


Legal Counsel Approval 

R.L 08-031

Intro. No.

008-17

Perm. No.

008-16



IN
THE COUNCIL OF THE CITY OF BINGHAMTON
STATE OF NEW YORK

Dated: 4/7/2008

Sponsored by Councilmember(s): Collins, Rennia, Weslar, Gerchman, Massey, Webb

Introduced by Committee(s) on: Employees

ORDINANCE

entitled

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF BINGHAMTON ARTICLE VII EMPLOYEE BENEFITS AND ARTICLE VIII OFFICERS AND EMPLOYEES NOT COVERED BY COLLECTIVE BARGAINING AGREEMENTS.

WHEREAS, the Code of the City of Binghamton Article VII *Employee Benefits* and Article VIII *Officers and Employees Not Covered by Collective Bargaining Agreements*, provides for and defines benefits for non-union-represented officers and employees for such items as health insurance, annual leave, and salary increases; and

WHEREAS, it is appropriate for City Council to periodically review and amend such benefits; and

WHEREAS, City Council wishes to amend certain sections and to add new sections to Articles VII and VIII to increase contributions to health insurance, to update the list of affected positions, to provide for potential salary increases commensurate with union represented employees, to provide for longevity, annual leave, to define access to retirement health benefits, and to provide for reduced parking rates.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain as follow:

Section 1. That § 124-17, *Annual leave*; § 124-39, *Definition*; §124-40, *Salary increases*; §124-44, *Health insurance and disability benefits*; and § 124-45, *Separation benefits* of the Code of the City of Binghamton, New York, are amended and restated in part as set forth in Exhibit A: Amendment and Additions to Article VII *Employee Benefits* and Article VIII *Officers and Employees Not Covered by Collective Bargaining Agreements* Dated April 7, 2008.

Section 2. That §124-46.1, *Parking* of the Code of the City of Binghamton, New York is hereby added as set forth in Exhibit A: Amendment and Additions to Article VII *Employee Benefits* and Article VIII *Officers and Employees Not Covered by Collective Bargaining Agreements* Dated April 7, 2008.

Section 3. That except as otherwise stated in §120-40, this ordinance shall take effect on January 1, 2009.

EXHIBIT A

**AMENDMENT AND ADDITIONS TO ARTICLE VII *EMPLOYEE BENEFITS* AND
ARTICLE VIII *OFFICERS AND EMPLOYEES NOT COVERED BY COLLECTIVE
BARGAINING AGREEMENTS DATED APRIL 7, 2008***

§ 124-17. Annual leave.

(3) Officers and employees of the City shall also earn and be credited with additional annual leave in accordance with the following schedule:

Completed Years of Continuous Service	Additional Annual Leave Days
1	2
2	3
3	4
4	5
5	6
6	7
7 – 19	8
20+	10

§ 124-39. Definition.

Add “OO. Data Processing Operations Coordinator (Confidential)”

Delete “G. Assistant Director of Recreation”

“P. Director of Code Enforcement.”

“W. ENF Spec-Recycling (three positions)”

“Y. Executive Director, Supc. Comm”

“NN. Secretary to the Comptroller”

Amend DD from “Program Assistant” to “DD. Program Assistant (Confidential)”

§ 124-40. Salary increases.

A. Officers and employees, other than elected officials, may be awarded annual salary increases from an annual salary increase pool. The annual salary increase pool shall be the current annual salary of eligible officers and employees multiplied by the average rate increase received by the City's collective bargaining units for that year; provided, however, that any settlement imposed by an arbitration panel shall not be included in the average. If less than three bargaining units are settled in a particular year, then the annual salary increase pool shall be the current annual salary of eligible officers and employees multiplied by the average New York consumer price index as determined by the U.S. Department of Labor for the preceding twelve (12) month average as of October 1. When at least three bargaining units are settled thereafter, the annual salary increase pool will be adjusted accordingly. Only current or retired officers and employees will be eligible for retroactive pay

adjustments. The City Council of the City of Binghamton may provide, by ordinance, for a rate increase in excess of that provided for above, for any position listed in §124-39. This section does not include officers and employees covered under Permanent Ordinance No. 05-40. An increase in salary will not increase longevity pay, if any. This section is effective immediately.

E. Longevity.

Beginning with the first pay period in 2009, the City will include longevity pay in the “regular rate of pay.” Longevity will be calculated as of the anniversary date of employment. The City will use the following longevity payment amounts:

15-20 years of service	\$500
21-25 years of service	\$750
26-29 years of service	\$1,000
30+	\$1,250

§ 124-44. Health insurance and disability benefits.

(1) The Comptroller of the City of Binghamton, as directed by the Mayor, may pay up to the following percentage of the cost of the health insurance premiums for non-union-represented officers and employees (as defined in § 124-39), active as of December 31, 2002:

Percentage of Cost to be Paid by City	Fiscal Year
90%	2009
87.5%	2010
85%	2011

(2) The Comptroller of the City of Binghamton, as directed by the Mayor, may pay up to 87.5% in 2009, 85% in 2010 and 2011 of the cost of the health insurance premiums for all non-union-represented officers and employees hired after December 31, 2002.

(3) The Comptroller of the City of Binghamton, as directed by the Mayor, may pay up to 85% of the cost of the health insurance premiums for all non-union-represented officers and employees hired after December 31, 2008.

(4) The Mayor of the City of Binghamton shall be required to contribute to the cost of his or her health insurance in an amount equal to the highest contribution then being made by City bargaining unit employees.

(5) All non-union-represented officers and employees hired prior to December 31, 2008, must have ten (10) years of service with the City in order to qualify for continued health insurance coverage at time of retirement. All non-union-represented officers and employees hired on or after January 1, 2009, must have twenty (20) years of service with the City in order to qualify for continued health insurance coverage at time of retirement. All non-union-represented officers and employees shall continue to make the required contribution toward health insurance premiums in accordance with applicable City Council ordinance.

§ 124-45. Separation benefits.

B. Officers and employees with at least ten (10) years of continuous service with the City of Binghamton will be entitled to a payment equivalent to two-third (2/3) of accumulated and unused sick leave up to a maximum of one hundred and fifty (150) days (*e.g.* an employee with 150 accumulated sick days would be entitled to receive a payment equivalent to 100 days).

§ 124-46.1 Parking.

Employees with an annual base salary of less than \$30,000 will be eligible for parking at the State Street Ramp \$15 per month.