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COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

September 24, 2013

Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

IMMEDIATE CONSIDERATION REQUESTED

**RE: New York State Nurses Association
2012-2017 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 New York State Nurses Association ("NYSNA") representing approximately 32 nursing professionals in the Erie County Department of Health.

The proposed agreement covers the period between January 1, 2012, and December 31, 2017, and provides NYSNA members with wage increases in exchange for necessary cost reforms to active health insurance and work time. Erie County and NYSNA 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
Commissioner Gale Burstein, Department of Health
Erie County Fiscal Stability Authority

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Labor Relations
Re: New York State Nurses Association
2012-2017 Successor Collective Bargaining Agreement
Date: September 24, 2013

SUMMARY

The Department of Labor Relations requests Legislative approval of a successor collective bargaining agreement between Erie County and the New York State Nurses Association (“NYSNA”) representing approximately 32 nursing professionals in the Erie County Department of Health. The proposed agreement covers the period between January 1, 2012, and December 31, 2017, and provides NYSNA members with wage increases in exchange for necessary cost reforms to active health insurance and work time.

FISCAL IMPLICATIONS

Under the contract, NYSNA agrees to eliminate double overtime for nursing professionals and to move members from the Core healthcare plan to the Value plan, resulting in savings. The new contract also takes NYSNA members in correctional health to essentially the same level of compensation as Teamster-represented nursing staff. In addition, due the extreme difficulties in recruitment for nursing positions, especially the correctional health positions (such as senior nurse practitioner, where market salaries are above \$100,000 per year), the County has agreed to modest wage increases for the nurses and a pro-rated one-time signing bonus of \$500 for 2012.

The County will pay for the signing bonus and 2013 wage costs of the contract through an appropriation of undesignated/unassigned fund balance into the 2013 Budget totaling \$172,660. This amount adjusts for offsetting revenue from the New York State Department of Health.

REASONS FOR RECOMMENDATION/ BACKGROUND INFORMATION

Erie County and NYSNA have been operating pursuant to the terms and conditions of the expired contract since December 31, 2011. The successor agreement provides NYSNA members with wage increases in exchange for necessary cost reforms to active health insurance and work time and helps with recruitment for critical nursing functions, especially in correctional health.

CONSEQUENCES OF NEGATIVE ACTION

The proposed agreement would be deemed null and void and NYSNA would continue to operate under the terms of the contract that expired in December 2011.

STEPS FOLLOWING APPROVAL

The Department of Personnel will change the NYSNA-represented nursing professionals’ pay scales and NYSNA members will work under the new collective bargaining agreement.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF LABOR RELATIONS

**RE: New York State Nurses Association
2012-2017 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 New York State Nurses Association (“NYSNA”) is an employee union organization representing approximately 32 nursing professionals in the Erie County Department of Health, including correctional health; and

WHEREAS, NYSNA and Erie County have been operating pursuant to the terms and conditions of employment by a contract which expired on December 31, 2011; and

WHEREAS, Erie County and NYSNA negotiated a successor collective bargaining agreement, covering the period between January 1, 2012 and December 31, 2017; and

WHEREAS, the NYSNA membership recently overwhelmingly ratified the successor agreement.

NOW, THEREFORE, BE IT

RESOLVED, the successor agreement between Erie County and NYSNA 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 \$172,660 in undesignated/unassigned fund balance into the 2013 Budget of the Department of Health to cover the 2012-2013 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 NYSNA contract by utilizing \$172,660 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, the Department of Health and the Erie County Fiscal Stability Authority.