

**HOME RULE MESSAGE REQUESTING STATE OF NEW YORK
TO AMEND THE CIVIL SERVICE LAW, IN RELATION TO
RESOLUTION OF DISPUTES BETWEEN A PUBLIC
EMPLOYER AND SUFFOLK COUNTY PROBATION OFFICERS
(SENATE BILL S.6576 AND ASSEMBLY BILL A.9423)**

WHEREAS, Section 209 of the New York Civil Service Law provides for mandatory arbitration in the event that an impasse is reached in collective bargaining negotiations between a municipality, such as the County of Suffolk, and employee organizations representing members of any organized fire department, police force, or police department; and

WHEREAS, binding arbitration for firefighters and police was initially adopted in 1974 to provide a fair and timely method for resolving contractual disputes involving police and firefighters and in turn to avoid strikes by employees who provide critical public safety services; and

WHEREAS, binding arbitration for compensatory issues was thereafter extended to State Police and State Correction Officers and deputy sheriffs; and

WHEREAS, binding arbitration was subsequently extended to Suffolk County Correction Officers and Suffolk County Park Police; and

WHEREAS, Suffolk County Probation Officers are classified as "Peace Officers"; and

WHEREAS, Probation Officers undergo intensive public safety/ rehabilitation training, including the use of firearms; and

WHEREAS, Suffolk County Probation Officers supervise thousands of felony/misdemeanor offenders in the community; and

WHEREAS, Probation Officers execute felony and misdemeanor arrest warrants, conduct warrantless searches for weapons and narcotics, confiscate contraband and make summary arrests; and

WHEREAS, similar to State Police, local police officers, deputy sheriffs, correction officers and park police, Probation Officers face inherent dangers on a daily basis while performing analogous public safety services; and

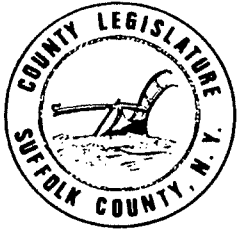
WHEREAS, it is logical to extend the binding arbitration law to include Suffolk County Probation Officers in order to ensure orderly continuous protection of the public during protracted county contract negotiations; now, therefore be it

1st RESOLVED, that this Legislature hereby requests the State of New York to enact Senate Bill S.6576 and Assembly Bill A.9423 to amend the Civil Service Law by extending the Binding Arbitration Law provisions to Suffolk County Probation Officers; and be it further

2nd **RESOLVED**, that the Clerk of this Legislature is hereby directed to forward copies of this Resolution to Governor Andrew M. Cuomo; to the Majority Leader of the New York State Senate Dean Skelos, to the Speaker of the New York State Assembly Sheldon Silver; to the Minority Leaders of the New York State Senate and the New York State Assembly; and to each member of the Long Island delegation to the New York State Legislature.

DATED: March 13, 2012

SUFFOLK COUNTY
County Legislature
RIVERHEAD, NY



This is to Certify That I, TIM LAUBE, Clerk of the County Legislature of the County of Suffolk, have compared the foregoing copy of resolution with the original resolution now on file in this office, and which was duly adopted by the County Legislature of said County on March 13, 2012 and that the same is a true and correct transcript of said resolution and of the whole thereof.

In Witness Whereof, I have hereunto set my hand and the official seal of the County Legislature of the County of Suffolk.

Tim Laube

Clerk of the Legislature

Intro. Res.

HR 6

Res. No. —

March 13, 2012

Motion:

Romaine, Schneiderman, Browning, Muratore, Anker
Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

Co-Sponsors:

Romaine, Schneiderman, Browning, Muratore, Anker
Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

Second:

Romaine, Schneiderman, Browning, Muratore, Anker
Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

| LD | Legislator | Yes | No | Abs | NP | R |
|----|--------------------------|-----|----|-----|----|---|
| 1 | Edward P. ROMAINE | | | | | |
| 2 | Jay H. SCHNEIDERMAN | | | | | |
| 3 | Kate M. BROWNING | | | | | |
| 4 | Thomas MURATORE | | | | | |
| 5 | Kara HAHN | | | | | |
| 6 | Sarah S. ANKER | | | | | |
| 7 | Rob CALARCO | | | | | |
| 9 | Ricardo MONTANO | | | | | |
| 10 | Thomas CILMI | | | | | |
| 11 | Thomas F. BARRAGA | | | | | |
| 12 | John M. KENNEDY, JR. | | | | | |
| 13 | Lynne C. NOWICK | | | | | |
| 15 | DuWayne GREGORY | | | | | |
| 16 | Steven H. STERN | | | | | |
| 17 | Lou D'AMARO | | | | | |
| 18 | William SPENCER | | | | | |
| 14 | Wayne R. HORSLEY, D.P.O. | | | | | |
| 8 | William J. LINDSAY, P.O. | | | | | |
| | Totals | 18 | | | | |

| MOTION | |
|--|-----------------|
| <input checked="" type="checkbox"/> Approve | |
| Table: _____ | |
| <input type="checkbox"/> Send To Committee | |
| <input type="checkbox"/> Table Subject To Call | |
| <input type="checkbox"/> Lay On The Table | |
| <input type="checkbox"/> Discharge | |
| <input type="checkbox"/> Take Out of Order | |
| <input type="checkbox"/> Reconsider | |
| <input type="checkbox"/> Waive Rule _____ | |
| <input type="checkbox"/> Override Veto | |
| <input type="checkbox"/> Close | |
| <input type="checkbox"/> Recess | |
| APPROVED <input checked="" type="checkbox"/> | FAILED _____ |
| No Motion _____ | No Second _____ |

| RESOLUTION DECLARED |
|---|
| <input checked="" type="checkbox"/> ADOPTED |
| <input type="checkbox"/> NOT ADOPTED |

Roll Call _____ Voice Vote

Tim Laube

Tim Laube, Clerk of the Legislature