AGENDA

PERSONNEL COMMITTEE

MAY 29, 2019

PREVIOUS BUSINESS:

APPROVING PREVIOUS MEETING MINUTES

1. RESOLUTION NO. 231 FOR 2018: REQUIRING DEPARTMENT OF HUMAN RESOURCES TO INITIATE A PAY EQUITY STUDY FOR ALL EMPLOYEES OF ALBANY COUNTY TO ENSURE EQUITY AMONG GENDER, RACE, AND ETHNICITY

2. RESOLUTION NO. 283 FOR 2018: PROMOTING ALBANY COUNTY EMPLOYMENT AND PROMOTING A DIVERSE WORKFORCE BY REQUIRING DEPARTMENT OF CIVIL SERVICE TO CONDUCT OUTREACH AND TRAINING ABOUT AVAILABLE CIVIL SERVICE JOB OPPORTUNITIES

3. RESOLUTION NO. 497 FOR 2018: ADOPTING A POLICY REGARDING THE LEGISLATIVE SUMMER INTERNSHIP PROGRAM

CURRENT BUSINESS:

4. RESOLUTION NO. 208: APPOINTMENT OF MEMBERS TO THE COMMUNITY SERVICES BOARD MENTAL HEALTH AND ALCOHOL AND SUBSTANCE ABUSE SUBCOMMITTEES
5. **RESOLUTION NO. 217**: AMENDING THE RULES AND REGULATIONS FOR ALBANY COUNTY EMPLOYEES REGARDING HEALTH INSURANCE BENEFITS FOR RETIREES

6. **RESOLUTION NO. 218**: REQUESTING THAT THE ALBANY COUNTY EXECUTIVE, AND COMMISSIONERS OF THE DEPARTMENT OF HUMAN RESOURCES, AND OFFICE OF MANAGEMENT AND BUDGET COMPLETE A FEASIBILITY STUDY REGARDING THE INCORPORATION OF CERTAIN HEALTH INSURANCE BENEFITS FOR RETIREES INTO THE PROPOSED REGIONAL HEALTH CARE CONSORTIUM

7. **AUTHORIZING THE DEPARTMENT OF CHILDREN, YOUTH AND FAMILIES TO CONSIDER OUT-OF-COUNTY APPLICANTS FOR THE POSITIONS OF CASEWORKER, STAFF SOCIAL WORKER AND SPECIAL EDUCATION EVALUATOR**

8. **AUTHORIZING THE DEPARTMENT OF MENTAL HEALTH TO CONSIDER OUT-OF-COUNTY APPLICANTS FOR THE POSITIONS OF PSYCHOLOGIST, STAFF SOCIAL WORKER AND PSYCHIATRIC NURSE**

9. **AUTHORIZING THE DEPARTMENT OF SOCIAL SERVICES TO CONSIDER OUT-OF-COUNTY APPLICANTS FOR THE POSITION OF REGISTERED NURSE**
Honorable Andrew Joyce and Members of the Albany County Legislature:

LADIES AND GENTLEMEN:

The Personnel Committee of the Albany County Legislature met on April 24, 2019. Chairperson Grimm, Messrs. R. Joyce, O’Brien, Ward and Ms. McLean Lane were present. Messrs. Touchette, Stevens, Ms. Lekakis and McKnight were excused. The following items were discussed and/or acted upon:

Approving Previous Meeting Minutes: Unanimously approved.

1. Resolution No. 231: Requiring the Department of Human Resources to Initiate a Pay Equity study for all employees of Albany County to ensure Equity among Gender, Race and Ethnicity: Tabled at Request of Sponsor.

2. Resolution No. 283: Promoting Albany County Employment And Promoting A Diverse Workforce By Requiring Department Of Civil Service To Conduct Outreach And Training About Available Civil Service Job Opportunities: Tabled At Request of Sponsor.


