

# Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE  
41 STATE STREET, ALBANY, NY 12231

STATE OF NEW YORK  
DEPARTMENT OF STATE

(Use this form to file a local law with the Secretary of State.)

**FILED**  
AUG 11 2004

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County ERIE

~~City~~  
~~Town~~  
~~Village~~

of .....

MISCELLANEOUS  
& STATE RECORDS

5

Local Law No. .... of the year 20...<sup>04</sup>

A local law to create an Employee Suggestion Program in Erie County  
(Insert Title)

.....  
.....  
.....

Legislature

Be it enacted by the ..... of the  
(Name of Legislative Body)

County

ERIE

~~City~~  
~~Town~~

of ..... as follows:

## Section 1. DEFINITIONS

- a) SUGGESTION - A definite, constructive, original idea, which has been researched and submitted in writing, by an eligible county employee on an Employee Suggestion Program Form, which is intended to result in the more efficient and economical operation of Erie County government.
- b) ELIGIBLE COUNTY EMPLOYEE - All full and part-time employees who are on the active payroll of Erie County government, with the exception of Commissioners, Department Heads, Deputy Commissioners or supervisory employees who job responsibilities call for them to seek methods to improve operations and services.
- c) EMPLOYEE SUGGESTION REVIEW COMMITTEE - There shall be an Employee Suggestion Review Committee made up from the Commissioner or their designee from the affected County department, Unit Supervisor, and a department clerical person to track and maintain suggestions and records. Representatives from the Budget Department and a Union Representative will be notified of the meeting and results, but are not required to attend.
- d) EMPLOYEE SUGGESTION AWARD COMMITTEE - There shall be an Employee Suggestion Award Committee made up from the Deputy County Executive, affected department Commissioner, Labor Director, Budget Director or their representative and a staff member to maintain records and/or decisions.

## Section 2. PROCEDURES

- a) All suggestions shall be submitted on an Employee Suggestion Program Form that has been properly signed and date/time stamped and shall become the exclusive property of the County of Erie. All decisions of the Review Committee and Award Committee shall be final, binding, non-reviewable and non-grieveable, except as provided by the rules and regulations promulgated by the Review Committee and Award Committee under Section 4.

- b) The Review Committee shall have the following powers and duties: to receive and review all suggestions submitted by eligible County employees within 45 days of Employee Suggestion Program Form submission; approve and coordinate the implementation of adopted suggestions; notify the employee of committee's decision; and make recommendations to the Award Committee.
- c) The Award Committee shall have the following powers and duties: review results of the implementation period; and determine and approve awards and recognitions. The decisions are final and binding – all decisions are non-grievable.
- d) Members of the Review Committee and Award Committee shall not receive any additional salary or compensation for service as members of these committees.

### Section 3. AWARD TO EMPLOYEES

- a) Awards will be based upon the benefit they bring to Erie County. All eligible implemented suggestions will receive consideration for some form of recognition.
- b) The minimum monetary award for a suggestion with either tangible savings or intangible savings will be \$50. There is no maximum amount. The employee can receive 10% of the first year's savings without limit.
- c) Payment will be made to the employee upon verification of annual savings by the Budget Director. The process may take up to one year.
- d) If adoption of a suggestion results in savings to one unit but a loss to another unit, the savings would be offset by the loss. Therefore, no monetary award shall be given in this instance.
- e) Eligible County employees may make joint suggestions with other eligible County employees; however, any award will be divided equally among the employees submitting the suggestion.

### Section 4. RULES AND REGULATIONS

- a) The Review Committee and the Award Committee shall make such rules and regulations as are lawful, necessary and appropriate for the proper administration of this program as it applies to their respective powers and duties, subject to the provisions of this Local Law, provided that the Legislature, by simple majority, has not voted to disapprove such rules or

regulations within sixty (60) days from the Review Committee and the Award Committee's written notice to the Legislature that such rules or regulations have been promulgated.

#### Section 5. PROHIBITIONS

- a) No suggestion shall be considered for an award by the Award Committee unless the suggestion has been submitted to the Review Committee in the manner provided by this Local Law or rules and regulations promulgated by the Review Committee or the Award Committee under Section 4 of this Local Law.

#### Section 6. SEVERABILITY

- a) If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

#### Section 7. EFFECTIVE DATE

- a) This Local Law shall take effect immediately upon filing with the Secretary of State pursuant to Section 27 of the New York State Municipal Home Rule Law.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*

**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**

I hereby certify that the local law annexed hereto, designated as local law No. 5 of 2004 of the (County)(City)(Town)(Village) of Erie was duly passed by the Erie County Legislature on July 15, 2004, and was (approved)(~~not approved~~)(~~repassed after disapproval~~) by the Erie County Executive and was deemed duly adopted on August 3, 2004, in accordance with the applicable provisions of law.  
*(Elective Chief Executive Officer\*)*

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
*(Elective Chief Executive Officer\*)*

**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
*(Elective Chief Executive Officer\*)*

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph \_\_\_\_\_, above.

Kerrin M. Kelley  
Clerk of the County legislative body, City, Town or Village Clerk  
or officer designated by local legislative body

(Seal)

Date: August 9, 2004

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK  
COUNTY OF Erie

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Melissa Hummel  
Signature

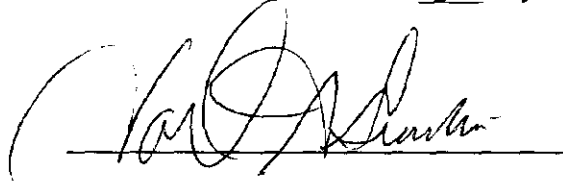
Assistant County Attorney

Title

County  
~~City~~ of Erie  
~~Town~~  
~~Village~~

Date: August 10, 2004

A Public Hearing was held on the foregoing Local Law Intro. No. 8-2004 on Tuesday, August 3, 2004, due notice thereof having been published in the official newspapers of the County of Erie designated for this purpose, and after due deliberation thereon, I, JOEL A. GIAMBRA, County Executive of Erie County, do hereby APPROVE and SIGN said Local Law this 3 day of August, 2004.



A handwritten signature in cursive script, appearing to read "Joel A. Giambra", is written over a horizontal line.

A Public Hearing was held on the foregoing Local Law Intro. No. 8-2004 on Tuesday, August 3, 2004, due notice thereof having been published in the official newspapers of the County of Erie designated for this purpose, and after due deliberation thereon, I, JOEL A. GIAMBRA, County Executive of Erie County, do hereby DISAPPROVE and VETO said Local Law this \_\_\_\_ day of August, 2004.

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