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(LE)

ORDINANCE NO. \_\_\_\_-2018

AN ORDINANCE AMENDING ORDINANCE NO. 543-1995, AS AMENDED BY ORDINANCE NOS. 46-C-2000 AND 38-A-2014, WITH RESPECT TO SALARIES AND BENEFITS FOR CERTAIN "NON-CONTRACT" EMPLOYEES OF THE COUNTY OF NASSAU

APPROVED AS TO FORM

Majority Counsel

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CLERK OF THE LEGISLATURE  
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BE IT ORDAINED, by the County Legislature of the County of Nassau, as follows:

Section 1. Subsection a of Section 3.3 of Ordinance No. 543-1995, as amended by Ordinance Nos. 46-C-2000 and 38-A-2014, is amended to read as follows:

- (a) The maximum vacation time which may be accumulated by an officer or employee is:
- (i) For officers or employees hired before August 15, 2014, ninety (90) days
  - (ii) For officers and employees hired between August 15, 2014 and before October 1, 2018, seventy-five (75) days
  - (iii) For officers and employees hired on or after October 1, 2018, forty (40) days

Section 2. Subsection b of section 3.6 of Ordinance No. 543-1995, as amended by Ordinance Nos. 46-C-2000 and 38-A-2014, is amended to read as follows:

- (b) Unless discharged for cause, upon termination of service, an officer or employee hired on or after August 15, 2014 and before October 1, 2018 shall be entitled to receive cash payment for accumulated vacation and unused sick leave to be computed as follows:
- (1) Adding the number of unused vacation days, except as provided in subdivision (b)(3), not exceeding seventy-five (75) days; plus
  - (2) Fifty percent (50%) of the number of unused sick leave days not to exceed one hundred seventy-five (175) days.
  - (3) Where termination takes place on a date other than that of the officer's or employee's anniversary date the officer or employee shall receive no credit for a

prorated number of the additional vacation days such officer or employee would have received on the next anniversary date.

Section 3. Section 3.6 of Ordinance No. 543-1995, as amended by Ordinance Nos. 46-C-2000 and 38-A-2014, is amended to add the following subdivision (c):

- (c) Unless discharged for cause, upon termination of service, an officer or employee hired on or after October 1, 2018 shall be entitled to receive cash payment for accumulated vacation and unused sick leave to be computed as follows:
  - (1) Adding the number of unused vacation days, except as provided in subdivision (c)(3), not exceeding forty (40) days; plus
  - (2) Fifty percent (50%) of the number of unused sick leave days not to exceed eighty-five (85) days;
  - (3) Where termination takes place on a date other than that of the officer's or employee's anniversary date the officer or employee shall receive no credit for a prorated number of the additional vacation days such officer or employee would have received on the next anniversary date.

Section 4. Section 3.8 (a) of Ordinance No. 543-1995, as amended by Ordinance Nos. 46-C-2000 and 38-A-2014 is amended to read as follows:

#### 3.8 Maximum Accumulation of Sick Leave

- (a) The maximum sick leave which may be accumulated by an officer or employee is:
  - (i) For officers and employees hired before August 15, 2014, two hundred (200) days
  - (ii) For officers or employees hired between August 15, 2014 and before October 1, 2018, one hundred and seventy-five (175) days
  - (iii) For officers or employees hired on or after October 1, 2018, eighty-five (85) days

#### §5. Severability.

If any clause, sentence, paragraph, subdivision, section or part of this ordinance or the application thereof to any Permittee, 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 Permittee, individual, corporation, firm, partnership entity or circumstance directly involved in the controversy in which order or judgment shall be rendered.

#### §6. State Environmental Quality Review Act 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 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.

§7. Effective Date

This Ordinance shall take effect immediately.