



THE ADVOCATE

Cayuga-Onondaga BOCES
Office of Personnel Relations
1879 West Genesee Street Road
Auburn, New York 13021-9430

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Office of Personnel Relations

Randy J. Ray
Director of Personnel Relations

J. Ryan Hatch
Nicholas Minderler
Bryan Georgiady
Labor Relations Specialists

Mark W. Snyder
Safety Coordinator

Linda M. Brown
Kelly M. Walsh
Administrative Support

Telephone: (315) 255-7683 or
(315) 253-0361
FAX: (315) 255-7625
Email: lbrown@cayboces.org

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IN THIS ISSUE

- ✦ **JOB ABANDONMENT:
WHEN DOES ABANDON
ACTUALLY MEAN
ABANDON?**
- ✦ **BOARD MEMBERS'
ACCESS TO PERSONNEL
FILES**
- ✦ **AREA TEACHER AND
NON-INSTRUCTIONAL
SETTLEMENTS**
- ✦ **AREA UNEMPLOYMENT
RATES FOR APRIL 2017**
- ✦ **CPI FOR MAY 2017**

JOB ABANDONMENT: WHEN DOES ABANDON ACTUALLY MEAN ABANDON?



How can a district prove job abandonment? How many days does it take for an employee to abandon his/her job? The answer, similar to many employment questions, is “it depends.” Whether an employee is deemed to have abandoned his/her employment depends on the facts of each specific employment situation.

There is no set number of days required before terminating an employee for job abandonment. However, unemployment insurance cases provide guidance. The Third Department of the NYS Supreme Court, Appellate Division (the court tasked with hearing Unemployment Insurance appeals) has consistently found that “unauthorized absences from work can constitute misconduct...” See *Matter of Jones*, 249 A.D.2d 864, 865 (3d Dept. 1998) (holding that an employee, who was previously warned about poor attendance, committed misconduct after one unauthorized absence). The Third Department ruled that employees voluntarily abandon their positions after they have at least one unauthorized

absence. See e.g., *Matter of Ramirez*, 49 A.D.3d 953 (3d Dept. 2008) (holding that an employee who failed to give notice of absence for three consecutive days committed misconduct); *Matter of Zaichik*, 42 A.D.3d 616 (3d Dept. 2007) (holding that an employee voluntarily left her position after she failed to report to work or provide notice of absence for four consecutive days); *Matter of Sundin*, 20 A.D.3d 831 (3d Dept. 2005) (holding that unauthorized three-day absence constituted misconduct); *Matter of Mahon*, 288 A.D.2d 740 (3d Dept. 2001) (finding that one unauthorized absence constituted misconduct). Thus, courts have held that as little as one unauthorized absence constitutes misconduct and a voluntary abandonment of employment, especially after an employee received warnings in the past concerning attendance.

Furthermore, an employee’s absence(s) may “constitute[] neglect on the employee’s part to take reasonable steps to protect his or her employment.” See *Matter of Cranston*, 294 A.D.2d 694, 694–95 (3d Dept. 2002) (internal citations omitted). In *Cranston*, an employee returning from a bereavement leave indirectly notified her employer through a friend that she needed to extend her leave. See *id.* at 694. The employee’s supervisor informed the friend that he had to be notified directly by the employee about any extended leave, and her failure to do so would affect her employment. See *id.* The court found substantial evidence indicating misconduct for failure to return to work or personally contact the employer. See *id.* In another case, an employer refused to grant an employee a day off without pay after his sick and bonus days were all used. See *Matter of Albanese*, 304 A.D.2d 945 (3d Dept. 2003). Regardless of the denial, the employee did not show up for work. See *id.* at 946. The court stated: “We have previously held that a single unauthorized absence may constitute misconduct...where the claimant requested a day off, the employer disapproved the

absence, yet the claimant failed to report to work.” *See id.* (internal citations omitted). Accordingly, if an employee is absent either with or without providing notification and the absence is not approved, it may constitute misconduct and voluntary job abandonment.

The NYS Unemployment Insurance Appeal Board (“Board”) also believes that unauthorized absences constitute voluntary job abandonment. In one case, the Board found that an employee abandoned his job after not reporting to work for close to ten days, even after the employee’s wife contacted the employer regarding future absences. *See Appeal Board No. 550052* (2010). The Board viewed the employee’s lack of communication as an intent to sever his employment relationship. *See id.* Additionally, the Board examined the employer’s work policy, which indicated that after three days of absence without notice, the employee is determined to have abandoned his position. *See id.* In another case, the Board found that three straight absences without notice, even if they were for medical reasons, constituted job abandonment, especially since there was a work policy stating that failure to notify the employer after three days of absences is considered job abandonment. *See Appeal Board No. 542100* (2008). Accordingly, an employee’s decision to remain absent for a certain number of days without authorization, especially contrary to the terms of an employer policy, constitutes voluntary job abandonment.

