

Establishing A Policy For The Excused Leave Of Ulster County Personnel Classified As Department Heads, Managerial Staff, Legislative Employees, and Board of Election Employees During Volunteer Emergency Response

Referred to: The Law Enforcement and Public Safety Committee (Chairman Briggs and Legislators Fabiano, Provenzano, Ronk and Wishnick), and The Ways and Means Committee (Chairman Gerentine and Legislators Allen, Belfiglio, Briggs, Gregorius, Maio, Maloney, and Parete)

Chairman John Parete, Legislator Richard Parete and Legislators Briggs and Lopez offer the following:

WHEREAS, the Ulster County Legislature recognizes the quality of life and financial benefit volunteer first responder departments offer the entire County during emergency responses; and

WHEREAS, the United States Fire Administration reported 94.6% of New York State's Fire Departments are comprised of volunteers or mostly volunteers; and

WHEREAS, the National Fire Protection Association reported the time donated by volunteer firefighters saves the nation's localities an estimated \$139.8 billion per year; and

WHEREAS, the ability to effect response time and the quality of the response provided is directly related to the availability of trained, volunteer first responders from the local community; and

WHEREAS, the changing economic landscape of Ulster County which has taken available volunteers farther from home or in the case of two parent households, both into the workforce, has attributed to the personnel shortages; and

WHEREAS, the United States Fire Administration found emergency service departments that have been unable to address the problems and challenges of volunteering in today's world have been forced to hire career responders, consolidate, or even close their doors; and

WHEREAS, the National Fire Protection Association has found the number of volunteer firefighters in the United States has declined by about 12% since 1984; and

WHEREAS, in 2013, the Firemen's Association of the State of New York reported volunteer emergency medical technicians (EMTs) experienced a decline from more than 50,000 to 35,000 from the 1990s to today, with some rural communities experiencing as much as a 50-percent depletion of their EMT ranks; and

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WHEREAS, the New York State Legislature and Governor recognized the vital need for immediate emergency fire and medical responses during states of local and State declared emergencies when it recently passed a law to require employers to grant leave to volunteer emergency responders; and

WHEREAS, the Ulster County Legislature seeks to establish a policy to increase the availability of trained, volunteer first responders in times of need in order to best serve the residents of Ulster County; now, therefore be it

RESOLVED, it is the policy of Ulster County that an Ulster County employee who is classified as a Department Head, Managerial, Legislative, or Board of Election employee shall be granted an excused leave while such employee is engaged in the duties of a volunteer firefighter, a volunteer ambulance service member, or volunteer rescue squad member; and be it further

RESOLVED, that this policy shall apply when the employee responds to an emergency call while the employee is at work or if the employee is engaged in the aforementioned duties when the employee is scheduled to be at work; and be it further

RESOLVED, the excused leave shall be granted only when the employee has previously provided written documentation from the head of the employee's volunteer fire department, volunteer ambulance service, or volunteer rescue squad, as applicable, affirming the employee's status as a volunteer firefighter or member of a volunteer ambulance service; and be it further

RESOLVED, the excused leave granted pursuant to this policy shall be charged against any other leave to which such employee is entitled; and be it further

RESOLVED, upon request, an employee who has been granted an excused leave pursuant to this policy shall provide a notarized statement from the head of the volunteer fire department, volunteer ambulance service, or volunteer rescue squad, as applicable, certifying that said employee responded to any emergency; and be it further

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RESOLVED, the County Executive shall have the authority to deny excused leaves for those employees whose responsibilities and/or duties are essential to County operations; and be it further

RESOLVED, that this policy supersedes and replaces any and all existing policies that provide for excused leave during a volunteer emergency request for response that may apply to Department Heads, Managerial Staff, Legislative Employees, and Board of Election Employees; and be it further

RESOLVED, the Ulster County Legislature encourages the County Executive to consider this vital community volunteer service when negotiating collective bargaining agreements for all other Ulster County employees in the future,

and move its adoption.

ADOPTED AS AMENDED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

Passed Committee: Law Enforcement and Public Safety on June 1, 2015

Passed Committee: Ways and Means as amended on June 16, 2015

FINANCIAL IMPACT:

NONE

Legislator Gerentine motioned, seconded by Legislator Ronk, to accept the resolution in its amended form, as seen above, as the final resolution for adoption.

MOTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

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STATE OF NEW YORK

ss:

COUNTY OF ULSTER

I, the undersigned Clerk of the Legislature of the County of Ulster, hereby certify that the foregoing resolution is the original resolution adopted by the Ulster County Legislature on the 16th Day of June in the year Two Thousand and Fifteen, and said resolution shall remain on file in the office of said clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 18th Day of June in the year Two Thousand and Fifteen.

/s/ Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

Submitted to the County Executive this
18th Day of June, 2015.

Approved by the County Executive this
25th Day of June, 2015.

/s/ Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

/s/ Michael P. Hein
Michael P. Hein, County Executive