



ORLEANS COUNTY CIVIL SERVICE RULES

Katie Harvey, Director of Personnel and Self Insurance
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TABLE OF CONTENTS

	<u>Page</u>
Purpose and effect of the Rules.....	2
RULES FOR THE CLASSIFIED CIVIL SERVICE	
RULE I Definitions.....	3
II Organization and Powers of the Personnel Officer.....	4
III Exempt Class.....	4
IV Non-Competitive Class.....	4
V Labor Class.....	4
VI Unclassified Service.....	5
VII Recruitment of Personnel.....	5
VIII Applications.....	6
IX Disqualification.....	6
X Examinations.....	7
XI Eligible Lists.....	9
XII Certification.....	10
XIII Promotions.....	12
XIV Probationary Term.....	12
XV Trainee Appointments.....	16
XVI Effect of Non-Permanent Service on Status of Employees.....	16
XVII Transfers.....	19
XVIII Reinstatement.....	19
XIX Leave of Absence.....	21
XX Resignation.....	22
XXI Reports of Appointing Officers.....	23
XXII Certification of Payrolls.....	24
XXIII Classification Plan.....	25
XXIV Prohibition Against Questions Eliciting Information Concerning Political Affiliation.....	27
XXV Layoff of Competitive Class Employees.....	27
Appendix A Exempt Positions	33
Appendix B Non-competitive Positions	35
Appendix C Labor Positions	41
Appendix D Unclassified Service	42

**RULES FOR THE CLASSIFIED CIVIL SERVICE
OF ORLEANS 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 Orleans 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 Orleans County as well as the towns, villages and special districts therein. The Personnel Officer may amend these rules 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 Officer”** means the Personnel Officer of Orleans County.
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 Personnel Officer’s office as 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 employment’s in a civil division in which an individual works fifty percent or less of the time prescribed as the standard work week by the governing body or other appropriate authority of the civil division or where 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 the same or 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. **“Municipality”** means county, town, city, village or special district.

RULE II

ORGANIZATION OF THE PERSONNEL OFFICER

1. The Personnel Officer may appoint subordinates and employees, within available appropriations, as he/she may deem necessary or proper to carry out the purposes of these Rules and the Law. He/she shall fix the duties of these employees.
2. The Personnel Officer shall keep true and accurate records of his/her actions, 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 thereof.

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 Officer. 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 thereof.

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 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 thereof.

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 Municipal Positions

An applicant must be at the time of examination and for at least one month prior thereto a resident of the municipality in which appointment is to be made or any reasonable combination of 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 the time of examination and for at least one month prior thereto, 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 final date for filing applications, the subjects or scope of the examination and the relative weights thereof, and 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 examinations 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. Receipts and Disposition of Applications

A. Applications of candidates for positions in the classified service must be addressed to the Personnel Officer at the Office of Personnel and be made on the form prescribed by the Personnel Officer.

B. The Personnel Officer shall notify applicants for all competitive examinations and specific positions to be filled in other classifications of the disposition of their applications. Applicants for competitive examination shall be given notice of their approval or disapproval at least seven days before the examination.

2. Release of Application Information

A candidate's application for appointment or examination may be exhibited, upon request, to the appointing officer to whom his/her name is certified, or to the appointing officer's 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. A candidate's medical history, medical condition, criminal convictions or any reference to age shall not be divulged to a prospective appointing officer or authorized representative. An appointing authority or authorized representative may request from a candidate an updated application indicating recent educational/work experience.

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

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 his/her qualifications or who otherwise hampers, impedes or fails to cooperate with the Personnel Officer 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, including repeated traffic offenses or disregard of summonses for traffic offenses, may be grounds for disqualification for examination or, after examination, for certification and appointment.

RULE X

EXAMINATIONS

1. **Examinations Prepared and Rated by the New York State Civil Service Department**

a. 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.

2. **Examinations Prepared and/or Rated by the Municipal Civil Service Commission**

a. 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.

b. 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.

c. For examinations prepared and rated by the Personnel Officer 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.

d. 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.

e. Any candidate receiving such notice may inspect his examination papers in the Office of the Personnel Officer and in the presence of a designated representative of the Personnel Officer, 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. The application of an eligible that is being considered for appointment may be shown to the appointing officer.

f. A candidate who wishes to appeal to the Personnel Officer 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 effect the candidate's relative position on the eligible list.

3. **Examinations Generally**

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

b. 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.

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

4. **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 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 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 the 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 Personnel Officer 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. Passing Grade and Ranking

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/she was examined and his/her name shall be entered on the eligible list in the order of his/her 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. Eligible List Establishment

The date of the establishment of a list shall be the date fixed therefore by Personnel Officer resolution, and shall be entered on such list. The duration of all eligible lists shall be fixed by Personnel Officer 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 Personnel Officer 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. Public Inspection of Eligible Lists

Eligible lists shall be open to the public inspection at the office of the Personnel Officer. The names of persons who failed to receive a passing grade on the examination shall not be disclosed to the public.

4. **Eligible List Error Correction**

The Personnel Officer shall have power in his/her discretion to correct any error and amend any eligible list where it appears that an error has been made. Any change in an eligible list pursuant to this Rule shall not affect the status of any person previously appointed from such eligible list.

5. **Eligible List Revocation**

The Personnel Officer shall have the power to revoke any eligible list where the provision 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 on the list. The reasons for such action shall be recorded in the records of the Personnel Officer and reported to the State Civil Service Commission within 30 days.

RULE XII

CERTIFICATION

1. **Appropriate Eligible List Determination/Certification**

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. **Duration of Certification**

A certification issued by the Personnel Officer to an appointing officer shall be valid for a period of 30 days from the date of its issuance. After the expiration of such 30-day period, no appointment shall be made except from a new certification. The Personnel Officer, for good cause, may extend a certification up to a maximum of sixty days upon request of an appointing authority.

3. **Failure to Respond to a Canvass Inquiry**

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.

4. **Certification Declination**

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 Personnel Officer shall enter upon the eligible list the reasons for its action in such cases.

5. **Rule of Three**

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 lists as provided in rule eleven.

6. **Nomination to Fill Vacancy After Open-Competitive Examination**

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 Personnel Officer one of the applicants who may be certified for appointment to fill the vacancy without further examination, provided that he/she has already qualified in an examination of equivalent character within the last four years from the date of nomination.

7. **Declination of Salary**

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 persons so declining.

8. **Restriction on Certification for Reclassified Position**

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 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.

RULE XIII

PROMOTIONS

1. Eligibility for Promotion

In order to be eligible to participate in a promotion examination or to be promoted a candidate must have been employed in a competitive or non-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 and other qualifications for eligibility to enter a promotion examination.

2. Successive Nominations for Non-Competitive Promotion

Any candidate who is nominated for non-competitive examination for promotion to a position and who fails to appear for such examination or who fails to pass two successive examinations for such promotion shall not be eligible for another provisional appointment to a position in that title or for any title for which the eligible was deemed appropriate, except by appointment or promotion from an eligible list following competitive examination.

3. Promotion from the Non-Competitive Class

Promotion examination 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.

b. The probationary term for Trainee positions, in which an appointee is required to serve a specified training term, shall be not less than twelve nor more than fifty-two weeks. The Probationary term for a Water Treatment Plant Operator Trainee requiring a

Type IIA Water Treatment Plant Operator certificate issued by the New York State Department of Health shall be no greater than seventy-eight (78) weeks.

c. Every permanent appointment from a promotion eligible list shall be for a probationary period of eight to twenty-six weeks. The probationer will have the right to return to their previous position during the probationary term in accordance with Rule XIV (3).

d. Every permanent appointment to a position of Deputy Sheriff, Police Officer or Firefighter shall be a probationary period of not less than eight (8) weeks nor more than seventy-eight (78) weeks.

e. 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 Personnel Officer.

f. 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 of eight weeks, and on or before completion of the maximum period of fifty two weeks 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.

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 Personnel Officer 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. **Waivers**

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

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/her 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.

4. **Absence During Probationary Term**

Any periods of authorized or unauthorized absence aggregating up to ten workdays 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 workdays 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 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.

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 Personnel Officer in his discretion determines that the probationer should be given a second opportunity for appointment.

7. Temporary or Provisional or Contingent Permanent Service in Higher Level Position

When an employee who has not completed his/her probationary term is appointed on a temporary or provisional or contingent permanent basis to a higher level position, the period of service rendered by such employee in such higher-level position may be considered as satisfactory probationary service in his/her lower position and may be counted as such by the appointing authority in determining the satisfactory completion of the 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/her 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/her request shall be returned to his/her lower position for sufficient time to permit him/her to complete his/her probationary term. The employment of such a probationer in his/her lower position shall not be terminated at the end of his/her probationary term on account of unsatisfactory service unless he/she 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 therefor, he should 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 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

TRAINEE APPOINTMENTS

1. The Personnel Officer may require that permanent appointment 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 Personnel Officer shall prescribe the period of such term of training service. 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 as a Trainee shall be subject to such probationary period as is prescribed in these Rules. The employment of such person may be discontinued if his/her conduct, capacity or fitness is not satisfactory at any time between the minimum and maximum period of probationary term for traineeship. If the Trainee fails or refuses to pursue or continue satisfactorily such training or academic courses as may be required, his/her employment may be terminated at any time during the traineeship.

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 Employee

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 vacated 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.

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 Personnel Officer.

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 Personnel Officer 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 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 or promotion eligible 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 these rules.

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, displacements 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 and does not have a permanent position to return to, 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:**

a. 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”.

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 re-canvassing 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 positions.

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 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 not a 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' scope 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 Personnel Officer 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 Personnel Officer 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 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 conditions:

- i. 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.
- 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.

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/her 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/her 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/her eligibility for reinstatement therefrom by reason of his/her failure or refusal to accept 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 the same or a lower salary grade than the position to which he/she failed or refused 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/her restoration to eligibility for certification therefrom 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. Leave of Absence Without Pay

A leave of absence without pay may be granted by the appointing authority in conformance with the regulations or policies established by the appropriate legislative body or appointing authority, provided however, that a permanent competitive class employee may not encumber a permanent position by a leave without pay while holding a permanent appointment to another position in the civil service of the same municipality.

2. Leave for Supervisory Police Personnel

Notwithstanding any other provisions of these rules, the promotion of a Police Officer to a higher rank for which that Officer has met all the requirements of eligibility for permanent promotion, except the training required under Section 209-q of the General Municipal Law, the Officer shall be deemed to be on a leave of absence from the lower rank position from which the Officer was promoted pending the completion of such training. During such period the lower rank position may not be filled except on a temporary basis. In the event the Officer fails to successfully complete the required training within the time allowed therefor, the Officer shall be restored to such lower rank position.

3. Veterans' Educational Leave

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 her/her position, provided he/she makes application for such reinstatement within sixty days after the termination of his/her courses of study.

RULE XX
RESIGNATION

1. **Resignation in Writing**

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

2. **Effective Date of Resignation**

If no effective date is specified in a resignation, it shall take effect upon delivery to or filing with the appointing official. 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.

3. **Pending Disciplinary Charges**

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/her termination shall be recorded as a dismissal rather than as a resignation.

4. **Withdrawal or Amendment of Resignation**

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

5. **Voluntary Demotion of Permanent Competitive Employee**

An employee, who voluntarily elects to relinquish his/her permanent 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/she 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 Officer 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 Personnel Officer 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 a position, with the date thereof.
- g. Every promotion, giving positions from which and to which made, with the salaries and date thereof.
- h. Every proposed 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

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, as long as his/her title and salary grade remain unchanged during such stated period, except that such employment shall be certified at least once in each fiscal year, and if required by the Personnel Officer, as often as necessary throughout the 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 Certifications

When the name of any person is first submitted for certification following his/her appointment, reinstatement, promotion, transfer, or other change in status, and the Personnel Officer requires further information or time to enable it to make a final determination thereon, the Personnel Officer may certify such person temporarily pending such final determination. In such event the Personnel Officer shall immediately request the necessary additional information from the appointing authority, who shall furnish forthwith. If such information is not furnished promptly, or if the Personnel Officer finds following receipt of such information, that the employment of such person is not in accordance with the law and rules, the Personnel Officer 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 these rules in assigning any employee to perform duties other than those for which he/she was examined and certified or under any title not appropriate to the duties to be performed, the Personnel Officer 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 definitions 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 ranges, 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.

“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 knowledges, skills and abilities required for successful performance of the work and status required minimum experience and training for positions in the class.

“Allocation” means the assignment of a position to an appropriate class as determined by the duties, responsibilities and minimum qualification requirements of the position.

“Reclassification” means the reallocation of a position from one class to another because of a permanent and material change of the duties of that position.

2. The Personnel Officer shall prepare and maintain a list of class titles and class specifications for all positions in the classified service of the civil division and shall allocate all such positions to an appropriate class.

3. **Classification of Vacant Position**

The appointing officer shall file a prescribed form with the Personnel Officer 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 Personnel Officer 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.

4. Classification of New Position

The appointing officer shall file a prescribed form with the Personnel Officer 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 Officer 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 Personnel Officer 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 Personnel Officer 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/her department, or any employee in the classified service may apply for a reclassification of his/her 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 Officer 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 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 provision 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 Officer 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 Personnel Officer 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.

(d) **Satisfactory service** shall mean service by an employee during which he/she 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 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.

(ii) A resignation followed by a reinstatement or re-appointment 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/her original permanent appointment in the classified service in the other civil division.

(v) If an employee was covered-in to a classified position upon acquisition by a civil division of an agency in which he/she was employed, his/her 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 backdate his/her permanent service if he/she also happens to be either a veteran or disabled veteran.

(d) A person is considered blind if he/she is so certified by the Commission for the Visually Handicapped of the New York State Office of Children and Family Services.

(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, 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/her 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.

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/herself 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/she 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/she 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/she is retreating need not have been in the same layoff unit as the one from which he/she is displaced.

(d) An employee may also displace by retreat to a position in a title he/she last served on a permanent basis although he/she had intervening service in other titles as long as his/her service in each of the intervening titles was on other than a permanent basis. He/she may also displace by retreat to a position, which does not count in the computation of his/her 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. **Preferred list standing** for competitive class employees on and after October 1, 1972 shall be as follows:

(a) On and after October 1, 1972 those employees whose positions were abolished prior to that date and who therefore had their standing on the preferred list determined by the date of their original appointment on a permanent basis in the competitive class shall retain among themselves such preferred list standing including the preferences to which they were entitled as blind, disabled veterans, and non-disabled veterans.

(b) Blind employees whose positions are abolished on or after October 1, 1972 shall have their preferred list standing determined by the date of their original appointment on a permanent basis in the classified service, whether or not they are also disabled veterans or non-disabled veterans; provided however, that the blind shall be granted absolute preference on the preferred list over all other employees except those

disabled veterans and blind employees whose positions were abolished prior to October 1, 1972 with whose names theirs shall be inter-filed.

(c) Disabled veterans whose positions are abolished on or after October 1, 1972, shall have their preferred list standing determined by the date of their original appointment on a permanent basis in the classified service; provided however, that the date of such original appointment shall be deemed to be 60 months earlier than the actual date determined in accordance with Section 30 of the General Construction Law.

(d) Non-disabled veterans whose positions are abolished on or after October 1, 1972 shall have their preferred list standing determined by the date of their original appointment on a permanent basis in the classified service; provided however, that the date of such original appointment shall be deemed to be 30 months earlier than the actual date, determined in accordance with Section 30 of the General Construction Law.

(e) Non-veterans whose positions are abolished on or after October 1, 1972 shall have their preferred list standing determined by the date of their original appointment on a permanent basis in the classified service.

(f) The names of all persons encompassed by paragraph (c), (d) and (e) above whose positions are abolished on or after October 1, 1972 shall be inter-filed on the preferred list with the names of all non-veterans whose positions were abolished prior to October 1, 1972.

7. 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 effected by such suspension, demotion, or displacement as to their willingness to accept reassignment or displacement.

APPENDIX A

Exempt Positions

APPENDIX B

Non-Competitive Positions

APPENDIX C

Labor Positions

APPENDIX D

Unclassified Service

ORLEANS COUNTY
APPENDIX A - EXEMPT CLASS

COUNTY SERVICE

Assistant County Attorneys (3) – approved St. CSC 09/11/06
Assistant District Attorney (3) – approved St. CSC 02/28/02
County Attorney
Confidential Secretary to the Sheriff – approved St. CSC 02/28/02
Deputy County Clerks (2) – approved St. CSC 09/11/06
Deputy County Highway Superintendent – approved St. CSC 3/27/95
Deputy County Treasurer
Director of Emergency Management – approved St. CSC 02/28/02
Director of Personnel & Self-Insurance – approved St. CSC 5/11/93
Secretary to the Chief Administrative Officer – approved St. CSC 02/28/02
Secretary to the County Highway Superintendent – approved St. CSC 09/12/05
Secretary to the District Attorney
Secretary to the Public Defender – approved St. CSC 3/27/00
Supervising Investigator of the Major Felony Crime Task Force – approved St. CSC 2/05/2007
Undersheriff – approved St. CSC 5/11/93

ORLEANS COUNTY
APPENDIX A – EXEMPT CLASS

SOIL AND WATER

Secretary/Treasurer to Soil & Water Conservation Board – approved St. CSC 3/27/00

09/11/06

ORLEANS COUNTY

APPENDIX A - EXEMPT CLASS

TOWN SERVICES - In All Towns Where Found:

Bookkeeper to the Supervisor
Budget Officer
Clerk to Town Justice – approved St. CSC 05/11/93
Deputy Town Clerk
Dog Enumerators
Secretary to Planning Board – approved St. CSC 7/25/78
Town Attorney

ORLEANS COUNTY

APPENDIX A - EXEMPT CLASS

VILLAGE SERVICE - In All Villages Where Found:

Clerk to Village Justice – approved St. CSC 05/11/93
Deputy Clerk-Treasurer
Deputy Village Clerk – approved St. CSC 7/15/80
Deputy Village Treasurer – approved St. CSC 7/15/80
Acting Police Justice
Village Attorney

ORLEANS COUNTY

APPENDIX A - EXEMPT CLASS

VILLAGE OF MEDINA:

Call Firemen
Village Coordinator – approved St. CSC 4/21/75

ORLEANS COUNTY

APPENDIX A - EXEMPT CLASS

SCHOOL DISTRICT SERVICE - In All School Districts Where Found (including BOCES)

Census Taker
Clerk of the Board of Cooperative Services
School Attorney
School District Clerk
School District Tax Collector
School District Treasurer
Secretary to the Superintendent – approved St. CSC 3/27/00
Treasurer of the Board of Cooperative Services

3/27/00

ORLEANS COUNTY

APPENDIX B - NON-COMPETITIVE CLASS

In All Civil Divisions and Agencies Where Found:

Account Clerks*

Account Clerk Typists*

Automotive Mechanics

Bakers

Building Maintenance Workers – approved St. CSC 09/11/06

Clerks*

Cooks

Custodians* -- approved St. CSC 3/26/74

Electricians – approved St. CSC 7/25/78

Electrician Helpers – approved St. CSC 7/15/80

Head Automotive Mechanics – approved St. CSC 7/15/80

Head Cook

Keyboard Specialists* - approved St. CSC 09/11/06

Motor Equipment Operators

Motor Vehicle Operators – approved St. CSC 7/25/78

Municipal Bingo Inspectors*

Recreation Assistants**

Recreation Directors*

Registrar of Vital Statistics*

School Bus Drivers – approved St. CSC 7/15/80

School Crossing Guards*

Stenographers*

Working Supervisors – approved St. CSC 3/27/00

*Part-time

**Seasonal

09/11/06

ORLEANS COUNTY

APPENDIX B - NON-COMPETITIVE CLASS

COUNTY SERVICE

Assistant Public Defenders (3) ++ – approved St. CSC 7/15/80
CPI approved St. CSC 6/30/88
approved St. CSC 09/11/06

Automobile Mechanic Helpers – approved St. CSC 5/29/97

Automotive Mechanic–Lead Persons – approved St. CSC 09/12/05

Certified Nursing Assistants – approved St. CSC 5/29/97

Chauffeurs – approved St. CSC 5/11/93

Chief Deputy Sheriff++ – approved St. CSC 4/22/02

Client Services Aide* – approved St. CSC 7/15/80

Code Enforcement Officer II* – approved St. CSC 3/27/95

Commissioner of Social Services++ – CPI approved St. CSC 6/30/88

Coroner’s Physician – approved St. CSC 6/16/2015

County Historian*

Court Attendants * – approved St. CSC 09/12/05

Deputy Budget Officer * – approved St. CSC 7/15/80

Deputy Commissioner of Social Services++ – approved St. CSC 09/12/05

Deputy Fire Coordinators – approved St. CSC 5/11/93

Deputy Sheriff’s** – approved St. CSC 3/27/95

Director of Computer Services++ – approved St. CSC 09/11/06

Director of Mental Health Services++ – approved St. CSC 5/11/93

Director of Real Property Tax Service I++ – CPI approved St. CSC 6/30/88

Director of Planning and Development++ – approved St. CSC 12/9/81
CPI approved St. CSC 6/30/88

Director of Veterans Service Agency++ – CPI approved St. CSC 6/30/88

Employment & Training Director III++ – approved St. CSC 5/11/93

Examination Monitors*

Fire Investigators* – approved St. CSC 5/11/93

Head Cleaner – approved St. CSC 5/11/93

Highway Maintenance Workers – approved St. CSC 5/11/93

Housekeeper Aides – approved St. CSC 09/11/06

*Part-time

**Seasonal

++Confidential or Policy Influencing

07/17/2015

ORLEANS COUNTY

APPENDIX B - NON-COMPETITIVE CLASS

COUNTY SERVICE continued

Jail Superintendent++ – CPI approved St. CSC 03/31/98
Investigator Major Felony Crime Task Force (5) ++ – CPI approved St. CSC 6/16/2015
Leisure Time Activities Aides – approved St. CSC 5/11/93
Licensed Practical Nurses
Licensed Practical Nurse (Public Health) – approved St. CSC 3/27/95
Licensed Practical Nurse – Charge – approved St. CSC 5/11/93
Medical Consultant* – approved St. CSC 4/21/75
Medical Director – approved St. CSC 5/12/15
Messenger – approved St. CSC 5/11/93
Motor Equipment Operators – Lead Persons – approved St. CSC 5/11/93
Occupational Therapists* – approved St. CSC 3/26/74
Outreach Workers – approved St. CSC 9/30/75
Parent Aides – approved St. CSC 5/11/93
Patient Care Aide (5)
Personal Care Aide (5) – approved St. CSC 9/15/2015
Public Defender++ - CPI approved St. CSC 6/30/88
Public Health Director++ – CPI approved St. CSC 3/08/2016
Radio System Manager* – approved St. CSC 5/29/97
Receptionists* – approved St. CSC 4/21/75
Registered Professional Nurses
Registered Professional Nurses – Charge – approved St. CSC 5/11/93
Risk Management Coordinator *++ - approved St. CSC 3/27/00
Secretary to the Assistant DA* – approved St. CSC 7/15/80
Senior Laundry Workers – approved St. CSC 7/15/80
Work Experience Crew Leaders – approved St. CSC 3/27/95
Youth Bureau Director – approved St. CSC 09/12/05

ORLEANS COUNTY

APPENDIX B - NON-COMPETITIVE CLASS

TOWN SERVICE - In All Towns Where Found

Assessor++ (Appointed) – approved St. CSC 12/9/81
CPI approved St. CSC 6/30/88

*Part-time

**Seasonal

++Confidential or Policy Influencing

3/29/2016

ORLEANS COUNTY

APPENDIX B - NON-COMPETITIVE CLASS

TOWN SERVICE – In All Towns Where Found continued

Assistant Assessor* – approved St. CSC 12/9/81

Building Inspector* – approved St. CSC 3/26/74

Code Enforcement Officer* – approved St. CSC 5/11/93

Constables* – approved St. CSC 7/15/80

Court Attendants* – approved St. CSC 09/11/06

Court Stenographer* – approved St. CSC 7/15/80

Fire Inspector* – approved St. CSC 5/11/93

Meter Reader*+ – approved St. CSC 5/11/93

Superintendent of Water* – approved St. CSC 4/21/75

Town Historian*

Zoning Board Clerk* – approved St. CSC 12/9/81

Zoning Officers* – approved St. CSC 09/11/06

ORLEANS COUNTY

APPENDIX B - NON-COMPETITIVE CLASS

TOWN SERVICE - In All Towns Under 5,000 Population Where Found:

Animal Control Officers* – approved St. CSC 5/29/97

ORLEANS COUNTY

APPENDIX B - NON-COMPETITIVE CLASS

VILLAGE SERVICE – In All Villages Where Found:

Building Inspectors* – approved St. CSC 4/21/75

Code Enforcement Officer* – approved St. CSC 5/11/93

Court Attendants* – approved St. CSC 09/11/06

Police Officers* – approved St. CSC 7/25/78

School Crossing Guards* – approved St. CSC 3/26/74

Village Assessors*++ – approved St. CSC 4/21/75
approved St. CSC 6/30/88

Village Historian*+ – approved St. CSC 5/11/93

*Part-time

**Seasonal

ORLEANS COUNTY

APPENDIX B - NON-COMPETITIVE CLASS

VILLAGE SERVICE – In All Villages Under 5,000 Population Where Found:

Animal Control Officers* – approved St. CSC 5/29/97

ORLEANS COUNTY

APPENDIX B - NON-COMPETITIVE CLASS

VILLAGE OF ALBION

Cemetery Supervisors – approved St. CSC 3/27/00

Fire Dispatchers*

Fire Inspector*

Meter Readers*

Parking Meter Attendants*

Parking Meter Maintenance Workers – approved St. CSC 7/25/78

Sewage Treatment Plant Maintenance Mechanic – approved St. CSC 5/11/93

Water Maintenance Workers – approved St. CSC 7/25/78

Water Meter Service Workers – approved St. CSC 7/25/78

Water Treatment Plant Maintenance Mechanic – approved St. CSC 3/27/95

VILLAGE OF HOLLEY

Electric and Water Maintenance Workers – approved St. CSC 7/25/78

Electric and Water Superintendent+ – approved St. CSC 5/11/93

Fire Inspector*+ -- approved St. CSC 5/11/93

Superintendent of Streets and Sewer Lines+ – approved St. CSC 5/11/93

VILLAGE OF LYNDONVILLE

Assistant Superintendent of Public Works+ – approved St. CSC 5/11/93

Public Works Maintenance Workers – approved St. CSC 7/25/78

Superintendent of Public Works

VILLAGE OF MEDINA

Cemetery Supervisors – approved St. CSC 3/27/00

Dog Warden*

Meter Reader

Police Matron*

Water Maintenance Workers – approved St. CSC 7/25/78

*Part-time
**Seasonal
+Section 42.2

10/05/2015

ORLEANS COUNTY

APPENDIX B - NON-COMPETITIVE CLASS

SCHOOL SERVICE - In All School Districts Where Found

Automotive Mechanic - Bus Driver
Automotive Mechanic Helpers – approved St. CSC 3/26/74
Director of Labor Relations (BOCES) ++ – approved St. CSC 3/27/95
Head Bus Driver
Head Bus Driver – Mechanic
Health Assistant – approved St. CSC 4/18/2017
Hearing Impaired Student Interpreter – approved St. CSC 09/12/05
Maintenance Helpers – approved St. CSC 3/26/74
Mechanic Helpers
Messenger – approved St. CSC 3/27/95
Photocopy Machine Operator – approved St. CSC 02/28/02
Printing Machine Operator – approved St. CSC 09/12/05
Registered Professional Nurses (School) – approved St. CSC 4/21/75
School Health Aide – approved St. CSC 02/28/02
School Physicians*
Supervisor of Attendance*
Teacher Aides

LIBRARY SERVICE - Lee-Whedon Memorial Library

Senior Library Clerks*

TOWN AND VILLAGE YOUTH COMMISSIONS

Activities Coordinator*

*Part-time
**Seasonal
++Confidential or Policy Influencing

09/12/05

ORLEANS COUNTY

APPENDIX B - NON-COMPETITIVE CLASS

**IN ALL OFFICES AND DEPARTMENTS WHERE THE FOLLOWING POSITIONS
EXIST – approved St. CSC 5/11/93**

Section 55-a – 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 OVR State Education Department as otherwise physically or mentally disabled.

ORLEANS COUNTY

APPENDIX C - LABOR CLASS

IN ALL CIVIL DIVISIONS AND AGENCIES WHERE FOUND

Aging Services Aides – approved St. CSC 12/9/81

Cleaners

Custodial Workers – approved St. CSC 3/26/74

Food Service Helpers

Groundskeepers

Health Facility Workers – approved St. CSC 09/12/05

Health Facility Workers * - approved St. CSC 09/12/05

Home Health Aides – approved St. CSC 7/15/80

Laborers

Laundry Workers

Library Aides – approved St. CSC 4/21/75

Maintenance Helpers – approved St. CSC 12/9/81

School Bus Attendants – approved St. CSC 12/9/81

School Monitors

Summer Program Aides** – approved St. CSC 7/15/80

VILLAGE OF LYNDONVILLE

Fire Alarm Attendant

TOWN AND VILLAGE YOUTH COMMISSIONS

Recreation Attendants

*Part-time

**Seasonal

09/12/05

ORLEANS COUNTY

APPENDIX D - UNCLASSIFIED SERVICE

COUNTY SERVICE

Chairman and Members of the County Legislature – approved St. CSC 7/15/80

Chief Administrative Officer – approved St. CSC 5/11/93

Clerk to the County Legislature – approved St. CSC 7/15/80

Coroners

County Clerk

County Highway Superintendent – approved St. CSC 5/11/93

County Treasurer

Deputy Clerk to the County Legislature – approved St. CSC 7/15/80

District Attorney

Nursing Home Administrator – approved St. CSC 5/11/93

Sheriff

All members, officers and employees of Board of Elections

TOWN SERVICE - In All Towns Where Found:

Assessment Board of Review Members – approved St. CSC 12/9/81

Assessors (Elected) – approved St. CSC 12/9/81

Chairman, Assessment Board of Review – approved St. CSC 12/9/81

Councilpersons – approved St. CSC 12/9/81

Election Inspectors – approved St. CSC 12/9/81

Members of the Planning Board

Tax Collectors

Town Clerk

Town Highway Superintendent

Town Justices – approved St. CSC 12/9/81

Town Supervisor

Zoning Board Members – approved St. CSC 12/9/81

TOWN OF CLARENDON, MURRAY AND YATES

Assessors

ORLEANS COUNTY

APPENDIX D - UNCLASSIFIED SERVICE

VILLAGE SERVICE - In All Villages Where Found:

Mayor

Members of Zoning Board

Police Justices – approved St. CSC 12/9/81

Trustees

Village Clerk–Treasurer

**ALL SCHOOL DISTRICTS INCLUDING BOARD OF COOPERATIVE
EDUCATIONAL SERVICE:**

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.

Teaching Assistants – approved St. CSC 3/26/74