

**PERSONNEL COMMITTEE MEETING  
HELD IN ROOM 318  
PUTNAM COUNTY OFFICE BUILDING  
CARMEL, NEW YORK 10512**

**Members: Chairwoman Nacerino, Legislators Jonke & Sullivan**

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**Monday** **6:30p.m.** **September 24, 2018**  
**(Audit & Administration Mtg. to Immediately Follow)**

The meeting was called to order at 6:30p.m. by Chairwoman Nacerino who requested Legislator Sullivan lead in the Pledge of Allegiance. Upon roll call Legislators Jonke, Sullivan and Chairwoman Nacerino were present.

**Item #3 - Approval/Personnel Committee Meeting Minutes – August 16, 2018**

The minutes were approved as submitted.

**Item #4 - Approval/ Fund Transfer (18T198)/ To Cover Overtime Expenses for July 2018 Due to One Correction Officer (CO) on Leave, One CO Vacancy & Two Officers on 207C/ Sheriff Langley (Also reviewed at Protective Svcs Mtg. 9/17/18)**

Chairwoman Nacerino made a motion to move Fund Transfer 18T198 to the Audit & Administration Meeting; Seconded by Legislator Jonke. All in favor.

**Item #5 - Approval/ Revised Fund Transfer (18T199 - Revised)/ To Cover Overtime Expenses for August & FICA Expenses Related to Overtime – Due to Two Correction Officer Vacancies and Two Officers on 207C/ Sheriff Langley (Also reviewed at Protective Svcs Mtg. 9/17/18)**

Chairwoman Nacerino made a motion to move Fund Transfer 18T199 to the Audit & Administration Meeting; Seconded by Legislator Sullivan. All in favor.

**Item #6 - Approval/Fund Transfer (18T217)/ Additional Funds to Cover Employee’s Transition From a Public Health Technician to a Public Health Sanitarian – Effective August 10, 2018/ Fiscal Manager William Orr**

Personnel Director Paul Eldridge stated the employee was already a Public Health Sanitarian trainee. He stated the training varies depending on what particular elements of sanitarian are necessary to qualify for. He stated the employee has met all the requirements as of August 10, 2018.

Chairwoman Nacerino requested clarification that the employee has met all the necessary criteria to move forward in the process.

Personnel Director Eldridge stated the employee is fully qualified.

Chairwoman Nacerino questioned if the position the employee has vacated will be filled.

Personnel Director Eldridge stated the employee stays in the same slot; it is basically a title change.

Chairwoman Nacerino made a motion to move Fund Transfer 18T217 to the Audit & Administration Meeting; Seconded by Legislator Jonke. All in favor.

**Item #7 - Approval/ Fund Transfer (18T229)/ Request to Fund the Compliance Enforcement Officer through the end of the year as a result of a 97% increase in the number of violations issued enforcing the County's three Trades Licensing Laws/ Consumer Affairs Director Budzinski (*Also reviewed at the Rules Mtg. 9/17/18*)**

Chairwoman Nacerino made a motion to move Fund Transfer 18T229 to the Audit & Administration Meeting; Seconded by Legislator Sullivan. All in favor.

**Item #8 - FYI/ Recent Legislation Regarding Mandatory Sexual Harassment Policies & Training for All Employers in New York State/ Senior Deputy County Attorney Risk & Compliance Susanne Kantor**

Senior Deputy County Attorney for Risk & Compliance Susanne Kantor stated the State Department of Labor and Division of Human Rights put together drafts of mandatory sexual harassment policies and training for all employers in New York. She added that there was a comment period for employers. She stated nothing final has been issued yet. She stated employers' sexual harassment prevention policies have to be in compliance with State minimum standards by October 9, 2018. She stated there is also mandatory annual training that must be completed by January 1, 2019, though the final format has not been set. She noted that the timing may change due to there being no final guidelines yet. She stated the County has been in contact with NYMIR (New York Municipal Insurance Reciprocal) regarding potentially training all employees by the current deadline. She stated the County's current policy is not far off from the draft State guidelines and only a few tweaks would be necessary.

Chairwoman Nacerino requested clarification on the aspect regarding harassment of non-employees.

