

**Personnel Committee Agenda**  
**April 4, 2024**  
**10:30 A.M.**

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- APPROVAL OF MINUTES FOR MARCH 7, 2024, COMMITTEE MEETINGS
- FINANCIAL
  - Benefits & Workers' Compensation Reports - Camille Corneby
  - Monthly Departmental Budget Tracking - Linda Parke
- OLD BUSINESS
  - None
- NEW BUSINESS
  - 1<sup>st</sup> Quarter Exit Interviews
  - First Round of County Administrator Interviews
- PERSONNEL
  - Head Count & Monthly Exam Reports
- RESOLUTIONS
  - Create and Fill Three (3) Highway Worker (Seasonal) Positions (Public Works)
  - Authorization to Create and Fill One, Full-Time HEO I Position and Abolish One Full-Time MEOII (Public Works)
  - Authorize Appointment to Deputy Director of Economic Development & Planning Position (ED&P)
  - Authorize Appointment to Director of Economic Development & Planning Position (ED&P)
  - Authorize Legislative Chair Signature on Memo of Understanding with Binghamton University and Request for an Accredited Internship in the Economic Development & Planning Department (ED&P)
  - Create and Fill Temp, Full-time Clerk (Seasonal) Public Health
  - Create and Fill (1) Full-Time Director of Environmental Health Services (Public Health)
  - Authorization to Fill Part-Time Veterans Service Officer Position Within the Veterans Service Agency (Veterans Service Agency)
  - Title VI EEO Policy
  - Amend Employee Handbook EEO Policy
- PROCLAMATIONS - None
- ADJOURNMENT



# TIOGA COUNTY, NEW YORK

## Tioga County YEAR-TO-DATE BUDGET REPORT

FOR 2024 03

ACCOUNTS FOR:	ORIGINAL APPROP	TRANSFRS/ADJUSTMNTS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	PCT USE/COL
A General Fund							

### AI430 personnel

AI430 412600	Personnel Fees	0	-4,080	-255.00	.00	-3,825.00	6.3%
AI430 427702	Other Unclassified	0	-5	.00	.00	-5.00	.0%
AI430 510010	Full Time	0	257,889	54,103.01	.00	203,785.99	21.0%
AI430 520070	Chairs	0	250	.00	.00	250.00	.0%
AI430 540010	Advertising	0	2,600	150.00	.00	2,450.00	5.8%
AI430 540140	Contracting Servc	0	64,050	6,562.06	1,416.25	56,071.69	12.5%
AI430 540180	Dues	0	580	427.58	.00	152.42	73.7%
AI430 540220	Automobile Fuel	0	100	.00	.00	100.00	.0%
AI430 540320	Leased/Service Equ	0	2,200	700.99	318.99	1,180.02	46.4%
AI430 540340	Literature	0	600	564.99	.00	35.01	94.2%
AI430 540420	Office Supplies	0	600	23.22	.00	576.78	3.9%
AI430 540450	Payment To State	0	2,575	.00	.00	2,575.00	.0%
AI430 540470	Physicals	0	6,000	865.00	.00	5,135.00	14.4%
AI430 540480	Postage	0	1,350	.00	.00	1,350.00	.0%
AI430 540620	Software Expense	0	6,000	5,990.00	.00	10.00	99.8%
AI430 540732	Training/County Re	0	11,000	424.95	.00	10,575.05	3.9%
AI430 540733	Training/All Other	0	3,500	1,000.00	.00	2,500.00	28.6%
AI430 581088	State Retirement F	7,397	22,556	8,117.09	.00	14,438.42	36.0%
AI430 583088	Social Security Fr	17,027	17,027	4,604.09	.00	12,423.13	27.0%
AI430 584088	Workers Compensati	5,484	5,484	1,436.24	.00	4,047.38	26.2%
AI430 585588	Disability Insuran	291	291	81.57	.00	209.09	28.1%
AI430 586088	Health Insurance F	21,545	55,754	17,031.94	.00	38,722.32	30.5%
AI430 588988	Eap Fringe	72	72	19.07	.00	53.05	26.4%
TOTAL Personnel		51,815	456,392	101,846.80	1,735.24	352,810.35	22.7%
TOTAL General Fund		51,815	456,392	101,846.80	1,735.24	352,810.35	22.7%
TOTAL REVENUES		0	-4,085	-255.00	.00	-3,830.00	
TOTAL EXPENSES		51,815	460,477	102,101.80	1,735.24	356,640.35	

