Intro. Res. No. 1457-2009 Laid on Table 5/12/2009
Introduced by Presiding Officer Lindsay and Legislator Losquadro

RESOLUTION NO. 476 -2009, REINSTATING THE JULY 2009 STEP INCREASE FOR EMPLOYEES WHO ARE EXCLUDED FROM ORGANIZED BARGAINING UNITS AND INSTITUTING A LAG PAYROLL IN 2009 FOR BARGAINING UNITS 21 AND 30 (MANAGEMENT AND CONFIDENTIAL EMPLOYEES, RESPECTIVELY AND EXCLUSIVE OF THE SUFFOLK COUNTY COMMUNITY COLLEGE AND EMPLOYEES OF THE BOARD OF ELECTIONS) TO ADDRESS REVENUE SHORTFALLS AND AVOID A REDUCTION IN WORKFORCE

WHEREAS, due to the current economic recession, Suffolk County faces large projected budgetary shortfalls in 2009 and 2010; and

WHEREAS, a reduction in the County's workforce may be avoided by the institution of a "lag payroll" or other personnel savings; and

WHEREAS, some of the unions representing County employees have agreed to concessions, including a two week lag payroll, with other bargaining units currently in discussions with the County to avoid potential layoffs; and

WHEREAS, exempt employees should share in the sacrifices required to maintain the County's fiscal stability, but they should not be asked to shoulder an unequal burden; and

WHEREAS, Resolution No. 283-2008 suspended the scheduled July, 2009 step increase for exempt employees; and

WHEREAS, it would be prudent and fair to reinstate the July, 2009 step increase to eligible exempt employees while imposing a two week lag payroll on these same employees; now, therefore be it

1st **RESOLVED**, that paragraph (f) of the 1st RESOLVED Clause of Resolution No. 1173-2005, as amended by Resolution No. 283-2008, is hereby amended as follows:

f) All employees assigned a grade in the official Suffolk County Classification and Salary Plan shall be entitled to advance one step effective and payable July 1 each successive year thereafter, commencing July 1, 2006[, except that there shall be a suspension of the July 1, 2009 step advancement.] <u>and continuing thereafter until amended by duly enacted Resolution. Eligibility for a step increase shall require that an exempt employee in a graded position be on the payroll as of January 1 of the year in which the step is to be granted;</u>

and be it further

2nd **RESOLVED**, that a lag payroll for employees in Bargaining Units 21 and 30, except those listed for Suffolk County Community College and the Board of Elections, is hereby authorized; and be it further

3rd **RESOLVED**, that that the Department of Audit and Control is hereby authorized, directed and empowered to take all necessary steps to institute a two week "lag payroll" for Bargaining Units 21 and 30 (Management and Confidential Employees, exclusive of Suffolk County Community College employees and Board of Elections employees) consistent with this resolution, deferring one day's pay per pay period for ten consecutive pay periods for a total of ten (10) days lagged commencing with the first full payroll week following final approval hereof; and be it further

4th **RESOLVED**, that those employees who participate in the two week "lag payroll" as specified herein, shall be entitled to receive reimbursement upon separation from employment with the County for such lagged time; and be it further

5th **RESOLVED**, that the reimbursement rate for such lag time shall be at the rate of pay at the time of his or her separation from the County; and be it further

6th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

[ ] Brackets denote deletion of existing language
___ Underlining denotes addition of new language

DATED: June 9, 2009

EFFECTIVE PURSUANT TO SECTION 2-15(F) OF THE SUFFOLK COUNTY CHARTER, RETURNED BY THE COUNTY EXECUTIVE UNSIGNED JUNE 25, 2009

SUFFOLK COUNTY
County Legislature
RIVERHEAD, NY

This is to Certify That I, TIM LAUBE, Clerk of the County Legislature of the County of Suffolk, have compared the foregoing copy of resolution with the original resolution now on file in this office, and which was duly adopted by the County Legislature of said County on June 9, 2009 and that the same is a true and correct transcript of said resolution and of the whole thereof.

In Witness Whereof, I have hereunto set my hand and the official seal of the County Legislature of the County of Suffolk.

Tim Laube

Clerk of the Legislature

Intro. Res. 1457 Res. No. 476 June 9, 2009

Motion:
Romaine, Schneiderman, Browning, Beedenbender, Losquadro
Eddington, Montano, Alden, Lindsay, Viloria-Fisher, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Co-Sponsors:
Romaine, Schneiderman, Browning, Beedenbender, Losquadro
Eddington, Montano, Alden, Lindsay, Viloria-Fisher, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Second:
Romaine, Schneiderman, Browning, Beedenbender, Losquadro
Eddington, Montano, Alden, Lindsay, Viloria-Fisher, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

