

RESOLUTION NO. 861 -2010, AMENDING 2009
LAG PAYROLL PROGRAM TO ENSURE EQUITY FOR
AFFECTED EMPLOYEES

WHEREAS, several of the County's public employee unions agreed to a two week lag payroll in 2009 to help the County achieve costs savings and avoid layoffs; and

WHEREAS, the County of Suffolk enacted Resolution Nos. 337-2009 and 476-2009 to extend the lag payroll to exempt and confidential employees; and

WHEREAS, each of these resolutions provided that employees participating in the lag payroll would be reimbursed for their lost wages and "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

WHEREAS, this Legislature recognizes that certain County employees may be receiving a salary on their date of separation that is lower than was earned at the time of the lag payroll and, therefore, will not receive full reimbursement for the wages they lost in 2009; and

WHEREAS, this Legislature believes it is fair and equitable that County employees affected by the lag payroll receive, at a minimum, reimbursement for the actual wages sacrificed in 2009; now, therefore be it

1st RESOLVED, that the 4th RESOLVED Clause of Resolution No. 337-2009 is hereby amended as follows:

4th RESOLVED, that the reimbursement rate for such lag time shall be at the rate of pay at the time of his or her separation except that in the event an employee's rate of pay at the time of separation is less than it was at the time the lag payroll was imposed, the employee shall be reimbursed for the actual amount of wages withheld; and be it further

and be it further

2nd RESOLVED, that the 5th RESOLVED Clause of Resolution No. 476-2009 is hereby amended as follows:

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, except that in the event an employee's rate of pay at the time of separation is less than it was at the time the lag payroll was imposed, the employee shall be reimbursed for the actual amount of wages withheld; and be it further

and be it further

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 (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: **SEP 16 2010**

APPROVED BY:



County Executive of Suffolk County

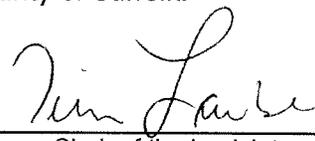
Date: **SEP 24 2010**

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
September 16, 2010 *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.


Clerk of the Legislature

Intro. Res. 1844 Res. No. 861

September 16, 2010

Motion:

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

Co-Sponsors:

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

Second:

Romaine, Schneiderman, Browning, Muratore, Losquadro
 Eddington, Montano, Cilmi, 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	Thomas MURATORE					
6	Daniel P. LOSQUADRO					
7	Jack EDDINGTON					
9	Ricardo MONTANO					
10	Thomas CILMI					
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 <input checked="" type="checkbox"/> EDDINGTON
Take Out of Order _____
Reconsider _____
Waive Rules _____
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