

Suffolk faces fight

- **County, PBA differ** over lower scale for new hires
- **2-tier system to end**, union says; Suffolk disagrees

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A battle is brewing between Suffolk County Executive Steve Bellone's administration and the county's largest police union over extending a lower pay scale for new police officers — a key concession won by the county in 2012.

Leaders of the county's largest police union, the Police Benevolent Association, have told members the two-tier wage scale will end with adoption of a 2019 contract.

The administration disagrees that the lower wage scale will end automatically. But it acknowledged the issue will be the subject of negotiations.

Some legislative leaders who voted for the 2012 agreement expressed concern that the two-tier system could end.

"Part of the reason we felt comfortable approving the contract was because of long-term savings that scale created," said Legis. Rob Calarco (D-Patchogue), the deputy presiding officer. He said he'd "expect the administration would put a high priority on that pay scale remaining a part of the contract."

"I feel the administration sold me a bill of goods," said Legis. Tom Cilmi (R-Bay Shore), legislative minority leader who voted for the contract. "They told me it would save money — it hasn't saved money. They told me it would be affordable — we've had to raise police district property taxes the maximum each year."

The two-tier pay scale capped new officers' base salary at \$111,506 after 12 years, compared with \$139,234 after 5 years for officers already on the force.

While the county and PBA both say the clause will be part of negotiations, the union predicts the end of the lower scale.

"The secondary pay scale sunsets when we reach a contract for 2019 and beyond," according to a post on the union website PBAresultsmatter.com.

PBA president Noel DiGerolamo confirmed the position in

an interview, although the website has been taken down.

Of the 1,738 PBA members, 597 have been hired under the lower pay scale, according to the union.

DiGerolamo said it's unlikely those on the lower scale will be able to go back to the old system, where it took five years to reach top pay. But he said he would seek in the next contract to increase the \$111,506 salary cap for those in the lower tier.

Top Bellone administration officials declined to outline their bargaining position for the 2019 contract negotiations with the PBA.

"While it's our position there's no hard sunset clause on that provision, we do agree just like any provision in the contract, it's subject to negotiation," Bellone's chief deputy, Dennis Cohen, said in an interview.

The PBA cites a provision in the current contract that says the lower pay scale exists, "for the duration of the agreement until a successor agreement or award."

Cohen disagrees that the provision amounts to a sunset, but said he did not know why that language was included in the contract.

The current eight-year contract, which was retroactive to 2011, departed from decades of past practice by creating the two-tier pay scale for officers.

