

A local law amending local law number one—nineteen hundred fifty-nine, as amended, constituting the Erie county charter, in relation to the civil service classifications of deputies and employees in the Erie county sheriff's department, by repealing section fifteen hundred three, paragraph one, and substituting a new section fifteen hundred three, A, B, and C therefor.

Became a law with the approval of the county executive, January 23, 1973. Passed by the local legislative body of the county of Erie. Filed in the office of the secretary of state January 26, 1973.

Be it enacted by the legislature of the county of Erie as follows:

Section 1. Findings of fact. The Erie county legislature hereby finds that the Erie county sheriff's department has developed numerous and varied job titles over the course of many years. Certain of these job titles are within the classified service under the Civil Service Law of the state of New York, as a result of the duties performed and pursuant to the provisions of local law number two—nineteen hundred fifty-nine, and its subsequent interpretation by the appellate division of the New York State Supreme Court, fourth department. It is necessary and desirable* at this time, therefore, to delineate the present classifications of the various job titles involved.

§ 2. The Erie county charter, section fifteen-hundred three, paragraph one, as added by local law number two—nineteen hundred sixty-nine, is hereby repealed, and a new section fifteen hundred three A, B, and C is substituted to read as follows:

§ 1503 A. Deputies and employees. The deputies and employees of the Erie county sheriff's department shall be in the classified service under the provisions of the Civil Service Law of the state of New York, and shall be subject to and governed and controlled by the rules and regulations of the New York State department of civil service, as follows:

(1) All personnel employed by the sheriff of Erie county in the following titles, shall be within the competitive class of the classified service: assistant chief deputy, criminal; deputy sheriff, criminal; senior communications officer; communications officer; chief identification officer; identification officer; principal guard; jail guard; hospital guard; matron; steward.

(2) Personnel holding the following titles shall be within the non-competitive class of the classified service: chief criminal deputy; superintendent of jails; assistant superintendent of jails; cook; assistant cook; registered nurse; medical aide; extern; hospital guard (pt); special deputy (pt).

(3) Personnel holding the following titles shall be within the labor class of the classified service: laborer; cleaner; kitchen helper.

(4) Personnel holding the following titles shall be within the exempt class of the classified service: Protestant chaplain; Catholic chaplain.

(5) Detective deputies and special deputies shall be temporary assignments, to be made by the sheriff from the ranks of criminal deputies, and to serve at his pleasure, within the limitations set forth in any bargaining agreement pursuant to the provisions of the Public Employees' Fair Employment Act.

B. Personnel holding the following titles shall be continued within the classification known as "Flaherty": under-sheriff; inspector; deputy sheriff, civil (including court deputies); deputy sheriff, female; secretary to the sheriff; principal deputy, courts; assistant chief deputy sheriff, civil; assistant to bookkeeper; chief account clerk; senior account clerk; cashier; senior clerk stenographer; clerk stenographer; clerk typist; telephone operator. Appointments to these positions shall be made by the sheriff, to serve at his pleasure within the limitations set forth in any bargaining agreement pursuant to the provisions of the Public Employees' Fair Employment Act.

C. All titles other than those listed in subdivisions A and B above shall be classified in accordance with the rules and regulations of the Civil Service Law of the state of New York.

§ 3. This local law shall become effective immediately.

* So in original. [Word misspelled.]