

SUFFOLK COUNTY LEGISLATURE



Robert Lipp
Director

BUDGET REVIEW OFFICE

August 28, 2019

To: DuWayne Gregory, Presiding Officer and
All Suffolk County Legislators

From: Robert Lipp, Director *Robert Lipp*
Budget Review Office

Subject: **Analysis of IR No. 1740-2019, Authorizing the County Executive to
Execute an Agreement with the Suffolk County Probation Officers
Association Amending the Terms And Conditions of Employment for the
Period January 1, 2017 through December 31, 2024**

Summary of Provisions

The proposed agreement contains 11 provisions that differ from the previous agreement, which covered the period of 2011 through 2016. All items are effective upon full ratification and approval of the agreement, unless otherwise indicated. A summary of these items follows.

1. Term

The term of this contract is eight years, from January 1, 2017 through December 31, 2024.

2. Base Salary

- Effective January 1, 2017, wages increase by 2.50%, effective January 1, 2019
- Effective January 1, 2018, wages increase by an additional 2.50%, effective July 1, 2020
- Effective December 1, 2020, wages increase by an additional 1.00%
- Effective July 1, 2021, wages increase by an additional 1.50%
- Effective July 1, 2022, wages increase by an additional 1.75%
- Effective July 1, 2023, wages increase by an additional 2.00%
- Effective July 1, 2024, wages increase by an additional 2.75%
- Retroactive raises effective January 1, 2019 through date of full ratification and approval, will be paid at retirement.

3. Pay Scale

Employees hired after January 4, 2017 will be placed on the salary schedule set forth in Attachment A of the 2017-2024 Agreement. Employees hired after January 4, 2017 and prior to full ratification of this agreement will be placed in the step equal to their current salary, and then the base salary increases outlined above will be applied. Employees hired before January 4, 2017 will remain in their same twelve-step salary schedule, to which the base salary increases outlined above will be applied. Employees will receive step increases on their anniversary date instead of July 1st.

4. Longevity

Longevity shall be increased as follows:

- Effective January 1, 2020, an increase of \$50.
- Effective January 1, 2021, an increase of \$50.
- Effective January 1, 2022, an increase of \$50.
- Effective January 1, 2023, an increase of \$50.
- Effective January 1, 2024, an increase of \$75.

The additional projected cost over the current longevity pay schedule will be \$10,200 in 2020, \$20,400 in 2021, \$30,600 in 2022, \$40,800 in 2023, and \$56,100 in 2024, for a total of \$158,100.

5. Warrants

Employees assigned to the Warrants Section shall receive the same stand-by pay as those working in the Electronic Surveillance Unit. As set forth in the 2013 Memorandum of Understanding, a Probation Officer or Senior Probation Officer assigned to stand-by duty will receive fifteen hours of stand-by pay per assigned week; eighteen hours of stand-by pay per week if Memorial Day, July 4th, or Labor Day falls within his/her assigned week; and twenty hours of stand-by pay per week if Christmas, Thanksgiving, or New Year's Day falls within his/her assigned week, regardless of his/her shift.

The following table shows the projected cost based on the assumption that stand-by coverage will be needed every week of the year by both Senior Probation Officers currently assigned to the Warrants Unit.

2019	2020	2021	2022	2023	2024	Total
\$25,876	\$84,452	\$86,804	\$88,216	\$89,872	\$92,013	\$467,233

6. Sick Leave

Employees hired after full ratification of this agreement will be credited with sick leave benefits equal to the sick leave benefits for employees hired prior to 2007 in accordance with Section 8.8 of the Baseline Agreement (i.e., thirteen days annually; paid out for 50% of accumulated unused sick time up to 180 days paid for 360 days accumulated upon retirement or death). As set forth previously in the 2007 Stipulation of Agreement, employees hired after 2007 are credited with sick time for each day that they are actually sick and are unable to work and do not receive payment for unused accumulated sick time. We believe this provision of the contract will have savings, but will be somewhat offset by additional terminal pay costs in future years. By limiting the amount of sick days available to employees, it is anticipated that absences will decrease and reduce the need to cover shifts with overtime. This stipulation does not mention whether or

not the sick leave policy will change for those employees hired after 2007 and before full ratification of this agreement.

