Recommendation to Amend the Erie County Charter
Erie County Charter Revision Commission of 2016

Recommendation Intro. No.130
Recommendation No. 56

Introduced on the Report of the Special Committee on Consolidation and Conformity.

Sponsored by Commission Member _____

The Erie County Charter Revision Commission of 2016 does hereby recommend that article 17 be amended to read as follows:

Article 17 - ~~Office~~ Department of Public Advocacy - Charter

Section 1701. Office of public advocacy

1702. Division of equal employment opportunity

1703. Advisory board to division of equal employment opportunity

1704. Division on the status of women

1705. Advisory commission to division on the status of women

1706. Division for **persons with disabilities** ~~the disabled~~

1707. Advisory board to division for **persons with disabilities** ~~the disabled~~

~~1708. Consumer protection committee~~

Section 1701. ~~Office~~ **Department of public advocacy.** There shall be an ~~office~~ **department** of public advocacy, the head of which shall be the commissioner. The commissioner of said ~~office~~ **department** shall be appointed from among the division directors by, and shall serve at the pleasure of, the county executive, subject to approval of the county Legislature. The commissioner of the ~~office~~ **department** shall:

1. Serve in the capacity of countywide public advocate for all residents of Erie county, overseeing the day-to-day operations of the division of equal employment opportunity, division on the status of women, division for the disabled and consumer protection committee;
2. Report to the county executive and the Legislature on an annual basis on all activities related to fulfilling the obligations of the ~~office~~ **department** of public advocacy.

Section 1702. Division of equal employment opportunity, diversity and inclusion. There shall be a division of equal employment opportunity, **diversity and inclusion**, the head of which shall be the director. The director of said office shall be appointed by and shall serve at the pleasure of the commissioner. The division shall:

1. Direct and be responsible for all equal employment activities of the county and establish a county affirmative action plan and policies and assist in their execution;
2. Monitor personnel changes and procedures, file annual reports with the equal employment opportunity commission (EEOC), ensure Affirmative Action compliance in all County contracts, assist minority/women owned business enterprises in the certification procedures, process complaints of discrimination and sexual harassment and conduct EEO/AA training for Erie county personnel.

Section 1703. Advisory board to division of equal employment opportunity. There shall be established an advisory board to the division of equal employment opportunity, **which shall be known as the Minority and Women Utilization Advisory Board.**

The Board will evaluate and review the adequacy of the County's Affirmative Action Plan. It will also evaluate and review the adequacy of the County's efforts on behalf of Minority and Women's Business Enterprises. Members will receive community input for improvement of employment opportunities with the County. Appointments must reflect an equitable representation of the groups affected by the Equal Employment Opportunity Act of 1972 as amended.

Section 1704. Division on the status of women. There shall be a division on the status of women. It is hereby declared to be the policy of Erie county, New York, to eliminate

discrimination in any form that may exist on account of gender; to fully utilize the potential of each citizen, regardless of gender, in order to preserve our democratic way of life; and to provide equal opportunities to all citizens, regardless of gender, in employment, education, health and mental health, housing, senior and social services, and before the law. The director of said division shall be appointed by and shall serve at the pleasure of the commissioner. The division shall:

1. Work to ensure that the women of Erie county participate fully in matters that have an impact on their lives.
2. Develop an information system for services relating to the needs of women, and develop other networks and referral programs as necessary;
3. Investigate and analyze resources and services available for women within county government and programs funded by the county and recommend measures to coordinate, consolidate or expand those resources and services to provided maximum efficiency;
4. Submit an annual report of its activities and recommendations to the county executive and county Legislature.

Section 1705. Advisory commission to division on the status of women. There shall be an advisory commission. The commission shall consist of nine to fifteen members to be appointed by the county executive subject to confirmation by the county Legislature. The county executive shall appoint to the commission at least two persons recommended by each of the majority and minority leaders of the Legislature.

Nominations for the remaining positions shall be actively solicited from groups which represent and are active in the area of women's concerns. The departments of health, mental health, senior services, social services, youth services, and the equal employment opportunity office shall each designate one person to serve as an ex-officio non-voting member of the commission. The membership of the commission shall reflect the diversity of women and their concerns in Erie county.

No member may serve more than two terms, except that those members who are initially appointed to complete the unexpired term of a member may also be eligible to serve two subsequent terms of three years each.

The commission shall annually designate one member to serve as commission chairperson. In the event of a vacancy occasioned other than by expiration of the term of office of the chairperson, the commission shall appoint a successor to that office from the commission's membership.