## April 2024 HEADCOUNT REPORT

DEPARTMENT/OFFICE	2024 AUTH FT	ACTUAL	UNFUNDED	DIFF	2024 AUTH PT	ACTUAL	UNFUNDED	DIFF	2024 TEMPS
Board of Elections	4	4		0	240	132		-108	0
Coroners	0	0		0	4	4		0	0
County Clerk	15	14	1	0	1	0		-1	0
District Attorney	5	5		0	2	1		-1	0
Eco Devel & Planning	9	7	1	-1	1	1		0	0
Emergency Services	2	1		-1	12	9		-3	0
Historian	0	0		0	1	1		0	0
Info. Technology	10	8	1	-1	0	0		0	0
Law / Co Attorney	8	8		0	2	2		0	0
Legislature	4	3		-1	9	9		0	0
Mental Hygiene	42	33	2	-7	3	2		-1	0
Personnel	7	5	1	-1	0	0		0	0
Probation	17	15	1	-1	1	0		-1	0
Public Defender	6	6		0	4	4		0	0
Public Health	33	21	4	-8	6	3	1	-2	3
Public Works	48	45		-3	1	1		0	3
Real Property	2	2		0	1	0	1	0	0
Sheriff	108	97	0	-11	4	2	1	-1	0
Social Services	88	82	1	-5	10	5		-5	4
Treasurer	7	7		0	3	3		0	1
Veterans	3	3		0	1	0		-1	0
<b>TOTAL</b>	<b>418</b>	<b>366</b>	<b>12</b>	<b>-40</b>	<b>306</b>	<b>179</b>	<b>3</b>	<b>-124</b>	<b>11</b>

**2024 Staff Reductions**

TCSO 473-23

**FUNDED VACANCIES**

DSS

Dist Attorney

Emerg Svcs

IT

Legis

MH

PH

PW

PROBATION

SHERIFF

FT: Caseworker, Support Investigator

PT: Caseworker, Comm Serv Worker, YB Dir, Mail Clk

PT: Confidential Assistant

FT: Deputy Dir of ES PT: Skills Instructor

FT: OSII

FT: County Administrator

FT: Cert A&D Counsl, CSW, Sr. CSW/ PT: ACT

FT: OS III, Public Health Educator, CH Prog. Spvr, Spv PHN, Local Coord. / PT: Dentist, Speech Pathologist

FT: Deputy Comm of PW, MEO II, MM III

FT: Probation Officer 1

FT: CO, PSDT, Deputy Sheriff PT: Cook

ED & P FT: Economic Development Specialist

**2024 Staff Increases**

BOE 523-23

TREAS 527-23

VACANCIES FILLED - SALARY DIFFERENCE

DEPARTMENT	TITLE	DATE OPEN	FILLED BY	DOH	\$ RATE	\$ PREVIOUS	ANNUAL DIFFERENCE
BOE	Voting Machine Tech (A. Hatch)	12/12/2023	M. Nelson	3/13/2024	\$22.82	\$21.84	\$800.00
DSS	Caseworker (M. Dunsford)	9/25/2023	B. Reynolds	3/11/2024	\$48,941.00	\$48,031.00	\$910.00
PH	EISC (M. Mertson)	7/21/2023	R. Baker	3/25/2024	\$46,940.00	\$45,947.00	\$993.00

TOTAL MONTHLY IMPACT: \$2,703.00

(\$23,113.00)

YEAR TO DATE TOTAL:

MONTH REPORTED	AMOUNT
January	-\$24,279.00
February	-\$798.00
March	-\$739.00
April	\$2,703.00
May	
June	
July	
August	
September	
October	
November	
December	



REFERRED TO:

PUBLIC WORKS COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. -24

CREATE AND FILL THREE (3)  
HIGHWAY WORKER (SEASONAL) POSITIONS  
PUBLIC WORKS

WHEREAS: There will be a need for the Highway Department to employ three (3) Highway Workers (Seasonal) for 2024; and

WHEREAS: The Commissioner of Public Works has budgeted money to cover expenditures of such employment; therefore be it

RESOLVED: That the Commissioner of Public Works is hereby authorized to create and fill three (3) temporary full-time Highway Worker (Seasonal) positions effective April 15, 2024 through October 11, 2024 at an hourly rate of \$15.31 (equivalent to CSEA Grade 9), not to exceed \$30,000.