7. Flex Time

The Director of Probation may not unilaterally eliminate the Flex Time program.

8. Title Changes

If a job title is eliminated in the Department of Probation, each employee in the eliminated title will be reclassified to the title closest to his/her grade with a salary equal or greater than his/her current salary.

9. Cancer Pool

Section 8.6(D) of the Collective Bargaining Agreement shall be amended to allow employees to use time in the cancer pool when a member's child is diagnosed with cancer.

10. Cancer Time

Employees shall be granted up to four (4) hours off with pay per year to receive medically approved cancer screenings. The time off must be agreed upon and approved in advance by the Department. This may result in an increase in overtime costs in order to provide coverage.

11. Cleaning and Clothing

The cleaning and clothing allowance shall be increased by \$150 for all Probation Officers, effective January 1, 2020. The projected cost over the current cleaning and clothing allowance will be an additional \$35,700 annually beginning in 2020.

Analysis

Our projections are based on the August 11, 2019 Payroll, which included 238 active members. Steps and annual percentage increases were included where applicable. Based on the average number of retirements since 2013, we assumed that five employees would retire annually. We also assumed a class of five Probation Officer Trainees each year. We assumed two additional retirements during the remainder of 2019. To calculate terminal pay and salaries other than base pay and longevity, we used the 2018 W-2 Report and increased expenditures by the increases included in the contract. Social Security and the County contribution to the New York State Retirement System are based on percentages of salaries.

We estimate a total cost over five years (2019-2023) of \$8.6 million and a cost of \$11.3 million through 2024. We estimate that the County will have approximately \$400,000 in outstanding liability for retroactive payments by the end of the contract term. The following table shows our projected costs by category.

Summary of Costs for 2017-2024 Probation Officers Association (POA) Contract							Outstanding
Category	2019	2020	2021	2022	2023	2024	Retro Pay
Permanent Salaries	\$169,165	\$868,769	\$1,482,744	\$1,846,902	\$2,282,202	\$2,805,182	\$355,715
Longevity	\$0	\$10,200	\$20,400	\$30,600	\$40,800	\$56,100	\$0
Standby Pay	\$25,876	\$84,452	\$86,804	\$88,216	\$89,872	\$92,013	\$0
Other Salaries	\$14,426	\$33,045	\$58,871	\$73,647	\$90,931	\$113,436	\$86,699
Clothing Allowance	\$0	\$35,700	\$35,700	\$35,700	\$35,700	\$35,700	\$0
Retirements net of Term Pay and New Hires	\$42,502	\$48,446	(\$97,878)	(\$259,983)	(\$427,541)	(\$974,542)	(\$65,025)
Social Security	\$19,276	\$82,667	\$121,378	\$138,854	\$161,565	\$162,784	\$28,870
Retirement Contribution	\$0	\$201,426	\$295,750	\$338,331	\$393,670	\$396,639	\$0
Total	\$271,245	\$1,364,705	\$2,003,768	\$2,292,268	\$2,667,200	\$2,687,311	\$406,259
Cumulative Total	\$271,245	\$1,635,950	\$3,639,718	\$5,931,986	\$8,599,186	\$11,286,497	

The Executive's fiscal impact projects a five-year cost of \$8.5 million, but does not include an estimate for 2024 or deferred retroactive pay. The next table summarizes the Executive FIS.

	2019	2020	2021	2022	2023	5-Year Total
Cost	254,968	1,178,258	1,887,174	2,441,368	3,057,033	8,818,800
Savings	58,266	69,736	71,963	73,491	75,040	348,496
Net	196,702	1,108,522	1,815,211	2,367,876	2,981,993	8,470,304

The Executive fiscal is reasonable. It differs from the BRO five-year projection by less than two percent. However, we were unable to compare costs for 2024 or outstanding retroactive pay owed beyond 2024.