LD	Legislator	Yes	No	Abs	NP	R
1	Edward P. ROMAINE	✓				
2	Jay H. SCHNEIDERMAN	✓				
3	Kate M. BROWNING	✓				
4	Brian BEEDENBENDER	✓				
6	Daniel P. LOSQUADRO	✓				
7	Jack EDDINGTON	✓				
9	Ricardo MONTANO	✓				
10	Cameron ALDEN	✓				
11	Thomas F. BARRAGA	✓				
12	John M. KENNEDY, JR.					✓
13	Lynne C. NOWICK	✓				
14	Wayne R. HORSLEY	✓				
15	DuWayne GREGORY	✓				
16	Steven H. STERN	✓				
17	Lou D'AMARO					✓
18	Jon COOPER	✓				
5	Vivian VILORIA-FISHER, D.P.O.	✓				
8	William J. LINDSAY, P.O.	✓				
	Totals	16				2

MOTION
X Approve
____ Table: _____
____ Send To Committee
____ Table Subject To Call
____ Lay On The Table
____ Discharge
____ Take Out of Order
____ Reconsider
____ Waive Rule ____
____ Override Veto
____ Close
____ Recess
APPROVED X FAILED ____
No Motion ___ No Second ___

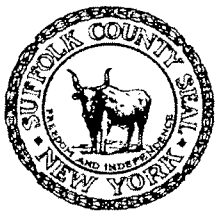
RESOLUTION DECLARED
X ADOPTED
____ NOT ADOPTED

Roll Call ____ Voice Vote X

Tim Laube

Tim Laube, Clerk of the Legislature

COUNTY OF SUFFOLK



OFFICE OF THE COUNTY EXECUTIVE

Steve Levy
COUNTY EXECUTIVE

2009 JUN 25 P 3:16
HAUPPAUGE

June 24, 2009

Presiding Officer William J. Lindsay and
Members of the Suffolk County Legislature
William H. Rogers Legislative Building
725 Veterans Memorial Highway
Smithtown, New York 11787

RE: APPROVING RESOLUTION 476-2009; REINSTATING THE JULY 2009 STEP INCREASE FOR EMPLOYEES WHO ARE EXCLUDED FROM ORGANIZED BARGAINING UNITS AND INSTITUTING A LAG PAYROLL IN 2009 FOR BARGAINING UNITS 21 AND 30 (MANAGEMENT AND CONFIDENTIAL EMPLOYEES, RESPECTIVELYS AND EXCLUSIVE OF THE SUFFOLK COUNTY COMMUNITY COLLEGE AND EMPLOYEES OF THE BOARD OF ELECTIONS) TO ADDRESS REVENUE SHORTFALLS AND AVOID A REDUCTION IN WORKFORCE

Dear Presiding Officer Lindsay and Members of the Legislature:

I am returning herein Resolution No. 476-2009; "reinstating the July 2009 Step increase for employees who are excluded from Organized Bargaining Units and instituting a lag payroll in 2009 for Bargaining Units 21 and 30 (Management and Confidential Employees, respectively and exclusive of the Suffolk County Community College and Employees of the Board of Elections) to address revenue shortfalls and avoid a reduction in workforce" neither signed nor vetoed.

With my support, the Legislature approved Resolution No. 283-2008 which froze the July 2009 Step increase for exempt employees in anticipation of a worsening economy and the effects a reduction in sales tax and real estate related revenue would have on Suffolk County services. It was decided that it was in the best interest of the residents of Suffolk County that both the County Executive and County Legislature work together to adopt a unified, coordinated, comprehensive, and appropriate financial plan to mitigate the then-projected 2009 budgetary shortfall.

Several years ago I objected to the bill giving exempt employees step increases. That said, while I do not agree with reinstating the step increase, I understand that legislators believe that the employees should not be forced to both give up a step increase and also provide a full lag payroll.

LOCATION:
H. LEE DENNISON BUILDING, 12th FLOOR
100 VETERANS MEMORIAL HIGHWAY

MAILING ADDRESS:
P.O. BOX 6100
HAUPPAUGE, NY 11788-0099

OFFICE (631) 853-4000
FAX (631) 853-4818

I would have preferred eliminating the step and imposing a smaller lag payroll than other workers. Nevertheless, vetoing this bill would result in exempt employees giving neither.

Sincerely,

Steve Levy
County Executive of Suffolk County

SL:srt

cc: All Suffolk County Legislators
Tim Laube, Clerk of the Legislature
Christine Malafi, Esq., Suffolk County Attorney
Lynne A. Bizzarro, Esq., Chief Deputy County Attorney
Christopher Kent, Chief Deputy County Executive
Frederick B. Pollert, Deputy County Executive for Finance and Management
Jeffrey W. Szabo, Deputy County Executive and Chief of Staff
Ben Zwirn, Deputy County Executive
Connie Corso, Budget Director
Dan Aug, Director of Communications
Mark Smith, Deputy Director of Communications