4. Approving the Department of Residential Health Care Facilities Collective Bargaining Agreement with 1199 SEIU – Service and Maintenance Unit and amending the 2019 Department of Residential Health Care Facilities Budget: Mr. Larry Slatky, Executive Director of the Department of Residential Health Care Facilities appeared before the Committee. Mr. Slatky explained that the County of Albany and the Albany County Nursing Home Service and Maintenance Unit of 1199 SEIU United Healthcare Workers East have negotiated a contract for those employees of the Residential Health Care Facility represented by the union and the terms and conditions of employment have been agreed upon for the period January 1, 2019 through December 31, 2023. Mr. Slatky further explained that under the terms of the agreement, employees of the bargaining unit, except employees in the Title of Certified Nursing Assistant, will receive a 2% salary increase for 2019 retroactive to January 1, 2019, a 2% salary increase for 2020, a 2% salary increase for 2021, a 2% salary increase for 2022, and a 2% salary increase for 2023. Mr. Slatky indicated that under the terms of the agreement, employees in the Title of Certified Nursing Assistant in the bargaining unit will receive a salary increase pursuant to the terms of the Memorandum of Understanding for 2019 and 2020 retroactive to January 1, 2019, a 2% salary increase for 2020, a 2% salary increase for 2021, a 2% salary increase for 2022, and a 2% salary increase for 2023. After further discussion, the committee voted unanimously to move the proposal forward with a favorable recommendation.
5. Approving the Department of Residential Health Care Facilities Collective Bargaining Agreement with 1199 SEIU – Registered Nurses Unit and amending the 2019 Department of Residential Health Care Facilities Budget: Mr. Slatky explained that the County of Albany and the Albany County Nursing Home RN Unit of 1199 SEIU United Healthcare Workers East have negotiated a contract for those employees of the Residential Health Care Facility represented by the union and the terms and conditions of employment have been agreed upon for the period January 1, 2019 through December 31, 2023. Mr. Slatky further explained that under the terms of the agreement, employees of the bargaining unit will receive a 2% salary increase for 2019 retroactive to January 1, 2019, a 2% salary increase for 2020, a 2% salary increase for 2021, a 2% salary increase for 2022, and a 2% salary increase for 2023. Mr. Slatky also indicated that under the terms of the agreement employees hired on or after January 1, 1989 and before January 1, 2019 shall contribute ten (10) percent of the plan premium for individual or family health insurance coverage, and employees hired after January 1, 2019 shall contribute fifteen (15) percent of the plan premium for individual or family health insurance coverage. After further discussion, the committee voted unanimously to move the proposal forward with a favorable recommendation.

Respectfully Submitted,
THE PERSONNEL COMMITTEE

MARK E. GRIMM, Chairperson
SEAN E. WARD
RICHARD N. TOUCHETTE
RAYMOND F. JOYCE
ALISON MCLEAN LANE

LUCILLE M. McKNIGHT
LYNNE LEKAKIS
JOSEPH E. O'BRIEN
TRAVIS D. STEVENS
RESOLUTION NO. 231

REQUIRING DEPARTMENT OF HUMAN RESOURCES TO INITIATE A PAY EQUITY STUDY FOR ALL EMPLOYEES OF ALBANY COUNTY TO ENSURE EQUITY AMONG GENDER, RACE, AND ETHNICITY

Introduced: 5/14/18
By Messrs. Fein, A. Joyce, Ms. Cunningham, Messrs. Higgins and Signoracci:

WHEREAS, The Albany County Legislature unanimously passed Local Law P for 2016 on October 10, 2017, a Local Law aimed at closing the wage gap between women and men, and

WHEREAS, In passing Local Law P for 2016, the Albany County Legislature recognized the importance of all people being paid to their ability, regardless of gender, race, or ethnicity, and

WHEREAS, The Albany County Legislature strongly believes that all people should be treated equally regardless of gender, race, ethnicity, national origin, religion, sexual orientation, and

WHEREAS, The Albany County Legislature believes in leading by example and ensuring that we are paying our employees in an equitable manner, now, therefore be it

RESOLVED, By the Albany County Legislature that the Department of Human Resources is requested to conduct a study or seek proposals from outside agencies to analyze the salaries of all employees of Albany County and determine whether each employee is being paid equitably in relation to employees of other genders, races, and ethnicities, and, be it further

RESOLVED, That at the conclusion of the study, a final report shall be presented to the Albany County Legislature that includes suggestions on specific recommended salary adjustments that the Albany County Legislature shall consider enacting through resolution, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

Referred to Personnel Committee – 5/14/18
RESOLUTION NO. 283

PROMOTING ALBANY COUNTY EMPLOYMENT AND PROMOTING A DIVERSE WORKFORCE BY REQUIRING DEPARTMENT OF CIVIL SERVICE TO CONDUCT OUTREACH AND TRAINING ABOUT AVAILABLE CIVIL SERVICE JOB OPPORTUNITIES

Introduced: 6/11/18
By Mr. Fein:

WHEREAS, The Albany County Legislature finds that it is in the best interest of the County to attract the most qualified candidates for employment with the County and to have a diverse and highly skilled workforce, and

