

**RESOLUTION NO. 1196-2009, ESTABLISHING BINDING
ARBITRATION POLICY FOR SUFFOLK COUNTY DEPUTY
SHERIFFS POLICE BENEVOLENT ASSOCIATION (DSPBA)
CONTRACT**

WHEREAS, Section 209(4)(c)(vi) of the NEW YORK CIVIL SERVICE LAW authorizes binding arbitration for collective bargaining agreements between a municipality and deputy sheriffs when an impasse is determined to exist in collective bargaining negotiations between an employee organization of such deputy sheriffs and a public employer as to the conditions of employment, said binding arbitration determination of the public arbitration panel not to exceed two years from the termination date of any previous collective bargaining agreement or, if there is no previous collective bargaining agreement, not to exceed two years from the date of the panel's determination; and

WHEREAS, the County of Suffolk and the Suffolk County Deputy Sheriffs Police Benevolent Association (DSPBA) have reached a labor cost savings agreement to defer the cash equivalent of four days pay from the DSPBA unit members to help mitigate budget deficits sustained due to the "great economic recession"; and

WHEREAS, a condition of this agreement is the authorization of the 2008-2009 Compulsory Interest Arbitration Panel to issue an award of three years covering the period January 1, 2008 through December 31, 2010; now, therefore be it

1st RESOLVED, that, the County of Suffolk, pursuant to Section 153(1) of the NEW YORK COUNTY LAW and Civil Service Law Section 209.2, hereby authorizes the public arbitration panel now considering the conditions of employment of members of the Suffolk County DSPBA for the period January 1, 2008 through December 31, 2009 to do so for the period covering January 1, 2008 through December 31, 2010, and also hereby authorizes the Director of Labor Relations to enter into on behalf of the County and execute all documents necessary to implement this authorization, anything in Section 209(4)(c)(vi) of the NEW YORK CIVIL SERVICE LAW to the contrary notwithstanding; and be it further

2nd RESOLVED, that nothing contained herein shall be construed as waiving any right of Suffolk County to assert (through witnesses, testimony, evidence, and arguments) any position including, but not limited to, legal, financial, economic, governmental, and other related arguments regarding:

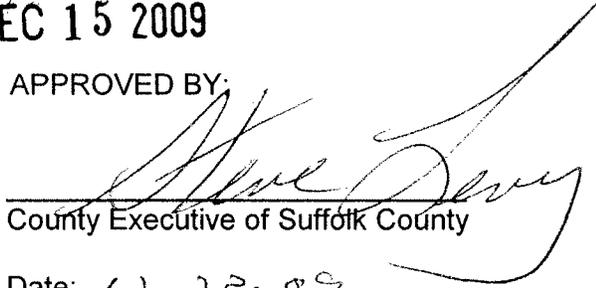
- 1.) the comparability of wages, hours, and conditions of employment with other employees working under similar conditions in public or private employment in comparable communities;
- 2.) the interests and welfare of the public;
- 3.) the financial ability of the County to pay;
- 4.) the comparison of hazards of employment, physical qualifications, educational qualifications, mental qualifications, job training and skills in other trades or professions; and

- 5.) the terms of previously negotiated collective bargaining agreements regarding salary, insurance, retirement benefits, medical benefits, hospitalization benefits, job security, and paid time off; and
- 6.) any other relevant factors.

3rd **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/or (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.

DATED: **DEC 15 2009**

APPROVED BY:


County Executive of Suffolk County

Date: 12-23-09

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 December 15, 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.

A handwritten signature in cursive script that reads "Tim Laube".

Clerk of the Legislature

Intro. Res. 2147 Res. No. 1196

December 15, 2009

Motion:

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

Co-Sponsors:

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

Second:

Romaine, Schneiderman, Browning, Beedenbender, Losquadro
 Eddington, Montano, Alden, Lindsay, Viloría-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	18				

MOTION	
<input checked="" type="checkbox"/>	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 <input checked="" type="checkbox"/>	FAILED _____
No Motion _____	No Second _____

RESOLUTION DECLARED
<input checked="" type="checkbox"/> ADOPTED
_____ NOT ADOPTED

Tim Laube
 Tim Laube, Clerk of the Legislature

Roll Call _____ Voice Vote