



# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

September 3, 2013

Erie County Legislature  
92 Franklin Street, 4<sup>th</sup> Floor  
Buffalo, New York 14202

**IMMEDIATE CONSIDERATION REQUESTED**

**RE: Erie County Sheriff Police Benevolent Association  
2009-2016 Successor Collective Bargaining Agreement**

Dear Honorable Members:

Please find enclosed for your consideration a memorandum and proposed resolution for approval expressing legislative assent and directing implementation of a successor collective bargaining agreement between Erie County and the Erie County Sheriff Police Benevolent Association ("PBA") representing sworn personnel in the Erie County Sheriff's Office.

The proposed agreement covers the period between January 1, 2009, and December 31, 2016, and provides PBA members with wage increases in exchange for necessary cost reforms to active health insurance and work time. The contract resolution also averts binding arbitration through the New York State Public Employee Relations Board ("PERB") process. Erie County and the PBA have negotiated in good faith and are pleased to have reached this accord.

Should your Honorable Body require further information, I encourage you to contact Commissioner David Palmer at the Department of Labor Relations. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/tc  
Enclosure

cc: Commissioner David Palmer, Department of Labor Relations  
Sheriff Timothy B. Howard  
Erie County Fiscal Stability Authority

## **MEMORANDUM**

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Labor Relations  
**Re:** Erie County Sheriff Police Benevolent Association  
2009-2016 Successor Collective Bargaining Agreement  
**Date:** September 3, 2013

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### **SUMMARY**

The Department of Labor Relations requests Legislative approval of a successor collective bargaining agreement between Erie County and the Erie County Sheriff Police Benevolent Association ("PBA") representing sworn personnel in the Erie County Sheriff's Office. The PBA is comprised of approximately 130 staff whose terms and conditions of employment were modified by interest arbitration for the years 2005-2008. Those terms and conditions continued under the Taylor Law.

### **FISCAL IMPLICATIONS**

Under the contract, the PBA has agreed that Columbus Day and Election Day will no longer be paid County holidays, and all PBA members' health insurance shall be the Value Plan, with members paying 15% of the cost of the Value Plan. PBA members will receive 0% increases in wages for 2009-2011, 2.5% wage increases for 2012-2015 and 3% in 2016. Members will receive \$750 signing bonuses for each of the years 2009-2011. These measures will result in long-term savings and fiscal certainty to the County and avert the binding arbitration process through PERB.

The County will pay for the signing bonus and 2012-2013 wage costs of the contract through an appropriation of undesignated/unassigned fund balance into the 2013 Budget totaling \$1.57 million.

### **REASONS FOR RECOMMENDATION**

Erie County and the PBA have been operating pursuant to the terms and conditions of employment imposed by interest arbitration since December 31, 2004. The successor agreement provides PBA members with wage increases in exchange for necessary cost reforms to active health insurance and work time.

### **BACKGROUND INFORMATION**

Erie County and the PBA have not had a member ratified contract since December 31, 2004 and PBA members have been working under the terms and conditions of employment imposed by interest arbitration since that time.

## **CONSEQUENCES OF NEGATIVE ACTION**

The proposed agreement would be deemed null and void and Erie County and the PBA would proceed to binding arbitration.

## **STEPS FOLLOWING APPROVAL**

The PBA members will work under the new collective bargaining agreement.

A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF LABOR RELATIONS

**RE: Erie County Sheriff Police Benevolent Association  
2009-2016 Successor Collective Bargaining Agreement**

WHEREAS, Erie County is a municipal corporation and is bound by the New York State Taylor Law to negotiate terms and conditions of employment with duly elected employee organizations; and

WHEREAS, the Erie County Sheriff Police Benevolent Association ("PBA") is an employee union organization and represents employees in the Office of the Erie County Sheriff; and

WHEREAS, Erie County and the PBA have been operating pursuant to the terms and conditions of employment imposed by interest arbitration since December 31, 2004; and

WHEREAS, the existing terms and conditions of employment between Erie County and the PBA expired on December 31, 2008, but have remained binding pursuant to the Taylor Law; and

WHEREAS, Erie County and the PBA negotiated a successor collective bargaining agreement, covering the period between January 1, 2009 and December 31, 2016; and

WHEREAS, the PBA membership recently ratified the successor agreement.

NOW, THEREFORE, BE IT

RESOLVED, the successor agreement between Erie County and the PBA is hereby approved; and be it further

RESOLVED, all terms and conditions of the successor agreement shall be implemented in full; and, be it further

RESOLVED, that authorization is provided to appropriate \$1.57 million in undesignated/unassigned fund balance into the 2013 Budget of the Sheriff's Office to cover the 2009-2013 costs of the successor agreement; and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to make any and all required budgetary adjustments in the 2013 Budget to properly fund the increased costs associated with the PBA contract by utilizing \$1.57 million in appropriated fund balance, and be it further

RESOLVED, certified copies of this resolution be forwarded to the Erie County Executive, Erie County Comptroller, Department of Budget and Management, Department of Labor Relations, Department of Personnel, Office of the Sheriff, and the Erie County Fiscal Stability Authority.