Despite the above discussion providing a relatively clear picture of job abandonment, it deals specifically with unemployment insurance cases and may not dictate whether or not a district can terminate an employee for job abandonment. While courts and the Board seem to agree that job abandonment may occur with as little as one unauthorized absence, terminating an employee for job abandonment after one unauthorized absence may not always

be possible. First, a district should review any pertinent contract, job title, and or job status (i.e. probationary, permanent and/ or tenured) for the employee. Second, a district must comply with any contract and/ or policy discussing leave, paying particular attention to just cause and/or discipline provisions. An employee may be entitled to contractual due process, including arbitration, or a Civil Service Law Section 75 hearing.

If the contract has a mechanism for disciplining employees or the employee is entitled to due process as required by law, the matter could result in arbitration or a hearing. Arbitrations and hearings involving job abandonment will largely revolve around whether or not the employee exhibited an intent to resign. The district would have the burden to prove that the employee did not plan to return to work. To prove this, it would be useful to find answers for the following questions: How many unauthorized days was the employee absent? Does a contract and/or policy set a number of days that constitute voluntary resignation for unauthorized leave? Is the employee on a medical leave? Does the contract dictate when an employee must notify the district of any absences? Did the employee know he/she had no more days to take, yet continued to remain out of work? Did the district direct the employee to return to work? Does the employee have a history of unauthorized absence? Did the employee take home any personal belongings? Answers to the above questions could dictate how the district proceeds.

Even if the district has strong evidence for abandonment, an arbitrator or hearing officer might look at mitigating factors that may show the employee never intended to resign. Such factors include reasons as to why the employee may or may not have been able to contact the district regarding his/her absences, whether the employee made a good faith effort to follow notice

requirements and whether leave provisions were consistently applied throughout the district and/or bargaining unit. As long as the district treated all employees similarly in comparable situations and made it clear to the employee that the absences were not authorized, it should be able to counteract most mitigating factors.

In conclusion, job abandonment cases are unique. There are factors that must be examined for each case. Our office is available to assist if you need further guidance on this issue.



BOARD MEMBERS' ACCESS TO PERSONNEL FILES

With the multitude of tenure and hiring decisions facing school boards at this time of year, we thought a refresher on this topic would be appropriate. This matter was previously addressed in the July 2012 issue of "The Advocate."

Time is precious during board meetings, and the task of reviewing and comprehending one or more personnel files during an executive session is daunting. Board members have been known to ask

the question, "Can't we have more time to review this stuff?" Inevitably, this leads to the idea of reviewing the personnel folders sometime prior to executive session. Part 84 of the Commissioner's Regulations contains the answer in two sections. Section 84.2 provides the answer to the question of when personnel records can be reviewed:

Examination of school employee personnel records by the board of education shall be conducted **only** at executive sessions of the Board. Any board member may request the chief school officer to bring the personnel records of a designated employee or employees to an open meeting of the board. The board shall then determine whether to conduct an executive session for the purpose of examining such records. The chief school officer shall present such records to the board at the executive session. Such records shall, in their entirety, be returned to the custody of the chief school officer at the conclusion of the executive session of the board. (Emphasis added)

Section 84.3 of the Commissioner's regulations provides the reasons why a board may look at a personnel file:

Information obtained from employee personnel records by members of the board of education shall be used only for the purpose of aiding the members of the board to fulfill their legal responsibilities in making decisions in such employee personnel matters as appointments, assignments, promotions, demotions, remuneration,

discipline or dismissal, or to aid in the development and implementation of personnel policies, or such other uses as are necessary to enable the board to carry out legal responsibilities.

In the July 2012 article on this topic, the *Appeal of Robert Meyers and Bruce Pavalow from actions of the Katonah-Lewisboro Union Free School District*, 46 Ed. Dept. Rep. 43 (2006), Decision Number 15,436, was cited throughout to highlight the limitations of reviewing personnel files, and it is still applicable today. This case arose when two board members asked to review specific personnel files and requested an executive session to review the files. The board members did not provide any reason for making such a review. The rest of the board voted to not adjourn to executive session.

The petitioners in the case argued to the Commissioner of Education that the board's decision to not adjourn to executive session was incorrect and kept them from fulfilling their roles as board members. They argued that, as board members, they had an "unconditional right of review employee personnel records" and that they did not have to provide a reason for doing so in open session, because "out of concern for the privacy rights of the employees, their reasons for seeking such review should only be disclosed in executive session." *Katonah-Lewisboro Union Free School District*, 46 Ed. Dept. Rep. 43.

Citing the regulations noted above, the Commissioner found that individual board members do not have an unfettered right to access personnel records. This finding, and supporting regulations, precludes a board member from reviewing such records outside of an executive session. Therefore, during the time of year when

board agendas are full of tenure and hiring decisions, boards should carve out sufficient time for a full review of applicable personnel files in executive session.

The Commissioner went on to state that a board's purpose for reviewing such records was limited. The Commissioner held that Section 84.3 was a strict limitation on the purposes for which the board could review personnel records. The only appropriate purposes for review of personnel files by board members are for "appointments, assignments, promotions, demotions, remuneration, discipline or dismissal, or to aid in the development and implementation of personnel policies, or such other uses as are necessary to enable the board to carry out legal responsibilities." 8 NYCRR §84.3.

