

Scott B. Samuelson, Chairman  
Gene Benson, Vice Chairman

Ann Marie Martin, Clerk



**SULLIVAN COUNTY LEGISLATURE**  
**SULLIVAN COUNTY GOVERNMENT CENTER**  
100 NORTH STREET  
PO BOX 5012  
MONTICELLO, NY 12701  
845-807-0435  
845-807-0447 (fax)

**SPECIAL EXECUTIVE COMMITTEE**  
**January 31, 2013 at 9:00AM**

**COMMITTEE MEMBERS:** Samuelson, Benson, LaBuda, Vetter, Rouis, Gieger,  
Edwards, Steingart, Sorensen

- I. DISCUSSION**  
Staffing Policy which includes vacancies
  
- II. PUBLIC COMMENT**

Issues that may go before the Legislature that are Personnel related:

1. Creation of a position- In budget planning process and Outside of budget planning process- When a position is desired to be created during the budget process, documentation for the reason and listing of duties to be performed are presented to the Personnel Officer, who will review and determine if title presented is appropriate or otherwise and classify the position into the appropriate jurisdictional class (competitive, non-competitive, exempt, labor, or Unclassified) and if a job description is needed will create and issue a certificate of classification. This is presented to the Legislature in the budget planning process for review to be approved or denied.  
If created at a later time after the budget planning process, and department and legislature wish to create and fill, the classification process noted above must be completed. At that time there is discussion surrounding How to fund-Ft, RPT with benefits, Pt without benefits, Temporary. A legislative resolution is presented creating the position and setting salary or salary grade if in a bargaining unit.
2. Abolition of a position –usually part of a legislative resolution.
3. Setting a salary of a position not in a bargaining agreement (MC)-done by legislative resolution
4. Reclassification of a position  
Entails the Personnel Officer to review the duties performed in a position(s) for appropriateness to title , as a result of: a Request from the appointing authority, a request for review of duties of position by employee (who believes may be working out of title), or a classification survey by Personnel Officer of duties performed by all working in the same title) If Reclassification is warranted, after review of all appropriate documentation and desk audits, it will involve creating the new position and effectively abolishing the one a person may hold. The new position must then be filled. Personnel advises the legislature since technically there is a new title that usually results in a need to increase the funding for the budget line. Depending on whether the position is currently vacant or encumbered when reclassified, and the language of the CBA there could be as much as an 8%, 12% or more increase.  
If the person encumbering the position meets the qualifications and is reachable on the appropriate eligible list they can be considered for the appointment. (The person holding the first position no longer may meet the minimum qualifications of the new position or there may be an eligible list for that title and may not be reachable or even on it, or just not meet the qualifications. Someone else must be considered for the position.) We now have a vacancy for this new title and must seek approval to fill the position.
5. Approval of Request to fill a vacancy submitted to County Manager/OMB and to Legislature. Appointing authority submits the title of the position and position number, where position is located, when position was or will be vacated, detail of cost involved in

filling the position –salary, benefits, and detail as to how the duties of the department will be affected if not approved to fill. There has been confusion as to policy, when a position was created in the budget process and is vacant if it goes through the vacancy review, when a position is just created and the intent is to fill and when a vacancy actually occurs due to resignation etc, does it have to go through the process.

6. Discussions regarding the collective bargaining process
7. Arbitration matters
8. Matters regarding litigation in a personnel matter
9. Other Personnel related matters relevant to a particular individual/issue
10. Statutory appointments –Legislative resolution
11. Creation of Personnel policies-including establishing exam application fees-legislative resolution
12. Recommendations for changes to the Affirmative Action Plan-leading to legislative resolution
13. Transfer of personnel functions upon transfer of functions between jurisdictions-process outline in §70 of CSL i.e.,- transfer of a particular function of a town or village department to the county or vice versa , provision must be made for the transfer of necessary officers and employees who are substantially engaged in the performance of the function to be transferred.

Because of economy, consolidation or abolition of functions curtailment of activities or otherwise, a police agency of a county, town, village, district is dissolved or abolished and the functions of such department are assumed by another police agency by contractual agreement or payment or taxation provisions of section CSL apply, § 70 (5a) CSL.