REFERRED TO:

PUBLIC WORKS COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. -24

AUTHORIZATION TO CREATE AND FILL  
ONE, FULL TIME HEO I POSITION AND  
ABOLISH ONE FULL TIME MEO II  
PUBLIC WORKS

WHEREAS: Legislative approval is required for the creation of any new position within Tioga County; and

WHEREAS: The Commissioner of Public Works has identified a staffing need for an additional HEO I position; and

WHEREAS: The Commissioner of Public Works feels that this position would aid in the retention of a skilled employee; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the creation and promotional filling of one, full-time HEO I position (CSEA SG 3) effective April 22, 2024; and be it further

RESOLVED: That once the newly created HEO I position has been filled promotionally, it will create a vacant MEO III position that will also be filled promotionally. The Commissioner of Public Works will then abolish the vacant MEO II; and be it further

RESOLVED: That the HEO I position shall not represent an increase to the department's full-time headcount.

REFERRED TO: ED&P COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. -24 AUTHORIZE APPOINTMENT TO  
DEPUTY DIRECTOR OF ECONOMIC DEVELOPMENT  
AND PLANNING POSITION

WHEREAS: The Deputy Director of Economic Development and Planning position will become vacant on May 6, 2024; and

WHEREAS: The Director of Economic Development and Planning has identified present Economic Development Specialist (EDS) Megan Schnabl to be a qualified candidate; and

WHEREAS: The salary range for the Deputy Director of Economic Development and Planning is determined to be \$58,904 - \$68,904; and

WHEREAS: Megan Schnabl has served as the EDS since September 3, 2019; and

WHEREAS: Ms. Schnabl has proven experience specific to the operations of the Department, and has the ability to train and oversee the work of her replacement as EDS; and

WHEREAS: Ms. Schnabl has exhibited the ability to serve as backup to the current Deputy Director of the Economic Development and Planning Department; and

WHEREAS: Ms. Schnabl's experience and expertise warrants an annual salary above the established base for the Deputy Director position; therefore be it

RESOLVED: That the Director of Economic Development & Planning is hereby authorized to appoint Megan Schnabl, who is eligible and willing to accept the appointment of Deputy Director of Economic Development and Planning at an annual salary of \$65,000 effective May 6, 2024; and be it further

RESOLVED: That said appointment shall be provisional pending the outcome of a civil service test examination.



REFERRED TO:

ED&P COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. -24

AUTHORIZE APPOINTMENT TO  
DIRECTOR OF ECONOMIC DEVELOPMENT AND  
PLANNING POSITION

WHEREAS: The Director of Economic Development and Planning position will become vacant on May 4, 2024, due to the retirement of the current Director of Economic Development and Planning, LeeAnn Tinney; and

WHEREAS: The Legislature has determined Brittany Woodburn to be a qualified candidate; therefore be it

RESOLVED: Brittany Woodburn is hereby appointed to the position of Director of Economic Development and Planning effective May 6, 2024, at an annual salary of \$90,086.

RESOLVED: That in accordance with Tioga County's Civil Service Rules, Ms. Woodburn shall serve a promotional probationary period of twelve to twenty-six weeks.

REFERRED TO:

ED&P COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. -24

AUTHORIZE LEGISLATIVE CHAIR SIGNATURE ON  
MEMO OF UNDERSTANDING WITH BINGHAMTON  
UNIVERSITY AND REQUEST FOR AN ACCREDITED  
INTERNSHIP IN THE ECONOMIC DEVELOPMENT &  
PLANNING DEPARTMENT

WHEREAS: A request was made to the Economic Development & Planning Department to provide an unpaid internship to a Tioga County resident who attends Binghamton University; and

WHEREAS: The intern, Alexander Umiker, is enrolled in Binghamton University's Master of Public Administration program, and is required to complete 300 hours of an internship between May 2024 and July 2024; and

