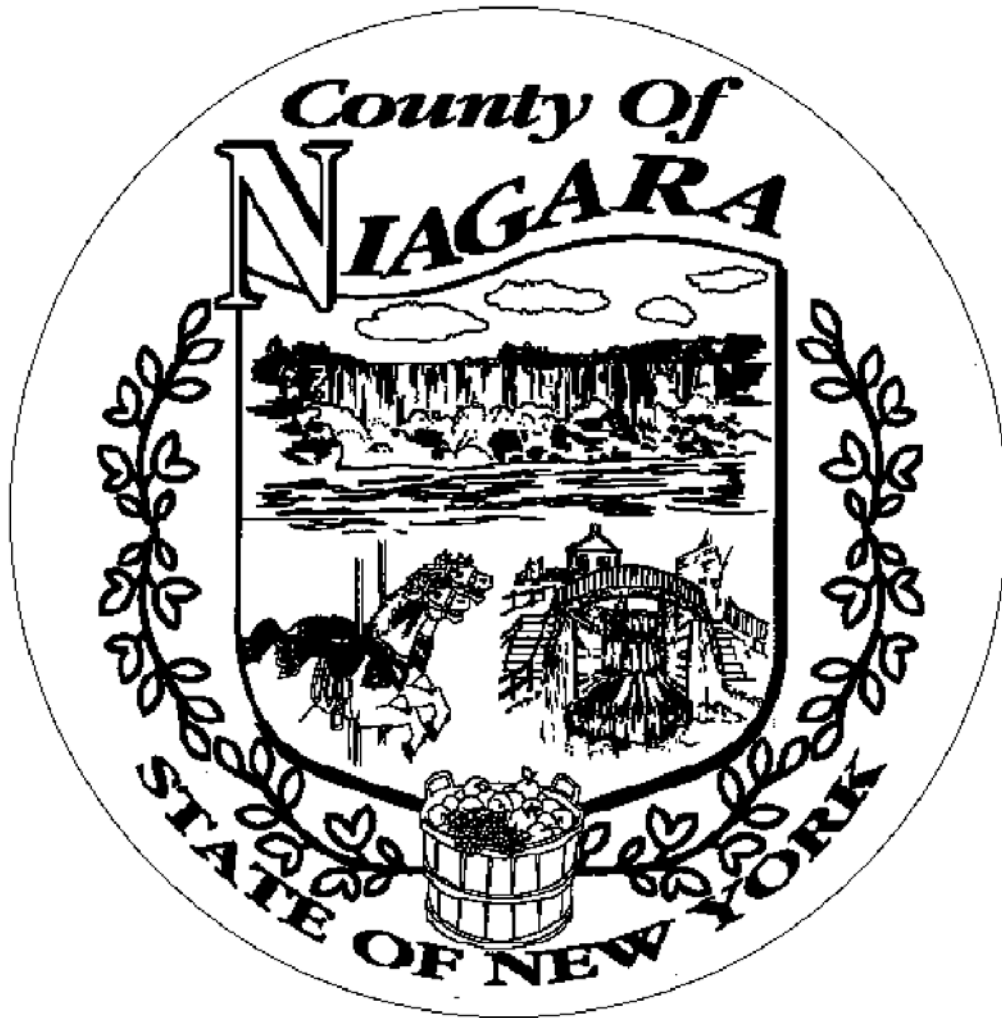


# CIVIL SERVICE REFERENCE GUIDE



# **Niagara County Civil Service**

**This booklet is designed to help you become familiar with the civil service process that is administered by Niagara County Civil Service.**

**NIAGARA COUNTY GOVERNMENT PROHIBITS DISCRIMINATION IN EMPLOYMENT, PROGRAM ACTIVITIES, PROCUREMENT AND CONTRACTING, ON THE BASIS OF DISABILITY, RACE, COLOR, SEX, RELIGION, AGE, NATIONAL ORIGIN AND MARITAL STATUS.**

**This guide is for informational purposes only, and is not intended to be a substitute for seeking legal advice.**

June 24, 2014

## CIVIL SERVICE LAW

In 1883, the New York State Legislature passed the Civil Service Law, which affected appointments in state government and cities. The law was amended in 1909 and again in 1958 and continues to be amended by the State Legislature regularly. Civil Service Law sets rules for appointment, promotion, and discipline of government employees. These rules apply to the state and all of its civil divisions, including cities, towns, villages, school districts, community colleges, special districts and authorities, and counties.

