

Delete the resolution in its entirety and replace with the following:

**A RESOLUTION TO BE SUBMITTED BY
LEGISLATORS MILLS, LORIGO & DIXON**

Re: Support for ECMC's Hospital Public Safety Officers

WHEREAS, Erie County Medical Center Corporation (ECMCC) employs the Hospital Public Safety Officers (HPSO) to protect and secure the Erie County Medical Center (ECMC) Campus, which is often the first drop off location for victims of violent crimes throughout the city of Buffalo including gang and drug related crimes; and

WHEREAS, the high level of stress accompanied by the dangerous nature of the task of protecting ECMC has led to a high turnover among the HPSOs; and

WHEREAS, ECMCC came to an agreement with both the County and AFSCME in December of 2015 to increase the job group for the HPSOs from a group seven to a group ten and in exchange the union conceded overtime and holiday pay benefits and agreed to mandatory call backs for all HPSOs to return to duty at the hospital; and

WHEREAS, the contract signed on December 22, 2015 also offered a six month contract ending in June of the following year with a possible six month extension, subject to a mutual agreement, in the event a successor contract is not signed; and

WHEREAS, the County, AFSCME employees, and ECMC are currently in the second month of the optional six month extension as no new contract was signed and the parties continued operating under the agreement dated December 22, 2015 including payment of the higher job group levels and continuation of the other provisions of the agreement; and

WHEREAS, any cancellation of the above agreement could be considered a breach of contract and open the county and ECMC up to significant liability and further harm the negotiations between the County and AFSCME; and

WHEREAS, the HPSOs have been working under the current agreement for over eight months and as a result have come to rely on their current salary levels in compensation for their current duties and expectations and in the negotiations going forward. Any deviation from the current agreement must be mutually made by all concerned parties not by unilateral action by this County Executive; and

WHEREAS, the agreement at hand is between ECMCC and AFSCME and there is no impact on the county budget for these expenses whatsoever and therefore no real role for the County Executive to play in this agreement.

NOW, THEREFORE, BE IT

RESOLVED, that this honorable body hereby acknowledges that Erie County is bound by the agreement between AFSCME and ECMCC for the duration of the extension, afforded due to the lack of a new valid contractual agreement and the continuation of the terms of the agreement signed December 22, 2015, based upon mutual implied consent between AFSCME and ECMCC; and, be it further

RESOLVED, that this honorable body hereby demands the County Executive agree in writing to continue with the agreement and pay scales currently in place for the hospital police officers and to clearly delineate Erie County's role in contract negotiations between AFSCME and ECMCC; and, be it further

RESOLVED, that this body further requests that the County Executive accept a long term agreement between ECMCC and AFSCME and to stop utilizing the Hospital Public Safety officers as leverage in any future negotiations; and, be it further

RESOLVED, that this honorable body stands with ECMCC's Hospital Public Safety Officers and supports the continuation of the agreement between AFSCME and ECMCC for the duration of the agreement's extension; and, be it further

RESOLVED, that certified copies of this resolution are sent to County Executive Mark Poloncarz, Commissioner of Labor Relations Steven Miller, Richard Canazzi President of AFSCME Local 1095, the ECMCC Vice President of Human Resources Carla DiCanio-Clarke, and any other party deemed necessary and proper.

Fiscal Impact: None for Erie County

SUSPENSION

A RESOLUTION TO BE SUBMITTED BY LEGISLATORS MILLS, LORIGO & DIXON

Re: Support for ECMC's Hospital Public Safety Officers

WHEREAS, Erie County Medical Center Corporation (ECMCC) employs the Hospital Public Safety Officers (HPSO) to protect and secure the Erie County Medical Center (ECMC) Campus, which is often the first drop off location for victims of violent crimes throughout the city of Buffalo including gang and drug related crimes; and

WHEREAS, the high level of stress accompanied by the dangerous nature of the task of protecting ECMC has led to a high turnover among the HPSOs; and

WHEREAS, ECMCC came to an agreement with both the County and AFSCME in December of 2015 to increase the job group for the HPSOs from a group seven to a group ten and in exchange the union conceded overtime and holiday pay benefits and agreed to mandatory call backs for all HPSOs to return to duty at the hospital; and

WHEREAS, the contract signed on December 22, 2015 also offered a six month contract ending in June of the following year with a possible six month extension, subject to a mutual agreement, in the event a successor contract is not signed; and

WHEREAS, the County, AFSCME employees, and ECMC are currently in the second month of the optional six month extension as no new contract was signed and the parties continued operating under the agreement dated December 22, 2015 including payment of the higher job group levels and continuation of the other provisions of the agreement; and

WHEREAS, any cancellation of the above agreement could be considered a breach of contract and open the county and ECMC up to significant liability and further harm the negotiations between the County and AFSCME; and

WHEREAS, the HPSOs have been working under the current agreement for over eight months and as a result have come to rely on their current salary levels in compensation for their current duties and expectations and in the negotiations going forward. Any deviation from the current agreement must be mutually made by all concerned parties not by unilateral action by this County Executive; and

WHEREAS, the agreement at hand is between ECMCC and AFSCME and there is no impact on the county budget for these expenses whatsoever and therefore no real role for the County Executive to play in this agreement.

NOW, THEREFORE, BE IT

RESOLVED, that this honorable body hereby acknowledges that Erie County is bound by the agreement between AFSCME and ECMCC for the duration of the extension, afforded due

SUSPENSION

to the lack of a new valid contractual agreement and the continuation of the terms of the agreement signed December 22, 2015, based upon mutual implied consent between AFSCME and ECMCC; and, be it further

RESOLVED, that this honorable body believes that any cancellation of the current six month extension would be akin to a breach of contract, and thus open Erie County to liability for damages based upon that breach; and, be it further

RESOLVED, that this honorable body stands with ECMCC's Hospital Public Safety Officers and supports the continuation of the agreement between AFSCME and ECMCC for the duration of the agreement's extension; and, be it further

RESOLVED, that certified copies of this resolution are sent to County Executive Mark Poloncarz, Commissioner of Labor Relations Steven Miller, Richard Canazzi President of AFSCME Local 1095, the ECMCC Vice President of Human Resources Carla DiCanio-Clarke, and any other party deemed necessary and proper.

Fiscal Impact: None for Erie County