



ECLEG APR09'13 08:10:11

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

April 9, 2013

The Honorable
Erie County Legislature
92 Franklin Street, Fourth Floor
Buffalo, New York 14202

Re: Personal Services Adjustment – Forensic Biologist II

Dear Honorable Members:

The Department of Central Police Services is requesting legislative approval of the attached resolution to create two (2) Forensic Biologist II positions to address a past practice issue involving Forensic Biologist I titles. Under the proposed resolution, the incumbents in the existing Forensic Biologist I title will be upgraded to Forensic Biologist II and their vacated positions will be deleted.

If your Honorable Body has any questions please contact Commissioner John Glascott at the Department of Central Police Services. Thank you for your consideration.

Sincerely,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/tcc
Enclosure

cc: John Glascott, Commissioner, Department of Central Police Services

MEMORANDUM

To: Erie County Legislature
From: Division of Budget and Management
Re: Personal Services Adjustment – Forensic Biologist II
Date: April 3, 2013

SUMMARY

The Department of Central Police Services is requesting legislative approval of the attached resolution to create two (2) Forensic Biologist II positions to address a past practice issue involving Forensic Biologist I titles. Under the proposed resolution, the incumbents in the existing Forensic Biologist I title will be upgraded to Forensic Biologist II and their vacated positions will be deleted.

FISCAL IMPLICATIONS

There are available funds in the 2013 Budget of the Department of Central Police Services to effectuate this request with no net impact on the 2013 Budget. The total 2013 pro-rated cost for the request is approximately \$5,008.

REASONS FOR RECOMMENDATION

The Department of Labor Relations has opined that the new positions need to be created and the incumbents in the Forensic Biologist I titles must be promoted to avoid a union grievance addressing prior practice in the crime lab at the Department of Central Police Services.

CONSEQUENCES OF NEGATIVE ACTION

The employees will likely file grievances against the County and the County will lose the grievances, at additional cost to the County.

STEPS FOLLOWING APPROVAL

The Department of Central Police Services will work with the Department of Personnel to implement this request.

**A RESOLUTION SUBMITTED BY
DEPARTMENT OF CENTRAL POLICE SERVICES**

RE: Personal Services Adjustment – Forensic Biologist II

WHEREAS, under past practice in the crime lab in the Department of Central Police Services, new employees have been hired in certain titles including Forensic Biologist I as underfills, with the understanding that when the employees reached their two year anniversary of County service, they were to be promoted to Forensic Biologist II, and

WHEREAS, the Department of Labor Relations has determined that based on past practice in the crime lab in the Department of Central Police Services, the two current employees in the Forensic Biologist I title must be promoted to Forensic Biologist II effective immediately, lest the employees file grievances which would likely be successful.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the creation of one position of Forensic Biologist II, job group 12, step 3 (B-100 #7262) and the deletion of one position of Forensic Biologist I, job group 11, step 3, effective June 5, 2013; and be it further

RESOLVED, that the Erie County Legislature hereby authorizes the creation of one position of Forensic Biologist II, job group 12, step 2 (B-100 #7261) and the deletion of one position of Forensic Biologist I, job group 11, step 2, effective February 27, 2013; and be it further

RESOLVED, funding for these positions is available within the personnel account of the Department of Central Police Services; and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the County Executive, the Office of the Comptroller, the Department of Personnel, and the Division of Budget and Management.