



MONTGOMERY
C O U N T Y NY

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COUNTY OF MONTGOMERY PERSONNEL POLICY

Non-Bargaining Personnel Policy

Elected Officials

2016

Revised per Resolution

No. 62 of 2016

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COUNTY OF MONTGOMERY

Personnel Policy

Non-Represented Elected Officials

1. Introduction

- A. This policy establishes the terms and conditions of employment for all full-time Elected Officials of the County of Montgomery, as identified in Appendix A.
- B. Where specifically noted herein, this policy is extended to apply to part-time Elected Officials, as identified in Appendix A.
- C. This policy shall not constitute an enforceable contract and may be changed at any time, pursuant to the authorizing powers of the Montgomery County Charter.
- D. This policy shall not be effective for Elected Officials who are in the middle of a term as of March 2016 until their respective revised salary is adopted by a local law or until the next term in office commences.

2. Equal Employment Opportunity

It is the policy of the County of Montgomery to afford equal opportunity in, without regard to age, race, religion, creed, color, national origin, sex, sexual orientation, disability, marital status or any other non-merit factors, in compliance with Federal and State laws.

3. Work Day/Work Week

Elected Officials have the ability to adjust their work hours as needed to achieve the required results in operating their Department/committees in an efficient and professional manner to ensure that the needs and goals of their departments/committees are met.

4. Pay Period

- A. Elected Officials shall be paid every two (2) weeks.

- B. All Elected Officials (full-time and part-time elected) and anyone filling a vacancy in an Elected Official position shall be required to receive their paychecks by direct deposit.

5. Mileage Allowance

- A. Elected Officials authorized to use their personal vehicles for conducting County business in accordance with County Policy, local, state and federal laws, shall be reimbursed at the rate equal to the Internal Revenues Service allowable deduction.

- B. Mileage will be reimbursed for business outside of Montgomery County.

6. Observed Holidays

- A. The following shall be designated holidays:
- New Year's Day
 - Martin Luther King's Birthday
 - Washington's Birthday (President's Day)
 - Good Friday (Election and Sheriff Personnel Only)
 - Memorial Day
 - Independence Day
 - Labor Day
 - Columbus Day
 - Election Day (Except Election and Sheriff Personnel)
 - Veteran's Day
 - Thanksgiving Day
 - Day after Thanksgiving
 - Christmas Eve
 - Christmas Day

- B. When a holiday falls on a Sunday, it shall be observed on the following Monday. When a holiday falls on a Saturday, it shall be observed on the prior Friday.

7. Hospitalization and Major Medical Insurance

- A. The County shall provide health insurance and the benefit of the CanaRx Drug Program to all full-time Elected Officials. Full-time Elected Officials shall contribute fifteen percent (15%) towards their appropriate health insurance premium. In addition, the co-pay shall be \$25.00.

- B. Effective upon adoption of this policy, Montgomery County shall offer health insurance plans to all part-time Elected Officials at the full premium rate.
- C. Full-time Elected Officials who are covered by any other health insurance plan may elect not to receive health insurance provided by the County. In such cases, the County will provide a “trust account” representing thirty-five percent (35%) of the premium savings to the County as a result of the employee voluntarily not receiving or voluntarily reducing health coverage. This amount will be paid to the employee in December of each year. Employees must elect not to receive health insurance in December for the following year and may not elect to re-enter the County’s health insurance plan unless the employee is no longer covered by any other health insurance. In such a situation, the employee may elect to re-enter the County plan without any waiting period. Employees shall receive thirty-five percent (35%) of the premium savings for voluntarily not receiving health coverage.
- D. The County will provide payment out of the health insurance “trust account” on a prorated basis for employees who become eligible based on a qualifying event.
- E. Proof of health insurance coverage must be submitted to Personnel along with the request to participate in the health insurance trust account.

8. Dental and Vision Insurance

The County shall provide individual dental and vision care for Full-time Elected Officials. Full-time Elected Officials may elect dependent coverage through payroll deductions at a premium set forth by the Personnel Officer.

