

RESOLUTION NO. 298

APPROVING THE DEPARTMENT OF RESIDENTIAL HEALTH CARE FACILITY'S COLLECTIVE BARGAINING AGREEMENT WITH 1199 SEIU – SERVICE AND MAINTENANCE UNIT

Introduced: 8/11/14

By Personnel Committee:

WHEREAS, 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 said unit and the terms and conditions of employment have been agreed upon for the period January 1, 2014 through December 31, 2018, and

WHEREAS, Under the terms of the agreement, employees of the bargaining unit will receive a 0% salary increase for 2014, a 1% salary increase for 2015, a 1% salary increase for 2016 with a wage re-opener, a 1% salary increase for 2017 with a wage re-opener and a 1% salary increase for 2018 with a wage re-opener, and

WHEREAS, Under the terms of the agreement, the County and the Union agree to commence bargaining no later than October 1 of the prior year for which a wage re-opener applies for the sole purpose of negotiating a wage increase, if the parties have not reached an agreement by December 15 then either party may file for impasse with the NYS Public Relations Board, the sole issue upon which impasse may be filed is the amount of any January 1 wage increase and the amount of retroactivity pay, and

WHEREAS, Under terms of the agreement and effective after ratification by both parties the normal workweek shall be thirty five (35) hours or seventy (70) hours over a two week period, and

WHEREAS, Under terms of the agreement and effective after ratification by both parties, employees shall be compensated at the rate of one and one-half times their regular rate of pay for all work performed beyond thirty five (35) hours per week, and employees working seventy (70) hours over a two (2) week work period shall be compensated at the rate of one and one-half times their regular rate of pay for all work performed beyond seventy (70) hours, and

WHEREAS, Under terms of the agreement and effective after ratification by both parties, employees will have one-half (1/2) hour unpaid lunch break per working day and an addition thirty (30) minutes of unpaid break time per work day, and

WHEREAS, Under terms of the agreement and effective after ratification by both parties for a period of two years, employee schedules shall no longer provide for twenty-six (26) weekends off per year, during this two year period if the employer permits employees to have twenty six (26) weekends off it shall be based on seniority, upon conclusion of the two year period, the employer shall schedule each permanent full-time employee who is regularly scheduled to work five (5) days a week, every other weekend off except:

- A) Where the employee agrees to requests another schedule of days off and the employer consents,
- B) Where the Union and Employer otherwise agrees to a different schedule with respect to a particular unit, department or job classification,
- C) Where such scheduling would result in an unreasonable inference with the efficient operation of a unit, department or job classification,
- D) In, emergencies,
- E) Any employee who desires to waive the every other weekend off requirement, shall if consented by the employer, execute a written waiver which may not be revoked without the agreement of the employer during the life of the agreement (the waiver), and

WHEREAS, Under terms of the agreement and effective after ratification by both parties weekend differential shall no longer be awarded, and

WHEREAS, The agreement also provides job classification changes for employees assigned to perform the duties of a higher classification, holiday modifications and overtime pay changes for working on a scheduled holiday and changes to the vacation schedule, now, therefore be it

RESOLVED, By the Albany County Legislature that the portions of said agreement setting forth salary and benefit provisions for members of the aforementioned bargaining unit in the Department of Residential Health Care Facilities are hereby ratified and confirmed, 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.

Adopted by unanimous vote. 8/11/14