RULES OF THE CLASSIFIED SERVICE

OF

CATTARAUGUS COUNTY

(Statutory Authority: Civil Service Law § 20)

CATTARAUGUS COUNTY HUMAN RESOURCES DEPARTMENT
303 COURT STREET
LITTLE VALLEY, NY 14755

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FORWARD

Civil Service first had its introduction in New York State in the year 1883 by passage of the State Legislature of Chapter 354.

Article V, Section 6, of the New York State Constitution provides:

> "Appointments and promotions in the civil service of the state and all of the civil divisions thereof, including cities and villages, shall be made according to the merit and fitness to be ascertained, as far as practicable, by examination which, as far as practicable, shall be competitive; ***".

The State Legislature has implemented the foregoing mandate in the "Civil Service Law," enacted in 1909 with a major revision in 1958.

Section 20 of the Civil Service Law provides that each municipal civil service commission shall prescribe, amend, and enforce suitable rules for carrying into effect the provisions of the Civil Service Law and Section VI of Article V of the State Constitution.

From time to time, Rules are amended after a public hearing and subject to the approval of the State Civil Service Commission. Approved Rules are filed with the Secretary of State and then have the force and effect of Law.

Civil Service Rules were first adopted by the Cattaraugus County Civil Service Commission effective July 1, 1943. The original Rules were rescinded and new Rules adopted on May 25, 1960. On February 26 2014 the Legislature voted to abolish the Civil Service Commission and appoint a Personnel Officer to oversee the Civil Service requirements for Cattaraugus County. As of April 30, 2015 the three member commission will be abolished. Beginning on May 1, 2015 a Civil Service Personnel Officer will carry out the duties of oversight for Cattaraugus County Civil Service rules enforcement and administration.

This volume contains the Rules currently applicable to jurisdictions which have their personnel functions administered by Cattaraugus County Civil Service.

Copies of periodic amendments to the text of the Rules are distributed for inclusion in this volume.

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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 Cattaraugus 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 Cattaraugus County as well as the towns, villages, and special districts therein. These rules may be amended by the Personnel Officer 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 the County of Cattaraugus.
2. ***"Employee"*** means the incumbent of a position appointed to the position in accordance with these rules and the Civil Service Law.
3. ***"Position"*** means an aggregation of duties to be performed and responsibilities to be exercised by one person.
4. ***"Compensation"*** means the remuneration authorized for a position and shall include food, lodging, maintenance and commutation when the same is furnished.
5. ***"Eligible List"*** means an official public record established and maintained by the Personnel Officer as a public record, which contains the names of those persons who have successfully completed examination, listed in order of their final rating from the highest to the lowest rank.
6. ***"Part-time Employment"*** means employment in a civil division in which an individual works less than the standard work week prescribed by the governing body or other appropriate authority of the civil division.

   Those positions of employment normally allocated to the competitive class, may if included in the appendices, be allocated to the non-competitive class, provided an individual appointed to

any such position, or combination of employments in the civil division, does not work more than fifty (50) percent of the time prescribed as the standard work year by the governing board or other appropriate authority of the civil division, or wherein the employee earns not more than one half (1/2) of the annual rate assigned to the position during the course of the fiscal year of the civil division.

7. ***"Transfer"*** means the change, without further examination of a permanent employee from a position under the jurisdiction of one appointing authority to a similar position under the jurisdiction of another appointing authority, or to a position in a different title under the jurisdiction of the same appointing authority.
8. ***"Reassignment"*** means the change, without examination, of a permanent employee from one position to another position in the same title under the jurisdiction of the same appointing authority.
9. ***"Municipality"*** means county, town, city, village, school district or special district.

RULE II

EXEMPT CLASS

Positions approved by the State Civil Service Commission for allocation to the exempt class shall be listed in Appendix A of these rules and made a part hereof.

RULE III

NON-COMPETITIVE CLASS

1. Positions approved by the State Civil Service Commission for allocation to the non-competitive class shall be listed in Appendix B of these rules and made a part hereof.
2. 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 qualification of the nominee and shall be filed, prior to any appointment, by the appointing authority with the Personnel Officer. Such appointment shall become effective only after approval by the Personnel Officer.

RULE IV

LABOR CLASS

1. Positions approved by the State Civil Service Commission for allocation to the labor class shall be listed in Appendix C of these rules and made a part hereof.
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.

RULE V

UNCLASSIFIED SERVICE

Positions approved by the State Civil Service commission for allocation to the unclassified service shall be listed in Appendix D of these rules and made a part hereof.

RULE VI

RECRUITMENT OF PERSONNEL

1. Residence requirements for municipal positions.
   a. 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.
   b. 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. Announcement of examination.

The public announcement of an examination shall specify the salary, if known, the application fee, if any, the title, the duties of the position, the minimum qualifications required, the issue date, the final filing date for filing applications, the subjects or scope of the examination and the relative weights thereof, and, if known, the date and place of examination. Public notice of open-competitive examinations shall be made at least twenty-five (25) days before the date of the examination and must be conspicuously posted in a public place for fifteen (15) days. The last day for filing applications shall be **not** less than ten (10) days before the date of the open-competitive examination.

RULE VII

APPLICATIONS

1. Applications of candidates for positions in the classified service must be addressed to the Personnel Officer at the Office of the Personnel Officer and be made on the form prescribed by the Personnel Officer.
2. The Personnel Officer 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 (4) days before the examination.
3. A candidate's application for examination may be exhibited, upon request, to the appointing officer to whom his/her name is certified, or to his/her representative; provided, however, that information therein relating to the candidate's national origin or indicating whether his/her citizenship is by birth or naturalization shall not be divulged. Before a candidate's application for examination is exhibited to the appointing officer or an authorized representative, all reference therein to the candidate's national origin or to the basis of his/her citizenship shall be concealed.

RULE VIII

DISQUALIFICATION

1. 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.
2. 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. Any applicant whose application is disqualified for an examination or appointment shall be notified of the reasons for such disqualification and afforded an opportunity to submit facts in opposition of such disqualification prior to final disposition of such application.

RULE IX

EXAMINATIONS

1. Examinations prepared and rated by the New York State Civil Service Department.
   a. For examinations prepared and rated by the State Civil Service Department, the provisions of the rules and regulations of the State Civil Service Commission and Department shall govern the rating of examinations, the review of examination papers by candidates and the filing of appeals.
   b. The State Civil Service Commission shall have sole and exclusive authority to correct any errors in rating upon appeal or otherwise.
2. Examinations prepared and/or rated by the Personnel Officer.
   a. The Personnel Officer shall adopt a system to conceal the identity of candidates' papers in a written examination until such written examination has been rated.
   b. Rating keys shall be prepared for each examination held. Such keys shall be a permanent part of the record of each examination. The marking of an examination shall be made on the scale of 100, with 70 the passing score. 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 arrangements shall be given in the instructions of the written examination.
   c. 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 polices of the State Commissioner of Education and the State Civil Service Commission. Whenever an oral examination shall be prescribed as part of an examination, every effort shall be made to insure that a stenographic or recording device record of all the questions and answers be made a part of the examination records.
   d. Every candidate in an examination shall be notified in writing of his/her final rating. Except for continuous recruitment examination, he/she shall also, if successful, be notified of his/her relative position of any eligible list established as a result of the examination.

e. Except for candidates in continuous recruitment examinations, any candidate receiving such notice may inspect his/her examination papers in the office of the Personnel Officer and in the presence of a designated representative of the Personnel Officer, provided he/she makes his/her request for such inspection in writing, within ten (10) days of the date of the postmark of such notice. The examination papers of a candidate shall be exhibited only to the candidate except that a candidate may bring a consultant to review the record of an oral examination. The consultant must be approved by the Personnel Officer prior to the review and may not be an individual who was in any way involved in the preparation, conduct, or administration of the examination.

f. A candidate who wishes to appeal to the Personnel Officer from his/her rating in one, or more, or all the subjects of an examination must submit such appeal in writing within twenty (20) days after the earliest date on which his/her examination papers were made available for his/her 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 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.

g. There shall be no reviews of examinations conducted on a continuous recruitment basis other than for a computational check of the candidate's answers against the key answers; nor shall there be reviews of practical or performance examinations.

3. Examinations generally.

a. The Personnel Officer may at any time during the life of an eligible list, resulting from any examination whether prepared and rated by the Personnel Officer, except as provided in 1 b, correct any clerical or computational errors in the rating of candidates who competed in the examination.

RULE X

ELIGIBLE LISTS

1. Every candidate who attains a passing grade 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 grade, they shall be ranked in accordance with such uniform, impartial procedures as may be prescribed therefor by the Personnel Officer.
2. The date of the establishment of a list shall be the date fixed therefor by Personnel Officer action, and shall be entered on such list. The duration of all eligible lists shall be fixed by Personnel Officer action prior to the establishment of such list, 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 act, prior to the expiration date of such list, to extend the duration of the list up to the maximum limitations 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 Personnel Officer. The names of persons who failed to receive a passing examination grade shall not be disclosed to the public.
4. 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. The Personnel Officer shall have power to revoke any eligible list where the provisions of these rules were not properly or sufficiently carried out; provided, however, that an eligible list shall not be revoked except after notice and an opportunity to be heard has been given to all persons whose names appear thereon. The reasons for such action shall be recorded on the eligible list and reported to the State Civil Service Commission.

RULE XI

CERTIFICATION

1. The Personnel Officer shall determine the eligible list most clearly 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 be included in such certification.

2. A certification issued by the Personnel Officer to an appointing officer shall be valid for a period of thirty (30) days from the date of its issuance. After the expiration of such thirty (30) day period, no appointment shall be made except from a new certification. The Personnel Officer, for good cause shown, may extend a certification up to a maximum of sixty (60) days upon request of the 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 five (5) business days after the mailing of such canvass or offer, he/she may be considered ineligible for purposes of making selection for such particular appointment.

4. The name of the person declining appointment shall be eliminated from 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 position for which the examination was held; (b) geographical location of employment; (c) temporary inability, physical or otherwise, which must be satisfactorily explained by the eligible in writing; (d) other reason deemed acceptable by the Personnel Officer. The Personnel Officer 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 final 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 X.

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 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 (4) years from the date of nomination.

7. Whenever one or more eligibles shall have declined any appointment offered and an eligible whose relative standing is lower and who was reachable on the certification only because of the aforesaid declination shall have been appointed to the position, the salary or compensation of such appointee shall not be increased, except by a service or a class-wide increase, within a period of six (6) months after his/her appointment beyond that offered to the persons so declining.

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

9. When a vacancy exists in a permanent competitive class position and a permanent competitive class candidate in direct line of promotion, as defined in these Rules, is nominated for non-competitive promotion examination in accordance with Section 52 (7) of Civil Service Law, the Personnel Officer may determine that the appropriate examination for such non-competitive promotion shall consist of a review of the candidate's training and experience at the time of nomination. If the Personnel Officer determines the candidate's training and experience meets or exceeds the open competitive qualifications for the position, the candidate shall be certified as eligible for permanent promotion appointment to the position subject to a probationary period.

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

RULE XII

PROMOTIONS

1. In order to be eligible to participate in a promotion examination, 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 for eligibility to enter a promotion examination, and may also prescribe a minimum period of such service as a qualification for promotion from the resulting eligible list.
2. Any person who is nominated for non-competitive examination for promotion to a position and who fails to appear for such examination or who fails to pass two (2) successive examinations for such promotion shall not thereafter be eligible for employment in such position, except by appointment or promotion for an eligible list established following competitive examination.

RULE XIII

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 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 Personnel Officer.

   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. Transfer Probationary Periods

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. Waiver

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/she is required to serve a probationary term, the position thus vacated by him/her shall not be filled, except on a temporary or contingent permanent 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 10 work days during the probationary term, may, in the discretion of the appointing authority, be considered as time served in the probationary term. Any such periods of absence not so considered by the appointing authority as time served in the probationary term, and any periods of absence in excess of periods considered by the appointing authority as time served in the probationary term pursuant to this subdivision 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/her absence which, pursuant to this subdivision, are not counted as time served in the probationary term.

5. Report on 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.

6. Restoration to Eligible List

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

7. Temporary, 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, provisional or contingent permanent basis to a higher level position, the period of temporary or provisional service rendered by such employee in the higher level position may, in the discretion of the appointing authority, be considered as satisfactory probationary service in his/her lower position and may be counted as such 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 75 of the Civil Service Law, or applicable negotiated disciplinary procedures, at any time during the probationary term, to remove a probationer for incompetency or misconduct.

9. Probationary Term Upon Reinstatement

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

b. An employee who is reinstated to a position after a separation of less than one year in an agency other than the one in which he/she formerly served, shall serve a new probationary term in the same manner and subject to the same requirements as applied upon an original appointment to such position.

10. Leave of Absence for Police Supervisors

Notwithstanding any other provision of these rules, if a Police Officer is promoted to a higher rank for which he/she 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/she shall be deemed to be on leave of absence from the lower rank position from which he/she was promoted pending completion of such training. During such period, such lower rank position may not be filled except on a temporary or contingent permanent basis. In the event of his/her failure to successfully complete such training within the time allowed therefore, he/she shall be restored to such lower rank position.

RULE XIV

TRAINEE AND SEASONAL 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 period of such term of training service shall be prescribed by the Personnel Officer. Upon the satisfactory completion of such training term, and of specified courses, if required, an appointee shall be entitled to full permanent status in the position for which appointment was made. Any appointment hereunder shall be subject to such probationary period as is prescribed in these rules. Also, the employment of such person may be discontinued if his/her conduct, capacity or fitness is not satisfactory, or at any time if he/she fails to pursue or continue satisfactorily such training or academic courses as may be required.

2. Appointment to seasonal positions in competitive class.

   a. Positions in the competitive class where the nature of the 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 persons may be re-examined by the Personnel Officer with respect to his/her 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 such 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 persons shall not continue for a period longer than three years from the date of his/her separation from such seasonal employment. A seasonal re-employment list shall not be deemed to be a preferred list as provided for in Section 81 of the Civil Service Law.

RULE XV

EFFECT OF TEMPORARY OR PROVISIONAL APPOINTMENT ON STATUS OF APPOINTEE

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 appointment.

2. Provisional appointment of permanent employee.

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

   b. A provisional appointee may return to a permanent position in the same title under the jurisdiction of the same appointing authority at any time during the provisional term of appointment, if a position still exists, by providing written notice to the appointing authority requesting to be returned to such position. The appointing authority shall return the appointee then to the permanent position within fifteen (15) work days of receipt of such written notice.

3. Successive provisional appointment.

   No provisional employee who has refused to take an examination held for permanent appointment shall be given another provisional appointment in the same position.

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

4. Contingent permanent appointments.

   a. A position left temporarily vacant by the leave of absence or promotion 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 layoff or if the permanent incumbent returns, 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 appointment.
      3. ***Preferred List:*** Upon displacement, if the contingent permanent appointment was made from a promotion list, he/she shall be restored to his/her permanent position and have their 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 list and does not have a permanent position to return to, he/she shall have their 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.
      5. ***Promotion:*** When a permanent competitive class employee accepts a contingent permanent appointment, 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.

   b. All appointments under this rule shall be canvassed as “permanent-contingent permanent”. A copy of this rule must be included with the canvass letter.

c. Appointments to contingent permanent positions shall be made by selections 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 become unencumbered. Acceptance of a contingent permanent appointment will remove the person's name from the eligible list for any further 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 shall 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.

RULE XVI

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 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 department 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 examination's 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 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 XVII

REINSTATEMENT

1. 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 department promotion eligible list exists containing the names of three or more eligibles willing to accept appointment.

2. 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.

3. Refusal or failure to accept reinstatement from preferred list.

a. Preferred lists shall be established for four years.

b. 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/her 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.

c. 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 a lower salary grade than the position to which he/she failed or refused to accept reinstatement.

d. Restoration to eligibility for reinstatement not to affect previous appointment. 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 XVIII

LEAVE OF ABSENCE

1. A leave of absence without pay may be granted by the appointing authority in conformance with the regulations established by the appropriate legislative body.

2. A leave of absence without pay, not to exceed four years, shall be granted by an appointing officer to an employee who is a veteran of the Armed Forces of the United States, providing such a leave of absence is for the purpose of taking courses under the educational benefits provided for in Title 38, United States Code or under a New York State Board of Regents War Service Scholarship, Education Law, Section 614. An employee taking such a leave shall be reinstated to his/her position, provided he/she makes application for such reinstatement within sixty (60) days after the termination of his/her courses of study.

RULE XIX

RESIGNATION

1. Resignation in writing.

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

2. 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. 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.

3. Withdrawal or amendment.

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

4. Voluntary demotion of permanent competitive employee.

   An employee who voluntarily elects to relinquish his/her 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/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 XX

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 in writing 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, in writing, with copies of the offer or notice of appointment and the reply thereto, if any.
c. Every discharge during or at the end of a 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 transfer, giving the positions from which and to which made, with the dates 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 XXI

CERTIFICATION OF PAYROLLS

1. Certification required prior to payment
   a. No person shall receive salary or compensation until the Personnel Officer has certified his or her employment to be in compliance with the provisions of the Civil Service law or these Rules.
   b. The Personnel Officer shall not certify the names of any person employed in a manner that does not comply with the provisions of the Civil Service Law or these Rules.

2. Extended Certification
   a. 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 or her status, title, and salary grade remain unchanged during the period of the certification granted.
   b. The Personnel Officer shall require certification of the first full payroll of the fiscal year for every civil division under its jurisdiction except school districts. The Personnel Officer shall certify the first full payroll of every school district under its jurisdiction in October every calendar year.
   c. The Personnel Officer may, at any time, require any civil division under its jurisdiction to submit payrolls or accounts for certification in accordance with Section 100(1) of the Civil Service Law.
   d. Annual certifications provided by the Personnel Officer shall be valid for a period of no more than twelve 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 of termination of certification
   a. The Personnel Officer shall investigate any discrepancies between the payroll and the official roster and any other instances where the Personnel Officer finds the employment of a person may be in violation of the law or these Rules.
   b. In any case where the Personnel Officer finds satisfactory evidence that the employment of a person is in violation of law or these Rules, or the Personnel Officer finds satisfactory evidence of intent to evade the provisions of law or these Rules in regard to the employment of any person, the Personnel Officer shall refuse certification or terminate a certification 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 XXII

POSITION CLASSIFICATION

1. Definitions For the purpose 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, examinations, salary 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. ***"Job classification 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 work activities, enumerates, knowledges, skills, abilities and personal characteristics required for successful performance of the work, states required minimum qualifications and indicates any special requirement of 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 reallocation of a position from one class to another because of a permanent and material change of the duties of that position.

2. Powers and duties. The Personnel Officer shall have the power and duty to:
   a. Classify and reclassify all positions in the civil service of all civil divisions under its jurisdiction.
   b. Prepare and maintain job classification specification for each class of positions in the competitive, non-competitive and labor jurisdictional classes and establish appropriate minimum qualifications for each class.
   c. Prepare and maintain a classification specification for each class in the competitive, non-competitive and labor jurisdictional classes of the civil divisions under its jurisdiction.
   d. 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 New Position. When a new position is to be created, the appointing officer shall file a detailed description of the duties and responsibilities of the position and a statement of suggested minimum entrance qualifications for the position with the Personnel Officer, prior to creating the position. After an analysis of the detailed description of duties and responsibilities, the Personnel Officer shall allocate the position to an appropatie class, or if no appropriate class exists, shall create a new class and prepare a class specification for such new class including a statement of appropriate minimum qualifications.

4. Reclassification of Positions, either:
   a. The Personnel Officer may, upon his/her own initiative, review the duties and responsibilities and qualification requirements of any position under its jurisdiction. Appointing authorities and employees in positions under review, shall be required to complete a detailed description of the duties and responsibilities of the position and provide such other information as determined necessary by the Personnel Officer. After an analysis of the detailed description of the duties and responsibilities, 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 positions including a statement of appropriate minimum qualifications; OR
   b. Whenever a permanent and material change is made in the duties and responsibilities of any position, the appointing authority shall file a detailed description of the duties and responsibilities of the position with the Personnel Officer. After an analysis of 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 including a statement of appropriate minimum qualifications; OR
   c. Any employee in the classified service may apply to the Personnel Officer for a position reclassification. Such application shall include a detailed description of the duties and responsibilities of the position since the last determination with respect to its classification. After an analysis of the duties and responsibilities of the position, the Personnel 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 including a statement of appropriate minimum qualifications.

5. Notice and Appeal. The Personnel Officer shall give reasonable notice of any proposal or application for a change in classification to the appointing authority 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 provisions of the Civil Service Law and these rules.

RULE XXIII

GRADING OF POSITIONS

Unless the legislative body of the municipality shall have adopted a compensation plan, then for the purposes of promotion, demotion, transfer and reinstatement, all positions in the competitive class shall be graded as follows:

Grade 1. All positions, the compensation of which is at the rate of not more than $2500 per annum.

Grade 2. All positions, the compensation of which is at the rate of more than $2500, but not more than $3500 per annum.

Grade 3. All positions, the compensation of which is at the rate of more than $3500, but not more than $4500 per annum.

Grade 4. All positions, the compensation of which is at the rate of more than $4500, but not more than $5500 per annum.

Grade 5. All positions, the compensation of which is at the rate of more than $5500, but not more than $6500 per annum.

Grade 6. All positions, the compensation of which is at the rate of more than $6500 per annum.

RULE XXIV

PROHIBITION AGAINST QUESTIONS ELICITING INFORMATION CONCERNING POLITICAL AFFILIATION

No questions in any examination or application or other proceeding by the Personnel Officer or his/her 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 his/her examiners. No discrimination shall be exercised, threatened or promised against or in favor of any applicant, competitor or eligible because of his political opinions or affiliation.

RULE XXV

LAYOFF OF COMPETITIVE CLASS EMPLOYEES

1. For the purpose of this rule, the following terms shall mean:
   a. ***Direct line of promotion*** shall be strictly construed in that in order to be considered as direct line, all titles must have the same generic root.
   b. ***Next lower occupied title*** shall mean the title in direct line of promotion immediately below the title from which the incumbent is suspended or demoted, unless no one is serving in that title in that layoff unit, in which case it shall be the closest lower title in direct line of promotion in that layoff unit in which one or more persons do serve.
   c. ***Layoff unit*** shall mean each department of a County, City, Town, Village, each School District, and each special district. Authorities and community colleges shall be deemed to be separate civil divisions.
   d. ***Satisfactory service*** shall mean service in the last fiscal year 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 seventy-five 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. ***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 sixty months earlier than the actual date, while, non-disabled veterans are considered to have been appointed thirty 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 eighty-five of the Civil Service Law.
      (i) 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 reemployment, the prior service would not count.

(ii) 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.

(iii) 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.

(iv) 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 Blind and 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 from the same eligible list on the same day, their retention rights shall be determined by their rank on the eligible list, that person having the highest rank having greater retention rights over those having lower ranks.

g. All temporary, provisional, contingent permanent employees occupying these positions must be let go before any permanent employee is suspended from such position.

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. When 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 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. 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.

CATTARAUGUS COUNTY

CIVIL SERVICE

"APPENDICES"

* Non-competitive where employment constitutes 50% or less of standard full-time employment/salary in the civil division.

** Seasonal

*** Population under 5,000

(C/P) Positions which are confidential or require the performance of functions influencing policy.

CATTARAUGUS COUNTY

APPENDIX A – EXEMPT CLASS

TOWN SERVICE – In all Towns

Assessor
Bookkeeper to Supervisor
Budget Officer
Ashford
Hinsdale
Court Clerk (In all Towns except in the Towns of Ashford and Persia)
Court Clerk (2)
Persia
Ashford
Deputy Town Clerk
Deputy Town Clerk
New Albion (3)
Deputy Town Highway Superintendent
Dog Enumerator**
Secretary to the Board of Zoning Appeals
Secretary to Planning Board
Town Attorney
Town Comptroller

VILLAGE SERVICE – As Indicated

Acting Police Justice
All Villages
Deputy Village Clerk
Cattaraugus *Ellicottville*
Delevan *Franklinville*
Deputy Village Clerk Treasurer
Allegany *Gowanda*
Little Valley *Portville*
Randolph *South Dayton*
Secretary to the Zoning Board of Appeals
Ellicottville
Village Attorney
All Villages
Village Treasurer
Cattaraugus
Delevan
Ellicottville
Gowanda

SCHOOL SERVICE - In all School Districts and BOCES:

Census Taker
Clerk to Board of Cooperative Educational Services
Clerk to Board of Education
Internal Claims Auditor
School Attorney
School District Auditor
Gowanda
School District Treasurer (In all School Districts except BOCES)
BOCES (6)
Secretary to the District Superintendent
BOCES
Secretary to School Superintendent
Allegany-Limestone
Cattaraugus – Little Valley Ellicottville
Franklinville
Salamanca
Olean
Randolph
West Valley
Gowanda
Treasurer of Board of Cooperative Educational Services
School District Clerk
Olean
School Tax Collector
Olean

IN ALL CIVIL DIVISIONS AND AGENCIES

Court Clerk

COUNTY SERVICE

Administrator of Assigned Counsel
Assistant County Attorneys (2)
Assistant District Attorneys (7)
Assistant Public Defenders (11)
Chaplain
Clergyman
Confidential Law Secretary (2)
(District Attorney)
County Attorney
Court Attendants
Court Crier
Criminal Investigator (DA)
Deputy Commissioner of Public Works
Deputy County Administrator
Deputy County Clerk
Deputy County Treasurer
Director/Coordinator of Civil Preparedness
Jail Chaplains
Public Defender
Secretary to the Commissioner of Public Works
Secretary to the Commissioner of Social Services
Secretary to the County Administrator Secretary
Secretary to County Attorney
Secretary to District Attorney
Secretary to the Public Defender
Secretary to the Sheriff
Undersheriff

CITY SERVICE – City of Olean

City Attorney
Executive Secretary to Mayor
Deputy City Clerk
Secretary to the Plumbing Board

CITY SERVICE – City of Salamanca

Executive Secretary to Mayor

HOUSING AUTHORITY– Olean Housing Authority

Executive Director

SOIL AND WATER CONSERVATION DISTRICT

Secretary/Assistant Treasurer to the Board

CATTARAUGUS COUNTY

APPENDIX B – NON-COMPETITIVE CLASS

IN ALL CIVIL DIVISIONS AND AGENCIES

Account Clerk*
Account Clerk Typists*
Attorneys*
Automotive Mechanics
Automotive Mechanic Helpers
Blacksmith
Bus Drivers
Carpenters
Clerks*
Commercial Drivers Class A
Commercial Drivers Class B
Construction Equipment Operators
Cooks
Cook-Managers
Crime Control Coordinator*
Dog Wardens*
Executive Director STW (C/P)
Groundskeepers
Head Cleaners
Janitors*
Library Aides
Library Technicians*
Licensed Practical Nurses
Lifeguards
Maintenance Mechanics
Maintenance Workers
Motor Equipment Operators/Mechanics
Municipal Bingo Inspectors*
Parking Meter Servicemen*
Physicians*
Police Matrons*
Recreation Attendants**
Recreation Directors**
Recreation Leaders**
Recreation Specialists**
Registered Professional Nurses
School Crossing Guards

Section 55a—*Not to exceed 50 positions with duties which can be performed by physically or mentally disabled persons who are found qualified to perform the duties of the position in the manner prescribed in Section 55a of the Civil Service Law.*
Senior Account Clerk Typist*
Stenographers*
Typists*
Working Supervisors

COUNTY SERVICE

Aging Services Aide*
Assistant County Attorney* (C/P)
Assistant Welder
Bridge Construction Workers
Bridge Painter
Certified Welders
Chief of Detectives (C/P)
Clinical Dentist*
Clinic Physicians*
Commissioner of Social Services (C/P)
Community Mental Health Aide*
Community Services Aide
Cook Manager (County Jail)
Consulting Dietitian*
Coordinator of Services for the Aging*
Correction Officers*
County Fire Coordinator*
County Historian*
County Veterinarians*
County Youth Bureau Director (C/P)
Dental Consultant*
Dental Director*
Deputy Commissioner of Social Services (C/P)
Deputy County Fire Coordinator*
Deputy Sheriffs*
Diesel Mechanic / Drivers
Director, Department of Aging (C/P)
Director, Department of Nursing Homes (C/P)
Director of Community Services (C/P)
Director of Economic Development, Planning & Tourism (C/P)
Director of Information Services (C/P)
Director of Real Property Tax Services II (C/P)
Director of Veteran's Service Aging (C/P)

Driver/Couriers
Emergency Medical Services Coordinator
Emergency Medical Services Training Director*
Employment Specialist**
Engineering Aides**
Executive Director, Cattaraugus/Allegany Service Delivery Area (C/P)
Forester*
Hauling Supervisor
Head Cook
Head Nurse*
Highway Maintenance Workers
Home Health Aides
Jail Cook
Jail Physician*
Jail Superintendent (C/P)
Laboratory Assistant*
Laboratory Director*
Laborers (Public Works)
Laborer II
Lactation Counselor
Landfill Supervisors
Laundry Supervisor
Leisure Time Activities Aides
Leisure Time Activities Workers
Medical Consultant*
Medical Director*
Medical Records Librarian Consultant*
Medical Technicians*
Motor Vehicle Application Examiners*
Museum Curator*
Nurse Aides
Nurse Supervisor*
Nursing Home Medical Director (C/P)
Nutrition Services Coordinator*
Occupational Therapist*
Occupational Therapy Consultant*
Personal Care Aides Level II
Personnel Officer (C/P)
Pharmacists*
Phlebotomist (Public Health)
Physical Therapist*
Physical Therapy Aides
Planners*

Planning Aide**
Psychiatric Social Worker*
Public Health Director (C/P)
Public Health Nurse*
Public Information Specialist*
Refuse Construction Supervisor
Risk & Insurance Manager (C/P)
Road Patrol Commander
Senior Bridge Construction Workers
Senior Bridge Painter
Senior Employment & Training Coordinators*
Senior Maintenance Mechanics
Senior Monitor*
Senior Planners*
Senior Public Information Specialist*
Senior Sign Painter
Senior Traffic Sign Maintainer
Senior Transfer Station Operator
Senior Typists*
Senior Worksite Supervisors
Sign Painter
Sign Technician
Site Managers*
Social Worker
Social Work Consultant*
Speech and Hearing Therapist*
Speech Therapist*
Staff Psychiatrist*
Supervising Clinical Psychologist*
Supervising Nursing Home Physician
Therapeutic Activities Aides
Traffic Sign Maintainers
Tuberculosis Consultant*
Van Drivers
Vocational Instructors**
Watershed Contractor*
Welders
Worksite Supervisor
Worksite Supervisor (Adult Program)

CITY SERVICE – City of Olean

Airport Maintainers
Bingo Inspectors
Building Maintainer/Pool Operators
Construction Workers
Court Attendants
Engineering Aide*
Heavy Equipment Operator/Water Maintainer
Laborer II
Motor Equipment Mechanics
Parking Enforcement Officer*
Parking Lot Manager*
Parks Maintainer I
Parks Maintainer II
Parks Maintainer II/Pesticide Applicator
Plumbing Inspector
Recreation Attendant/Skate Guards**
Recreation Center Assistants*
Senior Airport Maintainers
Senior Lifeguards**
Senior Parks Maintainer
Senior Street & Sewer Maintainers
Senior Water Maintainer
Sidewalk Inspector**
Street & Sewer Maintainers I
Street & Sewer Maintainers II
Street & Sewer Maintainer II/Pesticide Applicator
Street & Sewer Maintainers III
Tree Program Coordinator
Waste Water Plant Maintenance Workers
Water Maintainers
Youth Program Leaders*

PUBLIC LIBRARY – Olean Public Library

Librarian I*

HOUSING AUTHORITY – Olean Housing Authority

Assistant Housing Maintenance Mechanics
Housing Maintenance Mechanics
Senior Housing Maintenance Mechanics

CITY SERVICE – City of Salamanca

Assessor
City Historian
Dog Control Officer*
Electric Line Worker
Helpers Plumbing Inspector*
Senior Automotive Mechanic

TOWN SERVICE - In all Towns

Assessor's Aide

Allegany

Assessor (appointed) (C/P)

Allegany	*Olean*
Ashford	*Otto*
Conewango	*Perrysburg*
Dayton	*Persia*
Franklinville	*Portville*
Hinsdale	*Salamanca*
Humphrey	*South Valley*
Leon	*Yorkshire*

Building Inspector *

(one in each Town)

Code Enforcement Officer*

Great Valley ***

Constables*

Construction Workers

Court Officers*, ***

Perrysburg

Persia

Town of New Albion

Town of Carrollton

Town of Olean

Dog Control Officer*, *** (2)

Enforcement Officer*

New Albion

Police Officers*

Carrollton

Perrysburg

Randolph

Public Safety Administrators* (C/P)

Registrar of Vital Statistics*

Timekeepers*

Town Engineer P.T.

Town Highway Superintendent C/P

Town of Ellicottville

Town of Franklinville

Town Historian*

Water Treatment Plant Operators*

Hinsdale

Machias

Otto

Water Maintenance & Operations Workers
Ellicottville

VILLAGE SERVICE

Assessors* (C/P)
Building Inspector *
(one in each Village)
Dog Control Officers*
Enforcement Officers*
Portville
Library Technician
Line Helpers
Little Valley
Line Workers
Little Valley
Meter Reader and Repairer
Little Valley
Plumbing Inspector*
Allegany
Police Officer*
All Villages
Public Safety Administrator (C/P)
Allegany
Cattaraugus
Ellicottville
Public Works Superintendent (C/P)

Allegany	*Gowanda*
Cattaraugus	*Little Valley*
Delevan	*Perrysburg*
East Randolph	*Portville*
Ellicottville	*Randolph*
Franklinville	*South Dayton*

Recreation Director
Little Valley
Registrar of Vital Statistics*
Senior Line Workers
Little Valley
Sewage Treatment Maintainer
Ellicottville
Streets Superintendent
Ellicottville

Gowanda
Little Valley
Village Assessors PT
Village Historian

Water Maintenance & Operations Workers
Ellicottville
Gowanda
South Dayton
Water Treatment Plant Operator*
Delevan
Water Treatment Plant Operator Trainee*
Delevan
Zoning Inspector*
Little Valley (Population under 5,000) (20 hours per month)

SCHOOL SERVICE - In all School Districts and BOCES
Assistant Director, Regional Education Center for Economic Development *(BOCES) (C/P)*
Audio Visual Assistant Drivers
Audio Visual Clerk*
Audio Visual Teacher Aide
Cleaner/Drivers
Custodians*
Custodian Worker
Digital Printing Technician
BOCES
Director Of Personnel
Director of Personnel & Labor Relations
BOCES (C/P)
Director, Regional Education Center for Economic Development
BOCES (C/P)
Driver/Courier
Educational Communications
Aide Educational Interpreters
Graphic Artist
Grounds & Mechanic Helpers
Head Bus Driver
Salamanca
Health Service Aides
Olean
Home School Coordinators
Internal Suspension Aides
Labor Relations Specialists

BOCES (C/P) (2)

Library Typist*

Licensed Practical Nurses* (Schools)

Program Aide (Title V)

Gowanda

Project Director (Title IVA) (C/P)

School Service Continued…

School Bus Mechanics

School Lunch Cooks

School Nurses

Senior Building Maintainers

Olean

Senior Child Care Aides

BOCES

Senior Labor Relations Specialist (C/P)

Senior Maintenance Mechanics

Supervisor of Attendance*

Television Broadcast Producer/Reporter

BOCES

Teacher Aides

Teacher Aide II

Olean

Transportation Supervisor*

Receiving Area Attendant*

School Physicians*

Senior Account Clerk*

Allegany-Limestone

CATTARAUGUS COUNTY

APPENDIX C – LABOR CLASS

IN ALL CIVIL DIVISIONS AND AGENCIES

Beginning Maintenance Workers
Building Attendants
Cemetery Caretakers
Cleaners
Cleaner/Offset Printing Machine Operator
Educational Television Operators
Firehouse Caretakers
Food Service Helpers
Fuel State Attendants
Garage Attendants
Grounds Helpers
Hospitality Aides
Housing Maintenance Helpers
Laboratory Helpers
Laborers
Laundry Workers
Lineman Helpers
Marina Attendants
Pages
Parking Lot Attendants
Recreation Attendants
School Monitors
Security Guards
Senior Aides
Senior Food Service Helpers
Student Worker
Therapy Aides
Transfer Station Operators
Transportation Aide
Welders Helpers

CATTARAUGUS COUNTY

APPENDIX D – UNCLASSIFIED

COUNTY SERVICE

Assistant Clerk to Legislative Board
Assistant to County Legislature
Budget Officer
Clerk to Legislative Board
Commissioner of Public Works
Conditional Release Commissioners
County Administrator
County Clerk
County Coroners
County Legislators
County Treasurer
District Attorney
Journal Clerk
Sheriff

All positions covered by Section 35 (F) of the Civil Service Law states that all members, officers and employees of the Board of Elections are in the Unclassified Service.

CITY SERVICE – City of Olean

Aldermen
City Clerk Treasurer
Examining Board of Plumbers
Mayor
Planning Board Members
Zoning Board of Appeals

CITY SERVICE – City of Salamanca

Superintendent of Public Works
Mayor
City Attorney
City Clerk
Aldermen
Members of Board of Education
Members of Fire Commission
Members of Board of Health

Members of Library Commission
Members of Planning Board
Members of Board of Examining Plumbers
Members of Police Commission
Members of Recreation Commission
Members of Board of Public Utilities
Members of Zoning Board of Appeals
Members of Salamanca Youth Board
Election Inspectors

TOWN SERVICE

Assessors (elected)

Carrollton	*Little Valley*
Coldspring	*Lyndon*
East Otto	*Machias*
Ellicottville	*Mansfield*
Farmersville	*Napoli*
Freedom	*New Albion*
Great Valley	*Randolph*
Hinsdale	*Red House*
Ischua	

Councilmen
Justices of the Peace
Planning Board Members
Tax Collectors
Town Clerk
Town Highway Superintendent
Town Supervisor
Voting Machine Custodians
Water Commissioner
Yorkshire
Zoning Board Members

VILLAGE SERVICE

Mayor

All Villages

Planning Board Members

Police Justices

Delevan	*Portville*
Little Valley	*Randolph*
Perrysburg	*South Dayton*

Trustees

All Villages

Village Clerk-Treasurer

Allegany	*Little Valley*
East Randolph	*Perrysburg*
Ellicottville	*Portville*
Franklinville	*Randolph*
Limestone	*South Dayton*

Village Clerk

Cattaraugus	*Gowanda*
Delevan	*South Dayton*

Village Treasurer

South Dayton

Voting Machine Custodians

Zoning Board Members (Section 35 –Village Law)

ALL SCHOOL DISTRICTS INCLUDING BOARD OF COOPERATIVE EDUCATIONAL SERVICES

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