9. New York State Retirement Plan

- A. The County shall participate in the New York State Employees’ Retirement System with all the rights and benefits presently provided by the Career Retirement Plan under Section 75I of the Retirement and Social Security Law.
- B. Mandatory retirement shall be as required by law.
- C. In addition to the adoption of the 75I Plan, Montgomery County has adopted the following options:
 - 1. Section 41J (application of unused sick leave as additional service credit upon retirement).
 - 2. Section 41k (military World War II service credit buy back).
 - 3. Section 60b (guaranteed minimum death benefit of three times annual rate of pay).

4. Tier I Employees under Section 60 of New York State Retirement Laws.
5. Tier II Employees under Section 448 of New York State Retirement Laws.
6. Tier III Employees under Sections 508 and 606 of New York State Retirement Laws.
7. Tier IV Employees under Section 6060 of New York State Retirement Laws.
8. Tier V Employees under Article 22 (amended Article 14, 15& 19) of the New York State Retirement System.
9. Tier VI Employees under chapter 18, laws of 2012 of the New York State Retirement System.

10. Sick Leave Credit Upon Retirement

Any full-time Elected County Officials retiring from Montgomery County with at least fifteen (15) years of County service shall be eligible for the following sick leave credit policy. For each year of completed service after 15 years they shall receive eight (8) sick days to be credited at seventy (\$70.00) dollars per day to be used only for the Retiree's share of health insurance. Maximum accumulated days shall be one hundred and fifty (150).

11. Military Leave

- A. In accordance with Section 242 of the Military Law, employees and public officers serving as members of the organized militia, or any reserve force or reserve component of the armed forces of the United States, are entitled to paid Military Leave, in conjunction with such service, not to exceed thirty (30) calendar days *or* 22 working days, whichever is greater per calendar year.
- B. Employees and public officers who wish to use Military Leave must notify their Department Head, giving at least two weeks' notice, when possible, and submit a copy of their orders.
- C. Employees and public officers may also be eligible for up to 10 days of unpaid "**Family Military Leave**" if he/she is the spouse of a member of the armed forces of the United States, National Guard or reserves who has been deployed to a combat theater or combat zone of operations during a period of military conflict.
 - i. Leave will only be given when the employee's spouse is on leave from the armed forces, National Guard or reserves while being deployed during a period of military conflict.
 - ii. Employees and public officers must work an average of 20 hours or more per week in order to be eligible for this benefit.

12. Longevity

Elected Officials will no longer be eligible for longevity once their respective revised salary is adopted by a local law or until the next term in office commences.

13. Increment

Elected Officials will no longer be eligible for increments once their respective revised salary is adopted by a local law or until the next term in office commences.

14. Employee Assistance Program

The County will offer to employees (part-time, full-time Elected Officials) a paid-in-full Employee Assistance Program through a qualified provider of the County's choice. All records of the Employee Assistance Program are confidential between the employee and the provider. The fact that an employee utilizes such Assistance shall not impact promotional opportunities or job security.

APPENDIX A
ELECTED OFFICIALS

The policy applies to the following full-time Elected Officials:

County Executive
Sheriff
County Treasurer
County Clerk
District Attorney**

The policy applies to the following part-time Elected Officials:

Head Coroner
Coroner
Chairperson of the Legislature
County Legislator

APPENDIX B COMPENSATION

Elected Official	Base Salary Upon Adoption of Local Law
County Executive	\$110,000.00
Sheriff	\$105,000.00
Treasurer	\$80,000.00
County Clerk	\$80,000.00
District Attorney**	\$152,500.00
Head Coroner	\$10,000.00
Coroner	\$9,500.00
Chairman of the Legislature	\$15,000.00
Legislator	\$10,000.00

****Salary of the District Attorney is determined pursuant to N.Y. JUD. LAW § 183-a.**

Compensation for all Elected Officials will be reviewed by March 31st in the last year of the respective Elected Officials Term. The Personnel Officer will provide a recommendation of such salary.