WHEREAS: The intern will research and present findings regarding the Climate Smart Communities Program to the County and Tioga County municipalities under the supervision of Deputy Director, Brittany Woodburn and provide administrative support for the County Planning Director under the supervision of Deputy Director, Brittany Woodburn until his obligations have been met; and

WHEREAS: A Memo of Understanding with Binghamton University is required; and

WHEREAS: The County's Employee Handbook, Section V. Non-Traditional Workers, Subsection b. Internships allows for unpaid internships if authorized by the Legislature; therefore be it

RESOLVED: That the Tioga County Legislature agrees to authorize the Chair of the Legislature to sign the Memo of Understanding between Binghamton University and Tioga County upon review and approval of the County Attorney; and be it further

RESOLVED: That the Economic Development & Planning Department is hereby authorized to have an unpaid intern in the Economic Development & Planning Department between May 2024 and July 2024.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. -24 CREATE AND FILL TEMPORARY, FULL-TIME  
CLERK (SEASONAL) POSITION  
PUBLIC HEALTH

WHEREAS: Legislative approval is required for the creation of any new positions within Tioga County; and

WHEREAS: Tioga County Public Health has need to hire a temporary, full-time Clerk to work during the summer season to provide clerical support; and

WHEREAS: Public Health has funds available in the 2024 budget due to position vacancies to cover the expenditures of such employment; therefore be it

RESOLVED: That the Public Health Director is hereby authorized to create and fill one (1) temporary full-time Clerk (Seasonal) position effective May 6, 2024 through August 30, 2024 at an hourly rate range of \$15.00.

REFERRED TO:

HEALTH AND HUMAN SERVICES COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. -24

CREATE AND FILL (1) FULL-TIME DIRECTOR OF  
ENVIRONMENTAL HEALTH SERVICES  
PUBLIC HEALTH

WHEREAS: Legislative approval is required to create and fill a new or re-established position; and

WHEREAS: The Public Health Director has determined there is need of a Management/Confidential (M/C) position of Director of Environmental Health; and

WHEREAS: The Public Health Director has worked in conjunction with the Personnel Office in updating the previously used position description and to determine the appropriate classification for said title; therefore be it

RESOLVED: That one (1) full-time M/C position of Director of Environmental Health (M/C \$60,258 - \$70,258) be created and filled effective April 22, 2024, in accordance with payroll requirements.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. -24 AUTHORIZATION TO FILL PART-TIME  
VETERANS SERVICE OFFICER POSITION  
WITHIN THE VETERANS SERVICE AGENCY

WHEREAS: The Tioga County Veterans Service Agency (TCVSA) has a current opening for a part-time Veterans Service Officer and the Director of TCVSA has completed interviewing of applicants for the position; and

WHEREAS: The Director of Veterans' Services has proffered an offer of employment to John Watson for the position, which he has accepted; therefore be it

RESOLVED: That the Director of Veterans' Services shall be allowed to fill said position provisionally pending the incumbent's successful completion of civil service requirements effective May 20, 2024; and be it further

RESOLVED: That the incumbent shall be paid at the rate of \$19.86 per hour, with a work week of 19.5 hours; and be it further

RESOLVED: That this resolution will be null and void if Mr. Watson fails to pass the County mandated criminal background check.

REFERRED TO:

PERSONNEL COMMITTEE  
LEGISLATIVE WORKSESSION  
FINANCE, LEGAL & SAFETY COMMITTEE

RESOLUTION NO. -24

AMEND RESOLUTION NO. 193-18 AS AMENDED BY  
RESOLUTION NO. 45-23; AS AMENDED BY  
RESOLUTION NO. 255-23 AS AMENDED BY  
RESOLUTION NO. 296-23; AS AMENDED BY  
RESOLUTION NO. 366-23 ADOPTION OF TIOGA  
COUNTY TITLE VI PLAN, ENVIRONMENTAL JUSTICE  
PLAN, LIMITED ENGLISH PROFICIENCY PLAN, DATA  
COLLECTION PLAN, ADA TRANSITION PLAN AND  
EMPLOYEE TRAINING PLAN