Board members should be careful to not rely excessively on the language at the end of 84.3 that says, "or such other uses as are necessary to enable the board to carry out legal responsibilities." This is not "catch-all" language that can simply be quoted to invoke the right to review records. The petitioners in *Katonah-Lewisboro Union Free School District*, 46 Ed. Dept. Rep. 43, argued that this was their purpose when they sought an executive session to review the records, but the Commissioner rejected the argument. The Commissioner found that for a board member to make a valid request to review personnel files, they had to "specifically state how reviewing the requested records would enable the board to carry out its legal responsibilities." *Katonah-Lewisboro Union Free School District*, 46 Ed. Dept. Rep. 43. Therefore, absent specifically citing to one of the identified reasons or a specific legal responsibility that requires such a review, it is inappropriate for boards to review personnel files.

RECENT AREA TEACHER CONTRACT SETTLEMENTS

CAYUGA-ONONDAGA BOCES												
	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	AVG.
BOCES	4.50	1.50	1.75	2.25	2.25	2.25	2.50					2.43
Auburn	3.00	3.00	0.00	2.25	2.25	2.60	2.60	2.60				2.29
Cato-Meridian	3.80	3.80	2.00	2.00	2.00	2.70	2.60	2.50				2.68
Jordan-Elbridge	3.90	0.50	2.01	2.18	2.50	2.50	2.50					2.30
Moravia	4.00	2.00	2.00	0.00	2.50	2.50	2.50	2.90	2.85	2.80		2.41
Port Byron	3.70	2.00	2.00	2.00	2.00	2.50	2.60	2.70	2.60			2.46
Skaneateles	3.75	1.50	1.50	1.50	2.50	2.60	2.75					2.30
So. Cayuga	2.00	2.00	2.00	2.00	2.25	2.25	2.75	2.75	2.75			2.31
Union Springs	4.25	2.00	2.00	2.00	2.00	2.50	2.50	2.50				2.47
Weedsport	4.50	0.00	2.00	2.00	2.00	2.50	2.50	2.75	2.75	2.75		2.38
	3.74	1.83	1.73	1.82	2.23	2.49	2.58	2.67	2.74	2.78		
BROOME-TIOGA BOCES												
Chenango Vall.	2.50	2.75	2.75	2.75	2.75	2.75	2.75	2.75				2.72
Deposit	2.50	2.50	2.00	2.50	2.50	3.00	3.00	3.00	2.99			2.67
Maine-Endwell	4.50	4.50	4.50	2.60	2.80	2.95						3.64
Owego-Apal.	2.95	2.95	2.95	2.00	2.00	2.95	2.85	2.75				2.68
Union-Endicott	\$2,253	2.70	2.70	2.70	2.70	2.60	2.90	2.90				2.74
Vestal			\$1,500	2.60	2.95	2.95	2.95					2.86
Whitney Point	3.30	3.50	0.00	2.20	2.20	2.50	2.60	2.70				2.38
	3.15	3.15	2.48	2.48	2.56	2.81	2.84	2.82	2.99			
GENESEE VALLEY BOCES												
Geneseo	4.20	2.00	2.00	2.00	3.00	3.00	3.75	3.60	3.50			3.01
OSWEGO BOCES												
Hannibal	3.50	0.00	1.75	1.75	2.20	2.20	2.20					1.94
Oswego	4.00	0.00	1.75	2.00	2.00	2.00	0.00					1.68
	3.75	0.00	1.75	1.88	2.10	2.10	1.10					
TOMPKINS-SENECA-TIOGA BOCES												
BOCES	4.00	4.00										4.00
Candor	3.00		2.00	2.00	1.50 + \$1000	1.50 + \$1000	2.00 + \$500					2.33
Dryden	2.60	2.60	3.00	3.00	3.00	3.00	3.05					2.89
Groton	3.50	3.50	3.50	2.50	2.60	2.70	2.70	6.00	6.00	6.0/5.0/4.0		3.80
										% depends on years		
Ithaca	2.00	2.00	2.00	2.00	2.00	2.00	4.50	\$1,930	3.00			2.44
Lansing	3.50	3.50	2.70	2.70	3.00	3.00	3.25	3.50	3.50	3.25		3.19
Newfield	2.50	2.00	2.00	3.00	3.50	2.75	2.50	3.25	3.00	3.25		2.78
South Seneca	4.00	1.50	1.50	2.45	2.45	1.45						2.23
Trumansburg	4.20	2.70	2.70	3.00	3.00	2.50	3.00	3.25	3.50	3.50		3.14
	3.26	2.73	2.43	2.58	2.79	2.49	3.17	4.00	3.80	4.13		