### NIAGARA COUNTY CIVIL SERVICE

Niagara County Civil Service has a Personnel Officer form of administration. The Niagara County Legislature appoints the Personnel Officer for a six-year term. The Personnel Officer oversees the Civil Service function for all branches of local government in Niagara County, except for the cities of Lockport and Niagara Falls.

As part of its services, Niagara County Civil Service provides Niagara County government and jurisdictions with the following:

- ▶ Determines position titles and develops job specifications.
- ▶ Administers examinations for competitive titles and establishes eligible lists of qualified candidates.
- ▶ Adopts Local Rules and Appendices
- ▶ Interprets Civil Service Law, and Local Rules covering appointment, promotion, discipline and discharge.

### CLASSIFICATION OF GOVERNMENT SERVICE

Positions in government fall within two categories: the unclassified service and the classified service.

*Unclassified service* consists of all elected officials, certain department heads, employees of the Niagara County Legislature and Board of Elections, teachers and some supervisory personnel in school systems. In Niagara County, the unclassified service positions comprise only a small percentage of the workforce.

*Classified Service* makes up the vast majority of positions and are assigned to one of the following jurisdictional classes:

- ▶ **Exempt** - there is a confidential relationship between the employee and the elected official, department head or policy making level positions. (i.e. deputies and secretaries to department heads).
- ▶ **Labor** - have no minimum qualifications. (i.e. entry level service employees and laborers).
- ▶ **Noncompetitive** - specific experience and education are required and it is impracticable to hold a competitive examination to fill them. (i.e. various part-time positions, registered and licensed practical nurses, and mechanic positions. Included in the noncompetitive class can be a competitive position that is reclassified for a disabled applicant - Section 55-A of Civil Service Law.

► **Competitive** - require applicants to meet both minimum qualifications and pass an examination. Those candidates with the highest scores are the first to be considered for appointment.

## **THE APPOINTMENT PROCESS**

All appointments made to positions under the jurisdiction of Niagara County Civil Service must be done in accordance with New York State Civil Service Law and Local Rules & Appendices.

**Permanent Appointments** - are made to vacant classified service positions. A permanent appointment in the competitive class is made from a list of qualified eligible candidates who have passed an appropriate Civil Service examination. All permanent appointments are subject to successful completion of a probationary period. A permanent appointment cannot be terminated, interrupted or discontinued except in accordance with the laws, rules, and regulations governing the classified service, or an applicable labor contract.

**Provisional Appointments** - may be made to a vacant competitive classified position if there is no appropriate civil service eligible list for that title. A qualified applicant may be provisionally appointed and serve in the position until an appropriate eligible list can be established and a permanent appointment made.

**Temporary Appointments** - may be made to competitive class positions when a current employee is on a leave of absence from his/her position or when the appointment will not continue for more than six (6) months. Temporary appointments may be made for a period of not more than three (3) months without regard to existing eligible lists, providing the candidate meets the minimum qualifications. Appointments for more than three (3) months, but not more than six (6) months, may be made by selecting any candidate from the appropriate eligible list, without regard to their standing on the list. The Personnel Officer may extend a temporary appointment up to one (1) year. Temporary appointments may also be made for the duration of a leave of absence. Appointments for more than six (6) months, may be made by selecting a candidate among the top three eligible candidates on an appropriate eligible list.

**Transfer Appointments** - are movements of permanent competitive employees from their positions in one department or jurisdiction to the same or similar positions in the same or lower grade in another department or jurisdiction. The Personnel Officer determines similarity. No employee may be transferred without his/her consent. Transfers must be approved by Personnel Officer action.

**Probationary Periods** - may vary in the minimum and maximum periods. But all permanent appointments to positions in the classified service include a required probationary period during which the employee must prove his/her ability to do the work

## CIVIL SERVICE EXAMINATIONS MOST ASKED QUESTIONS

### Why are examinations needed?

According to the New York State Constitution and Civil Service Law, appointments and promotions in New York State and its civil divisions, as listed on page 1, are to be based, when practicable, on “merit and fitness” to be determined by examinations, which, when practicable, must be “competitive.” It is necessary to hold examinations to provide “eligible lists” (ranked lists of successful candidates) to fill vacant positions. Examinations are required to fill positions in the competitive class.

### What are the types of Civil Service examinations?

**Open competitive examinations** are open to anyone who meets the minimum qualifications and the stated residency requirement. Unless otherwise stated most positions covered by Niagara County Civil Service have a one-month Niagara County residency requirement.

**Promotional examinations** are open only to permanent Niagara County Civil Service employees who are in the announced direct line or collateral line promotional fields and are employed in the department or jurisdiction that has the vacancy in the title tested.

