

Livingston County Board of Supervisors

Geneseo, New York



Resolution No. **2024-360**

ADOPTING BENEFITS FOR LIVINGSTON COUNTY EMPLOYEES NOT COVERED BY A COLLECTIVE BARGAINING AGREEMENT FOR THE YEAR 2025

RESOLVED, that the benefits for employees of the County covered by a collective bargaining agreement shall be provided in accordance with the terms and conditions set forth within the applicable collective bargaining agreement; and be it further

RESOLVED, that employee benefits for full-time, permanent employees not covered by a collective bargaining agreement shall be provided as follows:

1. **New York State Retirement Plan Participation, Sick Leave, Bereavement Leave, Holidays and Personal Leave.** Retirement, sick leave, bereavement leave, holidays and personal leave shall be provided as follows:

- a. **Generally.** All full-time employees not covered by a collective bargaining agreement, except those specified in Paragraph (1)(b), below, shall receive these benefits as set forth in the Agreement between the County of Livingston and the Civil Service Employees Association Full-Time Unit. The County Administrator may for good cause shown waive some or all of the requirements for payment of personal leave upon an employee's termination of employment.
- b. **Exceptions.** Those serving in the positions of Sheriff, Undersheriff, Sheriff's Office Majors, Chief Deputy (Professional Standards), Captains, and Police Services Commander shall receive these benefits as follows:

- i. **New York State Retirement Plan Participation.** Livingston County participates in the following optional Article 14-B New York State Retirement System plans: Section 89-J and Section 552/553. Eligible employees shall be entitled to participate in the applicable optional plan. It shall be each employee's obligation to comply with New York State and Local Retirement Systems rules regarding eligibility for the specific plan and enrollment in such plan. If an employee fails to comply with such rules, the County shall have no obligation to take action to enroll the employee in such plan.

- ii. **Sick Leave, Bereavement Leave, Holidays and Personal Leave.**

- 1. Corrections Major and Corrections Captain: as set forth in the Livingston County Deputy Sheriffs Coalition contract except: (i) they shall not be eligible for payment in lieu of holidays, and (ii) that family sick leave may be used for the employee's son/daughter regardless of the son's/daughter's age; and
- 2. Undersheriff, Chief Deputy (Professional Standards), Investigations and Road Patrol Captains, and Police Services Commander: as set forth in the Livingston County Coalition of Patrol Services contract except: (i) they shall not be eligible for payment in lieu of holidays, and (ii) family sick leave may be used for the employee's son/daughter regardless of the son's/daughter's age.

2. **Jury Duty Leave.** Employees selected for jury duty shall receive paid leave not to exceed ten (10) working days annually, when attendance as a juror is required by the court on regularly scheduled working days of the employee. Employees requesting payment for jury duty must notify their supervisors immediately upon receipt of a subpoena for jury duty as a condition of payment. An employee summoned to jury duty will cooperate with the County in a request for deferral of jury duty service whenever in the County's judgement such request is needed due to the legitimate business needs of the County. An employee on jury duty shall report to work whenever their presence for jury duty is not required during regularly scheduled working hours.

3. **Vacation.**

- a. **Accrual.** All full-time employees not covered by a collective bargaining agreement, with the exception of those identified in subsection 3(c), below, will accrue vacation in accordance with the following table:

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Anniversary of Date of Hire	Vacation Accruals
Upon hire	5 days
1 – 10 year	15 days
11 year	16 days
12 year	17 days
13 year	18 days
14 year	19 days
15–20 year	20 days
21 year	21 days
22 year	22 days
23 year	23 days
24 year	24 days
25 year and subsequent anniversaries	25 days

- b. **Vacation Carry Over.** A maximum of three (3) working days vacation may be held over from one anniversary year to the next. These days will not accumulate from year to year, but may be used in the new anniversary year.
- c. **Department Head Initial Accrual.** Department Heads and employees deemed by the County Administrator to be serving in a deputy capacity to the Department Head shall accrue fifteen (15) vacation days at the time of hire. Thereafter, they shall accrue in accordance with paragraph 3(a) above.
- d. **Payment In Lieu of Vacation Time.** Employees may elect to be paid for a maximum of ten (10) days of vacation in lieu of such time off. Employees who wish to make this election must inform their department leader of their election at least two (2) weeks prior to their anniversary date. All vacation time must be earned before payment is made.
- e. **Payment of Vacation Upon Termination.** Only vacation accrued on and after the employee's first anniversary of his/her date of hire may be payable upon termination of employment. Accrued vacation will not be payable upon termination of employment unless the requirements set forth in Article 18, §4 of the Agreement between the County of Livingston and the Civil Service Employees Association Full-Time Unit are met. "Notice of termination" as used in Article 18, §4 subparagraph (d) shall mean when applied to employees: (i) notice of disciplinary charges for those with Civil Service Law §75 or similar due process rights, or (ii) actual notice of termination for all others. The County Administrator may for good cause shown waive some or all of the requirements for payment of accrued vacation upon an employee's termination of employment.

