

ERIE COUNTY CHARTER REVISION COMMISSION
Health, Education, Recreation and Culture Committee

draft of 6/13/06

Summary

This new article would recognize the Office of Public Advocacy. The county executive has already created this Office and placed within it the Office of Equal Employment Opportunity, the Commission on the Status of Women, the Office of Veterans Services, and the Office of the Disabled. Two of those subunits (Commission on the Status of Women and Office for the Disabled) are described in the current charter, as freestanding units; the other two (EEO and Veterans Services) are not present in the current charter, despite their longstanding de facto existence.

The proposed amendments would codify existing practice by:

- Adding new language to establish the Office of Public Advocacy
- Adding new language for EEO and Veterans Services, as divisions within the Office of Public Advocacy
- Modifying and consolidating in this location the existing language for the Commission on the Status of Women and the Office for the Disabled, making them also divisions within the Office of Public Advocacy

And in a change to current practice, modify the existing language for the Consumer Protection Committee to place it also within the Office of Public Advocacy.

All existing language has also been streamlined (removing details that don't need to be specified in the charter) and altered for more consistency in naming of units and positions.

ARTICLE xx (number to be assigned by County Attorney)
OFFICE OF PUBLIC ADVOCACY

Section	xx01	Office of public advocacy
	xx02	Division of equal employment opportunity
	xx03	Advisory board to division of equal employment opportunity
	xx04	Division on the status of women <i>[replaces 16-E]</i>
	xx05	Advisory commission to division on the status of women
	xx06	Division of veterans services
	xx07	Division for the disabled <i>[replaces 11-F]</i>
	xx08	Advisory board to division for the disabled
	xx09	Consumer protection committee <i>[replaces 16-B]</i>

Section xx01. Office of public advocacy. There shall be an office of public advocacy, the head of which shall be the commissioner. The commissioner of said office shall be appointed from among the division directors by, and shall serve at the pleasure of, the county manager, subject to approval of the county legislature. The commissioner of the office shall:

1. Serve in the capacity of countywide public advocate for all residents of Erie county, overseeing the day-to-day operations of the division of equal employment opportunity, division on the status of women, division of veterans services, division for the disabled and consumer protection committee;
2. Report to the county executive, county manager and the legislature on an annual basis on all activities related to fulfilling the obligations of the office of public advocacy.

Section xx02. Division of equal employment opportunity. There shall be a division of equal employment opportunity, the head of which shall be the director. The director of said office shall be appointed by and shall serve at the pleasure of the commissioner.

The division shall:

1. Direct and be responsible for all equal employment activities of the county and establish a county affirmative action plan and policies and assist in their execution;
2. Monitor personnel changes and procedures, file annual reports with the equal employment opportunity commission (EEOC), ensure Affirmative Action compliance in all County contracts, assist minority/women owned business enterprises in the certification procedures, process complaints of discrimination and sexual harassment and conduct EEO/AA training for Erie county personnel.

Section xx03. Advisory board to division of equal employment opportunity. There shall be established an advisory board to the division of equal employment opportunity.

Section xx04. Division on the status of women. There shall be a division on the status of women. It is hereby declared to be the policy of Erie county, New York, to eliminate discrimination in any form that may exist on account of gender; to fully utilize the potential of each citizen, regardless of gender, in order to preserve our democratic way of life; and to provide equal opportunities to all citizens, regardless of gender, in employment, education, health and mental health, housing, senior and social services, and before the law. The director of said division shall be appointed by and shall serve at the pleasure of the commissioner. The division shall:

1. Work to ensure that the women of Erie county participate fully in matters that have an impact on their lives.
2. Develop an information system for services relating to the needs of women, and develop other networks and referral programs as necessary;
3. Investigate and analyze resources and services available for women within county government and programs funded by the county and recommend measures to coordinate, consolidate or expand those resources and services to provided maximum efficiency;
4. Submit an annual report of its activities and recommendations to the county manager and county legislature.

Section xx05. Advisory commission to division on the status of women. There shall be an advisory commission. The commission shall consist of nine to fifteen members to be appointed by the county manager subject to confirmation by the county legislature. The county manager shall appoint to the commission at least two persons recommended by each of the majority and minority leaders of the legislature.

Nominations for the remaining positions shall be actively solicited from groups which represent and are active in the area of women's concerns. The departments of health, mental health, senior services, social services, youth services, and the equal employment opportunity office shall each designate one person to serve as an ex-officio non-voting member of the commission. The membership of the commission shall reflect the diversity of women and their concerns in Erie county.

No member may serve more than two terms, except that those members who are initially appointed to complete the unexpired term of a member may also be eligible to serve two subsequent terms of three years each. The commission shall annually designate one member to serve as commission chairperson. In the event of a vacancy occasioned other than by expiration of the term of office of the chairperson, the commission shall appoint a successor to that office from the commission's membership.

The county manager shall require any county department, division, board, council, committee, authority or agency, or other unit to provide such facilities, assistance and data as will enable the commission to properly effectuate its powers and duties under this article.

Section xx06. Division of veterans services. There shall be a division of veterans services, the head of which shall be the director. The director of said division shall be appointed by and serve at the pleasure of the commissioner. The division shall:

1. Advocate for the benefit of veterans in accordance with New York state executive law section 357;
2. Assist veterans and their families with job searches and placement, education, vocational rehabilitation, disability and pension claims, death benefits, medical needs and indigent burials.

Section xx07. Division for the disabled. There shall be a division for the disabled, the head of which shall be the director. The director of said office shall be appointed by and shall serve at the pleasure of the commissioner. The division shall:

1. Evaluate and provide reasonable accommodations to county employees under the Americans with Disabilities ACT (ADA) or New York Executive Law in conjunction with the county attorney's office, labor relations department and the unions;
2. Advocate the benefits and services which disabled persons are entitled to under the law and represent the disabled in various area of concern affecting their rights as citizens;
3. Identify and recommend to public and private agencies and organizations which serve the disabled, to the county legislature and to the county manager appropriate sources of state, federal and private financial assistance for purposes of comprehensively expanding services and programs for the disabled;
4. Act as the county administrative officer for planning and coordinating services for the disabled in cooperation with the county manager, county legislature, county departments and public and private agencies and organizations which serve the disabled;
5. Submit an annual report in accordance with the Americans with Disabilities ACT (ADA) of activities and recommendations to the county manager and county legislature.

Section xx08. Advisory board to division for the disabled. There shall be established an advisory board to the division for the disabled.

Section xx09. Consumer protection committee. There shall be a consumer protection committee. The committee shall:

1. Undertake activities to encourage business and industry within the county to maintain high standards of honesty and fair business practices, and to act responsibly in the production, promotion and sale of consumer goods and services, in the extension of credit and in the collection of consumer debts;
2. Investigate and analyze resources and services available to consumers within the departments of Erie county government and programs funded by Erie county and shall recommend measures to coordinate, consolidate or expand these resources and services to provide maximum efficiency and effectiveness;

3. Increase consumer awareness and competence through the development of educational programs emphasizing preventive education, the creation and distribution of publications, the use of communications media and a speakers bureau;
4. Submit an annual report of its activities and recommendations to the county manager and county legislature;
5. Have a minimum of four public meetings each year at which meetings the business of the committee shall be conducted.

To effectuate the purpose of this section, the commissioner and the county manager shall require any county department, division, board, council, committee or agency to provide such facilities, assistance and data as will enable the committee to properly effectuate its powers and duties.

The number of members on the committee, the procedure for appointing them, the length of their terms, and the functioning of the committee shall be as specified in section 1607 on advisory boards, with the exception that the county manager shall designate the chairperson from among the members of the committee.

A staff person from the office of the county manager, or other county department or division as designated by the county manager, shall serve as liaison between the committee and office of the county manager. The liaison shall attend committee meetings, secure meeting space, assign clerical assistance as needed and assign storage for documents of the committee.