

MARCH 6, 2007

PERSONNEL COMMITTEE  
REPORT NO. 4

ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed.
  - a. COMM. 5M-7 (2007)  
**NYS SUPREME COURT:** Notice That CSEA Local 1000 & AFSCME, AFL-CIO Made Claim Against Erie County  
(5-0)

2. COMM. 3E-38 (2007)  
**COUNTY EXECUTIVE**  
WHEREAS, the Division of the Medical Examiner of the Erie County Health Department is mandated to provide a system of death investigations to determine cause of death, and

WHEREAS, the Division of the Medical Examiner conducts autopsies as a key component in these death investigations, and

WHEREAS, the volume of cases has increased dramatically due to contracts with outside counties for autopsy services, and

WHEREAS, the Medical Examiner Division continually operates twenty-four (24) hours a day, seven (7) days a week, three-hundred-sixty-five (365) days a year; this includes medical staff regularly being on-call for medical decisions, in addition to performing autopsies on weekends and holidays, and

WHEREAS, in order to efficiently meet the legal mandates as required in New York State law it is necessary to implement staffing adjustments within the Division of the Medical Examiner, and

WHEREAS, it is necessary to upgrade the Associate Chief Medical Examiner, (position number 00000583) from JG 19, Step E, to JG 22, Step E, and the Associate Chief Medical Examiner, (position number 00000584) from JG 19, Step 5, to JG 22, Step 5, and

WHEREAS, upgrading of current positions is needed to adjust the salaries of the physicians to be comparable with other counties, while greatly reducing extensive overtime costs.

NOW, THEREFORE BE IT

RESOLVED, that the Associate Chief Medical Examiner, (position number 00000583), is hereby upgraded from JG 19, Step E to JG 22, Step E and the Associate Chief Medical Examiner, (position number 00000584), is hereby upgraded from JG 19, Step 5, to JG 22, Step 5, effective March 1, 2007, and be it further

RESOLVED, that the Erie County Legislature hereby authorizes the following budgetary adjustments:

Increase Account 500000 – Full Time Salaries	\$78,658
Increase Account 502000 – Fringe Benefits	\$20,081
Decrease Account 500350 – Other Employee Payments	\$70,422
Decrease Account 516020 – Contractual	\$28,317 Public Health Division

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Department of Health, the Department of Personnel, the Office of the Comptroller, the Division of Budget, Management and Finance, and the Department of Law.  
(5-0)

3. COMM. 3E-39 (2007)  
**COUNTY EXECUTIVE**  
WHEREAS, the Division of the Medical Examiner of the Erie County Health Department is mandated to provide a system of death investigations to determine cause of death, and

WHEREAS, the Division of the Medical Examiner conducts autopsies as a key component in these death investigations, and

WHEREAS, the volume of cases has increased dramatically due to contracts with outside counties for autopsy services, and

WHEREAS, the National Accreditation of Medical Examiners (NAME) recommends a caseload of 250-300 cases for each forensic pathologist, and

WHEREAS, the current annual caseload of 1140 cases handled by the 2.5 full-time forensic pathologists of the Erie County Medical Examiner's Office greatly exceeds these established best practice guidelines, and

WHEREAS, the creation of a Deputy Chief Medical Examiner position within the division would greatly enhance the capability of the division to fall within the upper range of these guidelines, and

WHEREAS, with current medical staffing, in the event of an extended illness, absence, or a natural or man-made disaster, the office would be unable to conduct the necessary functions and responsibilities, and

WHEREAS, the Medical Examiner Division continually operates twenty-four (24) hours a day, seven (7) days a week, three-hundred-sixty-five (365) days a year; this includes medical staff regularly being on-call for medical decisions, in addition to performing autopsies on weekends and holidays, and

WHEREAS, in order to efficiently meet the legal mandates as required in New York State law it is necessary to implement staffing adjustments which include the creation of one full-time position of Deputy Chief Medical Examiner, JG 24, within the Division of the Medical Examiner, and