The county executive shall require any county department, division, board, council, committee, authority or agency, or other unit to provide such facilities, assistance and

data as will enable the commission to properly effectuate its powers and duties under this article.

Section 1706. Division for persons with disabilities ~~the disabled~~. There shall be a division for **persons with disabilities** ~~the disabled~~, the head of which shall be the director. The director of said office shall be appointed by and shall serve at the pleasure of the commissioner. The division shall:

1. Evaluate and provide reasonable accommodations to county employees under the Americans with Disabilities ACT (ADA) or New York Executive Law in conjunction with the county attorney's office, labor relations department and the unions;
2. Advocate the benefits and services which disabled persons are entitled to under the law and represent **persons with disabilities** ~~the disabled~~ in various area of concern affecting their rights as citizens;
3. Identify and recommend to public and private agencies and organizations which serve **persons with disabilities** ~~the disabled~~, to the county Legislature and to the county executive appropriate sources of state, federal and private financial assistance for purposes of comprehensively expanding services and programs for **persons with disabilities** ~~the disabled~~;
4. Act as the county administrative officer for planning and coordinating services for **persons with disabilities** ~~the disabled~~ in cooperation with the county executive, county Legislature, county departments and public and private agencies and organizations which serve **persons with disabilities** ~~the disabled~~;
5. Submit an annual report in accordance with the Americans with Disabilities ACT (ADA) of activities and recommendations to the county executive and county Legislature.

Section 1707. Advisory board to division for persons with disabilities ~~the disabled~~. There shall be established an advisory board to the division for **persons with disabilities** ~~the disabled~~.

~~**Section 1708. Consumer protection committee. There shall be a consumer protection committee. The committee shall:**~~

~~1. Undertake activities to encourage business and industry within the county to maintain high standards of honesty and fair business practices, and to act responsibly in the production, promotion and sale of consumer goods and services, in the extension of credit and in the collection of consumer debts;~~
~~2. Investigate and analyze resources and services available to consumers within the departments of Erie county government and programs funded by Erie county and shall recommend measures to coordinate, consolidate or expand~~

~~these resources and services to provide maximum efficiency and effectiveness;~~

3. ~~Increase consumer awareness and competence through the development of educational programs emphasizing preventive education, the creation and distribution of publications, the use of communications media and a speakers bureau;~~
4. ~~Submit an annual report of its activities and recommendations to the county executive and county legislature;~~
5. ~~Have a minimum of four public meetings each year at which meetings the business of the committee shall be conducted.~~

~~To effectuate the purpose of this section, the commissioner and the county executive shall require any county department, division, board, council, committee or agency to provide such facilities, assistance and data as will enable the committee to properly effectuate its powers and duties.~~

~~The number of members on the committee, the procedure for appointing them, the length of their terms, and the functioning of the committee shall be as specified in section 1607 on advisory boards, with the exception that the county executive shall designate the chairperson from among the members of the committee.~~

~~A staff person from the office of the county executive, or other county department or division as designated by the county executive, shall serve as liaison between the committee and office of the county executive. The liaison shall attend committee meetings, secure meeting space, assign clerical assistance as needed and assign storage for documents of the committee.~~

Article 17 is former Article 18, amended by Local Law No. 3-2009.

Amended by Local Law No. 1-2008.

Added by Local Law No. 3-2006.

Introducer's Memorandum to
Recommendation Intro. No.130

Sponsored by Commission Member _____

The intent and purpose of this recommendation is to rename the Office of Public Advocacy to the Department of Public Advocacy and make changes throughout, including replacing disabled with disabled persons.

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	YES	NO	NOT PRESENT	ABSTAIN
Todd J. Aldinger	✓			
Joseph T. Burns		✓		
Tara Cadmus			✓	
Diana K. Cihak	✓			
Keith E. Dash			✓	
Kenneth J. Farrell	✓			
Peter J. Galie	✓			
Christina G. Holdsworth	✓			
Timothy M. Hudson	✓			
Matthew J. Kibler	✓			
Peter M. Kooshoian	✓			
Rashied McDuffie	✓			
Cheryl Meyers-Buth	✓			
Sibu S. Nair	✓			
Tiffany R. Perry	✓			
David Pollack	✓			
Myra E. Robinson-Moses	✓			
Mary A. Stang-Cooke	✓			
Jeanne M. Vinal	✓			

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