

Warren County Board of Supervisors

RESOLUTION NO. 26 OF 2014

Resolution introduced by Supervisors Taylor, Kenny, Sokol, Merlino, Dickinson, Girard, Vanselow, Wood and Simpson

TO ENACT LOCAL LAW NO. 1 OF 2014

WHEREAS, a proposed Local Law was duly presented to the Board of Supervisors and considered by them, said proposed Local Law being entitled, "A Local Law Establishing the Human Resources and Civil Service Administration Department in the County of Warren and accordingly Amending Local Law No. 3 of 1971, as previously amended by Local Law No. 5 of 2012 and Repealing Local No. 5 of 2012", and

WHEREAS, the Board of Supervisors adopted Resolution No. 719 of 2013 on December 20, 2013, authorizing a public hearing to be held by the Board of Supervisors on the 3rd day of January, 2014, at 11:00 a.m. in the Supervisors' Room in the Warren County Municipal Center on the matter of the proposed Local Law, and notice of such public hearing having been duly published and posted as required by law, and said public hearing having been held and all persons appearing at said public hearing desiring to be heard, having been heard, now, therefore, be it

RESOLVED, the Board of Supervisors of the County of Warren, New York, on this 3rd day of January, 2014, does hereby enact and adopt Local Law No. 1 of 2014 as set forth in Schedule "A" annexed hereto, and be it further

RESOLVED, that the Chairman of the Board of Supervisors, Clerk of the Board of Supervisors, County Administrator and County Attorney are hereby authorized to make such minor modifications to the Local Law as deemed necessary, and are authorized to execute, file and publish the Local Law and take all necessary actions for the promulgation thereof.

SCHEDULE "A"

COUNTY OF WARREN LOCAL LAW NO. 1 OF 2014

"A LOCAL LAW ESTABLISHING THE HUMAN RESOURCES AND CIVIL SERVICE ADMINISTRATION DEPARTMENT IN THE COUNTY OF WARREN AND ACCORDINGLY AMENDING LOCAL LAW NO. 3 OF 1971, AS PREVIOUSLY AMENDED BY LOCAL LAW NO. 5 OF 2012 AND REPEALING LOCAL LAW NO. 5 OF 2012"

BE IT ENACTED, by the Board of Supervisors of the County of Warren, New York, as follows:

SECTION 1. Title. This Local Law shall be entitled, "A Local Law Establishing the Human Resources and Civil Service Administration Department in the County of Warren and accordingly Amending Local Law No. 3 of 1971, as previously amended by Local Law No. 5 of 2012 and Repealing Local Law No. 5 of 2012".

SECTION 2. Purpose. The purpose of this Local Law is to amend and continue Local Law No. 3 of 1971 as said Local Law was previously amended by Local Law No. 5 of 2012 and repeal Local Law No. 5 of 2012 (filed by the Secretary of State as Local Law No. 6 of 2012), to rename and expand the scope of the department established thereby and modify or amend certain provisions of Local Law No. 3 of 1971.

SECTION 3. Personnel Officer Form of Civil Service Administration. Effective January 1, 1973 the office of personnel officer in and for the County of Warren was created and established. The term of office of the personnel officer is six years unless otherwise required by law. The County of Warren hereby continues to elect that the provisions of the Civil Service Law be administered in the County of Warren under and by a personnel officer as provided in paragraph (b) of subdivision one of section fifteen of the Civil Service Law. The Personnel Officer shall be appointed by the Warren County Board of Supervisors.

SECTION 4. Department of Personnel Discontinued and Replaced. The Department of Personnel as established in Local Law No. 3 of 1971 and amended through Local Law No. 5 of 2012 is hereby discontinued and is replaced with the Department of Human Resources and Civil Service Administration

as set forth in SECTION 5 hereof.

SECTION 5. Department of Human Resources and Civil Service Administration. There shall be a Department of Human Resources and Civil Service Administration under the oversight of the County Human Resources Director, who shall be appointed by the Board of Supervisors. The County Human Resources Director shall be appointed on the basis of qualifications and experience determined appropriate for the responsibilities of the office as may be, from time to time, amended by the Board of Supervisors by resolution. The County Human Resources Director shall report to the County Administrator and to the Board of Supervisors.

SECTION 6. Powers and Duties of the Personnel Officer. Except as may otherwise be provided in this Local Law the Personnel Officer shall:

(a) Have all of the powers and perform all of the duties of a municipal civil service commission and Personnel Officer as prescribed by the Civil Service Law, Rules and/or Regulations;

(b) As provided for under law and/or County personnel rule or regulation, perform the following typical work activities for the County of Warren and any other school, municipality, board, authority or organization provided for under the New York Civil Service Law, Rules and/or Regulations:

1. Administration of classification of employees including determination of appropriate titles based on new position duties statement or job classification questionnaire and drafting or amending job descriptions;
2. Certifying payrolls once or twice per year (depending on the municipality/school district, etc.);
3. Preparing resolutions for New York State Civil Service requesting amendments to County Civil Service Rules and appendices (including which titles are competitive, non-competitive, labor class, exempt, etc.);

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4. Administering the Civil Service examination process for the county, school districts, municipalities and special districts (exams alone take approximately 4-8 hours every other Saturday, number of different exams are offered and the total number of candidates average 87 per month). Administration includes ordering exams, publicizing and sending out notices, entering all applicants into a database, checking qualifications, monitoring (being present for the exams), grading some of the exams (most are graded by the State), data entry of testing results, notification to test takers of results as well as appropriate county, department heads, school or municipal officials, establishing and maintaining eligible lists and conducting canvases when necessary; and
5. Serving as a Civil Service resource to county officials, schools, municipalities, special districts, employees and residents in Warren County.