WHEREAS: The Tioga County Legislature adopted the Tioga County Title VI Plan, Environmental Justice Plan, Limited English Proficiency Plan, Data Collection Plan, ADA Transition Plan, and Employee Training Plan by way of Resolution No. 193-18 on August 17, 2018, and amended the Plan by way of Resolution No. 45-23 on January 10, 2023, and Resolution No. 255-23 on June 13, 2023, and Resolution No. 296-23 on July 11 2023, and Resolution No. 366-23 on September 12, 2023; and

WHEREAS: The County's Equal Employment Opportunity/Affirmative Action/ADA Policy in the Employee Handbook is incorporated in the adopted Tioga County Title VI Plan; and

WHEREAS: The Equal Opportunity Commission adopted the Pregnant Workers Fairness Act requiring state and local governments with more than fifteen (15) employees to make "reasonable accommodations" to an employee's known limitations related to pregnancy, childbirth, or related medical conditions, unless the accommodation will cause the employer an "undue hardship"; and

WHEREAS: The Equal Employment Opportunity/Affirmative Action/ADA Policy warrants revisions in several areas; therefore be it

RESOLVED: That this resolution shall amend Resolution No. 193-18, as amended by Resolution No. 45-23, as amended by Resolution No. 255-23, as amended by Resolution 296-23, as amended by Resolution No. 366-23 with the following revisions to the Tioga County Title VI Plan to read as follows:

- PWFA added to the title of the EQUAL EMPLOYMENT OPPORTUNITY/ AFFIRMATIVE ACTION/ADA POLICY
- Addition of Section VI. Americans with Disabilities Act, as Amended and New York State Human Rights Law
- Addition of Section VII. Pregnant Workers Fairness Act
- Addition of Section VIII. Forms

## **VI. Americans with Disabilities Act, as Amended and New York State Human Rights Law**

The Americans with Disabilities Act, as Amended (the "ADA") and the New York State Human Rights Law (the "NYSHRL") prohibits discrimination against individuals with disabilities. Tioga County is committed to providing reasonable accommodations in accordance with these laws. All requests for reasonable accommodations shall be made through the Personnel Officer on approved forms.

## **VII. Pregnant Workers Fairness Act**

The Pregnant Workers Fairness Act (the "PWFA") requires employers, including state and local governments with fifteen (15) or more employees to make reasonable accommodations to a qualified employee's known limitations related to pregnancy, childbirth, or related medical conditions, unless the accommodation will cause the employer an undue hardship. All requests for reasonable accommodations shall be made through the Personnel Officer on approved forms.

## **VIII. Forms**

The following forms located on the County's Intranet "Employee Handbook-EH Forms" are to be used to request reasonable accommodations.

- ADA Medical Certification Form
- HIPAA Form

And be it further

RESOLVED: That the remainder of the Tioga County Title VI Plan remains unchanged.

REFERRED TO:

FINANCE, LEGAL AND SAFETY COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. -24

AMEND EMPLOYEE HANDBOOK:  
SECTION IV. PERSONNEL RULES, SUBSECTION K.  
ENTITLED EQUAL EMPLOYMENT OPPORTUNITY/  
AFFIRMATIVE ACTION/ADA/PWFA POLICY

WHEREAS: The Equal Opportunity Commission adopted the Pregnant Workers Fairness Act (PWFA) requiring state and local governments with more than fifteen (15) employees to make "reasonable accommodations" to an employee's known limitations related to pregnancy, childbirth, or related medical conditions, unless the accommodation will cause the employer an "undue hardship"; and

WHEREAS: The Personnel Officer in conjunction with the County Attorney has reviewed the Employee Handbook for compliance with the County's Title VI Plan and has identified the need to amend Section IV. Personnel Rules, Subsection k. Equal Opportunity/Affirmative Action/ADA Policy with revision of the policy title to include PWFA and addition of Sections VI., VII., and VIII. due to the newly adopted PWFA; therefore be it

RESOLVED: That the EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION/ADA Policy is retitled and is hereby amended to read as follows:

EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION/ADA/PWFA POLICY

And be it further

RESOLVED: That this policy is hereby amended with the addition of Section VI. Americans with Disabilities Act, as Amended and New York State Human Rights Law, Section VII. Pregnant Workers Fair Act, and Section VIII. Forms to read as follows:

**VI. Americans with Disabilities Act, as Amended and New York State Human Rights Law**

The Americans with Disabilities Act, as Amended (the "ADA") and the New York State Human Rights Law (the "NYSHRL") prohibits discrimination against individuals with disabilities. Tioga County is committed to providing reasonable accommodations in accordance with these laws. All requests for reasonable accommodations shall be made through the Personnel Officer on approved forms.



