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OFFICE OF THE
DEMOCRATIC MINORITY



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Inter-Departmental Memo

To: Michael C Pulitzer, Clerk of the Legislature

From: Peter J. Clines, Esq., Minority Counsel

PJC

CC: Hon. Richard Nicoletto, Presiding Officer

Hon. Kevan Abrahams, Minority Leader

Date: September 19, 2018

Re: A LOCAL LAW TO AMEND ORDINANCE 543-1995, AS AMENDED BY
ORDINANCE NOS. 46-C-2000 AND 38-A-2014, IN RELATION TO THE BENEFITS
PROVIDED FOR CERTAIN NON-CONTRACT OFFICERS AND EMPLOYEES.

Attached please find the above referenced proposed resolution which has been approved as to form per the Rules of the Legislature. Kindly distribute a copy to Presiding Officer Richard Nicoletto along with our request that this item be placed on the next available legislative agenda.

Kindly provide a time stamped hard copy acknowledgement of your receipt.

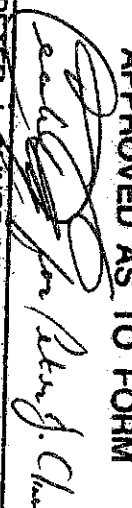
Thank you.

RECEIVED
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2018 SEP 19 P 3:23

Introduced by: Legislator Siela Bynoe

PROPOSED LOCAL LAW NO. -2018

A LOCAL LAW TO AMEND ORDINANCE 543-1995, AS AMENDED BY ORDINANCE NOS. 46-C-2000 AND 38-A-2014, IN RELATION TO THE BENEFITS PROVIDED FOR CERTAIN NON-CONTRACT OFFICERS AND EMPLOYEES

PETER J. CLINES MINORITY COUNSEL

APPROVED AS TO FORM

BE IT ORDAINED BY THE NASSAU COUNTY LEGISLATURE AS FOLLOWS:

Section 1. A new subsection (iv) is hereby added to section 3.1 of Ordinance No. 543-1995, as amended by Ordinance Nos. 46-C-2000 and 38-A-2014, as follows:

(iv) For officers and employees of the County of Nassau that are not represented by a collective bargaining unit hired on or after January 1, 2018,

(A) Notwithstanding any ordinance to the contrary, officers and employees hired on or after January 1, 2018 shall receive a maximum of five (5) days of vacation time upon completion of thirteen (13) bi-weekly pay periods of service. On the first anniversary of employment with the County, an officer or employee shall receive five (5) additional days of vacation time. Vacation time must be utilized during the twelve (12) month period following the date it is granted.

(B) Officers and employees hired on or after January 1, 2018 shall receive ten (10) days of vacation at the commencement of the second, third, and fourth anniversary year of employment. Each officer and employee shall take no fewer than five (5) consecutive days of vacation time during a calendar year.

(i) A maximum of five (5) days can be carried over to the next anniversary year of employment.

(C) Any officer or employee hired on or after January 1, 2018 shall receive fifteen (15) days of vacation time on the fifth anniversary and each subsequent year of his or her employment. Each officer and employee shall take no fewer than five (5) consecutive days of vacation time during a calendar year.

(i) A maximum of ten (10) days can be carried over to the next anniversary year of employment.

Section 2. A new subsection (iv) is hereby added to Section 3.7 of Ordinance No. 543-1995, as amended by Ordinance Nos. 46-C-2000 and 38-A-2014, as follows:

(iv) For officers and employees hired on or after January 1, 2018. An officer or employee shall earn sick leave at a rate of one-half (1/2) day per bi-weekly pay period of service. Upon the accrual of fifty (50) days of sick leave, officers and employees shall earn sick leave at a rate of one-fourth (1/4) day per bi-weekly pay period of service.

Section 3. A new subsection (e) is hereby added to Section 3.6 of Ordinance No. 543-1995, as amended by Ordinance Nos. 46-C-2000 and 38-A-2014, as follows:

(c) Unless discharged for cause, upon termination of service, an officer or employee hired on or after January 1, 2018 shall receive a cash payment for no more than thirty (30) accumulated days of vacation and no more than thirty accumulated days (30) unused sick leave.

Section 4. A new subsection (c) is hereby added to Section 3.17 of Ordinance No. 543-1995, as amended by Ordinance Nos. 46-C-2000 and 38-A-2014, as follows:

(c) For officers and employees hired on or after January 1, 2018, personal leave may not be accumulated from one year to the next, and such officers and employees shall not be entitled to any conversion of personal leave or any additional personal leave pursuant to Section 3.17(b) of Ordinance No. 543-1995, as amended by Ordinance Nos. 46-C-2000 and 38-A-2014.

(i) Personal leave days shall be credited on the anniversary date of officers and employees pursuant to Section 3.15(a)(ii) of Ordinance No. 46-C-2000.

Section 5. 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 6. SEQRA Determination. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L., section 0101 et seq. and its


implementing regulations, Part 617 of 6 N.Y.C.R.R. and section 1611 of the County Government Law of Nassau County, that the adoption of this local law is a “Type II” Action within the meaning of Section 617.5(c)(20) and (27) of 6 N.Y.C.R.R., and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

Section 7. Effective Date. This local law shall take effect immediately.

Introduced by: Legislator Siela Bynoe

LOCAL LAW NO. -2018

A LOCAL LAW TO AMEND ORDINANCE 543-1995, AS AMENDED BY ORDINANCE NOS. 46-C-2000 AND 38-A-2014, IN RELATION TO THE BENEFITS PROVIDED FOR CERTAIN NON-CONTRACT OFFICERS AND EMPLOYEES


APPROVED AS TO FORM
PETER J. CAINES MINORITY COUNSEL

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Section 6. SEQRA Determination. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L., section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R. and section 1611 of the County Government Law of Nassau County, that the adoption of this local law is a "Type II" Action within the meaning of Section 617.5(c)(20) and (27) of 6 N.Y.C.R.R., and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

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