WHEREAS, The Albany County Legislature finds that it is in the best interest of the County to promote opportunities with the County to a geographically, racially, and culturally diverse groups of potential applicants, and

WHEREAS, According to the 2010 census, 21.8% of the population of Albany County is nonwhite and according to the 3rd Quarter 2017 Albany County EEO Report, 18.31% of the employees of Albany County are nonwhite, and

WHEREAS, Employment with local and state government have traditionally been a path to the middle class for many families, and

WHEREAS, The Albany County Legislature recognizes that County has made progress in diversifying its workforce and expanding opportunities to traditionally underrepresented groups, as 33.06% of new hires in the 3rd Quarter 2017 were nonwhite and 32.20% of new hires in the 2nd Quarter 2017 were nonwhite, and

WHEREAS, The Albany County Legislature recognizes that the County should strive to improve upon past progress and ensure that it is actively recruiting individuals that have traditionally been underrepresented in the government workforce, and

WHEREAS, The Albany County Legislature believes that it would benefit the County to implement a focused recruitment effort to all communities, and especially to communities that have been traditionally underrepresented in the County workforce, therefore be it

RESOLVED, By the Albany County Legislature that the Department of Civil Service is required hold a minimum of five (5) employment opportunity outreach
events each year, of which three must be located in U.S. Census Tracts in which 50% of the residents are nonwhite, and, be it further

RESOLVED, By the Albany County Legislature that the Department of Civil Service is encouraged to invite and coordinate with the Department of Human Resources, Division of Affirmative Action, and other County Departments when holding employment opportunity outreach events, and, be it further

RESOLVED, By the Albany County Legislature that the Department of Civil Service is required to host a minimum of three (3) free civil service training courses each year, of which two (2) must be located in U.S. Census Tracts in which 50% of the residents are nonwhite, and, be it further

RESOLVED, By the Albany County Legislature that the Department of Civil Service is encouraged to partner with educational institutions and organizations to assist with implementing the civil service training courses, and, be it further

RESOLVED, By the Albany County Legislature that the Department of Civil Service is encouraged to partner with the New York State Department of Civil Service and human resources and civil service departments in municipalities within the County when planning civil service employment opportunity outreach events and civil service training courses, and, be it further

RESOLVED, By the Albany County Legislature that the Department of Civil Service is required to advertise and conduct outreach for all employment opportunity outreach events and civil service training courses on the Albany County website, on social media, and by notifying all County Legislators by email about the events and courses more than ten (10) days in advance of the outreach events and training courses, and, be it further

RESOLVED, By the Albany County Legislature that the Department of Civil Service is required to create a mechanism on the Albany County website for organizations and individuals to sign up for its distribution list where it sends information on employment opportunities and civil service test announcements, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

_Referred to Personnel Committee – 6/11/18_
RESOLUTION NO. 497

ADOPTING A POLICY REGARDING THE LEGISLATIVE SUMMER INTERNSHIP PROGRAM

Introduced: 10/9/18
By Mr. Ethier:

WHEREAS, The Albany County Legislature has established a legislative summer internship program for the County of Albany in order to provide opportunities for individuals interested in the various operations of local government, and

WHEREAS, Individuals selected for the summer internship program are placed, in cooperation with the County Executive’s Office, the District Attorney’s Office, the Comptroller’s Office, and the Clerk’s Office among others, in such offices and departments that best suit their interested and skills, and

WHEREAS, In order to ensure that individuals representing communities in all of the legislative districts are fairly and equally represented, a policy is warranted detailing how the selection of such individuals for this program shall be selected, now, therefore, be it

RESOLVED, By the Albany County Legislature that when determining the number of internships available, that a minimum of at least one position up to a maximum not to exceed two positions shall be allotted for qualifying applicant(s) from each of the Legislative districts, and, be it further

RESOLVED, That in the event that there are fewer than two qualifying applications from interested individuals living in a legislative district, the Legislator representing such district may direct that such unfilled positions be designated to another district of their choosing, and, be it further,

RESOLVED, That no such transfer of allotted internship position(s) shall prohibit the placement of a qualified applicant from that legislative district if such applicant becomes known and if there are otherwise excess vacant slots available, and be it further,

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

Referred to Personnel Committee - 10/9/18
RESOLUTION NO. 208

APPOINTMENT OF MEMBERS TO THE COMMUNITY SERVICES BOARD
MENTAL HEALTH AND ALCOHOL AND SUBSTANCE ABUSE
SUBCOMMITTEES

Introduced: 5/13/19
By Mr. Feeney:

WHEREAS, Mr. James L. Stone, as the Chairperson of the Community Services Board has indicated that the terms of various members of the Mental Health Subcommittee and Alcohol and Substance Abuse Subcommittee have expired, and that these individuals wish to continue to serve on these subcommittees, now, therefore, be it

RESOLVED, By the Albany County Legislature that, pursuant to Section 41.11 of the New York State Mental Hygiene Law, the following individuals are hereby appointed to the Subcommittees of the Community Services Board:

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<th>Mental Health Subcommittee</th>
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<tr>
<td>Sallie Jo Smith</td>
<td>12/31/21</td>
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<th>Alcohol and Substance Abuse Subcommittee</th>
<th>Term Expiration</th>
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<tr>
<td>Michelle Heroux</td>
<td>12/31/21</td>
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<tr>
<td>Marsha Nadell Penrose</td>
<td>12/31/22</td>
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<tr>
<td>Barry D. Walston</td>
<td>12/31/20</td>
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and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

_Referred to Personnel Committee - 5/13/19_
RESOLUTION NO. 217

AMENDING THE RULES AND REGULATIONS FOR ALBANY COUNTY EMPLOYEES REGARDING HEALTH INSURANCE BENEFITS FOR RETIREES

Introduced: 5/13/19
By Messrs. Commissio and A. Joyce:

WHEREAS, By Resolution No. 136-b for 1999, this Honorable Body adopted employee rules and regulations which are applicable to all non-union employees of Albany County, and

WHEREAS, Employees hired prior to the adoption of these rules were eligible for health insurance benefits for retirees after ten (10) years of qualifying County service, and those employees hired after the adoption of these rules were eligible for health insurance benefits for retirees after twenty (20) years of qualifying County service, and

WHEREAS, Various municipalities within the County and throughout New York State the state have set a lower threshold regarding the number of years of eligible service that is required before their employees become eligible for health insurance benefits during their retirement, and

WHEREAS, Instituting a lower threshold of fifteen (15) years of eligible service for health insurance benefits for retirees, rather than twenty (20) years, would serve as an incentive for current employees to continue their work in the County and may attract new employees to come to work for Albany County as well, and

WHEREAS, The Albany County Legislature has a strong history of supporting the employees of Albany County, and therefore such a reduction in years of service required in order to become eligible for health insurance benefits in retirement shall be effective and applied retroactively for all current employees of Albany County hired after the adoption of Resolution No. 136-b for 1999, now, therefore, be it

RESOLVED, By the Albany County Legislature that the Albany County Employee Rules and Regulations, adopted pursuant to Resolution No. 136-b for 1999, as amended, are hereby amended to read as follows:

Article IX, Section A(1)(a)(1)(a) shall read: “The employees with an employment date after the adoption of these rules must have at least fifteen (15) years of full time equivalent service with Albany County.”
Article IX Retiring Part Time Employees, Group "F" part (b) shall read:

“(b) Eligibility Criteria:

- Employees must have completed fifteen (15) years of equivalent full-time County service. Calculation of full time service uses a standard work week of not less than thirty five (35) hours per week.
- Age 55 or older.
- Enrolled in County health insurance”

and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

Referred to Personnel Committee - 5/13/19
RESOLUTION NO. 218

REQUESTING THAT THE ALBANY COUNTY EXECUTIVE, AND COMMISSIONERS OF THE DEPARTMENT OF HUMAN RESOURCES, AND OFFICE OF MANAGEMENT AND BUDGET COMPLETE A FEASIBILITY STUDY REGARDING THE INCORPORATION OF CERTAIN HEALTH INSURANCE BENEFITS FOR RETIREES INTO THE PROPOSED REGIONAL HEALTH CARE CONSORTIUM

Introduced: 5/13/19
By Messrs. Comisso and A. Joyce:

WHEREAS, Albany County is currently involved in and is coordinating with partner municipalities in the region regarding the establishment of a municipal Health Care Consortium through which all municipalities involved (herein “participating municipalities”) may benefit financially, and

WHEREAS, The County Executive and the Albany County Legislature believe that upon the establishment of the aforementioned Health Care Consortium the County will benefit from the inter-municipal collaboration of various entities in order to obtain favorable health insurance benefits and plans for their employees at a lower cost, and

WHEREAS, The Albany County Legislature recognizes the importance of incorporating health insurance benefits for retirees as one of the significant goals that may be accomplished through the collective actions of those participating municipalities coordinating through the Health Care Consortium, and

