

PERSONNEL COMMITTEE MINUTES

August 8, 2024

Present: Legislator Tracy Monell; Legislator Bill Standinger; Linda Parke, Personnel Officer; Camille Corneby, Benefits Manager; Christie Farnham, Secretary to Personnel Officer.

Guest(s): Legislative Chair, Marte Sauerbrey; Legislative Clerk, Cathy Haskell; County Administrator, Jackson Bailey; County Attorney, Peter DeWind, Deputy County Treasurer Katie Chandler, Accountant Laura Schurter, and Clerk (Seasonal) Abigail Fahey

Absent: Legislator W. Jake Brown, Legislator Keith Flesher, and Kelly Quick, Senior Civil Service Technician

The meeting of the Tioga County Personnel Committee was called to order at 10:32 a.m.

APPROVAL OF MINUTES: In today's Worksession, motion was made by Legislator Monell, seconded by Legislator Brown to approve the July 3, 2024, Personnel Committee meeting minutes, motion carried.

I. FINANCIAL

A. Camille Corneby, Benefits Manager:

New Hires: In June Camille and Christie had two orientations with a total of 13 new hires, 6 of which were for the Board of Elections.

B. Linda Parke, Personnel Officer:

Budget Tracking Report: The budget tracking report as of the end of June was reviewed. We have collected \$1,253.70 (30.7%) of our projected revenue and spent 48.5% of our appropriations.

II. OLD BUSINESS

None.

III. NEW BUSINESS

New York State Public Employer Relations Association Annual Conference: Linda Parke attended the New York State Public Employer Relations Association Annual Conference from July 6th through July 10, 2024, in Saratoga Springs, NY.

Tioga County Fair: Personnel will have a table at the Fair this year. Linda Parke and Karen Weston will be onsite to

2025 Personnel Department Budget: Linda reviewed the 2025 budget. Line items that are increased are offset by other line items that are

reduced. Due to the HELP program the number of exams being held have been reduced. Also, we don't expect to have to pay for as many physicals in 2025.

2025 Worker's Compensation Budget:

The 2025 workers' compensation budget has been entered into Munis. Contracting Services was increase \$1750 due to the anticipated 5% increase in the contract cost with our TPA, postage increased due to the increase in postage costs, legal fee was increased due to future outreach with Coughlin & Garhart the Insurance -Liability was increased \$12,000; out Broker estimates a 6-7% increase. All of these items are offset by other line items that were reduced and budgeted to receive monies in the Interest & Earnings line to offset the increase in salary and fringe costs. Overall budget increase of \$25.

IV. PERSONNEL

The Head Count Report as of August 1, 2024, was reviewed. There are 41 FT and 59 PT funded vacancies. Funded vacancies with active recruitment: DSS – Caseworker, Social Services Investigator, Social Welfare Examiner; PT: Caseworker, Community Services Worker; District Attorney: PT Confidential Assistant; Emergency Services: Deputy Director of Emergency Services and PT Skills Instructor; II: Office Specialist II; Law: 2nd Assistant County Attorney; Mental Hygiene: Clinical Social Worker, Senior Clinical Social Worker (School/Community Based), Senior Clinical Social Worker, Certified Alcohol and Drug Counselor, Certified Peer Specialist, PT Account Clerk Typist; Probation: Probation Officer 1; Public Health – Public Health Technician, PT Dentist and Speech Language Pathologist; Public Works – Heavy Equipment Mechanic I; Sheriff's Office – Correction Officer's, Public Safety Dispatcher Trainee, Deputy Sheriff and PT Cook; Clerk – Motor Vehicle License Clerk; Legislature – Deputy Clerk to Tioga County Legislature; Treasurer – Accountant; ED&P – Economic Development Specialist; Personnel – Benefits Assistant

The Vacancies Filled-Salary Difference Report shows one change since July's meeting with a monthly impact of \$4,214.00 and YTD of (\$71,542.00). The Change in Classification chart shows three changes in titles for Office Specialist I to Office Specialist II retroactive to April 8, 2024, per Resolution No. 252-24. The Temporary Appointments chart shows no change.