**Section 55-A** was added to the state Civil Service Law to increase employment opportunities in local governments throughout New York State for qualified people who are mentally or physically disabled. These provisions allow eligible individuals to be appointed to competitive-class positions without taking a Civil Service examination. Responsibility for determining who is eligible for appointment under 55-A is shared by the Niagara County Personnel Officer and either the Office of Vocational and Educational Services for Individuals with Disabilities (VESID) or the State Commission for the Blind and Visually Handicapped (CBVH).

### What formats are the Civil Service examinations in?

An examination may consist of one or more tests:

- ▶ **Written Tests** - usually multiple choice questions.
- ▶ **Oral Tests** - candidates appear before a panel of examiners, and/or sometimes before a video camera to make a presentation.
- ▶ **Performance Tests** - candidates are evaluated on how well they perform a sample of work. (i.e. *typing test*).
- ▶ **Training and Experience Evaluations** - candidate's education and work experience are rated against the job requirements.
- ▶ **Physical/Agility Tests** - for some positions, candidates may be required to pass a physical and/or agility test.

### Where are the upcoming examinations posted?

The examination announcements are posted in the Niagara County Department of Human Resources, various Niagara County departments, the Niagara County web site ([www.niagaracounty.com](http://www.niagaracounty.com)) and other public sites such as libraries, town halls, and colleges. Postings are updated regularly, so it is recommended to check the lists of current tests every two (2) weeks.

Anyone interested in taking an examination should first acquire a copy of the examination announcement. Announcements are released approximately four (4) weeks prior to the closing date for filing an application and contain very important information such as:

- ▶ Type of examination (open-competitive or promotional)
- ▶ Date of the examination and the application closing date
- ▶ Examination number, title, salary, and application processing fee
- ▶ Residency requirements
- ▶ Eligible criteria for admission to the examination (minimum qualifications)
- ▶ Location of positions (County department or jurisdiction)
- ▶ General description of duties
- ▶ Types of tests that will be held, and the subjects of the test
- ▶ Information on how to apply, special arrangements for Saturday religious observers and persons with disabilities, and other important information, depending on the type of test and the specific examination
- ▶ Eligibility requirements for veteran's credits

### **How do I apply?**

You must complete one application for each examination you wish to take. Applications may not be filed for examination titles that are not yet announced. Applications and examination announcements are available in person or by mailing a self-addressed stamped envelope to the Niagara County Department of Human Resources, 111 Main Street – Suite G2, Lockport, New York 14094. You may also download an application form from the Niagara County web site ([www.niagaracounty.com](http://www.niagaracounty.com)).

Most examinations require that you pay an application fee. The examination announcement indicates whether or not a fee is required. Only checks or money orders are acceptable for payment. Payment must accompany your application. In some cases, a portion of the fee is waived because of financial hardship. Check the examination announcement and the last page of the application for details about fee waivers.

**PLEASE READ THE ANNOUNCEMENT CAREFULLY BEFORE YOU APPLY.  
APPLICATION FEES ARE NOT REFUNDABLE.**

### **Please be sure that:**

- ▶ An application is submitted for each examination you wish to take.
- ▶ The correct examination number and title are on the application.
- ▶ A check or money order payable to Niagara County Civil Service is submitted with your application by the closing date for filing.
- ▶ Applications are complete and accurate.

Applications with incomplete information may result in your disqualification from the examination. Attaching a resume is not an acceptable alternative to completing an application.

**NO REFUNDS ARE MADE IF YOU DO NOT QUALIFY  
OR DO NOT APPEAR FOR YOUR EXAMINATION.**

### **What if the position does not require an examination?**

If you are applying for a position within County government or in a County jurisdiction that does not require an exam, fill out the same application as you would for an examination. You should apply directly to the village, town, school district, or special district in which you seek employment using the same application as you would for an examination.

### **What happens after I apply for an examination?**

Applications for announced examinations are processed as they are received. Those that meet the minimum qualifications are notified by mail at least one (1) week prior to the examination date of the examination location and other instructions. Those applicants who do not meet the qualifications are notified by mail prior to the examination informing them of the reasons why they are not qualified and allowing submission of additional qualifying information, if any, by a specific date.

### **How do I prepare for an examination?**

After reading the examination announcement and the subject areas you will be expected to know, compare the list of topics to be tested with your own knowledge and skills. If the examination announcement reads, "There will be a written test," you can usually expect multiple-choice questions. You can improve your examination score by improving your skill in taking multiple-choice tests. The County has no examination preparation materials other than certain study guides made available by New York State Civil Service for a limited number of titles.