WHEREAS, The Albany County Legislature seeks to incorporate health insurance benefits for retirees into the Health Care Consortium in a way which attracts experienced employees who have previously worked for participating municipalities who seek employment with the County, and

WHEREAS, Unlike the New York State Local Retirement System, which allows for employees to accrue credit for time served in various local and municipal entities into one central retirement plan, employees working for local municipalities have no ability to transfer or gain credit for work performed for another municipality towards a central health insurance plan in retirement, and

WHEREAS, In order to encourage the broadest group of applicants with significant experience in municipal government to seek County employment, this Honorable Body seeks to recognize time accrued by employees in service to participating municipalities for the purpose for receiving health insurance benefits in retirement from Albany County, and
WHEREAS, The aforementioned recognition of time accrued will be contingent upon participating municipalities reciprocal recognition of time accruals from qualifying Albany County employees into their own respective health insurance retirement plans should such employees seek employment with that municipality, now, therefore, be it

RESOLVED, That the Albany County Legislature hereby requests the County Executive, in conjunction with the Commissioners of the Department of Human Resources and the Office of Management and Budget complete a study which considers the feasibility of allowing employees to transfer time accrued between participating municipalities for the limited purpose of receiving credit toward health insurance benefits in retirement, and, be it further

RESOLVED, That said feasibility study shall consider financial and personnel implications to Albany County, including potential impacts for transfer of part-time and full-time hours worked in participating municipalities, and, be it further

RESOLVED, That said feasibility study shall also consider the propriety of applying the aforementioned time transfer to all active Albany County employees with a history of employment with participating municipalities, and, be it further

RESOLVED, That this Honorable Body requests that said report and the related finding be returned by the County Executive within ninety (90) days of the date that this resolution is adopted, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

Referred to Personnel and Audit and Finance Committees - 5/13/19
April 22, 2019

Hon. Andrew Joyce
Chairman, Albany County Legislature
112 State Street, Room 710
Albany, NY 12207

RE: Request for Legislative Action

Dear Chairman Joyce,

The Department of Children, Youth and Families is respectfully requesting a partial waiver of the Albany County residency requirement for new employees. We request that the current policy be amended as it pertains to Caseworker, Staff Social Worker and Special Education Evaluator positions in order to allow for a time period of up to 1 year for new employees to obtain residency within Albany County.

The Department of Children, Youth and Families has found the current policy of requiring applicants to reside within the County to be severely limiting and it has restricted our ability to hire qualified candidates for these positions. The Department has had ongoing difficulty in hiring and training qualified Caseworkers, Staff Social Workers and Special Education Evaluators. While we can more often find and hire caseworkers for entry-level positions because of the proximity to local universities, it has been increasingly difficult to find, hire and retain caseworkers with competition from adjacent municipal and state agencies.

Adjacent municipalities, including Rensselaer and Schenectady counties, both waive the residency requirement for the initial year of employment. This allows the candidate to move within the perspective county during their probationary period rather than having to find a home prior to accepting the position. Non-local applicants can apply to these municipalities easier than applying to Albany County. Along with higher pay at these two counties, Albany County is at a disadvantage when it comes to recruiting caseworkers. Positions at the state are similar in that the applicant can reside anywhere in New York and their pay is often times higher.

The Department of Children, Youth and Families requests that a partial waiver of the current residency requirement be approved for an initial period of one year, and that it be reviewed annually by the Legislature. We will continue to give priority to qualified Albany County residents.
The Department respectfully requests consideration in this matter. If you have any questions or need additional information, please do not hesitate to contact me directly at 447-7792.

Sincerely,

Gail Geohagen-Pratt
Commissioner

cc: Dennis Feeney, Majority Leader
Frank Mauriello, Minority Leader
Kevin Cannizzaro, Majority Counsel
Arnis Zilgme, Minority Counsel
REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services):
Partial Waiver of the Albany County Residency Requirement for New Employees

Date: 4/15/2019
Submitted By: Gail Geohagen
Department: Children, Youth and Families
Title: Commissioner
Phone: 518-447-7792
Department Rep.:
Attending Meeting: Gail Geohagen

Purpose of Request:

☐ Adopting of Local Law
☐ Amendment of Prior Legislation
☐ Approval/Adoption of Plan/Procedure
☐ Bond Approval
☐ Budget Amendment
☐ Contract Authorization
☐ Countywide Services
☐ Environmental Impact/SEQR
☐ Home Rule Request
☐ Property Conveyance
☒ Other: (state if not listed) Request for Partial Residency Waiver

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):
☐ Contractual
☐ Equipment
☐ Fringe
☐ Personnel
CONCERNING CONTRACT AUTHORIZATIONS

Type of Contract:
- Change Order/Contract Amendment
- Purchase (Equipment/Supplies)
- Lease (Equipment/Supplies)
- Requirements
- Professional Services
- Education/Training
- Grant
  Choose an item.
  Submission Date Deadline Click or tap to enter a date.
- Settlement of a Claim
- Release of Liability
- Other: (state if not listed)

Contract Terms/Conditions:

Party (Name/address):
  Click or tap here to enter text.