Senior Deputy County Attorney for Risk & Compliance Kantor stated both Federal and State law currently only protect employees in the workplace. She stated now the State Human Rights law has been amended to include independent contractors who are in an employer's workplace, such as a contracted cleaner. She stated the State Human Rights law applies to all employers with four (4) or more employees.

Chairwoman Nacerino questioned how the County would proceed if an independent contractor harassed an employee.

Senior Deputy County Attorney for Risk & Compliance Kantor stated currently the County has a responsibility to provide a safe workplace for its employees. She stated the County would need to take remedial action.

Chairwoman Nacerino questioned how the County plans to introduce the new standards by January 1, 2019.

Senior Deputy County Attorney for Risk & Compliance Kantor stated NYMIR could come in and do training sessions. She stated the County has been researching various web-based contractors that could put together a webinar. She stated this training will be required annually and all new hires have to be trained within 30 days.

Chairwoman Nacerino stated electronic training saves time and is trackable.

Personnel Director Eldridge stated over the past few years the County has been doing their sexual harassment prevention training online due to ease of use. He stated every few years in-person training is offered as well.

Legislator Jonke questioned how often these types of trainings are done in the County.

Personnel Director Eldridge stated it is required that they are done annually.

Chairwoman Nacerino questioned who conducts an internal investigation.

Personnel Director Eldridge stated it depends on the case. He stated he would do an initial investigation and if he believes it is serious enough, he would bring in experts.

Chairwoman Nacerino stated the draft policy from the State states that an employee can file a complaint on behalf of another employee. She stated this is troublesome because that aspect could be abused or manipulated.

Senior Deputy County Attorney for Risk & Compliance Kantor stated that has always been in place for certain management positions.

Chairwoman Nacerino expressed her concerns with colleagues potentially being able to report something, as it could be done disingenuously. She stated sometimes the supposed victim may not be offended by the situation that was reported.

Senior Deputy County Attorney for Risk & Compliance Kantor stated there would be an investigation into these situations and the investigation needs to be done with care.

Chairwoman Nacerino questioned if this draft will be modified.

Senior Deputy County Attorney for Risk & Compliance Kantor stated this is the most current draft from the State.

Chairwoman Nacerino questioned if the County submitted suggestions to the State regarding their draft guidelines.

Senior Deputy County Attorney for Risk & Compliance Kantor stated yes the County submitted three (3) comments. She stated the first was asking for the time period to be extended so these guidelines can be rolled out in a thoughtful manner. She stated the second was regarding a provision that the complaining party would be allowed to know how the accused was disciplined. She stated the

complaining party should not be privy to this information. She stated the last comment was about the use of the term “due process” and how it is used, because it means different things in the public and private sectors.

Legislator Jonke stated he believes what the State will require is not far off from what is already in place in the County.

Senior Deputy County Attorney for Risk & Compliance Kantor stated that is correct, there will only be a few minor revisions.

Legislator Jonke stated basically now it is just about waiting for the State to finalize its guidelines.

Senior Deputy County Attorney for Risk & Compliance Kantor noted a change to the Public Officer’s law that if there is a judgement, a public employee could owe money to their employer. She stated due to changes like this one, and the tight time restraints, she believed it would be beneficial to bring this to the Legislature’s attention now rather than when the final policy is received.

Chairwoman Nacerino clarified that if the person is found intentionally liable, they must reimburse their employer.

Senior Deputy County Attorney Kantor stated if they do not, the employer can take it out of their wages. She stated if the individual no longer works for the employer, they are still responsible for the reimbursement.

Chairwoman Nacerino stated her hope that the current deadlines are extended because it is a very short window.

Personnel Director Eldridge stated even if the deadlines are not extended, all requirements will be met.

Chairwoman Nacerino thanked Senior Deputy County Attorney for Risk & Compliance Kantor and Personnel Director Eldridge for their guidance.

**Item #9 - FYI/Monthly 2018 Accident Report – Duly Noted**

**Item #10 - Other Business - None**

**Item #11 – Adjournment**

There being no further business, at 6:56P.M., Chairwoman Nacerino made a motion to adjourn; Seconded by Legislator Jonke. All in favor.

Respectfully submitted by Administrative Assistant Ed Gordon.