RECENT AREA TEACHER CONTRACT SETTLEMENTS

WAYNE - FINGER LAKES BOCES

	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	AVG.
BOCES	2.50	1.90	1.90	2.50	2.45	2.45						2.28
Bloomfield	3.85	3.60	3.35	1.98	2.00	2.00						2.80
Canandaigua	4.10	3.85	2.00	2.69	2.65	2.57						2.98
Clyde-Savannah	5.00	5.00	2.25	2.25	2.25	2.25	3.50	3.25	3.25			3.22
Dundee	4.00	2.60	2.50	2.50	3.00	3.30	3.40					3.04
Gananda	2.75	2.75	2.60	2.60	2.75	3.00	3.00	3.20				2.83
Geneva	4.22	4.15	2.00	2.00	2.00	3.00	3.50	3.50	2.50			2.99
Gorham-Middlesex	3.50	2.25	2.25	2.50	2.50	2.50	3.00	3.00	3.00	3.00		2.75
Honeoye	2.60	2.50	2.50	2.50	2.75	2.75	2.90					2.64
Lyons	4.66	3.37	3.88	2.50 + \$1,000	2.50 + \$600	2.70 + \$300	2.90 + \$700	2.90 + \$300	2.90 + \$200			3.97
Manchester-Shortsville	4.00	1.80	2.00	2.00	2.00	2.50	3.00	2.50	2.50	2.50		2.48
Marion	3.50	2.80	2.00	2.00	2.40	2.25						2.49
Naples	4.00	2.25	2.25	2.25	2.25	2.50	2.50	2.60				2.58
Newark	2.50	2.50	1.25	2.50	2.50	3.00	3.00	3.00				2.53
N Rose-Wolcott	4.27	1.00	2.47	1.90	2.00	2.30						2.32
Palmyra-Macedon	3.90	3.90	2.48	3.90	2.50	1.75 + \$500	2.75	2.75				3.17
Penn Yan	4.00	2.29	2.29	1.90	2.00	2.00						2.41
Phelps-CI Springs	2.89	2.89	2.89	2.00	2.00	2.00	3.00	3.00	3.00	3.00		2.67
Red Creek	4.50	2.75	2.75	2.50	2.40	2.40	4.00	3.25	3.00	2.50		3.01
Romulus	3.33	3.50	3.50	1.50	1.50	5.00	3.00	3.00	3.00			3.04
Seneca Falls	3.91	3.50	3.45	2.00	2.00	3.00	2.75	2.50	2.00			2.79
Sodus	3.80	3.80	2.00	2.00	2.20	3.00	3.00	3.30	3.30			2.93
						* 2015-16 and 2016-17 3.0 percent settlement for on-step unit members						
Victor	4.30	4.00	2.00	2.50	2.50	3.10	3.10	3.10				3.08
Waterloo	3.89	3.72	2.00	1.50	1.75	1.95	3.00	3.00				2.60
Wayne	4.00	3.00	2.00	3.00	2.00	3.50	4.00	2.50				3.00
Williamson	3.00	3.00	2.00	2.25	2.50	2.50	2.60	2.50				2.54
	3.73	3.03	2.41	2.29	2.27	2.70	3.11	2.94	2.84	2.75		

denotes Current Contract
denotes Previous Contract

RECENT AREA NON-INSTRUCTIONAL CONTRACT SETTLEMENTS

CAYUGA-ONONDAGA BOCES												
	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	Avg.
BOCES												
Aides (CSEA)	4.00	2.00	2.00	2.00	2.00	2.50	2.50	2.50				2.44
Tchr. Ass't	3.00	2.00	2.00	2.00								2.25
Non-Instructional	4.50	2.00	2.00	2.00	2.00	2.50	2.50					2.50
Auburn												
Aides/Clerical (NYSUT)	3.35	3.35	3.00	1.00	2.00	2.00	2.60	2.60	2.60			2.50
Bus Drivers (CSEA)	3.30	3.30	2.90	0.00	2.25	2.25	2.60	2.60	2.60			2.42
Cust/Maint. (CSEA)	3.30	3.30	2.90	0.00	2.25	2.25	2.60	2.60	2.60			2.42
Nurses (SEIU)	3.50	2.00	0.00	2.00								1.88
Cato-Meridian												
Aides/Ass'ts (SEIU)	4.75	4.75	50¢/hr	50¢/hr	50¢/hr	75¢/hr	75¢/hr	75¢/hr				
Bus Drivers (CSEA)	3.30	2.00	2.00	2.00	2.00	2.00	2.00	2.50	2.50	2.25	2.25	2.25
Cust./Maint. (CSEA)	3.30	2.00	2.00	2.00	2.00	2.00	2.00	2.50	2.50	2.25	2.25	2.25
Jordan-Elbridge												
Aides/Clerical(SEIU)	3.00	3.00	3.00	3.00	3.00	2.50	2.50	2.50				2.83
Bus Drivers	3.00	2.00	2.00	2.00								2.25
Cust./Maint (SEIU)	3.00	3.00	3.00	3.00	3.00	2.50	2.50	2.50				2.83
Cafeteria (SEIU)	3.00	3.00	3.00	3.00	3.00	2.50	2.50	2.50				2.83
Transportation				1.00	1.00	1.00						1.00
Moravia												
Aides/Ass't (CSEA)	4.00	4.00	2.00	0.00	2.00	2.00	2.75	2.75	2.75			2.47
CSEA	4.00	4.00	2.00	0.00	2.00	2.00	2.75	2.75	2.75			2.47
Port Byron												
Aides (SEIU)	3.00	2.00	2.00	2.00	2.00	2.50	2.50	2.50	2.50			2.33
Cust./Maint. (CSEA)	3.00	1.60	1.40	2.00	2.00	2.00	2.50	2.50	2.50			2.17
Cafeteria (CSEA)	3.00	1.60	1.40	2.00	2.00	2.00	2.50	2.50	2.50			2.17
Nurse (CSEA)	3.00	1.60	1.40	2.00	2.00	2.00	2.50	2.50	2.50			2.17
Clerical (SEIU)	3.00	2.00	2.00	2.00	2.00	2.50	2.50	2.50	2.50			2.33
Skaneateles												
Aides (CSEA)	3.50	1.50	1.50	1.50	2.50	2.60						2.18
Tchr Ass't (CSEA)	3.50	1.50	1.50	1.50	2.50	2.60						2.18
Cust./Maint (CSEA)	3.50	1.50	1.50	1.50	2.50	2.60						2.18
Nurses (CSEA)	3.50	1.50	1.50	1.50	2.50	2.60						2.18
Clerical (CSEA)	3.50	1.50	1.50	1.50	2.50	2.60						2.18
So. Cayuga												
Aides (CSEA)	2.00	2.00	2.50	2.50	2.50	45¢/hr	45¢/hr	45¢/hr				2.30
Tchr. Ass't (CSEA)	2.00	2.00	2.50	2.50	2.50	45¢/hr	45¢/hr	45¢/hr				2.30
Bus Drivers (CSEA)	2.00	2.00	2.50	2.50	2.50	45¢/hr	45¢/hr	45¢/hr				2.30
Bus Mech (CSEA)	2.00	2.00	2.50	2.50	2.50	45¢/hr	45¢/hr	45¢/hr				2.30
Cust./Maint (CSEA)	2.00	2.00	2.50	2.50	2.50	45¢/hr	45¢/hr	45¢/hr				2.30
Cafeteria (CSEA)	2.00	2.00	2.50	2.50	2.50	45¢/hr	45¢/hr	45¢/hr				2.30

RECENT AREA NON-INSTRUCTIONAL CONTRACT SETTLEMENTS

CAYUGA-ONONDAGA BOCES cont'd												
	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	Avg.
So. Cayuga cont'd												
Nurses (CSEA)	2.00	2.00	2.50	2.50	2.50	45¢/hr	45¢/hr	45¢/hr				2.30
Clerical (CSEA)	2.00	2.00	2.50	2.50	2.50	45¢/hr	45¢/hr	45¢/hr				2.30
Union Springs												
Aides (SEIU)	3.00	3.00	2.00	2.00	2.50	2.50	2.50					2.50
Tchr. Ass'ts (SEIU)	3.00	3.00	2.00	2.00	2.50	2.50	2.50					2.50
Bus Drivers (CSEA)	4.00	2.00	2.00	2.00	2.00	2.50	2.50	2.50				2.44
Bus Mech (CSEA)	4.00	2.00	2.00	2.00	2.00	2.50	2.50	2.50				2.44
Cust/Maint. (CSEA)	4.00	2.00	2.00	2.00	2.00	2.50	2.50	2.50				2.44
Cafeteria (CSEA)	4.00	2.00	2.00	2.00	2.00	2.50	2.50	2.50				2.44
Nurses (SEIU)	3.00	3.00	2.00	2.00	2.50	2.50	2.50					2.50
Clerical (SEIU)	3.00	3.00	2.00	2.00	2.50	2.50	2.50					2.50
Weedsport												
Aides (CSEA)	4.00	4.00	1.95	1.95	1.95	2.50	2.50	2.50				2.67
Bus Drivers (CSEA)	4.00	4.00	1.95	1.95	1.95	2.50	*2.50	*2.50				2.73
						*Bus drivers @ % + 30¢						
Bus Mech (CSEA)	4.00	4.00	1.95	1.95	1.95	2.50	2.50	2.50				2.67
Cust/Maint. (CSEA)	4.00	4.00	1.95	1.95	1.95	2.50	2.50	2.50				2.67
Nurses, Clerical	4.00	4.00										4.00
C-O BOCES Avg.	3.26	2.55	2.09	1.90	2.27	2.35	2.49	2.53	2.57	2.25	2.25	
BROOME-TIOGA BOCES												
Chenango Valley												
Non-Instruct. (NYSUT)	3.30	3.30	3.30	2.25	2.50	2.90	3.00	3.00	3.00	3.00		2.96
Deposit												
CSEA	4.00	4.00	2.00	2.00								3.00
Maine-Endwell												
Cust./Maint.	\$0.65	2.00	2.00	2.00	50¢/hr	50¢/hr	50¢/hr					2.00
School Lunch	4.60	4.60										4.60
Supp Staff	4.50	4.50	4.50	2.95	3.00	3.15						3.77
Transp	3.00	3.00	3.00	\$600	\$700	\$800						3.00
Owego-Apalachin												
NYSUT	3.90	4.00	0.00	1.99	1.99	2.50	2.50	2.50				2.42
Union Endicott												
Cafe. Workers	3.90	2.70	2.70	2.70	2.70	2.70	2.70					2.87
Cent Office	2.00	2.70	2.70	2.70	2.70	2.70	2.70					2.60
Comp & Tech	3.90	2.70	2.70	2.70	2.70	2.70	2.70					2.87
Dist Office	3.90	2.70	2.70	2.70	2.70	2.70	2.70					2.87
Maint. Workers	3.90	2.70	2.70	2.70	2.70	2.70	2.70					2.87
School Aides	3.90	2.70	2.70	2.70	2.70	2.70	2.70					2.87
Transp	4.00	2.70	2.70	2.70	2.70	2.70	2.70					2.89

RECENT AREA NON-INSTRUCTIONAL CONTRACT SETTLEMENTS

	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	Avg.
BROOME-TIOGA BOCES cont'd												
Whitney Point												
Aides/Food Serv (NYSUT)	3.30	0.00	2.25	2.25	2.50	2.50	2.50					2.19
B-T BOCES Avg	3.72	2.95	2.57	2.49	2.63	2.72	2.69	2.75	3.00	3.00		
OSWEGO BOCES												
Hannibal												
CSEA	2.00	0.00	1.75	1.75	1.95	2.00	2.50	2.75	3.00			1.97
HEA	3.50	0.00	1.75	1.75	2.20	2.20	2.20	2.25				1.98
Oswego												
CSEA		1.00	2.00	2.00	2.00	2.00	0.00					1.50
Osw. BOCES Avg.	2.75	0.33	1.83	1.83	2.05	2.07	1.57	2.50	3.00			
TOMPKINS-SENECA-TIOGA BOCES												
BOCES												
Local	4.00											4.00
Candor												
Local	1.90	2.00	2.00									1.97
Dryden												
NYSUT	2.50	2.50	2.20	3.00	2.85	2.66						2.62
Groton												
CSEA	4.00	2.85	2.85	2.50	2.75	2.75	2.25	2.25	2.25			2.72
Ithaca												
Supp Prof.					2.00	3.00	2.00	2.00				2.25
Lansing												
NYSUT	3.90	3.90		90¢/hr	3.50	60¢/hr	3.00					3.58
Newfield												
CSEA	3.50	1.95	2.25	2.50	1.50	2.25	2.25					2.31
South Seneca												
Local	5.00	5.00	1.00	2.00	2.00	2.00	2.60	2.10	2.00			2.63
Trumansburg												
Local	\$0.60	2.00	2.25	2.50	2.50							2.31
T-S-T Avg.	3.54	2.89	2.09	2.50	2.44	2.53	2.42	2.12	2.13			

RECENT AREA NON-INSTRUCTIONAL CONTRACT SETTLEMENTS

	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	Avg.
WAYNE-FINGER LAKES BOCES												
BOCES												
NYSUT	3.50	3.50	3.75	1.90	2.75	2.45	2.45					2.90
Bloomfield												
NEA/NYSUT	3.40	3.40	3.40	1.95	1.85	1.85						2.64
Canandaigua												
Cust./Maint.	3.85	3.00	3.00	3.00	3.00	3.00						3.14
Cler./Aides	3.85			3.00	2.40	2.40						2.91
Food Service	3.00	3.50	4.00	2.25	2.25	3.00	3.00	3.00				3.00
Bus Drivers	3.75	3.75	2.25	2.25	2.25							2.85
Monitors	3.00	3.50	4.00	2.25	2.00	3.47	2.40	2.35				2.87
Clyde-Savannah												
Supp Pers (CSEA)	4.25	4.25	4.00	2.50	2.50	2.50	3.50	3.50	3.50	3.50		3.40
Transp.	4.75	4.50	4.00	2.00	2.00	2.00	3.75	3.60	3.50	3.50		3.36
Dundee												
CSEA	3.10	3.20	2.00	2.00	2.00	2.00	2.50	2.50	2.50			2.42
Gananda												
CSEA	2.50	2.50	1.40	2.80	2.80	2.80						2.47
Geneva												
CSEA	4.00	0.00	2.00	2.00	2.00	3.00	3.00	3.00				2.38
Gorham-Middlesex												
Bus Drivers (NYSUT)	3.70	3.70	1.90	2.25	2.25	2.70	2.70	2.70				2.74
Cust./F Serv (NYSUT)	3.70	3.70	3.75	3.75	2.70	2.70	2.50					3.26
Teacher Aides (NYSUT)	3.75	2.75	2.50	2.25	2.70	2.70	2.50	50¢/hr	50¢/hr	3.00	3.00	2.79
Honeoye												
NYSUT	2.50	2.50	2.50	2.50	2.75	2.50	3.00	2.95	2.95			2.68
Lyons												
NYSUT	3.00	3.00	3.00	2.50	2.50	2.50	1.80	1.80	1.80			2.43
							+ 54¢/hr	+ 54¢/hr	+ 54¢/hr			
Manchester-S'ville												
CSEA	5.50	1.80	1.00	1.90	1.90	2.50	2.50	2.50				2.45
Marion												
CSEA	3.50	3.50	1.75	1.75	1.75	1.75						2.33