4. Health Insurance.

- a. **Eligibility.** Full-time, permanent employees not covered by a collective bargaining agreement shall be entitled to health insurance on the first day of the month following appointment.
- b. **Plan Options.** Eligible full-time, permanent employees not covered by a collective bargaining agreement hired prior to January 1, 2014 shall have the following health insurance options: the Livingston County Premium Plan, the Livingston County Standard Plan, the Livingston County High Deductible Health Plan (HDHP) or substantially equivalent coverage. If such employee does not have the Premium Plan or leaves the Premium Plan, that employee shall no longer be eligible for enrollment in the Premium Plan. Eligible employees hired on or after January 1, 2014 shall have the following health insurance options: the Livingston County Standard Plan, Livingston County High Deductible Health Plan (HDHP) or substantially equivalent coverage. For 2025, the HDHP shall have a \$3,000/\$6,000 employee deductible.

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- c. **Unilateral Right.** The County has the unilateral right, in its sole discretion, to: determine details of the plan, determine the plan administrator (if any), and make any other decisions and take any other actions necessary to institute and administer the health insurance plans offered by the County.
- d. **Employee Contributions Toward Cost of Coverage.**
- i. ***Date of hire before June 1, 2003.*** Full-time, permanent employees not covered by a collective bargaining agreement hired prior to June 1, 2003 shall not contribute to the cost of their health insurance premium. If the employee elects the HDHP the County will make an annual contribution to the employee's health savings account as follows: \$250 for a single or two-person plan; \$500 for a family plan.
 - ii. ***Date of hire on or after June 1, 2003 but before January 1, 2014.*** Full-time, permanent employees not covered by a collective bargaining agreement hired on or after June 1, 2003 but before January 1, 2014, shall contribute 25% of the cost of their health insurance premium if in the Premium Plan, 15% of the cost of their health insurance premium if in the Standard Plan, or 0% of the cost of their health insurance premium if in the HDHP. If the employee elects the HDHP the County will make an annual contribution to the employee's health savings account as follows: \$250 for a single or two-person plan; \$500 for a family plan.
 - iii. ***Date of hire on or after January 1, 2014.*** Full-time, permanent employees not covered by a collective bargaining agreement hired on or after January 1, 2014 shall contribute 25% of the cost of their health insurance premium if in the Standard Plan for the first ten (10) years of employment. After ten years of consecutive employment, the employee shall contribute 15% of the cost of their Standard Plan health insurance premium. All employees in this category shall contribute 0% of the cost of their premium if enrolled in the HDHP. If the employee elects the HDHP the County will make an annual contribution to the employee's health savings account as follows: \$250 for a single or two-person plan; \$500 for a family plan.
- e. **Health Insurance Drop Payments.**
- i. ***Eligibility.*** Full-time, permanent employees not covered by a collective bargaining agreement who drop or who forego County health insurance coverage shall be entitled to a "drop payment" after they have been without County health insurance for at least one year. New employees who are eligible for health insurance benefits and forego such benefits are eligible for a prorated drop payment in their first year as an employee.
 - ii. ***Procedure to obtain benefit.*** In order to receive a drop payment, an employee must submit a request for the payment and provide an affidavit to the Human Resources Department proving that he/she has health insurance coverage through another source. Such request and affidavit must be provided between November 1 and November 15 of the year in which payment is requested.
 - iii. ***Date of payment.*** Drop payments will be made in a pay period of December each year.
 - iv. ***Amount of payment.*** The amount of the drop payment will be based upon the level of coverage (e.g. two person, family, etc.) the employee would have received. Payment amounts for those employees who went without coverage for a full plan year (January 1 through December 31) are as follows:
 - (a) Dropped individual coverage: \$1,800;
 - (b) Dropped two person or family no spouse coverage: \$2,700; or
 - (c) Dropped family coverage: \$3,600.