WHEREAS, in order to recruit and retain a qualified candidate, it is necessary to request a variable hiring minimum to Step 3.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes creation of one full time position of Deputy Chief Medical Examiner, JG 24, with the variable hiring minimum Step 3, effective July 1, 2007, and be it further

The following personnel detail is hereby submitted:

Title: Deputy Chief Medical Examiner  
JG: 24 Step: 3  
Annual Salary: \$150,337  
Fringe Benefit Cost: \$60,134  
Fiscal impact on the budget for the remaining portion of the fiscal year:  
Position will be filled from: National search.

and be it further

RESOLVED, that the Erie County Legislature hereby authorizes the following budgetary adjustments:

Increase Account 500000 – Full Time Salaries	\$75,169
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Increase Account 502000 – Fringe Benefits	\$30,932
Decrease Account 516020 – Contractual	\$60,000 Public Health Division
Decrease Account 516020 – Contractual	\$46,101 Public Health Lab Division

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Department of Health, the Department of Personnel, the Office of the Comptroller, the Division of Budget, Management and Finance, and the Department of Law.  
(5-0)

4. COMM. 4E-13 (2007)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Legislature has appropriated funds for the Heating and Energy Assistance Program (HEAP) for the period January 1, 2007 to December 31, 2007, and

WHEREAS, the Department in concert with Senior Services has restructured HEAP program operations into a single governance structure under the leadership of one (1) Director, and

WHEREAS, savings from this restructuring will be used to upgrade a full time Energy Crisis Worker III (job group 8) position to a full time Energy Crisis Worker IV (job group 9) position, effective March 1, 2007, and

WHEREAS, this will allow comparable titles and job grades to support the Senior Services and Social Services teams operating under the leadership of the HEAP Director, and

WHEREAS, this change is also consistent with a recently adopted legislative resolution upgrading a position in the Department of Senior Services, and

WHEREAS, this position adjustment is reflected in the SAP system on B-100 position authorization form, control number 2788, and

WHEREAS, the HEAP grant has sufficient funds in the Personal Services line for the above-mentioned personnel adjustments, and

WHEREAS, there is no fiscal impact to this resolution.

NOW, THEREFORE, BE IT

RESOLVED, that an Energy Crisis Worker III (job group 8) position be deleted in the HEAP grant effective March 1, 2007, and be it further

RESOLVED, that an Energy Crisis Worker IV (job group 9) position be created in the HEAP grant effective March 1, 2007, and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive, the Commissioner of the Department of Social Services, the Commissioner of the Department of Senior Services, the Commissioner of Personnel, the Erie County Comptroller and the Director of the Division of Budget, Management and Finance.

(5-0)

5. COMM. 5E-18 (2007)

**COUNTY EXECUTIVE**

WHEREAS, the Division of the Public Health Laboratory of the Erie County Health Department is responsible for the provision of emerging infections/biodefense laboratory services to a 17 county region of New York State, and

WHEREAS, the Erie County Health Department has been awarded an LRN grant by the New York State Department of Health to support the emerging infection/biodefense laboratory in the Division of the Public Health Laboratory, and

WHEREAS, the position of Chief Microbiology Laboratory Technician is fully funded by the LRN grant, and

WHEREAS, an increase in supervisory roles and responsibilities of the Chief Microbiology Laboratory Technician position, including additional assignment of work, review of work, subordinate training, subordinate staff evaluation and potential subordinate discipline, is necessary, and

WHEREAS, in order to efficiently meet program mandates it is necessary to implement staffing adjustments within the Division of the Public Health Laboratories by upgrading the Chief Microbiology Laboratory Technician (position number 1214) from JG 9, Step 4, to JG 10, Step, 4, as indicated on B100 number 2764, and

WHEREAS, available balances within the grant will be utilized to fund this request.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the upgrade of the Chief Microbiology Laboratory Technician (position number 1214) from JG 9, Step 4, to JG 10, Step, 4, as indicated on B100 number 2764, and be it further

RESOLVED, that available balances within the grant budget will be utilized to fund this request, and be it further

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

(5-0)

**KATHY KONST  
CHAIRPERSON**