

SUSPENSION



OFFICE OF THE ERIE COUNTY DISTRICT ATTORNEY

FRANK A. SEDITA, III  
DISTRICT ATTORNEY

February 23, 2015

The Erie County Legislature  
92 Franklin Street  
Buffalo, NY 14202

Re: District Attorney's Office  
Personnel Changes  
Immediate Consideration Requested

Honorable Members:

Enclosed please find a proposed resolution and accompanying memorandum requesting authorization to hire a Confidential Clerk at a variable minimum as well as upgrade a position of Assistant Confidential Secretary. The funds necessary to effectuate the proposed changes are available within the District Attorney's 2015 adopted budget.

Thank you for your immediate consideration of this matter. If your Honorable Body requires any further information, kindly contact the Office of the District Attorney or our office and we will be happy to accommodate your request.

Very truly yours,

A large, stylized handwritten signature in black ink, appearing to read "Frank A. Sedita, III".

FRANK A. SEDITA, III  
DISTRICT ATTORNEY

FAS/ah  
Enclosure

Cc: Mark C. Poloncarz, County Executive  
Robert Keating, Director of Budget & Management

# SUSPENSION

## ACCOMPANYING MEMORANDUM

To: Erie County Legislature  
From: Frank A. Sedita, III, District Attorney  
Date: February 23, 2015  
Re: District Attorney's Office  
Personnel Changes  
Immediate Consideration Requested

### **I. Summary of Recommended Action**

The proposed resolution and accompanying memorandum request authorization to fill the position of Confidential Clerk at a variable minimum step 2. We are also requesting authorization to upgrade the position of Assistant Confidential Secretary-DA from a JG 8 to JG 9.

### **II. Fiscal Implications of Proposal**

The position of Confidential Clerk was appropriated at a JG 9 Step C in the 2015 County budget (\$50,360). The former employee has since retired. The hiring of a new Confidential Clerk at a variable minimum salary step 2 (\$40,146), as well as the upgrade of the Assistant Confidential Secretary-DA from a JG 8 to JG 9 (\$3,965) will incur no additional personal services costs. The changes will actually generate a **savings of approximately \$6,250.**

### **III. Reasons for Recommendation and Background of Proposal**

Our office believes in hiring and retaining the best and brightest to fill the most challenging positions within this office and it is important that these individuals are compensated appropriately. The Erie County District Attorney is prepared to fill the Confidential Clerk position at a variable minimum step 2. This salary level will allow for the hiring of an experienced human resource specialist.

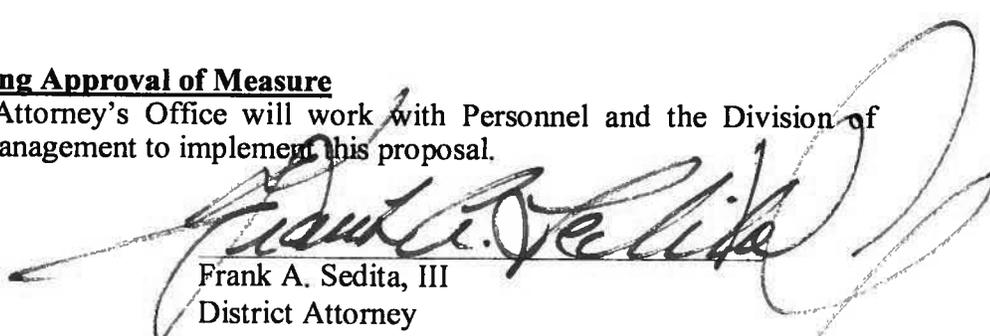
In addition, the upgrade of the Assistant Confidential Secretary- DA from a JG 8 to JG 9 would allow for a pay equity for our confidential secretary.

### **IV. Consequences of Negative Action**

Failure to approve this request could result in the inability to hire and retain highly qualified employees to provide valuable support to the administration of this office.

### **V. Steps Following Approval of Measure**

The District Attorney's Office will work with Personnel and the Division of Budget and Management to implement this proposal.



Frank A. Sedita, III  
District Attorney

**SUSPENSION**  
**PROPOSED RESOLUTION**

Re: District Attorney's Office  
Variable Minimum Authorization  
Immediate Consideration Requested

WHEREAS, in order for the Erie County District Attorney to retain the most experienced and high performing personnel to fill the most challenging positions within his office, it is important that they are compensated appropriately; and

WHEREAS, all requests for authority to recruit at a higher increment level must be approved by both the Legislature and the Erie County Executive; and

WHEREAS, the Erie County District Attorney is prepared to fill the Confidential Clerk position at a variable minimum and upgrade the Position of Assistant Confidential Secretary –DA pending action from your honorable body; and

WHEREAS, Section 2607 of the Erie County Charter states that independent elected officials, including the District Attorney, have the power to manage their departments within the parameters of their adopted budget; and

WHEREAS, the funds necessary to effectuate the above changes are available within the District Attorney's adopted appropriations for 2015.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize a variable minimum step 2 for the position of Confidential Clerk (position #1850), in fund center 11400; and be it further

RESOLVED, that the position #327 of Assistant Confidential Secretary-DA be changed from a JG 8 to a JG 9 (B-100 #8173), in fund center 11400; and be it further

RESOLVED, that the Director of Budget and the Commissioner of Personnel make any changes necessary to effectuate the implementation of this resolution effective March 9, 2015; and be it further

RESOLVED, certified copies of this resolution be forwarded to the Erie County District Attorney, the Erie County Executive, the Commissioner of Personnel and the Director of Budget and Management.