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- f. **Dental Insurance.** Full-time, permanent employees not covered by a collective bargaining agreement shall have the option to elect dental coverage. In the event that the employee elects coverage, the County will contribute 100% of the cost of the premium. The County has the unilateral right, in its sole discretion, to: determine details of the plan, determine the plan administrator (if any), and make any other decisions and take any other actions necessary to institute and administer such plan.
 - g. **Retiree Health Insurance.**¹
 - i. Employees hired before October 22, 2003, who are eligible for and receive County health insurance benefits immediately preceding retirement shall be eligible for retiree health insurance benefits provided they have completed twenty-five (25) years of full-time service unless they have waived their right to this benefit in order to participate in the deferred compensation matching plan. These employees will be eligible for fully paid individual or family coverage.
 - ii. Employees hired on or after October 22, 2003, but before November 8, 2006, who are eligible for and receive County health insurance benefits immediately preceding retirement shall be eligible for retiree health insurance benefits provided they have completed twenty-five (25) years of full-time service unless they have waived their right to this benefit in order to participate in the deferred compensation matching plan. These employees shall be eligible for individual or family coverage and pay the same percentage contribution toward the cost of such coverage that they made immediately prior to retirement.
 - iii. Employees hired on or after November 8, 2006 are not eligible for retiree health insurance benefits paid in whole or in part by the County, but may purchase such insurance through the County if they participated in the deferred compensation matching plan immediately preceding retirement.
 - h. **Health Insurance for Dependents Following Death of an Employee.** In the event that an employee dies in service, health insurance benefits for covered family members will be continued on the same basis as provided to employees covered by the Agreement between the County of Livingston and the Civil Service Employees Association Full-Time Unit.
5. **Deferred Compensation Matching Plan.** Full-time, permanent employees not covered by a collective bargaining agreement shall be eligible to participate in the County's deferred compensation matching plan with the match not to exceed two percent (2%) of an employee's wages per pay period. Matching contributions shall be subject to applicable legal limits and requirements, including those necessary to maintain the status of the plan. The County has the unilateral right, in its sole discretion, to: determine details of the plan, determine the plan administrator (if any), and make any other decisions and take any other actions necessary to institute and administer such plan.
6. **Flexible Spending Account.** Full-time, permanent employees not covered by a collective bargaining agreement shall be eligible to participate in the County's Flexible Spending Account.

And be it further

RESOLVED, that employee health insurance benefits for part-time, seasonal and temporary employees not covered by a collective bargaining agreement shall be provided as follows:

- 1. **Health Insurance.**
 - a. **Eligibility.**

¹ References to "twenty-five (25) years of full-time service" shall apply to all employees covered by this Resolution unless the employee is actively participating in the NYSERS Plan 552/553. If the employee is actively participating the NYSERS Plan 552/553, the employee is entitled to retiree health insurance when the individual has provided twenty years of full-time service to Livingston County and has twenty (20) years of eligible service credit under the NYSERS 552/553 Plan.

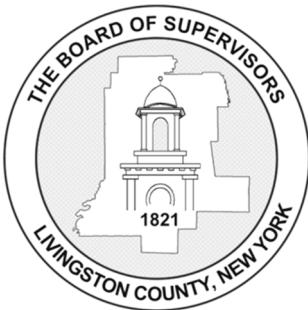
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- i. Salaried part-time, permanent employees not covered by a collective bargaining agreement, other than Board of Supervisors members, shall be entitled to health insurance coverage. Newly hired employees will be eligible for coverage on the first full month following employment with the County. Thereafter, such employees may enroll in coverage during an open enrollment period or within 30 days of a qualifying event.
- ii. Other part-time, seasonal and temporary part-time non-union employees will be offered health insurance coverage as required by the Patient Protection and Affordable Care Act ("ACA") for "full-time" employees as defined by the ACA. Employees who wish to participate must enroll by the deadline provided by the County in its offer of coverage. Enrollment will require the submission of a completed enrollment form and any other required documentation.
- b. **Plan Options.** Employees eligible for coverage under this section may participate in the Livingston County Standard Plan or substantially equivalent coverage.
- c. **Employee Contributions Toward Cost of Coverage.** Deductions for premiums will be made from the employee's pay. If the employee's pay is insufficient to cover the premiums, the employee must make arrangements with the County Treasurer's Office to pay the premiums directly. Failure to pay premiums as required will result in cancellation of coverage. All employees, except those set forth in Paragraph 1(c)(i) below, eligible for coverage under this section who enroll will be responsible for paying 100% of the premium cost.
 - i. Salaried part-time, permanent attorneys employed by the County eligible for coverage under this section who enroll will be responsible for paying 40% of the premium cost.

Dated at Geneseo, New York
October 23, 2024
Ways and Means Committee



This is to Certify that I, the undersigned, Clerk of the Board of Supervisors of the County of Livingston, have compared the foregoing copy of resolution with the original resolution now on file in this office and which was duly adopted by the Board of Supervisors of said County on the 23rd day of October, 2024 and that the same is a true and correct transcript of said resolution and of the whole thereof.

In Witness Whereof I have hereunto set my hand and the official seal of the Board of Supervisors of the County of Livingston, this 23rd day of October, 2024.

Michele R. Rees
Michele R. Rees, Clerk of the Board