RESOLUTIONS

Amend Employee Handbook: Section IV Personnel Rules, Subsection T, Entitled Rights of Nursing Employees to Express Breast Milk: Section 206-c

of the New York State Labor Law now requires employers to provide reasonable paid break time to express breast milk. The County Attorney has reviewed this policy for compliance with State and Federal Law and has identified the need to amend language in Tioga County Rights of Nursing Employees to Express Breast Milk policy in regards to unpaid time to express breast milk. The County Attorney has revised the Rights of Nursing Employees to Express Breast Milk to reflect these changes. That the Employee Handbook is hereby amended to add the revised policy to Section IV. Personnel Rules, Subsection t., entitled Rights of Nursing Employees to Express Breast Milk.

t. Rights of Nursing Employees to Express Breast Milk

Tioga County Right of Nursing Employees to Express Breast Milk

- I. Policy
- II. Paid Break Time
- III. Reasonable Effort and Privacy
- IV. Close Proximity
- V. Non-Discrimination

I. Policy

Tioga County shall provide written notification of the provisions of Labor Law §206-c to all employees hired and again every year after, as well as those returning to work following the birth of a child of their right to take paid leave for the purpose of expressing breastmilk. This notice will be provided to employees generally through the Employee Handbook and will be included in new employee orientations.

Employees are required to provide reasonable advance notice to their supervisors, preferably before the employee's return to work, for the scheduling of reasonable leave time and to establish a reasonable location to express breast milk.

Tioga County provides a supportive environment where employees may express breast milk during work hours. Employees who work remotely have the same rights to paid time off for the purpose of expressing breast milk, as all other employees who perform their work in-person. Employees who choose to express breast milk in the workplace will not be discriminated against in any way.

II. Paid Break Time

Employees who choose to express breast milk will receive:

- Paid break time of 30 minutes and their normal breaks and mealtimes to breastfeed or express breast milk during work hours. Employees can use breaks and mealtimes to express breast milk for up to three years following childbirth (New York State

Labor Law §206-c and Section 7 of the Fair Labor Standard Act).

- Paid break time is unique to every individual and the frequency of breaks will be based on each individual's needs.
- Paid break time that may run concurrent with regularly scheduled paid break or meal periods for time in excess of 30 minutes.

Employees may be required to postpone scheduled paid break time up to thirty minutes if they cannot be spared from duties until appropriate coverage arrives.

While Tioga County cannot require that an employee works while expressing breast milk, Labor Law § 206-c does not otherwise prevent an employee from voluntarily choosing to do so if they want to.

An employee may opt to take shorter paid breaks.

III. Reasonable Effort and Privacy

Tioga County will make a reasonable effort to provide a room or other location (not a toilet stall or restroom) close to the employee's work area where they can privately breastfeed or express breastmilk. This location or room will be sanitary, private and contain at minimum a chair, a small table or other flat surface, be well-lit at all times, have a lock or a sign for when the location is in use to ensure privacy, an electrical outlet, a refrigerator for storing expressed breast milk or a refrigerator in close proximity, and be located near a sink with running water so that employees can wash their hands and rinse out breast pump parts.

Employees may also breastfeed or express breast milk in their own private offices or in other comfortable locations agreed upon with their supervisor.

IV. Close Proximity

Any room or location provided for the expression of breast milk will be in close proximity to the work area of the employee(s) using it for the expression of breast milk. The room or location will be in walking distance and will not appreciably lengthen break time.

V. Providing a Request

If an employee wants to express breast milk at work, they need to provide Tioga County with reasonable advance written notice, generally before returning to work. This advance notice is to allow Tioga County the time to find an appropriate location and adjust schedules if needed. Employees wishing to request a room or other location to express breast milk in the workplace should do so by submitting a written request to the Personnel Officer. Tioga County will respond to this request for a room or other location to express breast milk as soon as possible. Tioga County will notify the employee in writing of the designated location.

VI. Non-Discrimination

Tioga County will not discriminate in any way against an employee who chooses to express breast milk in the workplace. Encouraging or allowing a hostile work environment could constitute discrimination within the meaning of this policy.

Create and Fill Seasonal Social Welfare Examiner Positions and Seasonal Office Specialist I Positions for the HEAP Program (Department of Social Services): The Home Energy Assistance Program (HEAP) will tentatively begin outreach in mid-August and be in full season on November 1. The Social Services budget allows for the hiring of the following staff for the HEAP Program. Two, full-time, seasonal Social Welfare Examiners for a combined total of 202 seven-hour days, at the starting salary of \$17.15 per hour. Three, full-time seasonal Office Specialist I for a combined total of 274 seven-hour days, at the starting salary of \$15.00 per hour. Seasonal HEAP staff will start working no sooner than September 23, 2024, and stop working no later than April 30, 2025. No individual Seasonal staff member will work more than 129 seven-hour days. The NYS Minimum Wage is scheduled to increase on December 31, 2024, to a rate to be published by the Commissioner of Labor on or before October 1, 2024, and Tioga County intends to pay at least minimum wage so the hourly rates for Office Specialist I positions will be adjusted accordingly as of December 31, 2024. The Department of Social Services be authorized to create and fill the seasonal HEAP positions listed above and where required, appoint from the appropriate eligible list.