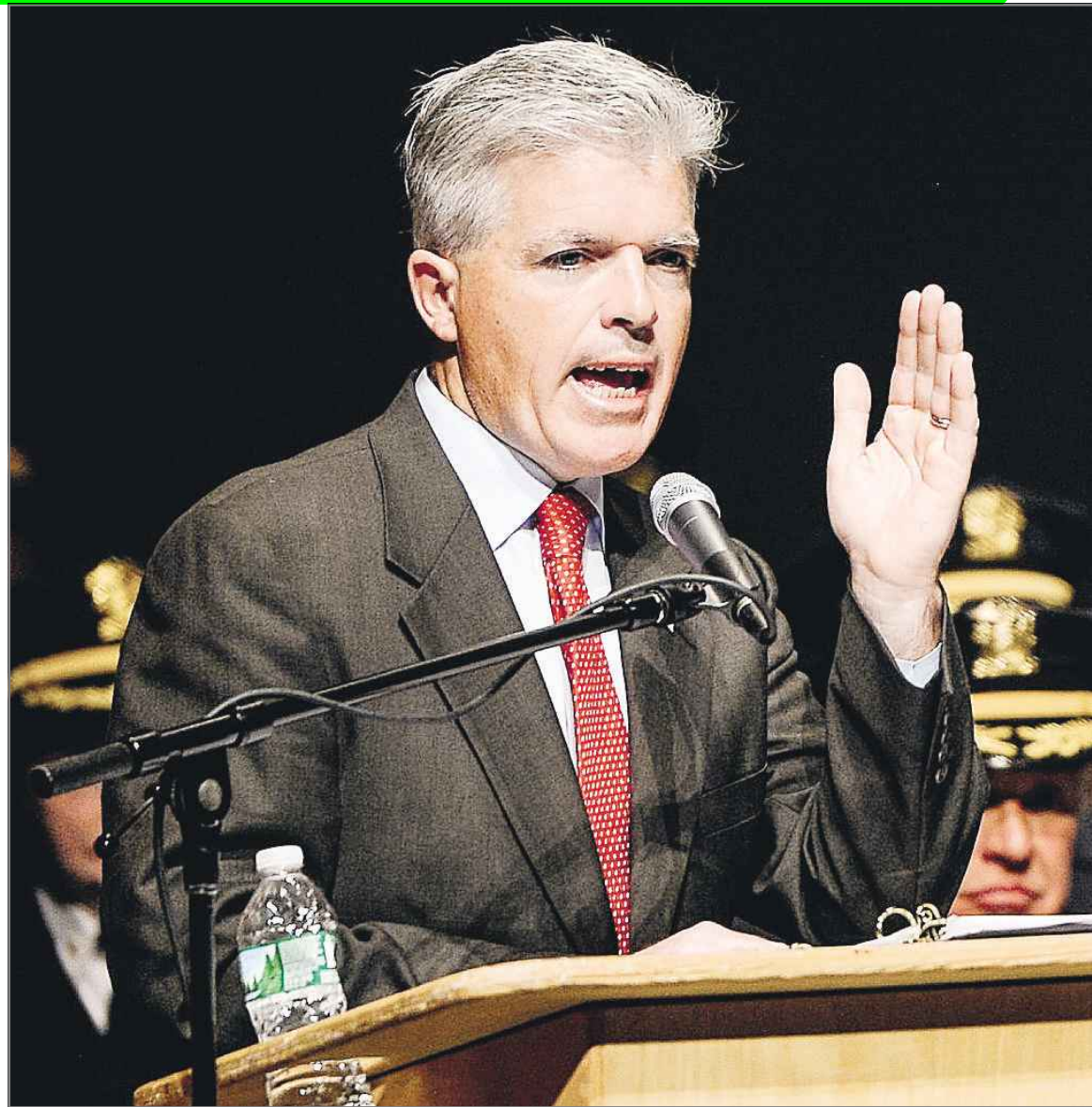
County projections at the time said each new officer, with a top salary capped at \$111,506 would save the county a total of \$210,000 over 12 years — ending in the year 2025 for an officer hired in 2013.

A 'game changer'

Bellone called the contract a "game changer" that promised "hundreds of millions" of dollars in savings.

The deal "represents the best possible way to protect taxpayers over the long-term by making new cops more affordable," Bellone said in October 2012, when the county legislature unanimously approved the contract.

A few months later, in his



2013 State of the County address, Bellone said the new contract "bypassed the broken system of mandatory arbitration which has given us salary levels that are unsustainable for taxpayers and as a result of that agreement new police officers will be significantly more affordable moving forward."

Since then, the administration has defended property tax increases to pay for police by promising that savings would come.

In 2015, Bellone's then-spokesman Justin Meyers told Newsday, "We traded off short-term increases for significant long-term savings."

Nonetheless, annual police

personnel costs increased from \$429.5 million to \$485.7 million from 2012 to 2016, according to the latest county W-2 records available.

The 28 percent raises given to the existing officers over the life of the contract, plus other provisions in the contract, have eclipsed savings from the lower-salaried new officers.

The average annual pay of police officers, including overtime, holiday pay and longevity, climbed during the period from \$135,610 a year to \$162,910, according to the legislature's nonpartisan Budget Review Office.

Cohen said contract provisions that created the two-tier pay scale and held salaries flat in

2011 and 2012 saved money and prevented overall costs from rising even more.

The administration also says the negotiated agreement was better than going to binding arbitration.

That route typically results in higher costs to taxpayers because arbitrators tend to award wage and benefit increases in line with recent contracts for other police unions, county officials said. The union says avoiding arbitration allowed for a longer term deal that provided stability and helped the county's ability to plan.

"The existing contract has certainly led to short-term savings. It's our expectation there will con-

over cops' pay

TWO-TIER WAGE SYSTEM

The 2012 contract between Suffolk County and the largest police union, the Police Benevolent Association, created a system in which new hires not only come in at lower salaries than officers already on the force, but also take longer to reach the top pay scale:

- **New hires:** Base salary is \$111,506 after 12 years.
- **Existing officers:** Base salary is \$139,234 after 5 years.

Nonetheless, average annual compensation for police officers, including overtime and holiday and longevity pay, has risen since the contract was signed:

- **2012:** \$135,610
- **2016:** \$162,910

The police district property tax levy also has increased since the agreement went into effect:

- **2012:** \$471 million
- **2018:** \$569 million

Source: Suffolk County Legislature Office of Budget Review



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continue to be savings with what we negotiate in the next contract," Cohen said. Nonetheless, he said, "I don't know if we ever said that there'd be net savings," due to raises for existing officers and other contract provisions.

Suffolk faces a structural budget deficit — the difference between recurring revenue and expenses — of \$150 million, according to the county legislature's nonpartisan Budget Review Office.

In PBA contract negotiations so far, the county already has raised the prospect of deferring police raises and overtime pay to produce short-term savings, according to the county's January report to bond investors.

Additionally, Suffolk's 2018 budget relies on \$30 million in health care concessions from the county hopes to obtain from the PBA and other county unions.

Property taxes increased

To help cover increased police costs, the county has increased property taxes in the police district, which covers the five western towns, by a total of 21 percent since 2012 — from \$471 million to \$569 million in 2018. That includes a 5 percent hike in police district property taxes that took effect Jan. 1.

The five eastern towns pay for their own police depart-

ments, although they use Suffolk County police for some services.

Suffolk has shifted other revenue from red-light cameras and traffic tickets from its general fund to the police district, added a fee on security alarms and moved some police costs to the general fund.

Negotiations between the county and the PBA over a 2019 contract already have begun, according to county filings with bond investors.

And other county unions with similar two-tier wage systems in their contracts will be watching the negotiations closely.

The Correction Officers As-

Bellone at a Suffolk police event. He said the two-tier wage scale would save the county "hundreds of millions."

sociation agreed to a two-tier system for the length of its current contract, which runs through 2018.

Lou Viscusi, the union's president, said he was "hopeful the PBA is able to get rid of the new-hire pay scale because that only helps my argument."

The lower pay scale for new correction officers has made hiring and retention of new officers a "huge problem . . . It's my number one priority in the next round of negotiations," Viscusi said.

CUOMO BAN TARGETS FIRMS THAT DISCRIMINATE

BY SCOTT EIDLER
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Gov. Andrew M. Cuomo has signed an executive order banning state entities from conducting business with companies that promote or tolerate discrimination, and signaled his support for legislation that would bar a "gay panic" legal defense that seeks to blame a victim's sexual orientation for a defendant's violent reaction.

Cuomo, in a news release issued Sunday, took aim at the Trump administration, saying the push was necessary as the federal government "rolls back critical civil rights protections."

"New York will fight every action this federal administration takes that attempts to undo progress we have made," Cuomo, a Democrat, said in the release.

"With this executive order, New York reaffirms our commitment to protecting the rights of everyone," Cuomo said. "We will enforce our robust protections against discrimination, and continue to build on our legacy of protecting all of us, not simply some of us."

State entities include those agencies or departments overseen by Cuomo, as well as all public benefit corporations, public authorities, boards and commissions that include Cuomo-appointed leaders, according to the executive order. The Port Authority of New York and New Jersey is exempt.

The state organizations must change contracting procedures to make sure they don't enter into contracts with organizations that have "institutional policies or practices that fail to address the harassment and discrimination of individuals on the basis of their gender identity, transgender status, gender dysphoria," and other protected classes.

Cuomo signed the order Saturday and made comments Saturday night in support of banning the "gay panic" legal defense at the 17th annual Human Rights Gala in Manhattan. Other states that ban the defense are Illinois and California.