Additional Parties (Names/address):
  Click or tap here to enter text.

Amount/Raise Schedule/Fee:
  Click or tap here to enter text.

Scope of Services:
  Click or tap here to enter text.

Bond Res. No.:
  Click or tap here to enter text.

Date of Adoption:
  Click or tap here to enter text.

CONCERNING ALL REQUESTS

Mandated Program/Service: Yes □ No ☒
If Mandated Cite Authority:

Yes □ No ☒

Is there a Fiscal Impact: Yes □ No ☒
Anticipated in Current Budget: Yes □ No □
County Budget Accounts:
Revenue Account and Line: Click or tap here to enter text.
Revenue Amount: Click or tap here to enter text.
Appropriation Account and Line: Click or tap here to enter text.
Appropriation Amount: Click or tap here to enter text.
Source of Funding - (Percentages)
Federal: Click or tap here to enter text.
State: Click or tap here to enter text.
County: Click or tap here to enter text.
Local: Click or tap here to enter text.
Term
Term: (Start and end date) Click or tap here to enter text.
Length of Contract: Click or tap here to enter text.
Impact on Pending Litigation
Yes ☐ No ☐
If yes, explain: Click or tap here to enter text.
Previous requests for Identical or Similar Action:
Resolution/Law Number: 17-250
Date of Adoption: 6/12/17

Justification: (state briefly why legislative action is requested)
The Department of Children, Youth and Families is seeking a partial waiver of the residency requirement for new Caseworker, Staff Social Worker and Special Education Evaluator positions. Adjacent municipalities, including Rensselaer and Schenectady counties, both waive the residency requirement for the initial year of employment, giving an advantage to these counties. A partial waiver would keep Albany County competitive with these neighboring municipalities.
May 13, 2019

Honorable Andrew Joyce, Chairman
Albany County Legislature
112 State St., Rm. 710
Albany, NY 12207

Dear Chairman Joyce,

The Albany County Department of Mental Health (ACDMH) is seeking a partial waiver of the residency requirements for new critical clinical positions to include Psychologist, Staff Social Worker and Psychiatric Nurse positions. ACDMH has made numerous attempts to find Albany County residents to fill these positions. ACDMH has used the employment website Indeed and sought out ACDMH staff referrals without success. Adjacent municipalities, including Rensselaer and Schenectady counties waive the residency requirements for the initial year of employment, giving an advantage to these counties. The waiver would be for one year, after which the employees would be required to live within Albany County. There is no County share associated with this contract.

Feel free to contact me or Kelle Roberts if you have any questions concerning this request.

Sincerely,

Stephen Giordano, Ph.D.
Director

cc: Hon. Dennis A. Feeney, Majority Leader
    Hon. Frank A. Mauriello, Minority Leader
    Kevin Cannizzaro, Majority Counsel
    Minority Counsel
REQUEST FOR LEGISLATIVE ACTION

Request Partial Waiver of the Albany County Residency Requirement for New Employees
Click or tap here to enter text.

Date: 5/13/19
Submitted By: Mark Gleason
Department: Mental Health
Title: Operations Analyst
Phone: 518-447-3014
Department Rep.
Attending Meeting: Dr. Stephen Giordano, Director

Purpose of Request:

☐ Adopting of Local Law
☐ Amendment of Prior Legislation
☐ Approval/Adoption of Plan/Procedure
☐ Bond Approval
☐ Budget Amendment
☐ Contract Authorization
☐ Countywide Services
☐ Environmental Impact/SEQR
☐ Home Rule Request
☐ Property Conveyance
☒ Other: (state if not listed) Request for Partial Residency Waiver

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):
☐ Contractual
☐ Equipment
☐ Fringe
☐ Personnel
CONCERNING CONTRACT AUTHORIZATIONS

Type of Contract:
☐ Change Order/Contract Amendment
☐ Purchase (Equipment/Supplies)
☐ Lease (Equipment/Supplies)
☐ Requirements
☐ Professional Services
☐ Education/Training
☐ Grant

Choose an item.
Submission Date Deadline Click or tap to enter a date.

