



**Memorandum
Department of Correction**

109965

DATE: November 20, 2024

TO: The Honorable Board of Acquisition and Contract

FROM: Joseph K. Spano
Commissioner
Department of Correction

RE: Authority for the County of Westchester to enter into an agreement with UniMex Medical Exams Management for medical consulting services to assist the Department of Correction, and its respective labor unions, in resolving disputed cases of employee illness or injury affecting an employee's job duties in an annual amount not-to-exceed of \$200,000.00, for a total not-to-exceed amount of \$400,000.00, to be paid pursuant to an approved budget/rates, for a term commencing on January 1, 2025 and continuing through December 31, 2026, with the County of Westchester having the sole option, to extend the term of the agreement, for an additional one-year period for a total not-to-exceed amount of \$200,000.00, to be paid pursuant to an approved budget/rates as determined by the County and UniMex Medical Exams Management.

Attached for your consideration is a Resolution which, if approved by your Honorable Board, would authorize the County of Westchester (the "County") acting by and through its Department of Correction (the "Department"), to enter into an agreement with UniMex Medical Exams Management (the "Consultant"), for medical consulting services to assist the Department, and its respective labor unions, in resolving disputed cases of employee illness or injury affecting an employee's job duties, in an annual amount not-to-exceed of \$200,000.00, for a total not-to-exceed amount of \$400,000.00, to be paid pursuant to an approved budget/rates. The term will commence January 1, 2025 and continue through December 31, 2026, with the County having the sole option to extend the term, for an additional one-year period for a total not-to-exceed amount of \$200,000.00, to be paid pursuant to an approved budget/rates as agreed upon by the County and the Consultant (the "Agreement").

The proposed agreement will serve a public purpose by assuring an independent medical opinion pertaining to job injury claims affecting an employee's job duties. The proposed agreement will enable the Department to fulfill the requirements of the labor contract agreement between the County and the unions while allowing the Department to determine which

employees are fit for duty, which will make a positive impact on the amount of job injury dollars and overtime dollars paid out each year.

The goals and objectives of the proposed agreement are as follows:

- Resolve disputed claims of employee illness or injury
- Reduce the amount of job injury hours paid
- Determine an employee's fitness for duty
- Discern if an employee has taken longer to recover from an injury which can directly affect his/her personal time balance
- Get the employee back to work as quickly as possible to avoid overtime expenditures
- Fulfill the obligations of the collective bargaining agreements

Westchester County Department of Correction's Attendance Management Unit ("Unit") monitors all officers claiming job injuries by administering the section of the collective bargaining agreements as they relate to job injury claims. The Unit tracks hours used for job injury time awarded or denied by the medical arbitrator (RMA) and issues credit or recover personal time if the arbitrator rules adversely for the officer.

The best interest of the County is served because the use of an agreed upon third party medical arbitrator to resolve job injury claims will reduce the need to expend additional resources validating or invalidating such claims. Also, the safety and security of the residents of Westchester County remains a top priority and entering into this contract will ensure the people that we have alert and healthy employees who are not forced to work overtime in order to cover shifts that could have been worked by employees taking too long to recover from job injuries. This will not only save in a reduction of job injury and overtime hours paid but can reduce the number of dollars paid in monetary awards from any legal action that may be caused by overworked employee's mistakes.

The proposed agreement is exempt from the Westchester County Procurement Policy pursuant to section 3(a)(viii) thereof.

An appropriate Resolution is herewith attached for your Honorable Board's consideration.

JK/WF/mb
Attachment

RESOLUTION

Upon a communication from the Commissioner of Correction, be it hereby:

RESOLVED, that the County of Westchester (the “County”) acting by and through its Department of Correction (the “Department”) is hereby authorized to enter into an agreement with UniMex Medical Exams Management (the “Consultant”) for medical consulting services to assist the Department, and its respective labor unions, in resolving disputed cases of employee illness or injury affecting an employee’s job duties in an annual amount not-to-exceed of \$200,000.00, for a total not-to-exceed amount of \$400,000.00 to be paid pursuant to an approved budget/rates, for a term commencing on January 1, 2025 and continuing through December 31, 2026, with the County having the sole option, to extend the term of the agreement, for an additional one-year period for a total not-to-exceed amount of \$200,000.00, to be paid pursuant to an approved budget / rates as agreed upon by the County and the Consultant (the “Agreement”); and be it further

RESOLVED, that the Agreement is subject to County appropriations; and be it further

RESOLVED, that this Agreement is also subject to further financial analysis of the impact of any New York State Budget (the “State Budget”) proposed and adopted during the term of this Agreement. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed State Budget and/or the adoption of a State Budget or any amendments thereto, and for a reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impacts of any such State Budget on County finances. After such analysis, the County shall retain the right to either terminate this Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Consultant, then the Consultant shall have the right to terminate this Agreement upon reasonable prior written notice; and be it further

RESOLVED, that the County Executive or his duly authorized designee is hereby authorized to take such action and execute such documents as may be necessary and proper to effectuate the purposes hereof.

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
613	57	0024	4420		400,000

Budget Funding Year(s) 2025 Start Date 01/01/25 End Date 12/31/26
(must match resolution)

Funding Source Tax Dollars \$ 400,000
State Aid _____
Federal Aid _____

\$ 400,000
(must match resolution) Other _____