## **VII. Pregnant Workers Fairness Act**

The Pregnant Workers Fairness Act (the "PWFA") requires employers, including state and local governments with fifteen (15) or more employees to make reasonable accommodations to a qualified employee's known limitations related to pregnancy, childbirth, or related medical conditions, unless the accommodation will cause the employer an undue hardship. All requests for reasonable accommodations shall be made through the Personnel Officer on approved forms.

## **VIII. Forms**

The following forms located on the County's Intranet "Employee Handbook-EH Forms" are to be used to request reasonable accommodations.

- ADA Medical Certification Form
- HIPAA Form

And be it further

RESOLVED: That the remainder of Section VI. Personnel Rules, Subsection k. Equal Employment Opportunity/Affirmative Action/ADA/PWFA Policy remains unchanged.

## **K. EQUAL EMPLOYMENT OPPORTUNITY / AFFIRMATIVE ACTION / ADA / PWFA POLICY** **(FORMERLY POLICY #48)**

### **TIOGA COUNTY EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION/ADA/PWFA POLICY**

- I. Policy Statement
- II. Policy Objective
- III. Implementation Responsibilities
- IV. Discrimination Complaint Procedure
- V. Accessibility Complaint Procedure
- VI. Americans with Disabilities Act, as Amended and New York State Human Rights Law
- VII. Pregnant Workers Fairness Act
- VIII. Forms

#### **I. Policy Statement**

The County of Tioga provides equal opportunity to all individuals in its personnel and employment practices. The County prohibits discrimination on the basis/because of race, color, religion, age (18 and up), national origin, citizenship status, ethnicity, marital status, familial status, creed, gender, sexual orientation, disability, pregnancy or any other basis prohibited by law. Furthermore, services

provided by Tioga County shall be accessible to all eligible County residents without discrimination.

This policy of equal employment opportunity/affirmative action:

- Applies equally to all job classifications and titles in the County and to all types of appointments under County jurisdiction, whether full-time, part-time, temporary or other.
- Governs all County employment policies, practices, and actions including, but not necessarily limited to: recruitment, employment, rate of pay or other compensation, advancement, reallocation, promotion, demotion, termination, leaves of absence, training and employee benefits of whatever nature.
- Applies equally to all County departments.
- Applies to all County facilities and programs.

It is the policy of Tioga County to comply with all Federal, State, and local anti-discrimination laws.

## **II. Policy Objective**

To preclude discriminatory practices in all phases of employment on Tioga County government, including all terms, benefits and conditions thereof, the County is committed to nondiscriminatory and appropriate recruitment, selection, appointment, placement, classification, compensation, training, promotion, upward mobility, termination, resignation, and retirement.

To preclude discriminatory practices in all phases of program administration to the Tioga County community.

The County will take measures to develop and implement an effective system to communicate the County's Equal Employment Opportunity to employees, job applicants and residents.

To provide a procedure for addressing and resolving complaints of discriminatory conduct and harassment.

## **III. Implementation Responsibilities**

**A. Personnel Officer:** The Personnel Officer shall have the ultimate authority and responsibility for ensuring that the objectives of the County EEO/Affirmative Action/ADA/PWFA policy are met with regard to employment practices, and for enforcing Federal and State equal employment opportunity and anti-discrimination laws within County government. Specific responsibilities include, but are not limited to:

- Effectuating corrective action, to the extent permissible under Federal, State, and County laws, collective bargaining

agreements, and as otherwise deemed necessary to implement the objectives of this policy and the fact-finding determinations resulting from any investigation.

