

Home Rule Message No. 2-2010

Laid on Table 2/2/2010

Introduced by Presiding Officer Lindsay and Legislators Losquadro, Browning, Eddington, Muratore

**HOME RULE MESSAGE REQUESTING STATE OF NEW YORK
TO AMEND THE CIVIL SERVICE LAW, IN RELATION TO
RESOLUTION OF DISPUTES BETWEEN A PUBLIC
EMPLOYER AND SUFFOLK COUNTY PROBATION OFFICERS
(SENATE BILL S.4872 AND ASSEMBLY BILL A.7171-A)**

WHEREAS, Section 209(4)(c) of the New York Civil Service Law provides for mandatory arbitration in the event that an impasse is reached in collective bargaining negotiations between a municipality, such as the County of Suffolk, and employee organizations representing members of any organized fire department, police force, or police department; and

WHEREAS, binding arbitration for firefighters and police was initially adopted in 1974 to provide a fair and timely method for resolving contractual disputes involving police and firefighters and in turn to avoid strikes by employees who provide critical public safety services; and

WHEREAS, binding arbitration for compensatory issues was thereafter extended to State Police and State Correction Officers and deputy sheriffs; and

WHEREAS, binding arbitration was subsequently extended to Suffolk County Correction Officers and Suffolk County Park Police; and

WHEREAS, Suffolk County Probation Officers are classified as "Peace Officers"; and

WHEREAS, Probation Officers undergo intensive public safety/ rehabilitation training, including the use of firearms; and

WHEREAS, Suffolk County Probation Officers supervise approximately 14,000 felony/misdemeanor offenders in the community; and

WHEREAS, Probation Officers execute felony and misdemeanor arrest warrants, conduct warrantless searches for weapons and narcotics, confiscate contraband and make summary arrests; and

WHEREAS, similar to State Police, local police officers, deputy sheriffs, correction officers, Probation Officers and park police, face inherent dangers on a daily basis while performing analogous public safety services; and

WHEREAS, it is logical to extend the binding arbitration law to include Suffolk County Probation Officers in order to ensure orderly continuous protection of the public during protracted county contract negotiations; now, therefore be it

1st RESOLVED, that this Legislature hereby requests the State of New York to enact Senate Bill S.4872 and Assembly Bill A.7171-A to amend the Civil Service Law by extending the Binding Arbitration Law provisions to Suffolk County Probation Officers; and be it further

2nd **RESOLVED**, that the Clerk of this Legislature is hereby directed to forward copies of this Resolution to Governor David A. Paterson; to the Majority Leader of the New York State Senate Pedro Espada, Jr., to the Speaker of the New York State Assembly Sheldon Silver; to the Minority Leaders of the New York State Senate and the New York State Assembly; and to each member of the Long Island delegation to the New York State Legislature.

DATED: February 2, 2010