



ECLEG JUN04'13 10:04:49

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

June 4, 2013

Erie County Legislature
92 Franklin Street – Fourth Floor
Buffalo, New York 14202

**RE: Health Department – Youth Detention Center
Personnel Adjustment**

Dear Honorable Members:

The Erie County Department of Health provides medical services at the Youth Detention Center under an agreement with the Department of Probation and Youth Detention Services. New York State mandates 24 hour per day, seven days per week coverage at the Youth Detention Center. In order to more efficiently meet the medical needs at the Center, it is necessary to make personnel adjustments at the Center by creating one part-time position of Sr. Nurse Practitioner.

The purpose of this resolution is to authorize the personnel adjustment at the Youth Detention Center.

Should your honorable body require further information, I encourage you to contact the Health Department. Thank you for your consideration on this matter.

Sincerely,

Mark C. Poloncarz
Erie County Executive

By: Richard M. Tobe
Deputy County Executive

MCP:lmg
cc: Dr. Burstein, Department of Health

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Dr. Gale R. Burstein, Commissioner - Health Department
Re: Personnel Adjustment
Date: May 24, 2013

SUMMARY

To authorize the creation of one part-time position of Sr. Nurse Practitioner, JG 12, Step 1.

FISCAL IMPLICATIONS

There is no additional cost to the County. Funding for a contractual position will be transferred to create the part time position. Established interdepartmental billing and Youth Detention reimburse budgeted for the contractual services will also apply to the part time position and therefore does not need adjustment.

REASONS FOR RECOMMENDATION

New York State mandates 24 hour per day, seven days per week coverage at the Youth Detention Center. In order to more efficiently meet the medical needs at the Center, it is necessary to adjust the Nurse Practitioner staffing by creating one part-time position of Sr. Nurse Practitioner.

BACKGROUND INFORMATION

The Erie County Department of Health provides medical services at the Youth Detention Center under an agreement with the Department of Social Services.

CONSEQUENCES OF NEGATIVE ACTION

We will not be able to efficiently meet the medical needs at the Youth Detention Center as mandated by the State of New York. We will be out of compliance with the arbitration award.

STEPS FOLLOWING APPROVAL

The Health Department will follow the appropriate steps necessary to fill the position.

**A RESOLUTION SUBMITTED BY:
HEALTH DEPARTMENT**

RE: Department of Health – Personnel Adjustment

WHEREAS, the Erie County Department of Health provides medical services at the Youth Detention Center under an agreement with the Department of Social Services; and

WHEREAS, in order to more efficiently meet the New York State Staffing mandates for 24 hour per day, seven days per week coverage, it is necessary to adjust the nurse practitioner staff at the Youth Detention Center; and

WHEREAS, the Erie County Department of Health has used fee for service nurse practitioner contractors at the Youth Detention Center; and

WHEREAS, the New York State Nurses Association grieved the practice of using registered nurses outside of the bargaining unit; and

WHEREAS, James McDonnell, Ph.D., Arbitrator, signed an award instructing the County of Erie to place the grievant in a Sr. Nurse Practitioner – PT position; and

WHEREAS, it is necessary to create one part-time position of Sr. Nurse Practitioner – PT, JG 12, Step 1; and

WHEREAS, there are sufficient funds available in the 2013 Adopted Budget of the Health Department for this personnel adjustment.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the creation of one part-time position of Sr. Nurse Practitioner, JG 12, Step 1 as indicated on B100 #7292; and be it further

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to make the following budgetary adjustments in the Health Division 2013 Budget:

INCREASE:

Account 500010	Part-Time Wages	\$9,372
Account 502000	Fringe Benefits	\$1,139

DECREASE:

Account 516200	Professional Services	\$10,511
	NET CHANGE	\$0

RESOLVED, that certified copies of this resolution will be forwarded to the Erie County Executive, the Office of the Comptroller, the Division of Budget and Management, the Department of Personnel, the Division of Labor Relations, the Department of Law and to Dr. Gale R. Burstein, Commissioner, in the Erie County Department of Health, 9th Floor, Rath Building.