☐ Settlement of a Claim
☐ Release of Liability
☐ Other: (state if not listed) Click or tap here to enter text.

Contract Terms/Conditions:

Party (Name/address): Click or tap here to enter text.

Additional Parties (Names/addresses): Click or tap here to enter text.

Amount/Raise Schedule/Fee: Click or tap here to enter text.
Scope of Services: Click or tap here to enter text.

Bond Res. No.: Click or tap here to enter text.
Date of Adoption: Click or tap here to enter text.

CONCERNING ALL REQUESTS

Mandated Program/Service: Yes ☐ No ☒
If Mandated Cite Authority: Click or tap here to enter text.

Is there a Fiscal Impact: Yes ☐ No ☒
Anticipated in Current Budget: Yes ☐ No ☐
**County Budget Accounts:**

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**Source of Funding - (Percentages)**

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<td>Local:</td>
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**Term**

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<tr>
<td>Length of Contract:</td>
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**Impact on Pending Litigation**

Yes ☐ No ☐

If yes, explain:

Click or tap here to enter text.

**Previous requests for Identical or Similar Action:**

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<tr>
<th>Resolution/Law Number:</th>
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<td>Date of Adoption:</td>
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**Justification:** (state briefly why legislative action is requested)

The Albany County Department of Mental Health (ACDMH) is seeking a partial waiver of the residency requirement for new critical clinical positions to include Psychologist, Staff Social Worker and Psychiatric Nurse positions. Adjacent municipalities, including Rensselaer and Schenectady Counties, both waive the residency requirement for the initial year of employment, giving an advantage to these counties. A partial waiver would keep Albany County competitive with these neighboring municipalities.
May 15, 2019

Hon. Andrew Joyce, Chairman
Legislative Clerk’s Office
112 State St., Room 710
Albany, NY 12207

Dear Chairman Joyce,

The Department of Social Services respectfully requests legislative approval for the following:

We are requesting the ability to hire RNs who do not reside in Albany County as we have been unsuccessful in recruiting and hiring any candidates within the County.

The Albany County Department of Social Services has been attempting to recruit RNs since October 2018 but have been unsuccessful in securing RN candidates who are residents within Albany County. These R.N. positions are critical for our Adult Services Department to conduct the required Medicaid personal care assessments and ensure we are complying with the timelines set forth Title 18 Article Part 505.14 Personal Care Services to have an R.N. conduct new assessments and annual reassessments within 30 days of receiving MD orders.

Albany County DSS has worked with Human Resources to post the RN position openings both internally and externally and we have shared the job postings with our contracted home care provider agencies, as well as other RN entities to encourage applicants for these positions. Due to our unsuccessful attempts to secure applicants, for RN positions, we are requesting a waiver to seek potential applicants outside of Albany County so we can get into compliance with regulatory requirements.

Sincerely,

Michele McClave
Commissioner

cc: Dennis A. Feeney, Majority Leader
Frank A. Mauriello, Minority Leader
Kevin Cannizzaro, Majority Counsel
Minority Counsel
REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services): Residency waiver to hire registered nurses outside of Albany County

Date: 5/6/2019
Submitted By: Joseph J DeAngelis
Department: Social Services
Title: Contract Administrator
Phone: 518-447-7583
Department Rep.: Erin Stachewicz
Attending Meeting:

Purpose of Request:
☐ Adopting of Local Law
☐ Amendment of Prior Legislation
☐ Approval/Adoption of Plan/Procedure
☐ Bond Approval
☐ Budget Amendment
☐ Contract Authorization
☐ Countywide Services
☐ Environmental Impact/SEQR
☐ Home Rule Request
☐ Property Conveyance
☒ Other: (state if not listed) Requesting residency waiver to hire RNs outside of Albany County

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):
☐ Contractual
☐ Equipment
☐ Fringe
☐ Personnel
CONCERNING CONTRACT AUTHORIZATIONS

Type of Contract:
☐ Change Order/Contract Amendment
☐ Purchase (Equipment/Supplies)
☐ Lease (Equipment/Supplies)
☐ Requirements
☐ Professional Services
☐ Education/Training
☐ Grant

Choose an item.
Submission Date Deadline Click or tap to enter a date.

