

PROPOSED ORDINANCE NO. 10-2024

AN ORDINANCE AMENDING ORDINANCE NO. 543-1995, AS AMENDED, WITH
RESPECT TO SALARIES AND BENEFITS FOR CERTAIN “NON-CONTRACT”
EMPLOYEES OF THE COUNTY OF NASSAU

BE IT ORDAINED, by the County Legislature of the County of Nassau, as follows:

Section 1. Section 3.6 (d) of Ordinance No. 543-1995, as amended, is amended to read as follows:

(d) All termination monies shall be paid by the County in one lump sum. The County will make best efforts to make such termination payments within sixty (60) days of the employee’s termination date; provided, however, that payment to members of the Police Force in the titles of Deputy Commissioner, Chief of Department, Chief of Patrol, Chief of Detectives and Chief of Support (referred to herein collectively as the “Affected Titles”) shall be made as follows:

(1) upon retirement, those members of the Police Force who were in the Affected Titles on December 31, 2007 shall be paid:

a) the total amount that would be owed to them pursuant to the SOA collective bargaining agreement had they retired on December 31, 2007, except that for the Chief of Patrol, Chief of Detectives and Chief of Support, such amount shall be adjusted by any changes to the SOA collective bargaining agreement in effect as of the date of their retirement,

b) such payments shall be made in the manner regarding installments required by the SOA collective bargaining agreement as of the actual date of retirement of the officers in the Affected Titles; provided, however, that members of the Police Force in the Affected Titles as of December

31, 2007 shall not be entitled to payment of termination monies for any time accrued after such date for vacation, sick and personal leave under section 3 of this Ordinance, although they will maintain any accrued leave earned prior to such date; and

(2) upon retirement, those members of the Police Force promoted from a SOA bargaining unit position to one of the Affected Titles on or after January 1, 2008 shall be paid:

a) the total amount that would be owed to them under the SOA contract on the date immediately prior to their promotion to an Affected Title had they retired on such date, except that such amount shall be adjusted by any changes to the SOA collective bargaining agreement in effect as of the date of their actual retirement,

b) such payments shall be made in the manner regarding installments required by the SOA collective bargaining agreement as of the date of actual retirement; provided, however, that such members of the Police Force promoted from an SOA bargaining unit to Affected Titles on or after January 1, 2008 shall not be entitled to payment of termination monies for any time accrued by such members on or after the date of promotion from an SOA bargaining unit position to an Affected Title unit for vacation, sick and personal leave under section 3 of this Ordinance, although they will maintain any accrued leave earned prior to their promotion from an SOA bargaining unit position to an Affected Title.

§ 2. A new subsection (f) is hereby added to section 3.6 of Ordinance 543-1995, as amended, as follows:

(f) With the exception of section 3.6 (e) above, only those employees that are due termination monies at the time of their separation of service and meet the criteria set forth in subparagraph (i) below shall participate in the County's 401(a) plan, provided that the employee's termination date is on or after April 1, 2024.

(i) Participation in the 401(a) plan is mandatory for all full-time employees who are, or will be, fifty-five (55) years old or older in the calendar year in which they separate from service, regardless of their years of service or the amount of termination monies due to be paid.

§ 3. Severability.

If any provision of this Ordinance or the application of such provision to any person or circumstance shall be held unconstitutional or invalid, the constitutionality or validity of the remainder of this ordinance and the applicability of such provision to other persons or circumstances shall not be affected thereby.

§ 4. SEQRA Determination.

It is hereby determined by the Nassau County Legislature, the lead agency, and pursuant to the provisions of the State Environmental Quality Review Act (“SEQRA”), 8 NYECL section 0101 et seq. and its implementing regulations, Part 617 of Title 6 of the New York Code of Rules and Regulations (6 NYCRR) and Section 1611 of the County Government Law of Nassau County, that this Ordinance will not have a significant impact on the environment and that no further environmental review or action is required.

§ 5. Effective Date.

This ordinance shall take effect immediately.