PEF BUDGET REQUEST:

Fix Tier 6 to Attract and Retain Talent for the State Workforce

D. Improve Agency Culture and Collaboration:

The state needs a legislative or regulatory policy to educate employees, as well as to identify and eradicate inappropriate conduct, like bullying and abusive conduct in all state agencies. The state currently has a law requiring all state employees to undertake an education program to identify and eradicate sexual harassment in the workplace, but there is no training to identify or uniform standards to prevent inappropriate workplace conduct. PEF is open to any and all solutions to this workforce problem as continued inaction is hurting the state's efforts to attract and retain staff.

PEF BUDGET REQUEST:

WORK with the Governor to develop a proposal to eliminate bullying and abusive conduct for state employees.

Thank you for the opportunity to share our concerns with you. We look forward to working with you to ensure that all New Yorkers receive the quality health care they deserve.

Respectfully Submitted,

Wayne Spence
President, New York State Public Employees Federation