

**RESOLUTION NO. 819 -2014, ESTABLISHING POLICY FOR
HIRING IN THE JAIL MEDICAL UNIT**

WHEREAS, dozens of Licensed Practical Nurses (“LPNs”) were laid off by the County of Suffolk when the John J. Foley Skilled Nursing Facility closed; and

WHEREAS, the Department of Civil Service and Human Resources created a preferred list of former employees who were laid off in non-competitive titles, including those in the LPN title, to create a pathway for them to return to County service; and

WHEREAS, the Jail Medical Attendants who work at the County correctional facilities have essentially the same job description and qualifications as LPNs; and

WHEREAS, the Department of Health Services can hire LPNs off the preferred list when there are open Jail Medical Attendant positions in the County’s jail medical unit; and

WHEREAS, the Department of Health Services has instead pursued a policy whereby it only hires LPNs off the preferred list to work at the correctional facilities on a part-time basis; and to make matters worse, the Department is hiring LPNs on an independent contractor basis to perform work at the correctional facilities which can and should be performed by LPNs on the preferred list; and

WHEREAS, the County of Suffolk should keep faith with former County employees who lost their jobs through no fault of their own; and

WHEREAS, the County can and should hire LPNs off the preferred list to fill openings in the jail medical unit and these LPNs should be given preference over persons hired on an independent contractor basis; now, therefore be it

1st RESOLVED, that the Department of Health Services is hereby authorized, empowered and directed to interview, assess and consider LPNs on the preferred list to fill open Jail Medical Attendant positions at the County’s correctional facilities when the Commissioner of the Department of Health Services determines that such positions require filling; and be it further

2nd RESOLVED, that the Department of Health Services shall not hire LPNs on an independent contractor basis to perform work at the correctional facilities which can be performed by qualified LPNs on the preferred list except where there is an emergency need to temporarily staff the Jail Medical Unit on a short-term basis, in which case an outside contractor may be hired for a period not to exceed five consecutive days; and be it further

3rd RESOLVED, that the five day limitation set forth in the 2nd Resolved clause of this Resolution shall not apply when the Department is required to temporarily replace Jail Medical Attendants who are on long-term medical or child care leave or during the training period following the signing of SCIN forms by the County Executive for the hire of permanent Jail Medical Attendants; and be it further

4th **RESOLVED**, for one year immediately following the effective date of this resolution, the Commissioner of the Department of Health Services will report to the County Legislature's Health Committee, on a quarterly basis, the number of shifts that were covered in the Department's Jail Medical Unit by outside contractors and the reasons for using such contractors during the preceding three (3) month period; and be it further

5th **RESOLVED**, that this Resolution shall take effect on January 1, 2015; 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.

DATED: October 7, 2014

EFFECTIVE PURSUANT TO SECTION 2-15(F) OF THE SUFFOLK COUNTY CHARTER,
RETURNED BY THE COUNTY EXECUTIVE UNSIGNED OCTOBER 21, 2014