

AMENDMENT TO COMM. 17E-1 (2017)  
EC Sheriff Police Benevolent Association  
2017-2021 Successor Collective Bargaining Agreement  
9/21/2017

*Correction of a typographical error in the Third Whereas Clause relating to the date of expiration of the Collective Bargaining Agreement*

Amend the Third Whereas Clause to reflect the following:

WHEREAS, the existing terms and conditions of employment between Erie County and the PBA expired on December 31, 2016 but have remained binding pursuant to the Taylor Law; and



# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

September 11, 2017

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

**IMMEDIATE CONSIDERATION REQUESTED**

**RE: Erie County Sheriff Police Benevolent Association  
2017-2021 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, 2017 and December 31, 2021, and provides PBA members with wage increases in exchange for necessary cost efficiencies in court time, call-in pay and extended sick leave. 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 Steven Miller at the Department of Labor Relations. Thank you for your consideration on this matter.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Mark C. Poloncarz", with a long, sweeping horizontal line extending to the right.

Mark C. Poloncarz, Esq.  
Erie County Executive

**Cc:** Commissioner Steven Miller-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  
2017-2021 Successor Collective Bargaining Agreement  
Date: September 11, 2017

---

### **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 continued under the Taylor Law, upon expiration of the Collective Bargaining Agreement on December 31, 2016.

### **FISCAL IMPLICATIONS**

Under the contract, the PBA has agreed to reduce the minimum payment for Court Time and Call in Pay from three hours to two hours. Additionally they have agreed to the elimination of the option of three months extended sick leave after ten years of continuous departmental seniority. PBA members will receive increases in wages of 2017 - 3.5% retroactive to 1-1-2017, 2018 - 2.5%, 2019 -2.5%, 2020 - 2.5% and 2021 - 2.0%. The bonus for PBA Field Training Officers will increase to 15%. The Health Insurance Waiver will increase to \$450 per month for family coverage and \$300 per month for a single coverage plan. PBA members will have the option of enrolling in the LMHF Bronze Health Care Plan. Health Insurance Premium sharing caps will increase for active employees on 1/1/2020 to \$4,500 and to \$6,000 on 1/1/2021. Caps for retirees will increase on 1/1/2018 to \$8,000.

### **REASONS FOR RECOMMENDATION**

Erie County and the PBA have been operating pursuant to the terms and conditions of employment of the expired Collective Bargaining Agreement since December 31, 2016. The successor agreement provides PBA members with wage increases in exchange for necessary cost reforms to active court time, call-in time and extended sick leave.

### **BACKGROUND INFORMATION**

Erie County and the PBA Collective Bargaining Agreement expired on December 31, 2016 and PBA members have been working under the terms and conditions of employment of the expired collective bargaining agreement in accordance with the NYS Taylor Law.

### **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  
2017-2021 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, the existing terms and conditions of employment between Erie County and the PBA expired on December 31, 2017 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, 2017 and December 31, 2021; 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 up to \$725,000 of undesignated/unassigned fund balance into the appropriate lines of the 2017 Budget of the Sheriff's Office in order to cover the net 2017 costs of this 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 to the 2017 Budget to properly fund such increased net costs associated with the PBA contract; 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.