RECENT AREA NON-INSTRUCTIONAL CONTRACT SETTLEMENTS

WAYNE-FINGER LAKES BOCES cont'd												
	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	Avg.
Naples												
CSEA	3.25	3.50	3.50	2.70	2.70	2.70	2.80	2.90	2.90			2.99
Newark												
Custodians (CSEA)	2.95	2.50	1.25	2.00	2.00	2.40	2.00					2.16
Tchr Aides/Asst (NYSUT)	2.50	2.30	1.50	1.50	2.40	2.00	*2.25	*2.25	1.50			2.02
							* 2016-17 & 2017-18 2.25-3.0% based on years					
N Rose-Wolcott												
NYSUT	3.75	0.00	1.90	1.90	1.90	1.95						1.90
Palmyra-Macedon												
CSEA	3.90	3.90	3.90	2.90	2.90	2.90	2.90					3.33
Penn Yan												
CSEA	3.90	3.90	2.25	2.25	2.25	2.25	2.35	2.35				2.69
Phelps-CI Springs (NYSUT)												
Nurses/Food Serv/ Bus Driv/Maint	4.05	4.05	4.05	2.00	2.00	2.00	3.00	3.00	3.00	3.00		3.02
Aides/Clerical	2.89	2.89	2.89	2.00	2.00	2.00	3.00	3.00	3.00	3.00		2.67
Red Creek												
CSEA	4.50	4.50	2.75	2.00	2.00	* 3.50	2.50	2.50				2.96
						* 2015-16 % based on hire date						
Romulus												
CSEA	4.32	4.00	1.50	1.50	3.00	3.00	3.00					2.90
Seneca Falls												
NEA/NYSUT	3.50	2.00	2.00	2.00	2.00	3.00	2.75	2.50	2.00			2.42
Sodus												
CSEA	3.00	3.00	2.00	2.00	2.00	2.00						2.33
Victor												
CSEA	4.00	1.00	1.00	1.50	2.00	2.00	2.00					1.93
Waterloo												
NEA/NYSUT	4.31	2.00	2.00	1.50	1.75	1.95	3.00	3.00				2.44
Wayne												
CSEA			2.50	2.50	2.70	2.90	2.90	2.70	2.90			2.73
Williamson												
CSEA	5.00	2.70	2.80	3.00	2.00	1.75	2.00	3.50	3.25	3.00	3.00	2.91
WFL BOCES Avg.	3.68	3.13	2.85	2.27	2.28	2.44	2.73	2.83	2.81	3.10	3.00	

AREA UNEMPLOYMENT RATES

New York State Rate

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Ann. Avg.
2017	4.9%	5.0%	4.4%	4.2%									
2016	5.3%	5.3%	5.1%	4.6%	4.3%	4.7%	5.0%	4.9%	4.9%	4.8%	4.5%	4.5%	4.8%

Syracuse, NY Metropolitan Statistical Area

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Ann. Avg.
2017	5.5%	5.7%	4.9%	4.7%									
2016	5.6%	5.5%	5.2%	4.7%	4.4%	4.7%	4.9%	4.7%	4.9%	4.6%	4.6%	5.0%	4.9%

Cayuga County Statistical Area

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Ann. Avg.
2017	5.9%	6.1%	5.3%	4.7%									
2016	6.1%	6.0%	5.8%	5.1%	4.5%	4.5%	4.8%	4.7%	4.7%	4.6%	4.6%	5.1%	5.0%

Broome County Statistical Area

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Ann. Avg.
2017	6.2%	6.3%	5.4%	5.3%									
2016	6.3%	6.1%	5.8%	5.3%	4.8%	5.3%	5.5%	5.1%	5.3%	5.1%	5.0%	5.3%	5.4%

Ithaca, NY Metropolitan Statistical Area

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Ann. Avg.
2017	4.3%	4.3%	3.8%	3.8%									
2016	4.6%	4.3%	4.0%	3.9%	3.8%	4.6%	4.5%	4.2%	4.3%	3.9%	3.8%	3.8%	4.1%

Ontario/Seneca/Wayne/Yates Statistical Area

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Ann. Avg.
2017	5.5%	5.6%	4.9%	4.5%									
2016	5.5%	5.4%	5.2%	4.5%	4.0%	4.3%	4.3%	4.2%	4.4%	4.2%	4.3%	4.8%	4.6%

Rochester, NY Metropolitan Statistical Area

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Ann. Avg.
2017	5.2%	5.4%	4.8%	4.6%									
2016	5.2%	5.1%	4.9%	4.5%	4.2%	4.5%	4.8%	4.6%	4.8%	4.5%	4.5%	4.7%	4.7%

