

**STRICKEN AS OF 10/23/2013**  
**AMENDED COPY AS OF 5/6/2013**

Intro. Res. No. 1316-2013  
Introduced by Legislator Nowick

Laid on Table 4/23/2013

**RESOLUTION NO.                   -2013, ADOPTING LOCAL LAW**  
**NO.       -2013, A CHARTER LAW TO IMPROVE HIRING**  
**OPPORTUNITIES FOR SUFFOLK COUNTY RESIDENTS**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a meeting held on \_\_\_\_\_, 2013 a proposed local law entitled, "**A CHARTER LAW TO IMPROVE HIRING OPPORTUNITIES FOR SUFFOLK COUNTY RESIDENTS**"; now, therefore be it

**RESOLVED**, that said local law be enacted in form as follows:

**LOCAL LAW NO.       -2013, SUFFOLK COUNTY, NEW YORK**

**A CHARTER LAW TO IMPROVE HIRING OPPORTUNITIES FOR**  
**SUFFOLK COUNTY RESIDENTS**

**BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK**, as follows:

**Section 1. Legislative Intent.**

This Legislature hereby finds and determines that with certain limited exceptions, employees of the County of Suffolk are required to be residents of the County at the time their employment begins.

This Legislature also finds that the Suffolk County Charter presently authorizes this Legislature to enact resolutions that waive the County's residency restrictions for a one-year period.

This Legislature also finds that the County of Suffolk has a well-educated, well-trained and talented workforce.

This Legislature also finds that during a time of great economic hardship and high unemployment, the County of Suffolk should make every possible effort to employ persons who reside within the County.

This Legislature further determines that no residency waiver should be issued unless the department head seeking such a waiver can demonstrate that he or she made a good faith effort to find a Suffolk County resident qualified to fill such position.

Therefore, the purpose of this law is to require all County department heads to make a good faith effort to seek and find qualified Suffolk County residents to fill job openings prior to seeking a residency waiver from this Legislature.

**Section 2. Amendment.**

Article VI of the SUFFOLK COUNTY CHARTER is hereby amended as follows:

**Article VI.  
Department of Human Resources, Personnel and Civil Service**

**§ C6-3. Recruitment of personnel; training programs; residency requirements.**

\* \* \* \*

B. Residency requirements.

\* \* \* \*

(4) Exemptions.

\* \* \* \*

(b) Subject to Paragraph (2) of this Subdivision B, a nonresident may otherwise be employed, provided that the County Executive proposes, and the Legislature adopts, a resolution [to the Legislature] setting forth precisely defined classes of persons whose services are required by the County of Suffolk for a period of employment not to exceed one year and the job requirements which may require the employment of such nonresident for a period of up to one year. [Within 60 days after the first regular meeting after such resolution is laid on the table, the Legislature shall act thereon; and, in the event that the Legislature fails to act within such period, the resolution shall be deemed approved.] In the case of positions in Bargaining Unit 21, and in the unclassified service, the exempt class and the non-competitive class, no waiver may be proposed or approved unless the hiring authority demonstrates that it invited Suffolk County residents to apply for the position by, at a minimum, posting a job notice on its departmental website and the website of the Department of Human Resources, Personnel and Civil Service. Nothing set forth in this paragraph shall be deemed to be in contradiction to the Civil Service Law requirements for probationary appointments to permanent positions in the competitive class as defined in the Civil Service Law.

\* \* \* \*

**Section 3. Applicability.**

This law shall apply to actions occurring on or after the effective date of this law.

**Section 4. Severability.**

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

**Section 5. SEQRA Determination.**

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law 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. 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 law.

**Section 6. Effective Date.**

This law shall not take effect until at least sixty (60) days after its adoption, nor until approved by the affirmative vote of a majority of the qualified electors of the County of Suffolk voting on a proposition for its approval if within sixty (60) days after its adoption there is filed with the Clerk of the County Legislature a petition protesting against this law in conformity with the provisions of Section 34(4) of the NEW YORK MUNICIPAL HOME RULE LAW and upon filing in the Office of the Secretary of State.

[ ] Brackets denote deletion of existing language.  
\_\_\_ Underlining denotes addition of new language.

DATED:

APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County

Date: