

DECLARATION OF IMPASSE

INSTRUCTIONS: Complete in full, retain one copy and distribute in the following manner: A) File an original and one (1) copy with the Director of Conciliation, PERB, 80 Wolf Road, Albany, New York 12205-2670.
B) Simultaneously serve one (1) copy upon the respondent.

Date: April 7, 2008

PUBLIC EMPLOYER

Name of Public Employer..... State of New York
NAME, TITLE, ADDRESS, TELEPHONE AND FAX NUMBERS of the Representative to whom PERB should direct correspondence
Seren A. Hrachian, Associate Director
NYS Governor's Office of Employee Relations
Agency Building 2, Suite 1201
Albany, NY 12223-1250
(Telephone) 518 474-4800 (FAX) 518 486-7304

EMPLOYEE ORGANIZATION

Name of Employee Organization..... NYS Correctional Officers & Police Benevolent Association, Inc. (William F. Sheehan, Attorney)
NAME, TITLE, ADDRESS, TELEPHONE AND FAX NUMBERS of the Representative to whom PERB should direct correspondence
Sheehan Greene Carraway Goldman & Jacques LLP
54 State Street, Suite 1001
Albany, NY 12207
(Telephone) 518 462-0110 (FAX) 518 462-5260

IDENTIFYING PARTY DECLARING IMPASSE

Public Employer Employee Organization Joint Declaration

DESCRIPTION OF UNIT

- A - Number of employees in the unit: Approximately 23,000
- B - Included titles: See Exhibit "A"
- C - Excluded titles: All Others
- D - Employer's fiscal year: 4/1/08 to 3/31/09
(Mo./Day/Yr.) (Mo./Day/Yr.)
- E - Effective date and expiration date of present agreement: 4/1/03 to 3/31/07
(Mo./Day/Yr.) (Mo./Day/Yr.)
- F - Date of recognition or certification of negotiating agent: May 24, 1999

IMPORTANT

DETAILS OF DECLARATION

IMPORTANT

On a separate sheet of paper which should be attached hereto, write a clear and concise history of negotiations leading to this Declaration of Impasse. Include the number and dates of the negotiating sessions and specifically list all presently unresolved issues.

Pursuant to Article 14 of the Civil Service Law, as amended (Public Employees' Fair Employment Act), the undersigned hereby declare(s) that a state of impasse exists between the above noted public employer and employee organization within the meaning of Section 209 of said Act.

William J Sheehan _____ Attorney 4/7/08
Signature of Representative Declaring Impasse Title Date

If joint declaration, both representatives must sign:

Signature of Representative Declaring Impasse Title Date

DETAILS OF DECLARATION

Negotiations for a successor to the parties' 2003-2007 agreement began on July 27, 2007. Subsequent sessions were held on September 20 and 21, October 11 and 31, November 6 and 27, December 6 and 19, in 2007. Sessions were also held on January 7 and 8, February 5, 6 and 15, and March 6, 7 and 26, in 2008. The parties have also held subcommittee meetings on Health Insurance and Costing.

The parties have negotiated in good faith in an effort to reach a successor agreement. Despite the efforts of the parties, the following issues are unresolved: Bill of Rights; Term of Agreement; Union Rights; Grievance and Arbitration; Discipline; Out-of-Title Work; Review of Personal History Folder; Compensation (including NYSCOPBA's proposals regarding: general salary increases; reducing the number of performance advance steps; increases in longevity, Location Pay, and Inconvenience Pay; Pre-Shift Briefings); Health, Dental and Prescription Drug Insurance; Education and Training Funds, including a Physical Fitness Promotion Program; Vacation Credits, Personal Leave; Accumulated Vacation Credits; Sick Leave Accumulation; Workers' Compensation Leave; Overtime, Recall and Scheduling; Holiday Pay; Uniforms; Indemnification; Safe Working Conditions; Reimbursement for Property Damage; Seniority; Labor/Management Committees, including Employee Benefit Fund; Expanded Duties Stipend; Equipment Purchase and Maintenance Allowance; NYSCOPBA Annuity Fund; Pre-Tax Transportation Benefit; Hazardous Duty Pay; Compensation Time; Wellness Incentive Pilot Program; Leave Donation Program; Training Notices; Counseling; Outside Police Agreement; increases to Security Enforcement Differential, Facility Security Pay and Uniforms; proposed new Side Letters.

The parties have "signed off" on the following articles of the agreement: Preamble, 2 (Recognition); 3 (Nondiscrimination); 4 (Check-off); 6 (Management Rights); 17 (Travel Allowances); 18 (Payroll Computation); 19 (Credit Union Deductions); 26 (No Strike Clause); 27 (Preservation of Benefits); 28 (Savings Clause); 29 (Printing of Agreement); 30 (Approval of Legislature); and 31 (Conclusion of Collective Negotiations).

List of Included Titles
Security Services Unit

Area Captain Of Lisprc Lifeguards	Safety & Security Officer Trainee Spanish Language
Assnt Chief Lifeguard	
Chief Lifeguard	Security Hosp Senr Treatment Assnt
Community Correctional Cntr Assnt	Security Hosp Senr Treatment Assnt Spanish Language
Correction Officer	Security Hosp Treatment Assnt
Correction Officer Spanish Language	Security Hosp Treatment Assnt Spanish Language
Correction Officer Trainee	Security Officer
Correction Officer Trainee Spanish Language	Security Officer Spanish Language
Correction Sergeant	Security Services Assnt 1
Field Captain of Lisprc Lifeguards	Security Service Assnt 2
Field Lieutenant of Lisprc Lifeguards	Senr Security Officer
Institution Safety Officer	Ski Patrolman 1
Lifeguard	Ski Patrolman 2
Lifeguard 02 Long Island State Park Commission	Ski Patrolman 3
Park Ranger	Special Game Protector
Parks & Recreation Forest Ranger	Supvr Security & Safety Services
Safety & Security Officer 1	Warrant & Transfer Officer
Safety & Security Officer 1 Spanish Language	Water Safety & Instruction Assnt
Safety & Security Officer 2	Water Safety & Instruction Supvr 1
Safety & Security Officer Trainee	Water Safety & Instruction Supvr 2