RESOLUTION NO. 49

APPROVING THE DEPARTMENT OF PROBATION COLLECTIVE BARGAINING AGREEMENT WITH THE PUBLIC EMPLOYEES FEDERATION, AFL-CIO – DIVISION 502 AND AMENDING THE 2018 ALBANY COUNTY BUDGET

Introduced: 2/12/18

By Personnel and Audit and Finance Committees and Messrs. Miller, Beston, Bullock Ms. Chapman Messrs. Clay, Clenahan, Commisso, Ms. Cunningham, Messrs. Dawson, Domalewicz, Ethier, Feeney, Fein, Higgins, A. Joyce, R. Joyce, Ms. Lekakis, Mr. Mayo, Mss. McKnight, McLean Lane, Mr. O'Brien, Ms. Plotsky, Messrs. Reinhardt, Signoracci, Simpson, Touchette, Ward and Ms. Willingham:

WHEREAS, the Commissioner of the Department of Probation has requested approval of an agreement with the Public Employees Federation, AFL-CIO Division 502 (the "Bargaining Unit") on the terms and conditions of employment for the period of January 1, 2017 through December 31, 2021, and

WHEREAS, Under the terms of the agreement, employees of the Bargaining Unit will receive a 2% raise for the year 2017, retroactive to January 1, 2017, a 1% salary increase for 2018, a 2% salary increase for 2019, a 2% salary increase for 2020 and a 2% salary increase for 2021, and

WHEREAS, Other terms and conditions of employment were modified in accordance with the annexed Memorandum of Understanding ratified by the membership of the Bargaining Unit, now, therefore, be it

RESOLVED, By the Albany County Legislature that the terms and conditions of employment set forth in the existing collective bargaining agreement between the County of Albany and the Bargaining Unit shall continue except as modified by the annexed Memorandum of Understanding, and, be it further

RESOLVED, That the 2018 Department of Probation Budget is amended to accommodate said agreement as indicated in the spreadsheet annexed hereto, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

Adopted by unanimous vote. 2/12/18

MEMORANDUM OF UNDERSTANDING

Made by and between Albany County (Employer) and Public Employees Federation (PEF Division 502) regarding PEF represented members who work for the Albany County Department of Probation. Albany County and PEF (collectively known as "the Parties") have reached tentative agreement this ____ day of October, 2017. This agreement is final and binding subject to approval of the County Legislature, approval by the PEF Executive Board and ratification by the PEF Membership.

WHEREAS, the Parties entered into a collective bargaining agreement that expired on December 31, 2016; and

WHEREAS, the Parties negotiated in good faith and continue to negotiate in good faith; and

WHEREAS, the Parties have reached an agreement relating to the terms of a collective bargaining agreement between the parties;

NOW THEREFORE, in consideration of the mutual undertakings and covenants herein contained, the parties stipulate and agree as follows:

- 1. The term of the collective bargaining agreement shall be from January 1, 2017 through December 31, 2021.
- 2. All other Articles, terms, conditions and provisions of the Collective Bargaining Agreement not mentioned herein, shall remain and be the same as set forth in the January 1, 2014 through December 31, 2016 Collective Bargaining Agreement and shall have full force and effect for the term of the agreement between the Parties from January 1, 2017 through December 31, 2021.
- 3. Article 8 Salary, subsection A remove existing language regarding 2014-2016 salary increases while maintaining existing language regarding retroactive payments and add the following salary language:

"1/1/2017 1/1/2018 1/1/2019 1/1/2020	2% salary increase – retroactive to 1/1/2017 1% salary increase 2% salary increase 2% salary increase
1/1/2021	2% salary increase"

4. Article 9 Longevity - continue longevity schedule from 2014-2016 from January 1, 2017 through December 31, 2017. Add the following language effective January 1, 2018: "Effective January 1, 2018 and every year thereafter:

Years of Continuous Full-time Service	Å
7-9	Amount
10-14	\$500
•	\$650
15-19	\$1,150
20-24	-
	\$1,400

 Article 17 Departmental Policy and Labor Management- remove existing subsection 4 to be replaced with the following language:

"The parties agree that telecommuting, compressed workweek and alternate work schedules shall be appropriate subjects for discussion at labor-management meetings."

6. Article 28 Annual Vacation add subsection "C" and the following language:

"Employees shall receive an additional four (4) hours of vacation annually following receipt of a Performance Evaluation rating of "Meets Expectations," "Exceeds Expectations" or in the case that no performance evaluation is provided to the employee within sixty (60) days of the employee's annual anniversary date. This additional vacation leave shall roll over from one calendar year to the next, if not used within the calendar year it is earned. For more information regarding Performance Evaluations see Article 37."

- 7. Article 30 Health Insurance Subsection B: keep the existing Prescription Drug Plan co-pays for the years 2017 and 2018. Effective January 1, 2019, there will be a \$5.00 co-pay for Retail Generic and Domestic Mail Generic prescriptions. All other co-pays will remain unchanged.
- 8. Article 30 Health Insurance Subsection D Coordination of Benefits: The language shall read as follows:

"For those employees whose spouses are also County Employees, only one spouse is entitled to family coverage. The other spouse is entitled to individual coverage. The County shall have the right to verify marital status."

- 9. Article 30 Health Insurance Subsection E(2) Health Insurance Buy-out Option: The language shall read as follows:
 - "2. No employee shall be eligible to receive any payment authorized by the foregoing paragraph unless the employee shall have presented proof to the County that such employee and such employee's eligible dependent(s) are covered by a plan of medical and health insurance benefits for the entire year that such employee elects not to be covered by the plan of medical and health insurance benefits provided by the County. Such other coverage must not be coverage provided through Albany County. However, those bargaining unit members who, at the time of execution of this agreement, are receiving a buy-out due to being a dependent on an Albany County health insurance plan shall continue to receive buy-out payments for the years 2017, 2018, 2019, 2020 and 2021, provided all other criteria is met. Those payments will cease on December 31, 2021. In the event that the County of Albany elects to no longer self-insure, the buy-out option will be available for all collective bargaining unit members, even if other coverage is through Albany County."
- 10. Article 37 Employee Evaluations strike the existing language. Add the following language:

"Effective upon ratification, the Albany County Probation Department will train supervisors on procedures regarding evaluating, conducting and issuing employee performance evaluations.

The annual employee evaluation period will begin six months following ratification and after sufficient training of supervisors. The annual evaluation period will be for one year and will begin on the employee's anniversary date in 2018.

At the conclusion of the employee's annual evaluation period, the employee's supervisor shall meet with the employee to discuss and provide a copy of the completed written evaluation and the overall rating. In the event the employee does not receive a final evaluation within the sixty (60) days of the anniversary date following the evaluation period, the employee shall be entitled to four hours of time added to their vacation accruals.

An employee may appeal an overall rating of "Does Not Meet Expectations," to the Director of Probation or the Director's administrative designee. This appeal shall be filed by the employee within ten (10) working days of the receipt of the evaluation at the review meeting with the supervisor or receipt of the final evaluation, whichever is later. The employee shall be time barred from filing an appeal if he/she has not filed the appeal within the timeframe stated in this

The Director or Director's administrative designee shall provide a written response to the appeal within ten (10) working days of receipt of the employee's appeal. Should the employee wish to appeal the determination of the Director of Probation or the administrative designee, the employee shall appeal to the Albany County Commissioner of Human Resources within thirty (30) calendar days of the receipt of the Director's response. Such appeal should be sent to: Albany County Commissioner of Human Resources, 112 State Street, Suite 1100, Albany,

Upon an employee's request, any Performance Evaluation shall be removed from his/her Personal History File after twenty-four (24) months from date the written evaluation was signed by both parties.

The parties agree that employees who receive an overall evaluation rating of "Meets Expectations" or "Exceeds Expectations" shall receive four (4) hours of vacation leave. Such leave shall be added to the employee's accrual balance within thirty (30) calendar days from receiving his/her final performance evaluation. These four hours of vacation leave cannot be cashed out but can be rolled over from year to year.

The parties agree to exclusive use of the "Performance Evaluation Form" in Appendix "B."

For the Employer:

For the Public Employees Federation:

JEFFERY V. JAMISON, Esq.

Director of Employee Relations

Albany County

SUSAN J. RADOSH Field Representative

Public Employees Federation .

2017 Budget Amendment PEF Union Employees Appropriations

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	POSITION#		
TOTAL REVENUE	DESCRIPTION	TOTAL APPROPRATIONS	LONGEVITY ADJUSTMENT STATE RETIREMENT HOSPITAL & MEDICAL INSURANCE
, in the second	JOB CLASS		
€9	g	40	₩ ₩
188,265.00	DECREASE	188,265.00 \$	9,000.00 26,877.00
188,265.00	INCREASE		\$ 188,265.00
PROBATION	DEPARTMENT	188,265.00 PROBATION	PROBATION PROBATION 188,265.00 PROBATION