(c) Perform such other and related duties and tasks as may be required by law or the Board of Supervisors and/or the Warren County Administrator.

SECTION 7. Powers and Duties of the County Human Resources Director. The County Human Resources Director shall have the responsibility for managing the entire County personnel operation encompassing the core areas of human resource management, labor relations, and health benefits administration. The County Human Resources Director duties shall include program and policy development, and strategic planning and organizational development. The County Human Resources Director shall direct and supervise the Department of Human Resources and Civil Service Administration and assigned staff with the exception of the Civil Service Personnel Officer, where the responsibility shall be that of oversight without impermissible infringement on the duties and powers of the Civil Service Personnel Officer. The County Human Resources Director shall perform related work as required by the

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County Board of Supervisors and/or County Administrator. The work of the County Human Resources Director shall be performed in accordance with policies formulated by the County Board of Supervisors, union labor contracts, and all applicable federal and state labor laws. Typical work activities are as follows:

- (a) Provide new employee orientation programs as well as exit interviews;
- (b) Serve as a core team member for the development and maintenance of the County's computerized human resources/payroll/financial management/time and attendance computer system;
- (c) Ensure compliance with all applicable laws, such as Human Rights Law, Equal Opportunity, Civil Service Law, Right to Know, Workplace Violence, etc. and work to implement changes that may be necessary to ensure County compliance;
- (d) Provide technical support and assistance to Department Heads and employees;
- (e) Enforce position control based on approved budgets and Board authorization;
- (f) Initiate discussions of new policies and exploration of benefits that he/she has identified as being of service to County;
- (g) Develop and implements annual employee evaluations;
- (h) Work closely with the Personnel Officer, the Deputy Treasurer and the Payroll Department in the areas of employee benefits;
- (i) Provide advice and guidance to employees regarding problems in the workplace;
- (j) Develop and implement a robust recruitment and hiring program to fill county job vacancies;
- (k) Process background checks as appropriate for job description;
- (l) Standardizing county employment practices (ex: standard work rules, policies, performance evaluations);
- (m) Provide for management and employee continuing training and education programs that promote best human resource practices, compliance with laws and County policy and generally improve

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efficiency and service;

(n) Handle/process employee complaints/grievances;

(o) Handle and maintain employee financial disclosure statements in cooperation with the County Attorney's Office;

(p) Administer post-employment process, including but not limited to, unemployment claims, reference inquiries, retirement inquiries, post-employment benefits, etc.;

(q) Generally be the point of known contact for public, departments, employees and new employees regarding personnel/employee questions and concerns;

(r) Actively represent management's positions, as directed, in mediation, fact-finding and legislative show-cause hearings and in unfair labor practice proceedings;

(s) Provide technical guidance and/or negotiate outcomes in the resolution of specific and/or controversial personnel issues;

(t) Analyze precedents and existing employment, wage and salary practices in the area in order to assist management in the development of management's position prior to contract negotiation and generally assist in and/or handle collective bargaining negotiations as determined by the County Administrator;

(u) Develop and maintain county policy's including reference files including but not limited to existing contracts, existing rules, regulations and personnel practices, PERB and court decisions and information on negotiations, mediation and arbitration;

(v) Provide advisory service to management on various aspects of labor management practices and procedures including contract administration and conduct disciplinary and/or complaint investigations and works with the County Attorney or those matters which require legal advice and/or services;

(w) Responsible for oversight of the County's health benefits programs, managing and acting as

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liaison to the County's health insurance broker and service provider, as well as carrier representatives; and

(x) Perform other Human Resource projects or related work as directed by the County Board of Supervisors or the County Administrator.

SECTION 8. Cooperation by Department Heads. It shall be the duty of each department head to furnish the County Human Resources Director and/or Personnel Officer with such information and aid as may be necessary for the performance of their respective duties.

SECTION 9. Impact of This Local Law on other Local Laws - Repeal of Local Law No. 5 of 2012. Insofar as the provisions of this Local Law supercede or are inconsistent with the provisions of any previously enacted Local Law, including Local Law No. 3 of 1971 as originally adopted, and as amended by Local Law No. 5 of 2012, this Local Law No. 1 of 2014 shall be controlling. Local Law No. 5 of 2012 is repealed in entirety. Nothing in this Local Law shall be deemed to modify or expand the appointed term of the Personnel Officer prior to the enactment of this Local Law.

SECTION 10. Severability. In the event that any provision of this Local Law shall be determined by a Court of Law to be illegal and/or unenforceable, the Local Law, to the extent the Courts have determined practical shall continue in full force and effect as if the said illegal or unenforceable provision were not contained a part thereof.

SECTION 11. This Local Law shall take effect immediately upon filing with the Secretary of State.

Note: This Local Law was initially adopted as Local Law No. 2 of 2014 but was re-numbered to Local Law No. 1 of 2014 upon filing with the New York State Department of State.