Cayuga County
Civil Service

Rules & Appendices

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~ PURPOSE AND EFFECT OF THE RULES ~

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 CAYUGA 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 CAYUGA COUNTY as well as the towns, villages and special districts therein. These rules may be amended by the Commission after public hearing and subject to the approval of the State Civil Service Commission.

~ RULES FOR THE CLASSIFIED CIVIL SERVICE ~

~ 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. "Commission" means the Civil Service Commission of the County of Cayuga

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 food, lodging, maintenance and commutation when the same is furnished.

5. "Eligible List" means an official record kept in the Commission's office as a public record which contains the names of those persons who have successfully completed examinations, listed and ranked in order of their final ratings from the highest to the lowest rank.

6. "Part-Time Employment" means any employment or combination of one or more employments in a civil division in which an individual works less than fifty percent of the time prescribed as the standard work week by the governing body or other appropriate authority of the civil division or wherein the employee earns not more than one half (1/2) of the rate assigned to the position if the position has been allocated to a graded salary schedule.

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.

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. "Civil Division" means each county, town, city, village, school district, community college, public authority, or special district.

~ RULE II ~
Organization of the Commission

The Commission shall designate one of its members as Chairman. Two Commissioners shall constitute a quorum for the transaction of business. The Commission may appoint a Secretary who shall not be a Commissioner, and such other subordinates and employees within available appropriations as it may deem necessary or proper to carry out the purposes of these rules and the law. It shall fix the duties of these employees. The Commission shall keep true and accurate minutes of all its meetings and proceedings which shall be open to public inspection.

~ 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 a 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 Commission. A nomination for such an appointment shall state the qualifications of the nominee and shall be filed by the appointing authority with the Commission. Such appointment shall become effective only after approval by the Commission.
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 shall include 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 Commission 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 as though set forth in full herein.

~ RULE VII ~
Recruitment of Personnel

1. Residence Requirements for Civil Division Positions

   a. An applicant must at the time of examination and for at least one month immediately prior thereto be a resident of the civil division in which appointment is to be made or any reasonable combination of civil divisions both in and outside of New York State contiguous to the civil division in which appointment is to be made. Residence requirements may be suspended or reduced by the Commission in cases where recruitment difficulty makes such requirements disadvantageous to the public interest.

   b. When preference in certification is given to residents of a civil division pursuant to subdivision 4-a of Section 23 of the Civil Service Law, an eligible must have been a resident of such civil division for at least one month prior to the date of certification in order to be included in a certification as a resident of such civil division and must be a resident of such civil division at the time of appointment.

2. Announcements of Examinations

   The public announcement of an open-competitive examination shall specify the application fee, if any, the title, the duties of the position, the minimum qualifications required, the salary or salary range if known, the issue date, the final date for filing applications, the subjects or scope of the examination and the relative weights thereof, application fee(s) and waivers, post offer of employment medical requirements, special testing requirements and religious observance arrangements 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 the examination and must be conspicuously posted in a public place for fifteen days. The last day for filing applications shall be not less than ten days before the date of the examination.

~ RULE VIII ~
Applications

1. Applications of candidates for positions in the competitive class and for positions in the non-competitive class must be addressed to the Commission at the office of the Commission.

2. The Commission 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, by mail to the address stated in the application.

3. A candidate's application for examination may be exhibited, upon request, to the appointing officer to whom his name is or to his representative; provided, however, that information therein relating to the candidate's national origin or indicating whether his citizenship is by birth or naturalization shall not be divulged. Before a candidate's application for examination is exhibited to the appointing officer or his representative, all reference therein to the candidate's national origin or to the basis of his citizenship shall be concealed.

~ RULE IX ~
Disqualification

1. Notification of Disqualification: An applicant who 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.

2. Verification of Qualifications: Any applicant who refuses to permit the Commission to investigate matters necessary for the verification of his/her qualifications or who otherwise hampers, impedes or fails to cooperate with the Commission in such investigation shall be disqualified for examination, or, after examination, for certification and appointment.

3. Disrespect for Processes of Law: 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.

~ RULE X ~
Examinations

1. 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 Commission may, after the announcement of an examination is made, sub-divide 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 examinations shall apply.

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

3. For examinations prepared and rated by the Commission, 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.

4. 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 office of the Commission and in the presence of a designated representative of the Commission, provided he makes request for such inspection, in writing, within the period of ten days after the date of the post-mark 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.

(RULE X continues on next page)

RULE X – Examinations *(continued)*

5. (a) A candidate who wishes to appeal to the Commission from his rating in 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 Commission may at any time during the life of an eligible list, resulting from an examination prepared and rated by the Commission, correct any clerical or computational errors in the ratings of 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.

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

7. 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 Commission.

   (a) No person shall 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.
   (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.

~ 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 Commission.

2. The date of the establishment of a list shall be the date fixed therefore by Commission resolution, and shall be entered on such list. The duration of all eligible lists shall be fixed by Commission resolution 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 Commission may, by resolution, 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 office of the Commission. The names of persons who failed to receive a passing grade on the examination shall not be disclosed to the public.

4. The Commission shall have power in its discretion to correct any error and amend any eligible list where it appears that an error has been made. Commissions 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 in the minutes of the Commission and reported to the State Civil Service Commission.

~ RULE XII ~
Certification

1. The Commission 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 Commission to an appointing officer shall be valid for a period of sixty days from the date of its issuance. After the expiration of such sixty-day period, no appointment shall be made except from a new certification. The Commission, for good cause shown, may extend a certification up to an additional thirty days upon request of an appointing authority.

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 seven business days after the mailing of such canvass or offer, he/she may be considered ineligible when making selection for such particular appointment. When an eligible fails to respond to three successive canvass letters, his/her name shall be restricted from further certification from the eligible list. Thereafter, the eligible may request that his/her name be restored to active status on such list, provided the list is still in existence. The eligible's name may be restored to active status on such list if the Commission in its discretion determines that the reasons for the previous non-response are satisfactory.

(RULE XII continues on next page)

RULE XII – Certification *(continued)*

4. The name of the person declining appointment shall be eliminated from further 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; (c) Temporary inability, physical or otherwise, which must be satisfactorily explained by the eligible in writing. The Commission shall enter upon the eligible list the reasons for its action in such cases.

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 officer may nominate to the Commission 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. Wherever one or more eligible 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 persons so declining.

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

9. An employee who was appointed to a part-time, competitive class position, as defined in these Rules, may have his/her position converted to full-time if one of the following conditions is met:

   a) If the employee was reachable on the eligible list for a permanent full-time appointment at the time of the permanent part-time appointment; or

   b) If the employee's permanent part-time employment has exceeded a full time equivalent of six months, and a re-canvass of the eligible list that was used for his/her hire, if active, indicates that the employee is reachable for a full-time appointment; or

   c) If the employee's permanent part-time employment has exceeded a full time equivalent of nine months and the eligible list used for his/her hire is inactive.

For purposes of Section 9 above, full time equivalent means the total hours worked by an employee in a part-time competitive class position divided by the annual standard work hours of the governing body or other appropriate authority of the civil division. Full time equivalent in months is then derived by multiplying this percentage by 12 months.

~ RULE XIII ~
Promotions

1. In no case shall any person be eligible to participate in a promotion examination until he has served at least six months on a permanent basis in a lower grade position.

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 or 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 at a salary level less than that assigned the position for which promotion examination is to be held.

~ RULE XIV ~
Probationary Term

1. Probationary Term

   (a) Except as otherwise provided in these rules, every permanent appointment from an open-competitive list and every permanent appointment to a position in the non-competitive, exempt or labor class shall be for a probationary term of not less than eight nor more than fifty-two weeks. Probationary term for Police Officers and Deputy Sheriffs shall be for a term of not less than eight nor more than seventy-eight weeks.

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

   (c) Every permanent appointment from a promotion eligible list shall be for a probationary term of not less than eight nor more than twenty-six weeks. Upon written notice of the appointing authority the probationary period upon promotion may be waived and the appointee given a permanent appointment.

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

   (e) If the conduct or performance of a probationer is not satisfactory, his/her employment may be terminated at any time after the completion of the minimum period of probation, and on or before completion of the maximum period of probation in the manner as prescribed in these rules.

2. (a) Transfers to Positions in the Same Civil Division

   Every transfer from a position to another in the same civil division shall require a probationary term of not less than a minimum of eight weeks nor more than twenty-six weeks. If the conduct or performance of the probationer is not satisfactory, employment in such position may be terminated at any time after the completion of the minimum period of probation, and on or before the completion of the maximum period of probation.

(RULE XIV continues on next page)

RULE XIV – Probationary Term *(continued)*

(b) Transfers to Positions Under Different Appointing Authorities in Different Civil Divisions

Every transfer from a position in one civil division to a position in another civil division shall require a probationary term of not less than a minimum of eight weeks up to a maximum of twenty-six weeks. If the conduct or performance of the probationer is not satisfactory, employment in such position may be terminated at any time after the completion of the minimum period of probation, and on or before completion of the maximum period of probation. The Commission shall advise the prospective transferee in writing prior to approval of the transfer that an eight to twenty-six week probationary term is required and must be successfully completed to obtain permanent status in the position to which transfer is sought. The prospective transferee shall be advised it is his/her responsibility to request a leave of absence from the releasing agency. Unless the prospective transferee obtains a leave of absence, the releasing agency is not required to hold a position to return to should the probationary period not be successfully completed.

(c) Waiver

The appointing authority having jurisdiction over the position to which transfer is sought, may elect to waive the probationary term in 2(a) or 2(b) by written notification to the transferee and the Commission.

3. Restoration to Permanent Position

When a permanent employee is promoted or transferred to a position in which he 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 previous position at his own election. If the conduct or performance of the probationer is not satisfactory, he shall be restored to his former permanent position at the end of his probationary term.

4. 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.

5. Report of Probationer's Service

The appointing authority and supervisor of a probationer will carefully evaluate the probationer's work performance of the duties and responsibilities of the position. A probationer whose services are to be terminated for unsatisfactory service shall be given written notice prior to such termination and, upon request, shall be granted an interview with the appointing authority or his/her representatives.

(RULE XIV continues on next page)

RULE XIV – Probationary Term *(continued)*

6. 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 Commission in its discretion determines that the probationer should be given a second opportunity for appointment.

7. 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 position 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 a 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.

8. 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.

9. Leave of Absence for Police Supervisors

Notwithstanding any other provisions of these rules, the appointment or promotion of a police officer shall not become permanent unless and until he has satisfied such requirements as may be applicable to him under section two hundred-nine (q) of the General Municipal Law. If a police officer is promoted to a higher rank for which he has met all requirements of eligibility for permanent promotion except training requirements applicable under section two hundred-nine (q) of the General Municipal Law he shall be deemed to be on leave of absence from the lower rank position from which he was promoted pending completion of such training. During such period such lower rank position may not be filled except on a temporary basis. In the event of his failure to complete such training successfully within the time allowed therefore, he shall be restored to such lower rank position.

10. Probationary Term Upon Reinstatement

An employee who is reinstated to a position after a separation of more than one year, either in his 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 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 in the order of their first appointment to the title vacated by them 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 Commission 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 eighty-one of the Civil Service Law.

~ RULE XVI ~
Effect of Non-Permanent Service on Status of Employees

1. Effect of Temporary Appointment on Eligibility for Permanent Appointment

   The acceptance by an eligible of a temporary appointment shall not affect his/her 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.

2. Non-Permanent Appointment of Permanent Employees

   (a) When a permanent employee is given a provisional, temporary or contingent permanent appointment to a competitive class position in the same department or agency, the position thus vacated by him/her shall only be filled on a temporary or contingent permanent basis until the position is unencumbered by the permanent incumbent.

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

(RULE XVI continues on next page)

RULE XVI – Effect of Non-Permanent Service on Status of Employees *(continued)*

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 a position with the same title. No provisional employee who fails two examinations for permanent appointment shall be eligible for provisional appointment in the same title under the same appointing authority. For the purposes of this rule, a failure to appear for an appropriate examination shall constitute a refusal to take an appropriate examination unless adequate reason for a failure to appear is determined by the Commission.

(b) The term of provisional appointment shall end within the time period prescribed in subdivision 3 of section sixty-five of the Civil Service Law or upon the receipt of the results of an examination wherein no candidates passed the appropriate examination. A provisional appointee, who fails to qualify in an appropriate examination, may be authorized a second provisional appointment at the discretion of the appointing authority and the Civil Service Commission if the eligible list contains less than three eligibles from which to make a permanent appointment to the position.

4. Contingent Permanent Appointments

(a) A competitive class position left temporarily vacant by the leave of absence of the permanent incumbent may be filled, at the discretion of the appointing authority, by a contingent permanent appointment through the use of an open-competitive, promotion eligible or preferred list. Any person appointed on a contingent permanent basis shall have all the rights and benefits of a permanent competitive class employee subject to the following limitations:

(1) Probationary Period: All appointments under this rule shall be required to complete the probationary period for original appointment or promotion as prescribed in this rule.

(2) Return of Incumbents: In the event of a layoff or if the permanent incumbent returns from leave of absence, persons holding positions on a contingent permanent basis shall be displaced before any persons holding permanent status in the same title regardless of total seniority. In the event more than one position in the same title is held by persons having contingent permanent appointments, displacement among those persons shall be based on the inverse order of their contingent permanent appointments.

(3) Preferred List: Upon displacement, if the contingent permanent appointee was appointed from a promotion eligible list, he/she shall be restored to his/her permanent position and have his/her name placed on a preferred eligible list for certification as a mandatory list only to the department or agency in which the contingent permanent appointment was made. If the contingent permanent appointee was appointed from an open-competitive eligible list, he/she shall have his/her name placed on a preferred eligible list for certification as a mandatory list in the civil division in which the contingent permanent appointment was made.

(4) Seniority: When a contingent permanent appointment matures into a permanent appointment, the date of permanent service shall be the date of the original contingent permanent appointment.

(b) All prospective appointees under this rule shall receive a copy of this rule and be canvassed as “permanent-contingent permanent”.

(RULE XVI continues on next page)

(c) Contingent permanent appointments from eligible lists shall be made by selection of one of the top three candidates on an appropriate eligible list willing to accept a contingent permanent appointment; there will be no recanvassing of the eligible list in the event the contingent permanent position becomes unencumbered. Acceptance of a contingent permanent appointment will remove the person's name from the eligible list for any future contingent permanent or permanent vacancies within the department or agency in which the contingent permanent appointment was made.

(d) If a permanent vacancy becomes available in the same title in the department or agency in which a contingent permanent appointment has been made, contingent permanent appointees may be offered reassignment, prior to canvassing for a permanent appointment from an appropriate eligible list, or prior to appointing a temporary or provisional to the position.

(e) When a position filled by a contingent permanent appointee becomes unencumbered, the contingent permanent appointee in that position shall immediately gain permanent competitive class status in the class if the required probationary period as prescribed in this rule has been satisfactorily completed.

(f) When a permanent competitive class employee accepts a contingent permanent appointment in the same civil division, the position vacated by such employee shall not be filled except on a temporary or contingent permanent basis until the contingent permanent appointment matures into a permanent appointment.

~ RULE XVII ~
Transfers

1. 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 Commission, 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 Commission 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, the New York State Department of Civil Service has determined that the examination for the position held 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 Commission has determined that such appointment is for the good of the service.

~ RULE XVIII ~
Reinstatement

1. Reinstatements

(a) A permanent competitive class employee who has resigned may be reinstated 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:

(i) The prospective appointing authority must request approval from the Commission to reinstate an individual.

(ii) 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.

(iii) 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.

(iv) The Commission shall determine if the reinstatement is for the good of the service.

(b) Reinstatement following a break in service of more than one year must also satisfy the following additional conditions:

(i) The appointing authority must provide documentation or explanation that demonstrates to the satisfaction of the Commission that the individual requested to be reinstated possesses current knowledge and skill in the occupational field to which reinstatement is sought.

(ii) 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.

(c) An employee that is laid off from the civil service of a civil division shall be eligible for reinstatement in the same manner as an employee who had resigned.

2. Refusal or Failure to Accept Reinstatement From a Preferred List

(a) Preferred list eligibility shall continue for four years.

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

(c) A person on a preferred list shall not be deemed to relinquish his/her eligibility for reinstatement by reason of his/her refusal or acceptance of reinstatement to a position in a lower salary grade than the position from which he/she was suspended or demoted. The name of such person may be withheld from further certification for reinstatement to a position in a lower salary grade than the position to which he/she failed or refused to accept reinstatement.

(d) The restoration of the name of a person to a preferred list, or his/her restoration to eligibility for certification to positions in a lower salary grade than his/her 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, not to exceed one year, may be granted to an employee by an appointing officer. Notice of such leave of absence shall be given to the Commission. Where a leave of absence without pay has been granted for a period which aggregates one year, a further leave of absence without pay shall not be granted unless the employee returns to his position and serves continuously therein for three months immediately preceding the subsequent leave of absence. Notice of such subsequent leave of absence shall also be given to the Commission.

2. In an exceptional case, the Commission may for good cause shown waive the provisions of this rule to permit an extension of the leave of absence for an additional one-year period. In no cases may such leave of absence exceed in aggregate two years from the date of commencement of the leave.

3. A leave of absence without pay, not to exceed four (4) years, shall be granted by an appointing officer to an employee requesting same who is a veteran of the Armed Forces of the United States, and who is entitled to such leave under provisions of Section 246 of the Military Law. An employee taking such a leave shall be reinstated to his/her position, provided he/she makes application for such reinstatement within sixty (60) days after the termination of his/her 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.

~ RULE XXI ~

Reports of Appointing Officers

Form MSD-426 (Report of Personnel Change)

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

(a) 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.

(b) 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.

(c) Every discharge during or at the end of probationary term with the date thereof.

(d) Every vacancy in a position, for whatever reason with the date thereof.

(e) Every position abolished, with the date of such abolition.

(f) Every change of compensation in position, with the date thereof.

(g) Every promotion, giving positions from which and to which made, with the salaries and date thereof.

(h) Every transfer, giving the positions from which and to which made, with the date and salaries thereof.

(i) Every reinstatement in a position, with the date and salary thereof.

(j) Every leave of absence, with the date and duration thereof.

(k) Every new position, giving a complete description of the duties thereof.

~ RULE XXII ~
Payroll Certification

1. Certification required prior to payment

   (a) No person shall receive salary or compensation until the Commission has certified his or her employment to be in compliance with the provisions of the Civil Service Law and these Rules.
   (b) The Commission shall not certify the name of any person employed in a manner that does not comply with the provisions of the Civil Service Law and these Rules.

2. Extended certification

   (a) The Commission 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 as long as his or her status, title, and salary grade remain unchanged during the period of the certification granted.
   (b) The Commission shall require certification of the full payroll of every civil division under its jurisdiction at least once every fiscal year, and shall require such certifications according to the following schedule:

Civil Division	**Payroll(s) to be Certified:**
County	First Full Payroll in January
Towns	First Full Payroll in January
Villages	First Full Payroll in June w/ exception Weedsport
Village of Weedsport	First Full Payroll in March
School Districts	First Full Payroll in October
Special Districts	
B.O.C.E.S.	First Full Payroll in October
Cayuga Community College	First Full Payroll in October
Seymour Public Library	First Full Payroll in April
Soil & Water Conservation Dist	First Full Payroll in January
Water & Sewer Authority	First Full Payroll in January

   (c) The Commission may, at any time, require any civil division under its jurisdiction to submit payrolls or accounts for certification in accordance with §100(1) of the Civil Service Law.
   (d) Annual certifications provided by the Commission shall be valid for a period of no more than 12 months following the scheduled date of certification established in these Rules. Certifications provided at any other time during the year shall be valid for a period not to exceed the next scheduled certification established in these Rules.

3. Refusal or termination of certification

   (a) The Commission shall investigate any discrepancies between the payroll and the official roster and any other instances where the Commission finds the employment of a person may be in violation of the law and these Rules.
   (b) In any case where the Commission finds satisfactory evidence that the employment of a person is in violation of law and these Rules, or the Commission finds satisfactory evidence of intent to evade the provisions of law or these Rules in regard to the employment of any person, the Commission shall refuse certification of the person and terminate any certification of the person previously made and then in force.
   (c) Any refusal, termination, or revocation of a certification of any person shall be communicated in writing to the appropriate fiscal or disbursing officer.

~ RULE XXIII ~
Classification Plan

1. Definitions: For the purposes of this rule, the following definitions shall apply:

   (a) "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 ranges, and administering other personnel functions.

   (b) "Class Title" means the designation given under these rules to a class and to each position allocated to such class.

   (c) "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.

   (d) "Allocation" means the assignment of a position to an appropriate class as determined by the duties, responsibilities, and minimum qualification requirements of the position.

   (e) "Reclassification" means the re-allocation of a position from one class to another because of a permanent and material change of the duties of that position.

2. The Commission's Duties and Responsibilities for Position Classification

   (a) The Commission shall classify and reclassify all positions in the civil service of all civil divisions under its jurisdiction.

   (b) The Commission shall 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.

   (c) The Commission shall 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 Commission 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 an analysis of the position description, the Commission shall allocate the position to an appropriate class, or, if no appropriate class exists, shall create a new class and prepare a class specification for such position.

(RULE XXIII continues on next page)

RULE XXIII – Classification Plan *(continued)*

4. Classification of New Positions

The appointing officer shall file a prescribed form with the Commission 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 Commission shall allocate the position to an appropriate class, or if no appropriate class exists, shall create a new class and prepare a class specification for such new class.

5. Reclassification

The appointing officer shall file a prescribed form with the Commission whenever a permanent and material change is made in the duties and responsibilities of any position. Such form shall clearly describe in detail the changes which have been made in the duties of the position. After an analysis of the changes in the duties and responsibilities of the position, the Commission shall allocate the position to an appropriate class, or if no appropriate class exists, shall create a new class and prepare a class specification for such position.

6. Notice and Appeals

Any appointing officer may make application for the classification or reclassification of any position in his department, or any employee in the classified service may apply for a 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 Commission 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 thereby. 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 Commission 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 Commission or their 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 discountenanced by the Commission 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 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:

      (i) dismissal from the service, or

      (ii) suspension without pay for a period exceeding one month, or

      (iii) demotion in grade and title.

   (e) (i) Permanent Service shall start on that 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.

      (ii) 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 re-employment; the prior service would not count.

      (iii) 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.

      (iv) 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.

(RULE XXV continues on next page)

RULE XXV – Layoff of Competitive Class Employees *(continued)*

(v) 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 date, 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, provisional and contingent permanent 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 contingent permanent, temporary and provisional employees.

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

(RULE XXV continues on next page)

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, contingent permanent, 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 a 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

Positions in the Exempt Class

~ COUNTY SERVICE ~

Administrative Assistant to the County Administrator

Administrative Assistant to the District Attorney

Assistant County Attorney (4)

Assistant District Attorney (7)

Chief Assistant District Attorney

Confidential Secretary to County Attorney

Confidential Secretary to District Attorney

Confidential Secretary to the Sheriff

County Attorney

Deputy County Clerk (3)

Deputy County Treasurer

Deputy County Treasurer II

Deputy Tax Clerk

Director of Emergency Services

Human Resources Administrator

Secretary to the Chairperson, Board of Legislators

Undersheriff

APPENDIX A

Positions in the Exempt Class

(continued)

~ TOWN SERVICE ~

ALL TOWNS
EITHER Bookkeeper to Town Supervisor
OR
Secretary to Town Supervisor
Cemetery Trustees
Deputy Town Clerk **except for the following Towns:**
- Town of Aurelius
- Town of Brutus
- Town of Cato
- Town of Fleming
- Town of Ira
- Town of Mentz
- Town of Niles
- Town of Owasco
- Town of Scipio
- Town of Sennett
- Town of Springport
- Town of Sterling
- Town of Venice
- Town of Victory

Deputy Town Supervisor
Dog Enumerator
Town Attorney
Town Budget Officer

TOWN OF AURELIUS
Deputy Town Clerk (3)
Deputy Town Highway Superintendent

TOWN OF BRUTUS
Court Clerk
Deputy Town Clerks (3)

TOWN OF CATO
Deputy Town Clerk (2)
Deputy Town Highway Superintendent

TOWN OF FLEMING
Court Clerk
Deputy Town Clerk (3)

TOWN OF GENOA
Court Clerk

TOWN OF IRA
Deputy Town Clerk (3)

TOWN OF LEDYARD
Deputy Town Highway Superintendent

TOWN OF LOCKE
Deputy Town Highway Superintendent

TOWN OF MENTZ
Deputy Town Highway Superintendent
Deputy Town Clerks (2)

TOWN OF MONTEZUMA
Court Clerk

TOWN OF MORAVIA
Deputy Town Highway Superintendent

TOWN OF NILES
Deputy Town Clerk (2)
Deputy Town Highway Superintendent

TOWN OF OWASCO
Court Clerk
Deputy Town Clerks (3)

TOWN OF SCIPIO
Court Clerk
Deputy Town Clerk (3)
Deputy Town Highway Superintendent

TOWN OF SENNETT
Court Clerk
Deputy Town Clerks (2)
Deputy Town Highway Superintendent

TOWN OF SPRINGPORT
Deputy Town Clerk (3)

TOWN OF STERLING
Deputy Town Highway Superintendent
Deputy Town Clerk (3)

TOWN OF SUMMERHILL
Deputy Tax Collector
Deputy Town Highway Superintendent

TOWN OF THROOP
Deputy Town Highway Superintendent

TOWN OF VENICE
Deputy Town Clerk (2)
Deputy Town Highway Superintendent

TOWN OF VICTORY
Court Clerk
Deputy Town Clerk (3)

APPENDIX A

Positions in the Exempt Class

(continued)

~ VILLAGE SERVICE ~

ALL VILLAGES
Deputy Village Clerk
Tax Collector
Village Attorney
Village Treasurer

VILLAGE OF FAIR HAVEN
Deputy Mayor

VILLAGE OF WEEDSPORT
Court Clerk

~ SCHOOL DISTRICT SERVICE ~

ALL SCHOOL DISTRICTS
Clerk of the Board of Cooperative Educational Services
School Attorney
School Auditor
School District Clerk
School District Treasurer
School Tax Collector
Treasurer - Board of Cooperative Educational Services

CATO-MERIDIAN CENTRAL SCHOOL
Secretary to District Superintendent

PORT BYRON CENTRAL SCHOOL
Secretary to District Superintendent

UNION SPRINGS CENTRAL SCHOOL
Secretary to District Superintendent

WEEDSPORT CENTRAL SCHOOL
Secretary to District Superintendent

~ SPECIAL DISTRICTS ~

CAYUGA COUNTY COMMUNITY COLLEGE
Secretary to the President

CAYUGA COUNTY WATER & SEWER AUTHORITY
Director of Operations Water & Sewer Authority

CAYUGA-ONONDAGA BOCES
Secretary to District Superintendent

APPENDIX B

Positions in the Non-Competitive Class

~ ALL CIVIL DIVISIONS ~

Account Clerks*
Account Clerk Typists*
Automotive Mechanics
Automotive Mechanic Forepersons
Automotive Mechanic Helpers
Building Maintenance Helpers
Building Maintenance Mechanics
Building Maintenance Persons
Carpenters
Clerks*
Clerks**
Code Enforcement Officers*
Head Life Guards**
Lifeguards
Motor Equipment Operators
Office Machine Operators*
Recreation Assistants**
Recreation Attendants**
Recreation Directors*
Recreation Leaders**
Recreation Program Supervisors*
Recreation Supervisors**
Senior Account Clerks*
Senior Clerks*
Senior Stenographers*
Senior Typists*
Stenographers*
Telephone Operators*
Typists*
Typists**
Watchpersons
Water Safety Swimming Instructors**
Working Forepersons

* Part-Time
** Seasonal
*** Population Less Than 5,000
\# Policy Influencing/Confidential

SECTION 55-a

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

APPENDIX B

Positions in the Non-Competitive Class

(continued)

~ COUNTY SERVICE ~

Administrator-Indigent Defendants*
Assistant County Historian*
Assistant Director of Weights and Measures A (PT)#
Assistant Head Nurses
Audiologist*
Chief Information Officer (CIO)#
Confidential Investigator PT#
Confidential Investigators (2)#
Cooks (Jail)
Coroner's Investigators*
Coroner's Physicians
Corrections Facility Administrators#
County Fire Coordinator*
County Historian*
Court Attendants*
Dental Assistants*
Dentists*
Deputy Administrator, Indigent Defendants*
Deputy County Fire Coordinators*
Deputy County Fire/EMS Coordinators*
Deputy Director, Veteran's Service Agency
Deputy Director for Health Services#
Deputy Director for Social Services#
Director of Community Services#
Director of Employee Relations*
Director of Planning
Director of Real Property Tax Services
Director, Veteran's Service Agency
Drivers
Emergency Medical Services Instructors*
Emergency Vehicle Operator Instructors*
Employment and Training Director II
Fire Equipment Examiners*
Fire Investigators* ($2,000 annual salary limit)
Grand Jury Stenographers*
Head Nurses*
Heavy Motor Equipment Operators
Home Care Assistants
Homemakers
Jail Physician*
Lactation Peer Counselors*
Licensed Practical Nurses
Maintenance Crew Leaders**
Medical Consultant*
Medical Transcriptionists*
Mental Health Therapy Aides*
Motor Equipment Maintenance Supervisors
Motor Equipment Operators (LIGHT)
Motor Equipment Operators (MEDIUM)
Motor Vehicle Application Examiners*
Motor Vehicle Application Examiners*
Museum Aides*
Museum Aides** (Memorial Day through Labor Day)
Museum Assistant*
Museum Director*
Nursing Assistants
Nursing Home Medical Director*
Occupational Therapists*
Park Maintenance Supervisor
Park Safety Supervisor** (May 31 – Sept. 5)
Park Security Guards*
Park Security Guards**
Physical Therapists*
Principal Account Clerk Typists*
Public Health Director#
Recording Clerks*
Refreshment Stand Supervisor** (May 31 – Sept. 5)
Registered Professional Nurses
Registered Professional Nurses (Jail)
Registered Professional Nurses (SNF)
Research Aides
Sign Maintenance Persons
Sign Maintenance Person II
Social Services Attorneys*
Social Work Assistants (MH)*
Social Work Assistants (SNF)*
Social Workers*
Speech Pathologist*
Staff Physicians*
Stock Clerks*
Stop DWI Coordinator*#
Supervising Nurses*
Supervising Lifeguards** (May 31 – Sept. 5)
Supervising Park Security Guard**
Tax Map Technicians*
Transportation Aides
Welder
Youth Bureau Director

* Part-Time
** Seasonal
*** Population Less Than 5,000
\# Policy Influencing/Confidential

APPENDIX B

Positions in the Non-Competitive Class

(continued)

~ TOWN SERVICE ~

ALL TOWNS
Assistant Water Superintendent***
Building Inspectors III*
Bus Drivers
Constables*
Data Collectors*(***)
Deputy Registrars of Vital Statistics*
Dog Control Officers*
Fire Inspectors*
Groundskeepers
Police Officers*
Registrars of Vital Statistics*
School Crossing Guards*
Sewer Inspector***
Town Health Officers*
Town Historians*
Water Maintenance Persons*
Water Meter Readers*
Water and Sewer Maintenance Mechanics***
Water Superintendent***
Zoning Inspectors*

TOWN OF AURELIUS
Assessor***
Court Attendant*
Zoning Enforcement Officers*(***)

TOWN OF BRUTUS
Assessor***
Deputy Town Highway Superintendent#
Town Highway Superintendent
Water Maintenance Workers***

TOWN OF CATO
Assessor

TOWN OF CONQUEST
Assessor***
Building Inspector & Code Enforcement Officers*(***)
Zoning Enforcement Officers*(***)
Zoning Enforcement Officer Trainees*(***)

TOWN OF FLEMING
Assessor***
Building Inspector & Code Enforcement Officers*(***)
Superintendent of Public Works***

TOWN OF GENOA
Assessor***
Court Security Officer PT (***)
Deputy Town Highway Superintendent*(***)
Town Highway Superintendent
Water Maintenance Worker Trainees***
Water Maintenance Workers***

TOWN OF IRA
Assessor***

TOWN OF LEDYARD
Assessor
Building Inspector & Code Enforcement Officers*(***)
Recycling Facility Supervisors*(***)

TOWN OF LOCKE
Assessor***
Records Management Assistants*(***)
Water Maintenance Worker Trainees***
Water Maintenance Workers***

TOWN OF MENTZ
Assessor***
Building Inspector & Code Enforcement Officers*(***)
Superintendent of Cemetery*
Zoning Enforcement Officers*(***)
Zoning Enforcement Officer Trainees*(***)

TOWN OF MONTEZUMA
Assessor***
Building Inspector & Code Enforcement Officers*(***)
Motor Equipment Operator/Water Maintenance Person***
Records Management Assistants*(***)

TOWN OF MORAVIA
Assessor***

TOWN OF NILES
Assessor
Safety Officers*(***)

TOWN OF OWASCO
Assessor
Public Works Utility Workers II***
Public Works Utility Workers I***
Recycling Facility Supervisors*(***)
Superintendent of Public Works(***)

TOWN OF SCIPIO
Assessor***

* Part-Time
** Seasonal
*** Population Less Than 5,000
\# Policy Influencing/Confidential

APPENDIX B

Positions in the Non-Competitive Class

(continued)

~ TOWN SERVICE (continued) ~

TOWN OF SEMPRONIUS
Assessor***

TOWN OF SPRINGPORT
Assessor
Public Works Utility Workers I***
Records Management Assistants*(***)
Superintendent of Public Works***

TOWN OF STERLING
Assessor
Superintendent of Public Works***

TOWN OF SUMMERHILL
Assessor
Emergency Management Coordinator*(***)
Records Management Assistants*(***)

TOWN OF THROOP
Assessor
Building Inspector & Code Enforcement Officers*(***)
Recreation Leaders*(***)

TOWN OF VENICE
Assessor***

TOWN OF VICTORY
Assessor***
Junkyard Inspectors*(***)

* Part-Time
** Seasonal
*** Population Less Than 5,000
\# Policy Influencing/Confidential

APPENDIX B

Positions in the Non-Competitive Class

(continued)

~ VILLAGE SERVICE ~

ALL VILLAGES

Assistant Water Superintendent***
Building Inspectors III*
Building Inspector & Code Enforcement Officers*(***)
Bus Drivers
Deputy Registrars of Vital Statistics*
Dog Control Officers*
Groundskeepers
Municipal Bingo Inspectors*
Police Officers*
Registrars of Vital Statistics*
School Crossing Guards*
Sewer Inspector***
Superintendent of Public Works***
Superintendent of Public Works Trainee***
Village Health Officers*
Village Historians*
Village Maintenance Persons
Wastewater Treatment Plant Maintenance Mechanics***
Wastewater Treatment Plant Operator Trainees***
Wastewater Treatment Plant Operators***
Water and Sewer Maintenance Mechanics***
Water Maintenance Persons*
Water Meter Readers*
Water Treatment Plant Operator Trainees***
Water Treatment Plant Operators***
Zoning Inspectors*

VILLAGE OF CAYUGA

Assistant Superintendent of Public Works***
Water & Wastewater Treatment Plant Operators***

VILLAGE OF MERIDIAN

Recreation Leaders *(***)

VILLAGE OF MORAVIA

Public Works Utility Workers II***
Public Works Utility Workers I***

VILLAGE OF WEEDSPORT

Assistant Superintendent of Public Works***
Police Sergeants*
Water & Wastewater Treatment Plant Operator Trainee***
Water & Wastewater Treatment Plant Operators***

* Part-Time
** Seasonal
*** Population Less Than 5,000
\# Policy Influencing/Confidential

APPENDIX B

Positions in the Non-Competitive Class

(continued)

~ SCHOOL DISTRICT SERVICE ~

ALL SCHOOL DISTRICTS

Assistant Cooks
Audio-Visual Aides*
Census Takers*
Cook-Managers
Cooks
Custodial Workers
Custodians*
Data Processing Coordinators*
Day Care Workers
Groundskeepers
Groundskeepers/Building Maintenance Persons
Groundskeeper/School Bus Drivers
Head Building Maintenance Persons
Head Bus Drivers
Head Life Guards*
Health Aides
Library Aides
Licensed Practical Nurses (School)
Messengers
Motor Vehicle Operators
Printing Machine Operators*
Registered Professional Nurses (School)
School Bus Driver Trainees
School Bus Drivers
School Bus Drivers-Food Service Helpers
School Bus Drivers/Teacher Aides
School Lunch Cashiers*
School Physicians*
Senior Automotive Mechanics
Senior School Bus Drivers
Special Education (Deaf) Student Interpreters
Student Aides
Student Workers
Supervisors of Attendance*
Teacher Aides
Teacher Aides/School Monitors

CATO MERIDIAN CENTRAL SCHOOL

Library Aides/Teacher Aides
Recreation Leaders*
Recreation Supervisors*
Water Safety Swimming Instructors*

MORAVIA CENTRAL SCHOOL

Library Aides-School Monitors
School Bus Drivers-Food Service Helpers

PORT BYRON CENTRAL SCHOOL

Recreation Assistants*
Recreation Leaders*

SOUTHERN CAYUGA CENTRAL SCHOOL

Building Maintenance Mechanic/School Bus Driver
Recreation Attendants*
Recreation Leaders*

* Part-Time
** Seasonal
*** Population Less Than 5,000
\# Policy Influencing/Confidential

APPENDIX B

Positions in the Non-Competitive Class

(continued)

~ SPECIAL DISTRICTS~

CAYUGA COUNTY COMMUNITY COLLEGE

Audio-Visual Aides*
College Health Services Nurses*
College Nursing Laboratory Technicians*
Computer Operators*
Data Entry Machine Operators*
Data Processing Control Clerks*
Editorial Aides*
Library Clerks*
Library Typists*
Office Machine Operators
Student Workers

CAYUGA-ONONDAGA BOCES

Director of Personnel Relations#
Labor Relations Specialist (2) #
Student Aides
Student Workers

WATER AND SEWER AUTHORITY

Water and Sewer Maintenance Mechanics*

* Part-Time
** Seasonal
*** Population Less Than 5,000
\# Policy Influencing/Confidential

APPENDIX C

Positions in the Labor Class

~ ALL CIVIL DIVISIONS ~

Cleaners
Laborers
Landfill Attendants
Recreation Aides

~ COUNTY SERVICE ~

Aging Services Aides
Cleaner Aides
Food Service Helpers
Home Health Aides
Health Service Aides
Leisure Time Activities Aides
Nursing Assistant Helpers
Occupational Therapy Aides
Physical Therapy Aides

~ TOWN SERVICE ~

ALL TOWNS
Recycling Attendants

~ VILLAGE SERVICE ~

ALL VILLAGES
Recycling Attendants

~ SCHOOL DISTRICT SERVICE ~

ALL SCHOOLS
Food Service Helpers
Food Service Helper/School Monitors
School Bus Attendants
School Monitors

MORAVIA SCHOOL
School Bus Attendants – Food Service Helpers

~ SPECIAL DISTRICTS ~

SEYMOUR PUBLIC LIBRARY DISTRICT
Library Pages

APPENDIX D
Unclassified Service

~ ALL CIVIL DIVISIONS ~

All Elected Officials
Members of All Boards and Commissions

~ COUNTY SERVICE ~

911 Administrator
Board of Elections (All Members, Officers, and Employees of Board of Elections)
Clerk to Legislative Board
County Administrator
County Auditor
County Highway Superintendent
Deputy Clerk to Legislative Board
Nursing Home Administrator
Superintendent of Buildings & Grounds

~ TOWN SERVICE ~

ALL TOWNS
Tax Collector
Town Clerk
Voting Machine Custodians

~ VILLAGE SERVICE ~

ALL VILLAGES
Board of Assessors
Village Clerk
Voting Machine Custodians

~ SCHOOL DISTRICT SERVICE ~

Positions certified by the Commissioner of Education of the State of New York in accordance with paragraph (g) of Section 35 of the Civil Service Law, as amended by Chapter 827 of the Laws of 1961.

~ SPECIAL DISTRICTS ~

CAYUGA COUNTY COMMUNITY COLLEGE

All positions in the Community College as certified by the Board of Trustees and approved by the Chancellor of the State University in accordance with provisions of Section 35(i) of the Civil Service Law.