- Reviewing and approving all goals and objectives of the EEO/Affirmative Action/ADA/PWFA Policy.
  1. Providing administrative oversight for development and implementation of the EEO/Affirmative Action/ADA/PWFA Policy.
  2. Monitoring personnel procedures and policies that relate to recruitment, classification, compensation, training, resignation, retirement, and other terms, conditions, and benefits of employment.
  3. Ensuring distribution of the EEO/Affirmative Action/ADA/PWFA Policy to all new hires through the New Employee Orientation process.
  4. Consulting with the County Attorney and outside counsel, as needed, on the overall policy, plan, and program administration.

**B. Commissioners/Department Heads/Appointing Authorities**

**("Department Heads")**: Department Heads are generally responsible for ensuring that the County's EEO/Affirmative Action/ADA/PWFA Policy is fully implemented within their departments. Specific responsibilities include, but are not limited to:

- Disseminating the EEO/Affirmative Action/ADA/PWFA Policy to their employees on an on-going basis.
- Ensuring the implementation of any actions as determined or requested by the Personnel Officer, with regard to attaining the goals of the EEO/Affirmative Action/ADA/PWFA Policy within their department, including corrective actions.

**C. County Attorney**: The County Attorney shall be the recipient of all complaints filed under this policy and shall arrange for necessary investigations, in consultation with the County Legislative Chair.

**D. ADA Coordinator(s)**: The ADA Coordinator(s) is responsible for investigation of all issues of accessibility to County buildings and shall forward recommendations on issues/problems requiring legislative action through the County Attorney to the Legal, Finance and Safety Committee.

#### **IV. Employment Discrimination Complaint Procedure**

Tioga County has a zero-tolerance policy against discrimination. Employees are expected to report incidents of discrimination, whether affecting them or anyone else, as soon as possible after its occurrence.

Complaints may be filed with a supervisor, Department Head, Personnel Officer, or County Attorney. It is the employee's choice as to where to file. The incumbents of all of the above listed positions eligible to receive such complaints are obliged to promptly document the complaint and forward it to the County Attorney & Personnel Officer in order to initiate an investigation. In the event such complaint shall involve the County Law Department, then any investigation shall be coordinated by the Personnel Officer. In the event such complaint shall involve the Personnel Department, then any investigation shall be coordinated by the County Attorney.

Any complaint of discrimination from an employee or applicant for employment shall be handled in the same manner as outlined in the Title VI Plan: Title VI Complaint Procedures. The Tioga County Title VI Complaint Form can be found on the County's website under County Attorney-Compliance Reporting Forms or by using the link below:

<https://www.tiogacountyny.gov/media/t5foh1yh/civil-rights-complaint-form.pdf>.

In addition, complaints may be filed with the New York State Division of Human Rights regional office located at: 44 Hawley Street, Room 603, Binghamton, New York 13901 or emailed to [complaints@dhr.ny.gov](mailto:complaints@dhr.ny.gov).

#### **V. Accessibility Complaint Procedure**

Tioga County will make every effort to ensure all facilities meet Federal guidelines for accessibility. Employees are expected to report problems in this regard, whether affecting the public or themselves promptly.

Complaints may be filed with a Supervisor, Department Head, County Attorney or Personnel Officer. The incumbents of all the above listed positions are eligible to receive such complaints and are obliged to document the complaint and forward it to the ADA Coordinator(s) to allow for investigation and coordination of avenues to correct or mitigate identified issues.

#### **VI. Americans with Disabilities Act, as Amended and New York State Human Rights Law**

The Americans with Disabilities Act, as Amended (the "ADA") and the New York State Human Rights Law (the "NYSHRL") prohibit discrimination against individuals with disabilities. Tioga County is committed to providing reasonable accommodations in accordance with these laws. All requests for reasonable accommodations shall be made through the Personnel Officer on approved forms.

#### **VII. Pregnant Workers Fairness Act**

The Pregnant Workers Fairness Act (the "PWFA") requires employers, including state and local governments with 15 or more employees to make reasonable

accommodations to a qualified employee's known limitations related to pregnancy, childbirth, or related medical conditions, unless the accommodation will cause the employer an undue hardship. All requests for reasonable accommodations shall be made through the Personnel Officer on approved forms.

### **VIII. Forms**

The following forms located on the County's Intranet "Employee Handbook-EH Forms" are to be used to request reasonable accommodations.

- ADA Medical Certification Form
- HIPAA Form