Appointment of Part-time Mail Clerk (Social Services): Legislative approval is required for any appointment to any position not covered by a collective bargaining agreement or part of the Management/Confidential listing. The Tioga County Department of Social Services has a need to backfill a vacant Part-Time Mail Clerk position. The Commissioner of Social Services has identified a candidate who has

been found to meet the qualifications of the Part-Time Mail Clerk classification. Kevin Maliner be appointed as a Part-Time Mail Clerk effective August 14, 2024 at the 2024 rate of \$15.00/hr. That this resolution will be null and void if Mr. Maliner fails to pass the County mandated criminal background check.

Authorization for Appointment of Network Administrator for Information Technology and Communications Services: The Chief Information Officer and Deputy Director of ITCS have identified a qualified candidate to fill said position. The salary range for said position has been identified as \$59,706 to \$69,706. Legislative approval is required for any appointment with an initial salary beyond the initial salary range identified for that position. The Chief Information Officer and Deputy Director of ITCS have determined that the qualified candidate possesses 10+ years' experience, which is sufficient experience and skills to justify an entry salary at the top of the salary range. That the Chief Information Officer is authorized to provisionally appoint Ray Culliton as Network Administrator at an annual salary of \$69,706 effective August 26, 2024, pending successful completion of civil service examination requirements. This resolution will be null and void if Mr. Culliton fails to pass the County mandated criminal background check.

Amend Resolution No. 225-24; Authorization to Fill Vacant Network Administrator Position Within Information Technology and Communication Service Department: Resolution No. 225-24 adopted on June 11, 2024 authorized the funding of the Network Administrator at the incorrect 2024 Management/Confidential salary range. A resolution to appoint a Network Administrator will be presented for Legislature consideration at the August 13, 2024 Legislature meeting with the correct 2024 Management/Confidential salary. Resolution No. 225-24 be hereby amended to correct the 2024 management/Confidential salary range to \$59,706 - \$69,706.

Appointment of Part-time Caseworker (Social Services): The Tioga County Department of Social Services has a need to fill the vacant part-time Caseworker position to conduct forensic interviews at the child Advocacy Center. The Commissioner of Social Services has identified a candidate who has been found to mee the qualifications of the Part-time Caseworker effective August 14, 2024 at the 2024 rate of \$23.67/hr. (not to exceed 17 hours a week).

Authorize Appointment of Chief Accountant – Treasurer's Office: The position of Chief Accountant became vacant as of July 29th, 2024 within

the Treasurer's Office. The Treasurer has conducted a recruitment search and has identified a qualified candidate. Laura Schurter is provisionally appointed to the title of Chief Accountant, pending successful completion of civil service examination requirements, at an annual Management/Confidential salary of \$69,403, retroactive to August 12th, 2024. In addition to any salary increase due to Mrs. Schurter in accordance with County Policy, Mrs. Schurter be eligible for a \$2,000 increase in annual salary upon completion of the required probationary period. In accordance with Tioga County Employee Handbook Management/Confidential Benefits policy, Mrs. Schurter shall be eligible for any authorized 2025 Management/Confidential salary increase effective February 12, 2025, following a successful six-month evaluation.

Late Submission Appoint 2nd Assistant County Attorney (Law Department): Due to the promotion of the 2nd Assistant County Attorney to the position of the 1st Assistant County Attorney the position of the 2nd Assistant County Attorney has been vacant since May 20, 2024. The County Attorney has recruited and identified a qualified candidate whom he would like to hire for said position. The County Attorney has determined Nicole Pence to be a qualified candidate. That the County Attorney is hereby authorized to provisionally appoint Nicole Pence to the title of 2nd Assistant County Attorney effective September 9, 2024, at an annual Management/Confidential salary of \$92,000.00. In accordance with Tioga County Employee Handbook Management/Confidential Benefits Policy, Dr. Pence shall be eligible for any authorized 2025 Management/Confidential salary increase effective March 9, 2025, following a successful six-month evaluation. This resolution will be null and void if Dr. Pence fails to pass the County mandated background check.

PROCLAMATIONS – None

Executive Session – Motion by Legislator Standing, seconded by Legislator Monell to move into Executive Session to discuss a personnel matter at 10:48.

EXECUTIVE SESSION ADJOURNMENT – 10:59