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Astorino Proposes Sick Pay Limits for County Employees

Proposal would cut maximum payments to some exiting employees

Feb. 9, 2010

Reacting to what he called excessively generous payouts to exiting employees for unused sick days, County Executive Robert P. Astorino today proposed legislation that would cut the maximum entitlement by 60 percent and save an estimated \$1.2 million.

The proposal, which will be sent to the Board of Legislators, would affect non-union managerial employees when they leave their jobs with the county government. Specifically, it would impact those who have worked for the county for many years, accumulating a large number of untaken sick days.

Astorino said that he hoped the proposal would ultimately be extended to union members, but that such an action would have to be done through collective bargaining.

The county executive's proposal was made in response to the payout in January of about \$700,000 in sick pay to exiting employees, about two-thirds of it going to departing members of the Spano administration.

"I don't fault employees for getting what they are entitled to when they leave," said Astorino. "But I feel the system has been just too generous. Sick pay is meant to be just that – pay when you are sick, not a cash endowment for the future."

If enacted, Astorino's proposal would continue the policy of allowing the non-union employees to cash in 50 percent of their accumulated sick days when they exit county employment – but it would reduce the maximum number of days for the payout to 50 days (10 weeks). Currently, that limit is 125 days (or 25 weeks) for this group. The new legislation would save an estimated \$1.2 million over several years, depending on retirement dates, according to the Westchester County Budget Department.

"This legislation is designed to strike the right balance between rewarding people for excellent attendance and restraining the growing cost of county government," Astorino said. "The current system is unsustainable and must be changed."

In 2008, the county paid out about \$1.4 million in sick pay to 85 exiting employees. In 2009, this number was \$1.7 million for 214 employees (higher than usual due to retroactive union contract settlements). So far in 2010, with the departure of many people from the Spano administration, the amount is about \$700,000 for 40 employees.

Employees are given one sick day a month, or 12 a year. Sick pay for the non-union managers is given at their final pay rate or up to almost \$60 an hour, whichever is lower.

Vacation Pay

Along with proposing new limits on cashing in sick pay, Astorino reaffirmed a county policy that restricts all employees from accumulating and carrying over excessive unused vacation pay into the next year without a specific waiver.

The county's long-standing policy is that employees should not be paid for more than 10 carryover vacation days when they leave their jobs. The policy also limits to 10 the number of unused vacation days that current employees can carry over from one year to the next. This directive from Astorino is aimed at strictly enforcing the existing policy and drastically reducing the approval of waivers, which was common during the Spano administration.

"I want those employees who have accumulated more than the allowable 10 days to continue to draw down these days," said Astorino. "Otherwise, they risk ultimately losing these days."

At the end of 2008, 67 county employees had vacation balances of more than 10 days, down from 118 the year before and 536 in 2004. The numbers for 2009 are not yet available.

Most county employees get three weeks of vacation pay annually. When a person leaves county employment, vacation pay is



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Events Calendar

«< February 2010 >>						
S	M	T	W	T	F	S
31	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	1	2	3	4	5	6

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- [Board of Legislators](#)
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cash out at current salary. Employees do not get any severance pay.

So far in 2010, \$720,000 in vacation pay has been given to 65 former employees. Of that about two-thirds went to 28 departing members of the Spano administration. Records show that 14 of these employees were carrying over vacation time beyond the 10-day limit. In 2008 and 2009, about \$1 million in vacation pay was given respectively to 233 and 656 exiting employees. The sick pay limit is the second significant change to non-union employee benefits that Astorino has proposed since taking office Jan. 1.

Last month, he proposed that the non-union managers (about 400 people) be required to pay 15 percent of the costs of their health plan. That proposal, which would save \$1.2 million a year, is pending before the Board of Legislators. To accomplish even greater savings, Astorino is hopeful that such a contribution is eventually required of all county employees.