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COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

October 16, 2017

The Honorable Lynne Dixon
Erie County Legislature
92 Franklin Street, 4th floor
Buffalo, NY 14202

**RE: Response to your letter regarding Child Protective Service
Workers**

Dear Legislator Dixon,

I have received your letter dated September 28, 2017 regarding a recent presentation held by a group of Erie County Child Protective Service ("CPS") workers at the Legislature. My purpose in this reply is to address your concerns while providing additional facts, so that you might be better informed on the status of the issue to date but also to ensure that you are cognizant of the true magnitude of this discussion.

While it was encouraging to hear of your discussion with Child Protective Services ("CPS") workers at the recent Health and Human Services Committee meeting, I was dismayed by the lack of comprehension of the negotiating process that was displayed there. From your letter it is my understanding that these workers shared with you their desire for pay raises and job group upgrades, issues that are currently under discussion as part of normal contract negotiations with CSEA Local 815, of which these workers are a part. Perhaps you were not aware that these discussions were happening, but please be assured that they are along with the fact that the CSEA Local 815 bargaining unit has not presented a proposal for any special consideration for CPS workers in any meeting to date.

CPS workers make up a portion of CSEA Local 815's membership but not the whole. The figures below provide some perspective on the size of CSEA Local 815, the CPS group it contains and what a 2 job group upgrade for these workers would entail, as well as what other counties are doing in this area:

- CSEA Local 815 makes up the largest bargaining unit within county government, totaling approximately 2350 members.

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- The total budgeted staff of the division of CPS is 222 people, equal to less than 10% of the entire CSEA membership in Local 815.
- The request that was discussed at your Committee presentation called for increasing workers at a job group 8 to a job group 10, so the total affected number of employees would be 194. That number takes into account budgeted positions that are currently a job group 8 along with those in ascending job groups within the department, given that the job group 8 workers would presumably become job group 10 and those who are 10 would become 12, etc.
- Within that 194, 184 are full time positions. The total dollar amount to increase those 184 positions including estimated fringe would be approximately \$ 1,934,792.99 in additional budgetary spending. This increase would not be a onetime increase but would continue annually in perpetuity.
- Your letter assumes that it would be possible to extend job upgrades to only this select group of employees, a dubious proposition at best and not likely to be one that the remainder of CSEA Local 815 membership would accept. For the record, a 2 job grade upgrade for the entire 2,350-member CSEA unit would cost the county over \$20 million under current health care plan provisions; even if the entire unit agreed to pay 15% of their health care premium (only employees hired after August 7, 2014 pay 15% of the premium, employees hired before August 7, 2014 pay nothing), the cost would be \$4 million.
- The cost of health care is a serious consideration. As noted above, Erie County CPS workers hired after August 7, 2014 pay 15% of their health care premium, while employees hired before that time pay 0%. In contrast, all Onondaga County CPS workers pay 14% of their healthcare premiums across the board, a figure that increases to 16% in 2018 and 18% in 2019. In Monroe County, whose white collar unit is represented by CSEA, all employees are paying 20% of their health care premiums. Any consideration of pay scales from other counties in New York must take into account the healthcare insurance component as well.
- You may also be aware that CSEA employees in the Departments of Health, Mental Health, Youth Services Division, and Central Police Services are also pursuing requests for similar job upgrades. Has

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the budgetary magnitude of these compounding requests, on top of the Local 815 request, occurred to your Honorable Body? Even if it were possible to carve out only certain units and employees for such upgrades, which as we mentioned above is not likely, the yearly cost would perpetually run into the millions of dollars and would be far larger if the entire membership of each unit received such an upgrade.

It is also encouraging to hear your concern regarding issues of turnover within the CPS division. As you will remember, it was not long ago that you were joined by other members of the Legislature's Majority Caucus in entertaining the idea of reducing the total amount of county CPS workers given the decrease in caseloads we have seen since my administration restructured the division into a more forward-leaning, investigatory office. I have been advised this maneuver was recently suggested again as a possible means of addressing the desired wage increase.

As I have stated to you and the Majority Caucus before, reducing the number of CPS positions would inevitably increase the caseloads of the remaining workers, a result no one desires. Moreover, eliminating positions to cover the cost of job group upgrades would be using one-shot revenue to address ongoing spending; something your Honorable Body has taken strong positions against in the past. Given the tone of your September 28 letter, I hope you now realize both the fiscal and operational folly of laying off workers to provide the remaining workers a raise.

In closing, I am sure you understand the importance of a fair and impartial contract negotiation process for all county employees, regardless of what union they are a member of or what their position is. Each union elects its own leadership, and members charge that leadership with representing their interests at the bargaining table as they meet with the county negotiating team. That is their job. Any attempts to circumvent the negotiating process only serves to delay the process, create distrust and division, and spread misinformation. My administration has proactively worked with union leadership to settle contracts as swiftly, steadily and fairly as possible over the past 6 years and will continue to do so.

Thank you for your time, and please let me know if you would like to discuss this further.

Sincerely,

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

Mark C. Poloncarz

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MCP/mt

cc: Erie County Legislature
Steven Miller, Commissioner, Dept. of Labor Relations
Robert Keating, Director, Division of Budget and Management
Denise Szymura, President, CSEA Local 815