

Even if the Health Commissioner is not an appointed official and is instead an MC employee, she may not be entitled to overtime. MC compensation tends to mirror CSEA employee compensation. The CSEA contract states that positions requiring a medical degree are not entitled to overtime. The Health Commissioner is required to have a medical degree by New York State law.

In total, the Erie County Health Commissioner has been paid a total of \$336,148 in overtime during her tenure as Commissioner, of which \$289,439 was paid in 2020 and 2021.

If the Erie County Health Commissioner is not entitled to receive overtime payments, this amount must be repaid.

In addition to the immediate effect of overpayment of overtime, such large amounts may have an effect on future pension payments. New York State pensions are based on the average of compensation during the highest three consecutive years.