

Albany County Department of Civil Service Newsletter Issue #05 October 2009

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TOPICS COVERED IN THIS ISSUE:

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Hot Topic: RPC Actions

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Law Section 65.3

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Director's Message

TIME LIMIT ON PROVISIONAL APPOINTMENTS FOLLOWING LIST ESTABLISHMENT



Pursuant to NYS Civil Service Law Section 65.3, a provisional appointment to any position shall be terminated (either by actual termination or, if incumbent is reachable, permanent appointment) within **60 days** from the date the list was established.

FOUNDATIONS OF CIVIL SERVICE ADMINISTRATION

Article V, Section 6 of the New York State Constitution

"Appointment 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 merit and fitness to be ascertained, as far as practicable, by examination which, as far as practicable, shall be competitive..."



Local Rules

Policy

NYS Civil Service Law

Constitution



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End of Probationary Period

Provisional Appointment: A non-permanent appointment which shall only be made when no appropriate eligible list exists or the full list has been exhausted (two or less candidates willing to accept appointment). Only applies to competitive class positions. Prior to hire, Civil Service must determine if candidate meets the minimum qualifications of the position.

Salary Change:

a salary change in the employee's existing title

Resignation:

Voluntary separation. Effective date of resignation is the last date of employment.

Disciplinary Suspended

Demoted: The voluntary or involuntary placement or appointment of an employee to a position allocated at a lower salary grade.

Change of Address/Name:

Use this action any time there is an address change or a name change.

Termination

Laid-off - Budgetary only: Reductions in force- Civil Service **must** be contacted **prior** to layoffs when it involves competitive class appointments.

Leave of Absence: A leave of absence, with or without pay, may be granted by the appointing authority pursuant to local law or legislative action.

Leave of Absence-**Military Leave**

Report of Personnel **Change (RPC) Actions**

An RPC **must** be entered in MERIT for every personnel change listed on this page.

Return from Leave

of Absence: The

date of return to the

position following a

leave of absence.

Permanent Appointment: A permanent appointment is either (a) an appointment to the competitive class made from a certified list or (b) an appointment to the unclassified service or the exempt, labor or non-competitive class.

Retirement

Provisional Promotion: A provisional appointment (see description above) to a competitive class position that if filled through promotional competitive examination. This action can only be chosen if the position has promotional

Deceased

qualifications.

Reinstatement:

See page 3.

Section 55-a Appointment:

The non-competitive appointment of a person with a disability to a prior approved entry-level competitive class title following approval by Civil Service and VESID.

Temporary Appointment:

Temporary appointments can only be made to competitive class positions. No temporary appointment can extend beyond 12 months. For more information, refer to newsletter Issue #2.

Transfer: A transfer is when an employee holding a permanent competitive class position moves to the same competitive class position in a different civil division without further examination. Transfers must be approved by Civil Service prior to appointment.

Seasonal Appointment: Include "from" and "to" dates when entering a seasonal appointment. MERIT does not automatically inactivate the employee at the end of the appointment. You must also submit an RPC for termination.

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SCHOOL DISTRICTS

Be on the lookout for a letter from Civil Service requesting your 2009/2010 payroll for certification. The letter will include guidelines as to how to report your non-teaching substitute employees.



Anticipating Vacancies???

Our goal at Civil Service is to have an active certified list for any vacancy that may arise in a competitive title. If you anticipate a vacancy in the near future, contact your assigned Personnel Technician for exam planning.



Civil Service will be holding an open MERIT/Civil Service info training session on November 6, 2009 at 10:00am in Room 500 at 112 State Street. Employees that handle Civil Service matters for your department/agency will greatly benefit from this training. Please rsvp by October 30th.

Have your questions ready!!!



REINSTATEMENTS

A **permanent competitive class** employee who has resigned **MAY** be reinstated without further examination to the position from which he/she resigned. Reinstatement is at the **discretion of the appointing authority.**

- Contact your assigned Personnel Technician in Civil Service to determine if employee is eligible for reinstatement.
- Civil Service will verify that the employee requesting reinstatement passed his/her probationary period and had permanent status in the competitive class title.
- If the above conditions are met, a Reinstatement Request form must be completed and sent to Civil Service.
- For reinstatement following a break in service of more than one year, the appointing authority must provide documentation or explanation that demonstrates that the individual requested to be reinstated possesses current knowledge and skill in the occupational field to which reinstatement is sought.
- If approved by the Director of Civil Service, submit an RPC for reinstatement.

~For further information regarding reinstatement, please refer to the Civil Service Rules for Albany County, Rule XVIII.~

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55-a L I S T S



A list of 55-a eligible candidates may accompany certain certified lists sent to you for positions deemed entry-level. The individuals listed should be considered along with the top three candidates on the certified list. For additional information regarding the 55-a program, contact Rachel Dillon at 447-7770.

Exam season is in full swing!

Announcements for the January 9, 2010 exams will be posted on or around November 2nd. Please be sure to check the website.



A Message from Our Director:

As I write this note, the County Executive has proposed layoffs as one measure to help cope with a looming budget deficit. Other civil divisions are also mulling such measures. It is in times such as this that the Civil Service system is put to the test. Over the past two years, we have emphasized the importance of the timely entering of accurate data into the MERIT system or the public roster and the confirming of the Civil Service status of all employees. Thanks to your help we have made great strides in this area, but work remains to be done. Please do not hesitate to consult the Civil Service Rules for Albany County located on our website or contact your assigned Personnel Technician with any questions you might have.

The topics chosen for this and other newsletters generally focus on the most frequent areas of concern expressed by you, our customers. In this way, we hope the material will be immediately relevant to your needs and ease the Civil Service tasks of your workload. Provisional appointments continue to be a concern of ours and often create other problems for you. It is an expedient that can prove helpful in the short term, but may prove difficult for the appointee and the employer in the long run. Please consult your Personnel Technician before making such appointments to ensure you have a complete picture of the consequences and accurate information with respect to the law.

I cannot emphasize enough the importance of MERIT/Civil Service training. Please consult the newsletter notice for the next session scheduled for November 6th if you need a refresher, if you are a new employee or if you are an employee who has been given responsibilities for updating MERIT and for entering Reports of Personnel Changes.

Sincerely, Michael J. Cummings

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