*Source: New York State Department of Labor
Labor Statistics
www.labor.state.ny.us*

CONSUMER PRICE INDICES

INDEX 1982-84 BASE YEAR=100	% INCREASE FROM PRIOR MONTH	% INCREASE FROM PRIOR YEAR
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April 2017

NY-Northeastern New Jersey Area

1. All Urban Consumers	267.948	0.1	2.0
2. Urban Wage Earners & Clerical Workers	262.486	0.1	2.0

U.S. City Average

1. All Urban Consumers	244.524	0.3	2.2
2. Urban Wage Earners & Clerical Workers	238.432	0.3	2.1

May 2017

NY-Northeastern New Jersey Area

1. All Urban Consumers	268.183	0.1	1.8
2. Urban Wage Earners & Clerical Workers	262.825	0.1	2.0

U.S. City Average

1. All Urban Consumers	244.733	0.1	1.9
2. Urban Wage Earners & Clerical Workers	238.609	0.1	1.8

COST OF LIVING UPDATE

ALL CITIES

NY - NORTHEASTERN NEW JERSEY

Month	Revised Wage Earner Index	%	All Urban Consumers Index	%	Revised Wage Earner Index	%	All Urban Consumers Index	%
Jan-15	228.3	-0.8	233.7	-0.1	253.2	-0.9	258.4	-0.5
Feb-15	229.4	-0.6	234.7	0.0	254.0	-0.6	259.2	0.1
Mar-15	231.1	-0.6	236.1	-0.1	254.4	-0.6	259.6	-0.1
Apr-15	231.5	-0.8	236.6	-0.2	254.7	-0.5	260.0	0.0
May-15	232.9	-0.6	237.8	0.0	255.9	-0.5	261.1	-0.1
Jun-15	233.8	-0.4	238.6	0.1	256.4	-0.3	261.5	0.1
Jul-15	233.8	-0.3	238.7	0.2	256.1	-0.5	261.2	0.1
Aug-15	233.4	-0.3	238.3	0.2	256.0	-0.3	261.3	0.1
Sep-15	232.7	-0.6	237.9	0.0	256.4	-0.2	261.9	0.3
Oct-15	232.4	-0.4	237.8	0.2	255.9	0.0	261.5	0.4
Nov-15	231.7	0.1	237.3	0.5	255.4	0.3	261.0	0.6
Dec-15	230.8	0.4	236.5	0.7	254.4	0.5	260.6	0.7
Jan-16	231.1	1.2	236.9	1.4	255.0	0.7	260.3	0.8
Feb-16	231.0	0.7	237.1	1.0	255.2	0.5	260.9	0.6
Mar-16	232.2	0.5	238.1	0.9	256.0	0.7	261.5	0.7
Apr-16	233.4	0.8	239.3	1.1	257.3	1.0	262.6	1.0
May-16	234.4	0.7	240.2	1.0	257.7	0.7	263.3	0.9
Jun-16	235.3	0.6	241.0	1.0	258.4	0.8	264.0	1.0
Jul-16	234.8	0.4	240.6	0.8	258.2	0.8	263.9	1.0
Aug-16	234.9*	0.7*	240.9*	1.1*	258.4*	0.9*	264.2*	1.1*
Sep-16	235.5	1.2	241.4	1.5	259.1	1.0	264.6	1.0
Oct-16	235.7	1.4	241.7	1.6	259.0	1.2	264.7	1.2
Nov-16	235.2	1.5	241.4	1.7	259.3	1.6	265.2	1.6
Dec-16	235.4	2.0	241.4	2.1	259.8	2.1	265.4	2.1
Jan-17	236.9	2.5	242.8	2.5	261.4	2.5	266.9	2.5
Feb-17	237.5	2.8	243.6	2.7	262.1	2.7	267.7	2.6
Mar-17	237.7	2.3	243.8	2.4	262.2	2.4	267.6	2.3
Apr-17	238.4	2.1	244.5	2.2	262.5	2.0	267.9	2.0
May-17	238.6	1.8	244.7	1.9	262.8	2.0	268.2	1.8
Jun-17								
Jul-17								
Aug-17								
Sep-17								
Oct-17								
Nov-17								
Dec-17								

THE ADVOCATE STAFF

Editorial Assistant & Desktop Publisher:

Linda M. Brown

Contributors:

Randy J. Ray • J. Ryan Hatch • Nicholas Minderler • Bryan Georgiady
Mark W. Snyder • Linda M. Brown

Published by:

Cayuga-Onondaga BOCES
Office of Personnel Relations
1879 West Genesee Street Road
Auburn, NY 13021-9430
Telephone: (315) 255-7683 • Fax: (315) 255-7625

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Inquiries regarding the District’s non-discrimination policies should be directed to:

J. Ryan Hatch
Labor Relations Specialist and Civil Rights Compliance Officer
1879 West Genesee Street Road
Auburn, NY 13021
(315) 255-7683
rhatch@caybores.org