☐ Settlement of a Claim
☐ Release of Liability
☒ Other: (state if not listed) Requesting residency waiver to hire RNs outside of Albany County

Contract Terms/Conditions:

Party (Name/address):
Click or tap here to enter text.

Additional Parties (Names/addresses):
Click or tap here to enter text.

Amount/Raise Schedule/Fee:
Scope of Services:
Click or tap here to enter text.
Click or tap here to enter text.

Bond Res. No.:
Date of Adoption:
Click or tap here to enter text.
Click or tap here to enter text.

CONCERNING ALL REQUESTS

Mandated Program/Service:
If Mandated Cite Authority:
Yes ☒ No ☐ Title 18 Article Part 505.14

Is there a Fiscal Impact:
Anticipated in Current Budget:
Yes ☐ No ☒ Yes ☒ No ☐
Justification: (state briefly why legislative action is requested)
The Albany County Department of Social Services has been attempting to recruit RNs since October 2018 but have been unsuccessful in securing RN candidates who are residents within Albany County. These R.N. positions are critical for our Adult Services Department to conduct the required Medicaid personal care assessments and ensure we are complying with the timelines set forth Title 18 Article Part 505.14 Personal Care Services to have an R.N. conduct new assessments and annual reassessments within 30 days of receiving MD orders. The regulation does require a nurse conducting these personal care assessments have a license and current registration to practice as a registered professional nurse in New York State; and have at least two years of satisfactory recent experience in home health care.

Albany County DSS has worked with Human Resources to post the RN position openings both internally and externally and we have shared the job postings with our contracted home care provider agencies, as well as other RN entities to encourage applicants for these positions. Due to our unsuccessful attempts to secure applicants for RN positions we are requesting a waiver to seek potential applicants outside of Albany County so we can get into compliance with regulatory requirements we need to comply with.

The budget lines associated with this request are 6010.2128.001 and 6010.2128.004.
REGISTERED PROFESSIONAL NURSE

DISTINGUISHING FEATURES OF THE CLASS: This is a professional nursing position involving responsibility for coordinating individual patient care and for performing nursing services requiring substantial specialized judgment and skills. Work is performed under the general direction of a supervisory level nursing position and in accordance with a prescribed nursing care plan. Supervision may be exercised over the work of Licensed Practical Nurses and related auxiliary nursing personnel. Does related work as required.

TYPICAL WORK ACTIVITIES:
- Assesses patient nursing care needs and prepares and carries out a nursing care plan;
- As assigned, provides professional nursing services in a TB health clinic and follows up on treatment and examination of potential patients and their families;
- Supervises sub-professional nursing personnel;
- Is responsible for the care of patients and their quarters, including making beds, changing linens, keeping order, lifting and moving patients, giving baths and rubs, and caring for personal effects;
- Is responsible for observing symptoms and carrying out diagnostic procedures ordered by the physician;
- Prepares and applies dressings, gives medication and nursing and therapeutic treatment as prescribed by physicians;
- Instructs patient or members of patient's family in regard to patient's diet, health habits, the carrying out of treatments at home and rehabilitative measures as authorized by the physician;
- Performs related services for patients in the prevention of illness and the attainment of maximum health;
- Makes contact with appropriate social services or health agencies as necessary to assure patient needed service or follow-up care;
- Maintains a variety of records and prepares reports.

FULL PERFORMANCE KNOWLEDGE, SKILLS, ABILITIES AND PERSONAL CHARACTERISTICS:
- Good knowledge of nursing principles and techniques and their relation to medical and surgical practices and skill in their application;
- Working knowledge of materia medica, hospital dietetics, sanitation, and personal hygiene;
- Skill in the application of nursing techniques and practices;
- Ability to understand and follow technical oral and written instructions;
- Ability to keep records and makes reports;
- Ability to get along well with patients, physicians and others;
- Ability to carry out successfully the therapeutic measures prescribed;
- Ability to plan and supervise the work of sub-professional and non-technical personnel;
- Good observation, mental alertness; firmness; initiative; cheerfulness; patience;
- Emotional stability; sympathetic attitude toward the sick; good moral character;
- Physical condition commensurate with the demands of the position.

MINIMUM QUALIFICATIONS:
Graduation from a school of nursing approved by the State Education Department from a course approved by such department as qualifying for Registered Professional Nurse.

SPECIAL REQUIREMENT:
Eligibility for a license issued by the State of New York to practice as a Registered Professional Nurse. Possession of the license at the time of appointment.

Jurisl. Class: Non-Competitive (All Civil Divisions)
ACCS Adopted: 05/01
Revised: 10/99