

ACT NO. -- 2010

AN ACT to Provide for a Voluntary Separation Payment Program for Westchester County Employees who voluntarily separate from County service.

BE IT ENACTED by the County Board of Legislators for the County of Westchester as follows:

Section 1. The County of Westchester shall provide a Voluntary Separation Payment Program for eligible full-time active employees of the County of Westchester who voluntarily separate from County service on or before July 1, 2010.

Section 2. To qualify under the County's Voluntary Separation Payment Program, the employee:

- (a) must be a full-time active employee of the County of Westchester as of the time they elect to participate in the program; and
- (b) must meet the eligibility requirements for retirement as provided by the New York State Employees' Retirement System **OR** Have a minimum of ten years of continuous full-time service with the County of Westchester by June 30, 2010;

Section 3. Notwithstanding Section 2 above, an employee is not eligible to participate in the County's Voluntary Separation Payment Program if said employee is:

- (a) a member of Westchester County Department of Public Safety Police Benevolent Association, Inc. ("PBA") (Police Officers, Detectives & Sergeants Unit), Westchester County Department of Public Safety Police Benevolent Association, Inc. ("PBA") Superior Officers Unit (for Lieutenants, Captains, Inspectors, Chief Inspectors), Westchester County Correction Officers Benevolent Association, Inc. ("COBA"), Westchester County Superior Officers Association, Inc. ("SOA"), or District Attorney's Investigators PBA of Westchester County, Inc.; or
- (b) an elected official; or
- (c) an employee who is the subject of a pending disciplinary proceeding; or
- (d) an employee of the Westchester Community College.

Section 4. Those County employees choosing to participate in this Voluntary Separation Payment Program must:

- (a) submit a letter of resignation or retirement to the Commissioner/Department Head no later than June 1, 2010; and
- (b) be off the County payroll by July 1, 2010.

Section 5. County employees choosing to participate in this voluntary program shall receive a single lump sum payment of \$1,000.00 for every completed year of service as a Westchester County employee up to a maximum of thirty thousand dollars (\$30,000.00) which shall be paid to said employee within sixty (60) days of the effective date of their separation or retirement from service with the County of Westchester.

Section 6. Any employee who is rehired by the County as a full-time employee or a part-time employee receiving a salary greater than \$10,000 per year within five (5) years after separation from employment with the County is required to repay the separation payment in full.

Section 7. The amount of the Voluntary Separation Program payment shall be subject to all usual and customary taxes and withholdings. Such amount shall not be used in the calculation of any retirement benefit calculated by the New York State Employees' Retirement System or other applicable retirement system.

Section 8. The Department of Human Resources shall provide a list to the Board of Legislators no later than July 15, 2010, including the Department, title and position number of all employees who participated in the Voluntary Separation Payment Program.

Section 9. This Act shall take effect immediately.