



PERSONNEL COMMITTEE

January 10, 2013– 9:00 A.M.

Personnel Committee Members

**Ira Steingart, Chair
Gene Benson, Vice Chair
Kathy LaBuda
Kitty Vetter
Cindy Kurpil Gieger**

AGENDA

DISCUSSION: None

REPORTS:

1. Human Rights – Monthly Report

DEPARTMENTS:

1. Personnel
2. Risk Management and Insurance

RESOLUTIONS:

1. **To authorize the County Manager to execute an Interim Agreement with the New York State Nurses Association for continuation of Health Insurance Benefits.**

PUBLIC COMMENT:

**RESOLUTION NO. INTRODUCED BY THE PERSONNEL COMMITTEE
TO AUTHORIZE THE COUNTY MANAGER TO EXECUTE AN INTERIM
AGREEMENT WITH THE NEW YORK STATE NURSES ASSOCIATION FOR
CONTINUATION OF HEALTH INSURANCE BENEFITS**

WHEREAS, the County of Sullivan and the New York State Nurses Association are parties to a collective bargaining agreement that expired on December 31, 2012, (hereinafter “old agreement”); and

WHEREAS, the parties are in the process of negotiating, but have not executed, a new collective bargaining agreement (hereinafter “new agreement”); and

WHEREAS, by operation of law, the terms and conditions of employment continue until such time as a new collective bargaining agreement is in place, requiring the County to continue to provide health insurance benefits through the New York State Nurses Association Benefits Fund (hereinafter “Fund”); and

WHEREAS, the Trustees of the Fund had established previous rate for health insurance benefits to be \$15,389 per annum for full-time employees, and a pro-rated amount for permanent part-time employees (hereinafter “old rate”); and

WHEREAS, the Trustees of the Fund have established for the period from the expiration date of the old agreement to December 31, 2013 a new rate of \$14,801 per annum for continuation of coverage for the full-time employees, and a pro-rated amount for permanent part-time employees (“hereinafter “new rate”); and

WHEREAS, the new rate is lower than the old rate; and

WHEREAS, it is in the best interests of the County of Sullivan to enter into the proposed Interim Agreement until such time as a new collective bargaining agreement is executed between the County and the New York State Nurses Association.

NOW, THEREFORE, BE IT RESOLVED, by the Sullivan County Legislature that the County Manager is authorized to enter into the attached Interim Agreement.

Moved by _____,
Seconded by _____,
and adopted on motion _____, 2013.

(4/7/98)

INTERIM AGREEMENT

WHEREAS, COUNTY OF SULLIVAN (the "Employer") and the NEW YORK STATE NURSES ASSOCIATION (the "Association") are parties to a collective bargaining agreement which terminated on December 31, 2012, (the "old agreement"); and

WHEREAS, the parties are in the process of negotiating, but have not executed, a new collective bargaining agreement (the "new agreement"); and

WHEREAS, the old agreement provided for the Employer to contribute to the New York State Nurses Association Benefits Fund (the "Fund") certain sums, on a monthly basis, on behalf of covered employees (the "old rate"); and

WHEREAS, the parties are desirous of continuing coverage pending the executing of a new agreement; and

WHEREAS, the Trustees of the Fund have established for the period from the expiration date of the old agreement to December 31, 2013 a rate of \$14,801 per annum for continuation of coverage for full-time employees, and a pro-rated amount for permanent part-time

employees (the "new rate"); and

WHEREAS, the new rate is lower than the old rate.

NOW, THEREFORE, it is agreed as follows:

(1) The Employer shall make monthly payments to the Fund at the new rate.

(2) Anything herein to the contrary notwithstanding:

(i) If the Trustees of the Fund establish a new contribution rate for the period after December 31, 2013, the new rate set forth in this agreement shall automatically change to the new rate established by the Trustees, on its effective date but no sooner than 60 days after the date the notice of rate change is mailed by the Fund to the Employer; and

(ii) This agreement may be terminated by either party on 45 days written notice to the other party and to the Fund, unless sooner terminated by the execution of a new agreement.

(3) All controversies relating to this agreement, including claims for non-timely payment of monthly contributions to the Fund, shall be submitted for arbitration in accordance with the American Arbitration Association Voluntary Labor Arbitration Rules.

(the following paragraph may but need not be included)

(4) The Employer's obligation to make contributions hereunder and the benefit coverage for employees shall be suspended immediately upon and during the duration of any strike, without obligation to make retroactive contributions for the period of the strike, unless the Employer expressly agrees in writing to make contributions during such period.

IN WITNESS WHEREOF, the Employer and the Association have executed this agreement.

COUNTY OF SULLIVAN

By: _____
(Title)

Date:

NEW YORK STATE NURSES ASSOCIATION

By: _____
(Title)

Date: