

**CIVIL SERVICE RULES
FOR
DELAWARE COUNTY
AND ITS POLITICAL SUBDIVISIONS**

DELAWARE COUNTY PERSONNEL OFFICE

DELHI, NEW YORK

Established 1943

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RULES FOR THE CLASSIFIED CIVIL SERVICE

of Delaware County

PURPOSE AND EFFECT

It is hereby declared to be the purpose of these rules to provide an orderly and uniform system for the administration of Civil Service in Delaware County on a basis of merit and fitness as provided in the Civil Service Law of the State of New York. These rules have the force and effect of law, and apply to all positions in the classified service of Delaware County as well as the towns, villages and special districts therein. These rules may be amended by the Personnel Office after public hearing and subject to the approval of the State Civil Service Commission.

RULE I

DEFINITIONS

Unless otherwise expressly stated or unless the context or subject matter requires a different meaning, the several terms hereinafter mentioned, whenever used in these Rules, shall be construed as follows:

1. "Personnel Office" means the Personnel Office for the County of Delaware.
2. "Employee" means the incumbent of a position holding the position in accordance with these rules and the Civil Service Law.
3. "Position" means an office or employment involving an aggregation of duties to be performed and responsibilities to be exercised by one person.
4. "Compensation" means the remuneration of a position and shall include lodging, food, maintenance and commutation when the same is furnished.
5. "Eligible List" means an official record kept in the Personnel Office as a public record which contains the names of those persons who have their final ratings from the highest to the lowest rank.
6. "Part-Time Employment" means any employment of a combination of one or more employments in a civil division in which an individual works less than fifty percent of the time prescribed as a normal work week by the appropriate governing body or other appropriate authority of the civil division.
7. "Transfer" means the change, without further examination, of a permanent employee from a position under the jurisdiction of one appointing authority to a similar position under the jurisdiction of another appointing authority, or to a position in a different title in the same salary grade under the jurisdiction of the same appointing authority.
8. "Reassignment" means the change, without further examination, of a permanent employee from one position to another similar position under the jurisdiction of the same appointing authority.
9. "Municipality" means county, town, city, village or special district.

RULE II

ORGANIZATION OF THE PERSONNEL OFFICE

The Personnel Office shall be under the supervision of a Personnel Officer. Such Personnel Officer shall be appointed by the Board of Supervisors. The Personnel Officer shall have all the powers and duties of a municipal civil service commission.

RULE III

EXEMPT CLASS

1. Positions in the exempt class are those for which competitive or non-competitive examinations or other qualification requirements are not practicable. (Civil Service Law, Section 41).
2. Positions in the exempt class shall be listed in Appendix A of these rules and made part hereof.

RULE IV

NON-COMPETITIVE CLASS

1. A position in the non-competitive class may be filled by the appointment of a person who meets the minimum qualifications established for such position by the Personnel Officer. A nomination for such an appointment shall state the qualifications of the nominee and shall be filed by the appointing authority with the Personnel Office. Such appointment shall become effective only after approval by the Personnel Officer.
2. Positions in the non-competitive class shall be listed in Appendix B of these rules and made a part hereof.

RULE V

LABOR CLASS

1. The labor class includes unskilled laborers.
2. A position in the labor class may be filled by the appointment of any person selected by the appointing officer of the agency where a vacancy exists, and the Personnel Officer may require applicants for employment in the labor class to qualify in such tests of their fitness for employment as may be deemed practicable.
3. Positions in the labor class shall be listed in Appendix C of these rules and made a part hereof.

RULE VI

UNCLASSIFIED SERVICE

Positions in the unclassified service shall be listed in Appendix D of these rules and made a part hereof.

RULE VII

RECRUITMENT OF PERSONNEL

1. Residence requirements for municipal positions.

An applicant must be, at the time of examination and for at least four months prior thereto, a resident of the municipality in which appointment is to be made or any reasonable combination of municipalities in which appointment is to be made; or contiguous to the municipalities both in and outside of New York State contiguous to the municipality in which appointment is to be made; or contiguous to the municipality in which such municipality is located as determined by the Personnel Officer. Residence requirements may be suspended or reduced by the Personnel Officer in cases where recruitment difficulty makes such requirements disadvantageous to the public interest.

When preference in certification is given to residents of a municipality pursuant to subdivision 4-a of section 23 of the Civil Service Law, an eligible must have been, at time of certification and appointment, a resident of such municipality in order to be included in a certification as a resident of such municipality.

2. Announcements of Examinations

The public announcement of an examination shall specify the application fee, if any, the title, salary or salary range, the duties of the position, the minimum qualifications required, the issue date, the final date for filing applications, the subjects or scope of the examination and the relative weights thereof, and, if known, the date and place of the examination. Public notice of open competitive examinations shall be made at least twenty-five days before the date of examination and must be conspicuously posted in a public place for fifteen days. The last day for filing applications shall be at least ten days before the date of the examination.

RULE VIII

APPLICATIONS

1. Applications of candidates for positions in the classified service must be addressed to the Personnel Officer at the Personnel Office and be made on the form prescribed by the Personnel Officer.
2. The Personnel Office shall notify each applicant of the disposition of his/her application. Applicants for competitive examination shall be given notice of their approval or disapproval at least four days before the examination.
3. A candidate's application for examination may be exhibited, upon request, to the appointing officer to whom his/her name is certified, or to his/her representative; provided, however, that information therein relating to the candidate's national origin or indicating whether his/her citizenship is by birth or naturalization shall not be divulged. Before a candidate's application for examination is exhibited to the appointing officer or an authorized representative, all reference therein to the candidate's national origin or to the basis of his/her citizenship shall be concealed.

RULE IX

DISQUALIFICATION

Any applicant whose application is disqualified for an examination or appointment shall be notified of the reasons for such disqualification and afforded an opportunity to submit facts in opposition to such disqualification prior to final disposition of such application.

Good moral character and habits and a satisfactory reputation shall be requirements for appointment to any position subject to these rules. Any applicant who is found to lack such requirements shall be disqualified for examination, or after examination, for certification and appointment.

A record of disrespect for the requirements and processes of law may be grounds for disqualification for examination or, after examination, for certification and appointment.

The burden of establishing qualifications to the satisfaction of the Personnel Officer shall be upon the applicant. Any applicant who refuses to permit the Personnel Officer to investigate matters necessary for the verification of qualifications or who otherwise hampers, impedes or fails to cooperate with the Personnel Office in such investigation shall be disqualified for examination or, after examination, for certification and appointment.

RULE X

EXAMINATIONS

1. Examination Material Security: In order to prevent the unauthorized publication and dissemination of examination material, the following acts are prohibited except as authorized by the Personnel Officer.

(a) No person may copy, record, or transcribe, any examination question or answer; or remove from the examination room or possess outside the examination room, any question sheet, answer sheet or booklet, scrap papers, notes or any other papers or materials relating to such examination.

(b) A candidate in an examination shall not at any time communicate with an examiner concerning the conduct or content of such examination; and shall not directly or indirectly communicate to any other person information concerning the content of such examination until completion of the testing of all candidates.

© No examiner, proctor or other person charged with the supervision of a candidate or group of candidates during an examination shall have authority to waive the provisions of this subdivision. A person who is found by the Commission to have violated the provisions of this subdivision or any similar provision of the rules of any other civil service jurisdiction within the State of New York shall be disqualified from appointment to the position for which the examination is being held and may be disqualified from being a candidate for any civil service examination for a period of five years.

2. The marking of each competitor's examination shall be made on the scale of 100, which maximum shall represent the best performance possible, expected or attained, and 70 shall represent a performance meeting the minimum needs of the position to be filled. The Personnel Officer may, after the announcement of an examination is made, subdivide the written examination into parts and require a passing mark of 70 in each of the parts in order that candidates be considered further for eligibility. Notice of such arrangement shall be given in the instructions on the written examination. Where the written test is prepared and rated by the State Civil Service Commission in accordance with Section 23, subdivision 2 of the Civil Service Law, the provisions of the rules and regulations of the State Civil Service Commission and Department dealing with the rating of examination shall apply.

3. The Personnel Officer shall adopt a system to conceal the identity of the candidates' papers in a written examination until such written examination has been rated.

4. For examinations prepared and rated by the Personnel Office, applications and examination records and papers of candidates shall be preserved until at least six months after the expiration of the eligible list resulting from such examination, but in no event may records be destroyed except in accordance with the policies of the State Commissioner of Education and the State Civil Service Commission. Whenever an oral test shall be prescribed as part of an examination, a stenographic or recording device record of all the questions and answers shall be made a part of the examination records.

5. Every candidate in an examination shall be notified of his final rating and, if successful, of his relative position on the eligible list established as a result of the examination. Any candidate receiving such notice, or his duly authorized representative, may inspect his examination papers in the Personnel Office in the presence of a designated representative provided he makes a request for such inspection in writing within the period of ten days after the date of the postmark of such notice. The application and examination papers of a candidate shall be exhibited only to the candidate or his duly authorized representative designated as such in writing. The application of an eligible who is being considered for appointment may be shown to the appointing officer.

6. (a) A candidate who wishes to appeal to the Personnel Officer from his rating on one, or more, or all of the subjects of an examination must submit such appeal in writing within twenty days after the earliest date on which his examination papers were made available for his inspection. Such appeal must show that a manifest error was made in the original rating. Such appeal shall be considered as opening all of the candidate's papers for review, whether resulting in a higher or lower average standing. No change in rating shall be made as a result of an appeal unless it shall affect the candidate's relative position on the eligible list.

(b) For examinations prepared and rated under Section 23.2 of the Civil Service Law, the State Civil Service Commission shall have sole and exclusive authority to correct any errors in rating upon appeal or otherwise. The review of papers by candidates and the filing of appeals in such examinations shall be governed by the rules and regulations of the State Civil Service Commission and Department.

(c) The Personnel Officer may, at any time during the life of an eligible list resulting from an examination prepared and rated by the Personnel Office, correct any clerical or computational errors in the ratings of the candidates who competed in the examination.

(d) Any change in an eligible list pursuant to this rule shall be made without prejudice to the status of any person previously appointed as a result of such examination.

7. Rating keys shall be prepared for each examination. Such keys shall be a permanent part of the record of each examination.

RULE XI

ELIGIBLE LISTS

1. Every candidate who attains a passing mark in an examination as a whole and who meets the standards prescribed, if any, for separate subjects or parts of subjects of the examination shall be eligible for appointment to the position for which he was examined and his name shall be entered on the eligible list in the order of his final rating; but if two or more eligibles receive the same final rating in the examination, they shall be ranked in accordance with such uniform, impartial procedure as may be prescribed therefore by the Personnel Officer.
2. The date of the establishment of a list shall be the date fixed therefore by the Personnel Officer, and shall be entered on such list. The duration of all eligible lists shall be fixed by the Personnel Officer prior to the establishment of such lists, but shall not be less than one nor more than four years. The date of establishment of a list and its duration shall be given to all successful candidates at the time when notice of standing on the eligible list is given to such candidates. Where the duration of an eligible list is fixed at less than four years, the Personnel Officer may, prior to the expiration date of such list, extend the duration of the list up to the maximum limitation of four years, provided that eligibles on such list are notified in writing of the extension of the eligible list.
3. Eligible lists shall be open to public inspection at the Personnel Office. The names of persons who failed to receive a passing grade on the examination shall not be disclosed to the public.
4. The Personnel Officer shall have power in his discretion to correct any error and amend any eligible list where it appears that an error has been made. The Personnel Officer shall have power to revoke any eligible list where the provisions of these rules were not properly or sufficiently carried out; provided, however, that an eligible list shall not be revoked except after notice and an opportunity to be heard has been given to all persons whose names appear thereon. The reasons for such action shall be recorded and reported to the State Civil Service Commission.

RULE XII

CERTIFICATION

1. The Personnel Officer shall determine the eligible list most nearly appropriate for the position to be filled, and shall certify to the appointing authority a sufficient number of eligibles from which selection for appointment may be made. When the name of any eligible is included in a certification for appointment, the names of all other eligibles on the list having the same final rating as such eligible shall likewise be included in such certification.
2. A certification issued by the Personnel Officer to an appointing officer shall be valid for a period of 60 days from the date of its issuance. After the expiration of such 60 day period, no appointment shall be made except from a new certification.
3. When an eligible is canvassed for appointment or is offered appointment in writing and fails to state his/her willingness to accept such appointment within ten business days after the mailing of such canvass or offer, or before the end of the second succeeding business day if such canvass or offer is made by telephone, he/she may be considered ineligible for purposes of making selection for such particular appointment.
4. The name of the person declining appointment shall be eliminated from certification from the eligible list unless declination is for one or more of the following reasons: (a) Insufficiency of compensation offered when below minimum of grade of the position for which the examination was held; (b) Location of employment; Temporary inability, physical or otherwise, which must be satisfactorily explained by the eligible in writing. The Personnel Office shall enter upon the eligible list the reasons for its action in such areas.
5. Except as otherwise provided herein, appointment or promotion to a position in the competitive class shall be made by the selection of a person on the most nearly appropriate eligible list who is willing to accept such appointment and whose final rating in the examination is equal to or higher than the rating of the third highest ranking eligible on the list indicating willingness to accept such appointment. The term "ranking" as used herein refers to the order in which the names of eligibles appear on the eligible list as provided in rule eleven.
6. Whenever a vacancy exists in a position in the competitive class and an open competitive examination, duly advertised, results in three or fewer approved applicants for the examination, the appointing office may nominate, to the Personnel Office, one of the applicants who may be certified for appointment to fill the vacancy without further examination, provided that he has already qualified in an examination of equivalent character within the last four years from the date of nomination.
7. Whenever one or more eligibles shall have declined any appointment offered and an eligible whose relative standing is lower and who was reachable on the certification only because of the aforesaid declination shall have been appointed to the position, the salary or compensation of such appointee shall not be increased, except by a service or a class-wide increase, within a period of six months after his appointment beyond that offered to the person declining.

8. An open competitive, promotion or preferred eligible list shall not be certified for filling a permanent competitive class vacancy created by reclassification of a permanently encumbered competitive class position if the appointment or promotion from such list would require the layoff of a permanent employee; but this provision shall not apply if the incumbent whose position was reclassified has, following such reclassification, either refused to take an examination for such reclassified position or failed to qualify for appointment, examination or promotion to such position.

9. When a vacancy exists in a permanent competitive class position and a permanent competitive class candidate in direct line of promotion, as defined in these Rules, is nominated for non-competitive promotion examination in accordance with Section 52(7) of Civil Service Law, the Personnel Officer may determine that the appropriate examination for such non-competitive promotion shall consist of a review of the candidate's training and experience at the time of nomination.

If the Personnel Officer determines the candidate's training and experience meets or exceeds the open competitive qualifications for the position, the candidate shall be certified as eligible for permanent promotion appointment to the position subject to a probationary period.

10. Whenever a vacancy exists in a position in the competitive class and an open competitive examination duly advertised results in three or fewer approved applicants, and the announced minimum qualifications for the position included a requirement of possession of a license or certificate in a profession issued by the State of New York, the Personnel Officer may waive the examination and certify for appointment to the appointing authority the names of such qualified applicants, provided however, that such applicants have been licensed or certified in the profession by the State of New York.

RULE XIII

PROMOTIONS

1. In order to be eligible to participate in a promotion examination or to be promoted, a candidate must have been employed in a competitive class position on a permanent basis in a lower grade, either in direct line of promotion or in a related or collateral line of promotion as determined by the Personnel Officer. The Personnel Officer shall determine the minimum period of such service for eligibility to enter a promotion examination, and may also prescribe a minimum period of such service as a qualification for promotion from the resulting eligible list.
2. Any person who is nominated for non-competitive examination for promotion to a position and who fails to pass two successive examinations for such promotion shall not thereafter be eligible for employment in such position, except by appointment of promotion from an eligible list established following competitive examination.
3. Promotion examinations for non-competitive class employees shall, in addition to the requirements of Civil Service law, Section 52 (12), require that applicants shall have been employed in a full-time position in the non-competitive class.

RULE XIV

PROBATIONARY TERM

1. Probationary Term

(a) Except as herein otherwise provided, every permanent appointment from an open competitive list and every original appointment in the non-competitive, exempt or labor class shall be for a probationary term of not less than eight nor more than twenty-six weeks.

(b) The probationary term for trainee positions, in which an appointee is required to serve a specified training term, shall be not less than eight nor more than fifty-two weeks.

(c) Every permanent appointment from a promotion list resulting from an examination and every permanent appointment of an employee to a higher grade position in the same jurisdictional class shall be for a probationary period of twelve weeks.

(d) An appointment shall become permanent upon the retention of the probationer after his completion of the maximum period of service or upon earlier written notice following completion of the minimum period of service that his probationary term is successfully completed. A copy of such notice shall be sent to the Personnel Officer.

(e) The probationary term for positions of Police Officer and Deputy Sheriff shall not be less than eight weeks nor more than seventy-eight weeks.

(f) The probationary term for the position of Director of Real Property Tax Services II, Corrections Officer and Caseworker shall not be less than eight weeks nor more than fifty-two weeks.

2. Restoration to Permanent Position

When a permanent employee is promoted to a position in which he/she is required to serve a probationary term, the position thus vacated by him shall not be filled, except on a temporary basis, during such probationary term. At any time, during such probationary term, the employee shall have the right to return to his/her previous position at his/her own election. If the conduct or performance of the probationer is not satisfactory, he/she shall be restored to his/her former permanent position at the end of his/her probationary term.

3. Absence during Probationary Term

Any periods of authorized or unauthorized absence aggregating up to ten work days during the probationary term, may, in the discretion of the appointing authority, be counted as time served in the probationary term. Any such periods of absence in excess of an aggregate of ten work days shall not be counted as time served in the probationary term. The minimum and maximum periods of the probationary term of any employee shall be extended by the number of work days of his absence which, pursuant to this section, are not considered as time served in the probationary term.

4. Report on Probationer's Service

The probationer's supervisor shall carefully observe his conduct and performance and, at least two weeks prior to the end of the probationary term shall report thereon in writing to the proper appointing authority. The supervisor shall also, from time to time during the probationary term advise the probationer of his status and progress. A probationer whose services are to be terminated for unsatisfactory service shall receive written notice at least one week prior to such termination and, upon request shall be granted an interview with the appointing authority or his representatives.

5. Restoration to Eligible List

A probationer whose employment is terminated or who resigns before the end of his probationary term may request that his name be restored to the eligible list from which he was appointed, provided such list is still in existence. His name may be restored to such list if the Personnel Officer, in his discretion, determines that the probationer should be given a second opportunity for appointment.

6. Temporary or Provisional Service in Higher Level Position

When an employee who has not completed his probationary term is appointed on a temporary or provisional basis to a higher level position, the period of temporary or provisional service rendered by such employee in such higher level position may, in the discretion of the appointing authority, be considered as satisfactory probationary service in his lower position and may be counted as such in determining the satisfactory completion of such probationary term. At any time after the expiration of the minimum period of the probationary term, or the entire probationary term if it be one of fixed duration, the appointing authority shall, on request of such probationer, furnish his decision in writing as to whether or not service in such higher level positions shall be considered as satisfactory probationary service. In the event of an adverse decision by the appointing authority, such probationer at his request, shall be returned to his lower position for sufficient time to permit him to complete his probationary term. The employment of such probationer in his lower position shall not be terminated at the end of his probationary term on account of unsatisfactory service unless he shall have actually served in such position, in the aggregate, at least the minimum period specified for such probationary term or the entire probationary term if it be one of fixed duration.

7. Removal During Probationary Term

Nothing contained in this rule shall be construed to limit or otherwise affect the authority of an appointing authority pursuant to section seventy-five of the Civil Service Law, at any time during the probationary term, to remove a probationer for incompetency or misconduct.

8. An employee who is reinstated to a position after a separation of more than one year, either in his/her former jurisdiction or in another jurisdiction shall serve a new probationary period in the same manner and subject to the same requirements as apply upon the original appointment to such position.

RULE XV

SEASONAL AND EMERGENCY DEFENSE AND TRAINING APPOINTMENTS

1. Appointment to Seasonal Positions in Competitive Class

(a) Positions in the competitive class where the nature of service is such that it is not continuous throughout the year, but recurs in each successive year, except as herein otherwise provided, shall be designated as seasonal positions and shall be subject to the provisions of these rules applicable generally to positions in such class.

(b) Upon the expiration of the employment season, the names of all persons employed in such seasonal positions shall be entered upon a seasonal re-employment list at the expiration of such employment season. Such seasonal re-employment list shall be certified to the appointing authority at the commencement of or during the next employment season, and the persons whose names appear thereon as still qualified shall be entitled to re-employment in such positions in the order in which their names appear on such list. Any such person may be re-examined by the Personnel Officer with respect to his physical fitness for the performance of the duties of the position, and may be disqualified for re-employment in the same manner, and for any of the reasons applicable to the disqualification of an eligible on an eligible list resulting from open competitive examination.

(c) The name of any person on such list who is not reached for re-employment shall remain on such list and shall be certified in the order of the date of his first appointment to such position during subsequent employment seasons; provided, however, that the eligibility for re-employment of any such person shall not continue for a period longer than three years from the date of his separation from such seasonal employment. A seasonal re-employment list shall not be deemed to be a preferred list as provided for in section 81 of the Civil Service Law.

2. Emergency Defense Appointments

(a) Any position in a civil defense agency or any position created in a governmental agency to perform civil defense or other national emergency functions, which is unique and peculiar to civil defense or national emergency activities and which is not comparable to any regular, standard position in the classified civil service, may be designated, with the consent of the Personnel Officer and upon the approval of the State Civil Service Commission as an emergency defense position. No position involving conventional and stable duties of the nature of those performed in the regular and normal function of civil government, or having as a counterpart, a position in any regular, established department or agency of civil government, shall be designated as an emergency defense position. An emergency defense position may be filled on a temporary basis for a period not to exceed beyond the duration of the New York State Emergency Defense Act. Appointments to such positions shall be designated as emergency defense appointments. All positions designated as emergency defense positions shall be listed in Appendix E of these rules and made a part hereof as though set forth in full herein.

(b) Any permanent employee who, with the consent of his appointing officer, accepts an emergency defense appointment under this subdivision shall be granted a leave of absence from his permanent position until the termination of such appointment.

3. The Personnel Officer may require that permanent appointments or promotions to designated positions shall be conditioned upon the satisfactory completion of a term of service as a trainee in such a position or in an appropriate, lower training title or the completion of specified training or academic courses, or both. The period of such term of training service shall be prescribed by the Personnel Officer. Upon the satisfactory completion of such training term, and of specified courses, if required, an appointee shall be entitled to full permanent status in the position for which appointment was made. Any appointment hereunder shall be subject to such probationary period as is prescribed in these rules. Also, the employment of such person may be discontinued if his conduct, capacity or fitness is not satisfactory, or at any time if he fails to pursue or continue satisfactorily such training or academic courses as may be required.

RULE XVI

EFFECT OF TEMPORARY OR PROVISIONAL APPOINTMENT ON STATUS OF APPOINTEE

1. Effect of Temporary Appointment on Eligibility for Permanent Appointment

(a) The acceptance by an eligible of a temporary appointment shall not affect his standing on the eligible list for a permanent appointment, nor shall the period of temporary service be counted as part of the probationary service in the event of subsequent permanent appointment.

(b) When an appointment to an encumbered position is made from an eligible list and the appointee is, at the time of such appointment, reachable for permanent appointment on such eligible list, he shall, at such time that the incumbency is vacated, be eligible for permanent appointment to the same position or another position in the same class notwithstanding the fact that the eligible list on which his name originally appeared may have expired.

2. Provisional Appointment of Permanent Employee

(a) When a permanent competitive class employee is given a provisional appointment to another competitive class position in the same department or agency, the position thus vacated by him shall not be filled on other than a temporary basis pending his reinstatement thereto upon failure of his provisional appointment to mature into permanent appointment.

(b) A provisional appointee may return to his/her permanent position at any time during provisional term of appointment by providing written notice to the appointing authority requesting to be returned to such permanent position. The appointing authority shall return such provisional appointee to his/her permanent position within fifteen days of receipt of such written notice.

3. Successive Provisional Appointment

(a) No provisional employee who has refused to take an examination held for permanent appointment shall be given another provisional appointment in the same titled position. For the purposes of this rule, failure to appear for an appropriate examination shall constitute a refusal to take an appropriate examination.

(b) No provisional employee who has twice failed an examination for permanent appointment shall be given another provisional appointment in the same position, provided, however, where an examination fails to produce any qualified eligibles, or where an eligible list is depleted of all eligibles immediately following its establishment, such employee, at the discretion of the appointing authority, may be given a third and final provisional appointment in the same position.

RULE XVII

TRANSFER OF ELIGIBILITY FOR PERMANENT APPOINTMENT

Upon the written request of an individual and the prospective appointing authority, and subject to the approval of the Personnel Officer, any individual serving in a competitive class position as a permanent appointee may be permanently appointed to another competitive class position subject to these rules without further competitive examination, provided:

(a) There is no preferred list appropriate for filling the position to which appointment is sought containing the name of an eligible willing to accept appointment; and

(b) There is no departmental promotion list for the position to which appointment is sought containing the names of three or more eligibles willing to accept appointment; and

(c) (1) The Personnel Officer determines that the examinations' scopes and qualifications for the positions held and to which appointment is sought are identical; or

(2) When the examinations' scopes and qualifications are not identical, and the New York State Department of Civil Service has determined that the examination held for the position involved or would involve essential tests and qualifications the same as or greater than those of the position to which appointment is sought; and

(d) The Personnel Officer has determined that such appointment is for the good of the service.

RULE XVIII

REINSTATEMENT

1. A permanent competitive class employee who has resigned may be reinstated without examination without further examination to the position from which he/she resigned, if then vacant, or in any vacant position to which the employee was eligible for transfer or reassignment. An employee who is laid off shall be eligible for reinstatement in the same manner as an employee who had resigned.

All reinstatements are subject to the following terms and conditions:

- a. The prospective appointing authority must request approval from the Personnel Officer to reinstate an individual.
- b. A reinstatement may not be approved to a position for which a preferred list exists containing the name of an eligible willing to accept appointment.
- c. With the exception of an employee who is being reinstated to his/her former position within one year from resignation, a reinstatement may not be approved to a position for which a promotion eligible list exists containing the names of three or more eligibles willing to accept appointment.
- d. The Personnel Officer shall determine if the reinstatement is for the good of the service.

Reinstatement following a break in service of more than one year must also satisfy the following additional condition:

- a. The appointing authority must provide documentation or explanation that demonstrates to the satisfaction of the Personnel Officer that the individual requested to be reinstated possesses current knowledge and skill in the occupational field to which reinstatement is sought.
- b. If the position to which reinstatement is sought requires successful completion of medical and/or physical agility tests for original appointment, the individual being reinstated must satisfy these criteria immediately prior to reinstatement.

An employee that is laid off from the civil service of a municipality shall be eligible for reinstatement in the same manner as an employee who has resigned.

2. Refusal or Failure to Accept Reinstatement from Preferred List

(a) Relinquishment of Eligibility for Reinstatement. The failure or refusal of a person on a preferred list, after reasonable notice, to accept reinstatement therefrom to his former position, or any similar position in the same salary grade for which such list is certified, shall be deemed to be a relinquishment of his eligibility for reinstatement, and his name shall thereupon be stricken from such preferred list. The name of such person may be restored to such preferred list and certified to fill such appropriate vacancies as may thereafter occur only upon the request of such person and his/her submission of reasons satisfactory to the Personnel Officer for his/her previous failure or refusal to accept reinstatement.

(b) Effect of Refusal to Accept Reinstatement to Lower Grade Position. A person on a preferred list shall not be deemed to relinquish his eligibility for reinstatement therefrom by reason of his failure or refusal to accept reinstatement to a position in a lower salary grade than the position from which he was suspended or demoted. The name of such person may be withheld from further certification for reinstatement to a position in the same or a lower salary grade than the position to which he failed to accept reinstatement.

(c) Restoration to Eligibility for Reinstatement not to Affect Previous Appointments. The restoration of the name of a person to a preferred list, or his restoration to eligibility for certification therefrom to positions in a lower salary grade than his former position, shall not invalidate or in any manner adversely affect any appointment, promotion, reinstatement or demotion previously made to any position to which such person would otherwise have been eligible for reinstatement from such preferred list.

RULE XIX

LEAVE OF ABSENCE

1. A leave of absence without pay may be granted by the appointing authority in conformance with the regulations established by the appropriate legislative body, provided however, that a permanent competitive class employee may not encumber a permanent competitive class position by a leave without pay while holding a permanent appointment to another position in the civil service of the same municipality.
2. A leave of absence without pay, not to exceed four years, shall be granted by an appointing officer to an employee who is a veteran of the Armed Forces of the United States, providing such a leave of absence is for the purpose of taking courses under the educational benefits provided for in Title 38, United States Code or under a New York State Board of Regents War Service Scholarship, Education Law, Section 614. An employee taking such a leave shall be reinstated to his position, provided he makes application for such reinstatement within sixty days after the termination of his courses of study.

RULE XX

RESIGNATION

1. Resignation in Writing

Except as otherwise provided herein, every resignation shall be in writing.

2. Effective Date

If no effective date is specified in a resignation, it shall take effect upon delivery to or filing in the office of the appointing authority. If an effective date is specified in a resignation, it shall take effect on such specified date. However, if a resignation is submitted while the employee is on leave of absence without pay, such resignation, for the purpose of determining eligibility for reinstatement, shall be deemed to be effective as of the date of the commencement of such absence. Notwithstanding the provisions of this section, when charges of incompetency or misconduct have been or are about to be filed against an employee, the appointing authority may elect to disregard a resignation filed by such employee and to prosecute such charges; and, in the event that such employee is found guilty of such charges and dismissed from the service, his termination shall be recorded as a dismissal rather than as a resignation.

3. Withdrawal or Amendment

A resignation may not be withdrawn, canceled or amended after it is delivered to the appointing authority, without the consent of the appointing authority.

4. Voluntary Demotion of Permanent Competitive Employee

An employee who voluntarily elects to relinquish his permanent competitive class status to a position and accept a demotion, must deliver a statement of relinquishment to the appointing authority. Upon receipt of the statement of relinquishment by the appointing authority, the employee may be reinstated to any vacant lower salary level position for which he is eligible for such reinstatement as provided in these rules. Such statement of relinquishment shall not take effect until the employee is reinstated to the lower level position.

An employee may not be reinstated to a position for which a preferred eligible list is established.

RULE XXI

REPORTS OF APPOINTING OFFICERS

For the purpose of certification of payrolls and to enable the Personnel Office to keep an official roster of the classified service as required by law, each appointing officer, from time to time as determined by the Personnel Officer, and upon the date of the official action in each case, shall report to the Personnel Office as follows:

1. Every appointment or employment whether probationary, temporary or otherwise, in the classified service, with the date of commencement of service and the title and compensation of the position.
2. Every failure to accept an appointment under him by a person eligible therefore, with copies of the offer or notice of appointment and the reply thereto, if any.
3. Every discharge during or at the end of probationary term with the date thereof.
4. Every vacancy in a position, for whatever reason with the date thereof.
5. Every position abolished, with the date of such abolition.
6. Every change of compensation in a position, with the date thereof.
7. Every promotion, giving positions from which and to which made, with the salaries and date thereof.
8. Every transfer, giving the positions from which and to which made, with the date and salaries thereof.
9. Every reinstatement in a position, with the date and salary thereof.
10. Every leave of absence, with the date and duration thereof.
11. Every new position, giving a complete description of the duties thereof.

RULE XXII

CERTIFICATION OF PAYROLLS

1. Extended Certifications

The Personnel Officer may certify the employment of a person for a limited or extended period. No further certification shall be necessary for the payment of salary or compensation to such person, so long as his title and salary grade remain unchanged and during such stated period, except as to the first payment for services in each fiscal year, and, if required by the Personnel Officer, the first payment for services in the second half of each fiscal year. Nothing herein shall be construed to prevent or preclude the Personnel Officer from terminating or rescinding a certification at any time by giving notice thereof to the appropriate fiscal or disbursing officer.

2. Temporary Certification

When the name of any person is first submitted for certification following his appointment, reinstatement, promotion, transfer, or other change in status, and the Personnel Office requires further information or time to enable it to make a final determination, thereon, the Personnel Office may certify such person temporarily pending such final determination. In such event the Personnel Office shall immediately request the necessary additional information from the appointing authority, who shall furnish it forthwith. If such information is not furnished promptly, or if the Personnel Office finds, following receipt of such information, that the employment of such person is not in accordance with the law and rules, the Personnel Office shall immediately terminate such certification by notice to the appropriate fiscal or disbursing officer.

3. Refusal or Termination of Certification

Upon satisfactory evidence of intention to evade the provisions of the law and of the rules in assigning any employee to perform duties other than those for which he was examined and certified or under any title not appropriate to the duties to be performed, the Personnel Office shall refuse certification or terminate a certification previously made and then in force.

RULE XXIII

CLASSIFICATION PLAN

1. Definitions: For the purpose of this rule, the following definition shall apply:

"Class": Means one or more positions sufficiently similar with respect to duties and responsibilities to be designated by a single descriptive title and treated as a unit for the purpose of recruiting, establishing salary range, and administering other personnel functions.

"Class Title": Means the designation given under these rules to a class and to each position allocated to such class.

"Job Class Specification": Means a formal written statement of the class which defines the general character and scope of the duties and responsibilities of positions in the class, lists typical or illustrative examples of work of positions in the class, enumerates the knowledge, skills and abilities required for successful performance of the work and states required minimum experience and training for positions in the class.

"Allocation": Means the assignment of a position to an appropriate class as determined by duties, responsibilities and minimum qualification requirements of the position.

"Reclassification": Means the re-allocation of a position from one class to another because of a permanent and material change of the duties of the position.

2. Powers and Duties: The Personnel Office shall have the power and duty to:

(a) Classify and reclassify all positions in the civil service of all civil divisions under its jurisdiction.

(b) Prepare and maintain job classification specifications for each class of positions in the competitive, non-competitive and labor jurisdictional classes and establish appropriate minimum qualifications for each class of the civil divisions under its jurisdiction.

(c) Investigate all matters affecting the classification and reclassification of all positions and from time to time review the duties, responsibilities and qualification requirements of all positions under its jurisdiction and to make revisions in the classification of positions.

3. Classification of "Vacant" Positions: The appointing officer shall file a prescribed form with the Personnel Office when a classified position, which has or is about to become vacant, is to be filled. Such form shall contain a detailed description of the duties and responsibilities of the position to be filled and a statement of suggested minimum entrance qualifications for the position. After analysis of the position description, the Personnel Officer shall allocate the position to an appropriate class, or, if no appropriate class exists, shall create a new class and prepare a job class specification for such position.

4. Classification of New Positions: The appointing officer shall file a prescribed form with the Personnel Office when a new position is to be created. Such form shall contain a detailed description of the duties and responsibilities of the position to be filled and a statement of suggested minimum entrance qualifications for the position. After an analysis of the position description, the Personnel Office shall allocate the position to an appropriate class, or if no appropriate class exists, shall create a new class and prepare a job class specification for such new class.

5. Reclassification of Positions:

a. The Personnel Office may, upon its own initiative, review the duties and responsibilities and qualification requirements of any position under its jurisdiction. Appointing authorities and employees in positions under review shall be required to complete a detailed description of the duties and responsibilities. The Personnel Office shall allocate the position to an appropriate class, or if no appropriate class exists, shall create a new class and prepare a job class specification for such position including a statement of appropriate minimum qualifications; or

b. Whenever a permanent and material change is made in the duties and responsibilities of any position, the appointing authority shall file a detailed description of the duties and responsibilities of the position with the Personnel Office. After an analysis of the duties and responsibilities of the position, the Personnel Office shall allocate the position to an appropriate class, or if no appropriate class exists, shall create a new class and prepare a job class specification for such position including a statement of appropriate minimum qualifications; or

c. Any employee in the classified service may apply to the Personnel Office for a position reclassification. Such application shall include a detailed description of the duties and responsibilities of the position since the last determination with respect to its classification. After an analysis of the duties and responsibilities of the position, the Personnel Office shall allocate the position to an appropriate class, or if no appropriate class exists, shall create a new class and prepare a job class specification for such position including a statement of appropriate minimum qualifications.

6. Notice and Appeals: Any appointing officer may make application for classification or reclassification of any position in his/her department, or any employee in the classified service may apply for reclassification of his position. Such application must set forth reasons in support of the requested reclassification, and must show changes in the duties and responsibilities of the position since the last determination with respect to its classification. The Personnel Office shall give reasonable notice of any proposal or application for a change in classification to the appointing officer and to the employee or employees affected hereby. Any person desiring to submit facts orally or in writing in connection with the reclassification of any position shall be afforded reasonable opportunity to do so. The Personnel Officer shall then determine the proper allocation of the position. No employee, either by classification or reclassification, change of title or otherwise, shall be promoted, demoted, transferred, suspended or reinstated except in accordance with the provisions of the Civil Service Law and these rules.

RULE XXIV

**PROHIBITION AGAINST QUESTIONS ELICITING INFORMATION
CONCERNING POLITICAL AFFILIATION**

No question in any examination or application or other proceeding by the Personnel Office or its examiners shall be so framed as to elicit information concerning, nor shall any other attempt be made to ascertain the political opinions or affiliations of any applicant, competitor or eligible, and all disclosures thereof shall be discouraged by the Personnel Office and its examiners. No discrimination shall be exercised, threatened or promised against or in favor of any applicant, competitor or eligible because of his political opinions or affiliation.

RULE XXV

LAYOFF OF COMPETITIVE CLASS EMPLOYEES

1. For the purpose of this Rule, the following terms shall mean:

(a) Direct Line of Promotion shall be strictly construed, in that in order to be considered as direct line, all titles must have the same generic root.

(b) Next Lower Occupied Title shall mean the title in direct line of promotion immediately below the title from which the incumbent is suspended or demoted, unless no one is serving in that title in that layoff unit, in which case it shall be the closest lower title in direct line of promotion in that layoff unit in which one or more persons do serve.

(c) Layoff Unit shall mean each department of a County, City, Town, Village, each School District and each special district. Authorities and community colleges shall be deemed to be separate civil divisions.

(d) Satisfactory Service shall mean service in the last year of employment by an employee during which he did not receive an "Unsatisfactory" performance rating and was not found guilty of misconduct or incompetency pursuant to Section 75 of the Civil Service Law which resulted in the imposition of any of the following penalties upon such employee:

- (1) Dismissal from the service, or
- (2) Suspension without pay for a period exceeding one month, or
- (3) Demotion in grade and title.

(e) (1) Permanent Service shall start on the date of the incumbent's original appointment on a permanent basis in the classified service, however, in the case of disabled veterans, the date of original permanent appointment is considered to be 60 months earlier than the actual date; while non-disabled veterans are considered to have been appointed 30 months earlier than their actual date of appointment. For the purposes of this Rule, the definition of what constitutes a veteran or disabled veteran is contained in Section 85 of the Civil Service Law.

(2) A resignation followed by a reinstatement or reappointment more than one year subsequent to the resignation constitutes a break in service. The original appointment date is to be determined from the date of employment; the prior service would not count.

(3) Temporary or provisional service preceding the original permanent appointment does not count. However, temporary or provisional employment immediately preceded and followed by permanent classified service employment does not interrupt continuous service.

(4) The permanent service of any employee who was transferred from another civil division shall start on the date of his original permanent appointment in the classified service in the other civil division.

(5) If an employee was covered-in to a classified position upon acquisition by a civil division of an agency in which he was employed, his seniority begins on the effective date of the cover-in. As between that employee and others covered-in on the same date, they shall have the seniority held by them as among themselves in the agency before the cover-in.

2. Suspension

(a) When an occupied position in the competitive class is abolished, suspension is to be made from among those employees holding the same title in the same layoff unit as the abolished position.

(b) Among permanent employees, the order of suspension is the inverse of the order of their original permanent appointments in the classified service. See above definition of permanent service for veterans and disabled veterans. An exception to this rule is that the blind have absolute retention rights but only in their job status.

(c) A blind person may not back-date his permanent service if he also happens to be either a veteran or disabled veteran.

(d) A person is considered blind if he is so certified by the Commission for the Visually Handicapped of the New York State Social Services Department.

(e) When two or more permanent incumbents of positions in a specific title are suspended, demoted or displaced at the same time, the order in which they shall be entitled to displace shall be determined by their respective retention standing, with those having the greater retention standing entitled to displace first.

(f) When several employees were originally appointed on a permanent basis on the same day, their retention rights shall be determined by their rank on the eligible list from which they were appointed; that person having the highest rank having greater retention rights over those having lower ranks.

(g) All temporary and provisional employees occupying these positions must be let go before any permanent employee is suspended from such positions.

(h) Probationary employees occupying such positions in the same title, must also be suspended before any permanent employee in the layoff unit in that title who has completed his probationary period. Probationary employees do, however, have superior retention rights to those of temporary and provisional employees.

(i) The order of suspension among probationary employees shall follow the same principles as that among permanent employees.

3. Vertical Bumping

(a) Vertical bumping occurs when an employee in a specific title to which there is a direct line of promotion, who is himself suspended or displaced, displaces an employee in the next lower occupied title in direct line of promotion in the same layoff unit having the least seniority, if the employee who seeks to displace has greater retention standing.

(b) Where the layoff involves more than one position in a title, the order of displacement will be the inverse of the order of suspension. That is, the most senior of the suspended employees will be the first to displace. This shall apply to both vertical bumping and retreat.

(c) If an employee refuses to displace a junior incumbent he must be laid off. This, however, does not protect the junior incumbent from being compared in retention standing with other incumbents if other positions at the higher level are being abolished.

(d) When a next lower title has been occupied by means of displacement regardless of when the displacement into the title has occurred, it is considered to be occupied for further displacement purposes; however a next lower title which has all of its positions abolished at the same time as positions are abolished at the higher level cannot be considered as occupied. A title which is occupied by an incumbent, temporary, provisional, probationary or permanent, is considered occupied for the purposes of this section.

4. Retreat

(a) Retreat occurs when and only when there is no lower occupied position in direct line of promotion at any level.

(b) An employee may retreat by displacing the incumbent with the least retention right who is serving in a position in the title in which the displacing incumbent last served on a permanent basis prior to service in the title from which he is currently suspended or displaced. Retreat may only occur where the position in the title formerly held by the displacing incumbent is occupied in the competitive class, in the same layoff unit, and at a lower salary grade; the service of the displacing incumbent while in the former title must have been satisfactory, and the junior incumbent must have less retention standing than the displacing incumbent.

(c) The service of the displacing incumbent in the title to which he is retreating need not have been in the same layoff unit as the one from which he is displaced.

(d) An employee may also displace by retreat to a position in a title he last served on permanent basis although he had intervening service in other titles as long as his service in each of the intervening titles was on other than a permanent basis. He may also displace by retreat to a position which does not count in the computation of his continuous service.

(e) Where a title change has been effected to better describe the duties of a position but the duties have not substantially changed since the suspended employee last served in that title, the new title, will for retreat purposes, be deemed to be the former title.

5. An employee who refuses to accept an appointment afforded by displacement, for whatever reason, waives all rights regarding the displacement, however, this employee's name will be entered on an appropriate preferred list.

6. An appointing authority may take such steps as it may deem necessary in order to secure binding written commitments in advance of suspension, demotion or displacement from employees potentially affected by such suspension, demotion or displacement as to their willingness to accept reassignment or displacement.

APPENDIX A

EXEMPT

County Service

Assistant District Attorneys (4)
County Attorney
Assistant County Attorneys (3)
Deputy Commissioner Public Works/Engineering
Deputy Commissioner Public Works/Highway
Deputy County Clerk
Deputy County Treasurer
Second Deputy County Clerk
Secretary to District Attorney
Third Deputy County Clerk
Undersheriff

Town Service

Bookkeeper to Supervisor
Deputy Town Clerk
Deputy Town Highway Superintendents
Dog Enumerator
Secretary to Board of Assessors, Town of Sidney
Town Attorney
Town Court Clerk, Town of Andes
Town Court Clerk, Town of Bovina
Town Court Clerk, Town of Colchester (2)
Town Court Clerk, Town of Davenport
Town Court Clerk, Town of Delhi
Town Court Clerk, Town of Deposit
Town Court Clerk, Town of Franklin
Town Court Clerk, Town of Hamden
Town Court Clerk, Town of Hancock
Town Court Clerk, Town of Harpersfield
Town Court Clerk, Town of Kortright
Town Court Clerk, Town of Masonville
Town Court Clerk, Town of Meredith
Town Court Clerk, Town of Middletown
Town Court Clerk, Town of Roxbury
Town Court Clerk, Town of Sidney
Town Court Clerk, Town of Stamford
Town Court Clerk, Town of Tompkins
Town Court Clerk, Town of Walton

Soil and Water Conservation District

Secretary/Treasurer

Town of Sidney Hospital

Secretary to Chief Executive Officer, The Hospital
Treasurer

Village Service

Deputy Village Clerk
Deputy Village Clerk-Treasurer
Village Attorney
Village Court Clerks
Village Treasurer

Special Districts

School Districts (including BOCES)

Census Taker
Clerk, Board of Cooperative Educational Services
School Attorney
School District Clerk
School District Tax Collector
School District Treasurer
Secretary to the Superintendent, BOCES
Secretary to the Superintendent, Delaware Academy and Central School
Secretary to the Superintendent, Downsville Central School
Secretary to the Superintendent, Franklin Central School
Secretary to the Superintendent, Hancock Central School
Secretary to the Superintendent, Sidney Central School
Secretary to the Superintendent, Stamford Central School
Secretary to the Superintendent, Walton Central School
Treasurer, Board of Cooperative Educational Services

APPENDIX B

NON-COMPETITIVE

All Civil Divisions

Account Clerks (parttime)
Account Clerk Typists (parttime)
Assistant Building Maintenance Mechanics
Automotive Mechanics
Automotive Mechanic Helpers
Building Maintenance Mechanics
Clerks (parttime)
Cooks
Health Officers (parttime)
Heavy Equipment Operators
Jailers (parttime)
Janitors (parttime)
Library Clerks (parttime)
Library Technicians (parttime)
Licensed Practical Nurses
Lifeguards (Seasonal and parttime)
Medical Typists (parttime)
Meter Readers (parttime)
Micro-computer Operators (parttime)
Motor Equipment Operators
Pharmacists (parttime)
Recreation Aides (seasonal and parttime)
Recreation Directors (Seasonal and parttime)
Recreation Leaders (parttime)
Registered Professional Nurses
Senior Library Clerks (parttime)
Stenographers (parttime)
Student Intern(s)
Transfer Station Attendants
Typists (parttime)
Welders
Working Supervisors

County Service

Confidential: Social Services Attorneys (parttime)

Policy Influencing:

Associate Medical Director (parttime)
Chief Physicians (parttime)
Commissioner of Social Services
Commissioner of Watershed Affairs
County Fire Coordinator (parttime)
County Planning Director
Deputy Commissioner of Social Services
Director of Community Mental Health Services
Director of Information Technology
Director Economic Development
Director of Emergency Management Services
Director Office of the Aging
Director of Real Property Tax Services II
Director of Veterans' Service Agency
Executive Housekeepers
Personnel Officer
Physicians (parttime)
Public Health Director
Sheriff Major
Supervising Nurses
Youth Bureau Director (parttime)

County Service

Alcoholism Counselor and Educators (parttime)
Assessment Records Clerks (parttime)
Assistant Housekeeper
Automotive Body Repairers
Bridge Construction Mechanics
Bridge Welders
Building Maintenance Mechanic II(s)
Bus Drivers (Office for the Aging)
Bus Monitor/Teacher Aides
Caseworkers (parttime)
CETA Crew Chiefs
Chaplains (parttime)
Chauffeurs
Community Service Program Coordinators (parttime)
Court Attendants
Dietary Consultants (parttime)
Director of Data Processing
Director of Emergency Services
Director, Office for the Aging
Drug Abuse Aides
Drug Abuse Counselors (parttime)
Geriatric Care Technicians
Head Cook
Head Nurses
Home Health Aides
Homemakers
Housekeepers
Illustrator-Cartographers (parttime)
Motor Vehicle License Clerk (Detached Service) - Arkville
Motor Vehicle License Clerk (Detached Service) - Deposit
Motor Vehicle License Clerk (Detached Service) - Sidney
Nurse Coordinators (parttime)
Nurse Practitioners (Geriatric)
Offset Printing Machine Operator
Physical Therapists (parttime)
Physical Therapy Aides
Project Crew Supervisors
Public Health Nurses (parttime)
Real Property Appraiser (parttime)
Refrigerant Removal Technician (parttime)
Rehabilitation Technicians
Senior Bridge Painters
Senior Nurses Aides
Sign Shop Workers
STOP DWI Coordinators
Tree Trimmers
Utilization Review Screeners (parttime)

Town Service:

Policy Influencing:

Assessor, Town of Bovina
Assessor, Town of Deposit
Assessor, Town of Franklin
Assessor, Town of Hamden
Assessor, Town of Masonville
Assessor, Town of Roxbury
Assessor, Town of Sidney
Assessor, Town of Tompkins
Assessor, Town of Walton

Town Service

Building Inspectors (parttime)

Code Enforcement Officer, Parttime (under 5000), Town of Andes
Code Enforcement Officer, Parttime (under 5000), Town of Bovina
Code Enforcement Officer, Parttime (under 5000), Town of Colchester
Code Enforcement Officer, Parttime (under 5000), Town of Davenport
Code Enforcement Officer, Parttime (under 5000), Town of Delhi
Code Enforcement Officer, Parttime (under 5000), Town of Deposit
Code Enforcement Officer, Parttime (under 5000), Town of Franklin
Code Enforcement Officer, Parttime (under 5000), Town of Hamden
Code Enforcement Officer, Parttime (under 5000), Town of Hancock
Code Enforcement Officer, Parttime (under 5000), Town of Harpersfield
Code Enforcement Officer, Parttime (under 5000), Town of Kortright
Code Enforcement Officer, Parttime (under 5000), Town of Masonville
Code Enforcement Officer, Parttime (under 5000), Town of Meredith
Code Enforcement Officer, Parttime (under 5000), Town of Middletown
Code Enforcement Officer, Parttime (under 5000), Town of Roxbury
Code Enforcement Officer, Parttime (under 5000), Town of Stamford
Code Enforcement Officer, Parttime (under 5000), Town of Tompkins

Constables (parttime)

Dog Control Officers (parttime)

Dog Wardens

Fire Inspector, Parttime (under 5000), Town of Andes

Fire Inspector, Parttime (under 5000), Town of Middletown

Housing Code Inspectors (parttime)

Landfill Supervisors (parttime)

Police Officers (parttime)

Registrar of Vital Statistics (parttime)

Town Historians (parttime)

Town Social Services Officer (parttime)

Water Superintendent (under 5000)

Water Superintendent (Grand Gorge District under 5000)

Water Superintendent (Roxbury District under 5000)

Zoning Officers (parttime)

Town of Sidney Hospital

Assistant Housekeeper
Assistant Utilization Review Screeners (parttime)
Coffee Shop Managers (parttime)
Dietetic Aides
EKG Aides
Head Nurses
Housekeeper
Keypunch Operators (parttime)
Laboratory Technicians (parttime)
Leisure Time Activities Directors (parttime)
Linen Room Clerks
Medical Technologists (parttime)
Nurse Anesthetists
Operating Room Technicians
Physical Therapy Aides
Physical Therapists (parttime)
Physical Therapist Assistants (parttime)
Physicians
Respiratory Therapists (parttime)
Senior Laboratory Technicians (parttime)
Supervising Nurses
Utilization Review Screeners (parttime)

Soil and Water Conservation District

(2) Administrative Aides *
 Data and Budget Specialist *
(2) Program Technicians *
 Network Manager *
 Soils & Groundwater Specialist *
 Watershed Agricultural Program Manager *
 SWCD Technical Coordinator *
 Executive Director *
(3) Civil Engineering Technicians *
 Stream Program Coordinator *

* until first vacated after December 16, 2002

Village Service

Assistant Public Works Superintendent (under 5000)
Assistant to Water Superintendent (under 5000) (2), Village of Sidney
Building Inspectors (parttime)
Chief Wastewater Treatment Plant Operators (Under 5000)
Code Enforcement Officer, Parttime (under 5000), Village of Andes
Code Enforcement Officer, Parttime (under 5000), Village of Delhi
Code Enforcement Officer, Parttime (under 5000), Village of Fleischmanns
Code Enforcement Officer, Parttime (under 5000), Village of Franklin
Code Enforcement Officer, Parttime (under 5000), Village of Hancock
Code Enforcement Officer, Parttime (under 5000), Village of Hobart
Code Enforcement Officer, Parttime (under 5000), Village of Margaretville
Code Enforcement Officer, Parttime (under 5000), Village of Stamford
Code Enforcement Officer, Parttime (under 5000), Village of Sidney
Code Enforcement Officer, Parttime (under 5000), Village of Walton
Dispatchers (parttime)
Dog Control Officers (parttime)
Dog Wardens
Fire Inspectors (parttime)
Grants Administrators (under 5000)
Housing Code Inspectors (parttime)
Landfill Supervisors (parttime)
Police Chiefs (parttime)
Police Officers (parttime)
Police Answering Operators (parttime)
Public Works Superintendent (under 5000)
Recreation Leaders (parttime)
Registrar of Vital Statistics (parttime)
School Crossing Guards
Senior Wastewater Treatment Plant Operators (Under 5000)
Village Historians
Village Streets Superintendent (under 5000)
Wastewater Treatment Plant Operators (Under 5000)
Wastewater Treatment Plant Operator Trainees (Under 5000)
Water Superintendent (under 5000)
Zoning Officers (parttime)

School Districts (including BOCES)

Audio Visual Aides
Automotive Mechanic/Bus Drivers
Building Maintenance Mechanic/Bus Drivers
Bus Drivers
Bus Monitors/Teacher Aides
Cashiers
Chauffeurs
Cleaner/Bus Driver
Cook/Managers
Custodial Worker/Bus Drivers
Handicapped Children's Aides
Head Bus Drivers
Head Cooks
Health Aide
Interpreters for the Deaf
Labor Relations Assistant
Messengers
Offset Printing Machine Operators
Offset Printing Machine Operator Trainee
Photocopy Machine Operators
Registered Professional Nurses (school)
School Physicians (parttime)
Senior Automotive Mechanics
Teacher Aides
Transportation Supervisor (parttime)

Confidential/Policy Influencing:

Director of Employee Relations (BOCES)

Special Districts

Water Superintendent (under 5000)

In All Offices and Departments where the Following Positions Exist:

Section 55a: Designated positions in titles where the incumbent is certified either by the Commission for the Blind and Visually Handicapped in the State Department of Social Services as being physically disabled by blindness or by the Office of Vocational and Educational Services for Individuals with Disabilities, or by the State Education Department as otherwise physically or mentally disabled.

APPENDIX C

LABOR

All Civil Divisions

Aging Services Aides
Bridge Painters
Building Maintenance Aides
Cleaners
Food Service Helpers
Groundspersons
Laboratory Aides
Laborers
Laundry Workers
Leisure Time Activities Aides
Maintenance Aides
Nurses Aides
Occupational Therapy Aides
Respiratory Aides
Seamstresses

School Districts

Bus Monitors
Bus Monitor/Custodial Workers
Custodial Workers
Photocopy Aides
School Monitors

APPENDIX D

UNCLASSIFIED

All Civil Divisions

All Elective Offices

All Members of Boards or Commissions

All Members, Officers and Employees

Boards of Elections

County Service

Commissioner of Public Works

Assistant Clerk to the Board of Supervisors

Clerk to the Board of Supervisors

Town of Sidney Hospital

Chief Executive Officer

Village Service

Village Clerk

Village Clerk-Treasurer

School Districts Including Board of Cooperative Educational Services

All positions certified by the Commissioner of Education of the State of New York in accordance with Section 35 g and j of the Civil Service Law.

APPENDIX E

EMERGENCY DEFENSE

Director of Civil Defense
Deputy Director of Civil Defense