### **When will I receive my examination results?**

You will be notified by mail of your score a few months after the examination. Only those with a score of 70% or above are included on eligible lists for job openings. Additional points may be added to the scores of qualified veterans and promotional candidates. Most examinations allow for a computational review of the test results (a comparison of your answer sheet to the answer key of the examination). This can be requested in writing within ten (10) days of the notification of your test score.

### **Where are the examination lists used?**

All Niagara County departments, the City of North Tonawanda and its school district, towns, villages, school districts, libraries, the Niagara County Soil and Water Conservation District, and Niagara County Community College use the lists resulting from these examinations to fill competitive positions. The state and federal governments and the cities of Lockport and Niagara Falls administer their own examinations. Jobs are filled from these lists by the employer choosing one of the three highest scoring applicants willing to accept the job.

### **What about promotional Civil Service examinations?**

If you are currently employed by Niagara County government or one of the Niagara County jurisdictions, promotional announcements are posted within your County department or jurisdiction. Copies of the examination announcements are also available in the Niagara County Department of Human Resources.

## **ELIGIBLE LISTS**

The names of all successful examination candidates (those with a score of 70% or above) are placed on a civil service eligible list in rank order according to the score they received on the examination. Eligible lists are established for a period of one (1) to four (4) year. The lists are available for your viewing at the Niagara County Department of Human Resources during normal business hours, Monday - Friday, 8:00 AM - 4:00 PM.

### **TYPES OF ELIGIBLE LISTS:**

**Open-Competitive** - list of the names of all successful open-competitive examination candidates for a particular title.

**Promotional** - list of the names of successful promotional examination candidates who are currently employed in a lower level title in that County department or jurisdiction. Civil Service Law mandates that promotional eligible lists, if they exist, be used before an open competitive eligible list can be used.

**Preferred** - list of employees in the competitive class who had permanent appointments and are laid off. Preferred lists must be used first in filling vacancies.

### **CERTIFICATIONS OF ELIGIBLE CANDIDATES**

Names of candidates on a Civil Service Eligible List will be certified for appointment to Niagara County departments and Niagara County jurisdictions that have the title and want to fill a vacancy in that title. As vacancies occur, Niagara County Civil Service sends canvass letters to a sufficient number of eligible candidates in order to make an appointment following the "Rule of Three". Certifications of eligible candidates will be sent to departments and jurisdictions seeking to fill vacancies at the time the eligible list is established and to those departments and jurisdictions employing provisional appointees.

### **THE "RULE OF THREE"**

Job vacancies are filled from eligible lists according to the "Rule of Three" which requires the selection of one of the top three eligible candidates on the list who indicate willingness to accept appointment.

### **The Eligible Candidate's Responsibilities:**

Upon receipt of a canvass letter, the eligible candidate should immediately indicate his/her interest in the position or their reason for declination and return the canvass letter within the time frame indicated to the Niagara County Civil Service Office. Not everyone who responds to a canvass letter will be interviewed; you may be too far down on the list to be one of the group within the "Rule of Three."

If you fail to reply to a canvass letter, your name will be removed from further consideration for that and all other positions filled from the eligible list. If you respond late to the letter, you may be skipped over for that position.

If you decline due to salary or location, your name will not be certified to that jurisdiction again.

If your name has been removed from an eligible list, it may be restored to an active status on this eligible list by written request to the Niagara County Personnel Officer. Include in this request



your name, social security number, eligible list number, title, score, and reasons you are requesting reinstatement.

Your request will be reviewed and a determination will be made regarding your restoration to the eligible list. If reinstated, your name will be considered on future certifications, but your name will not be added to any outstanding certification.

If you are on an eligible list, it is your responsibility to inform the Niagara County Civil Service Office of any change of address and/or name. Include in this notice your name, social security number, eligible list number, title and score.

## **ADDRESSES**

Niagara County Department of Human Resources  
111 Main Street – Suite G2  
Lockport, New York 14094  
[www.niagaracounty.com](http://www.niagaracounty.com)

Niagara County Personnel Officer  
111 Main Street – Suite G2  
Lockport, New York 14094  
[www.niagaracounty.com](http://www.niagaracounty.com)

New York State Department of Labor  
Division of Employment Services  
81 Walnut Street  
Lockport, New York 14094

New York State Department of Civil Service  
The State Campus  
Albany, New York 12239  
[www.cs.state.ny.us](http://www.cs.state.ny.us)

## The Rule of Three

### How do you determine who is reachable for appointment?

Count down 3 NAMES from the top of the list. Everyone RANKED ABOVE or TIED in score with the THIRD candidate is REACHABLE.

### May I appoint anyone in the TOP 3 SCORES?

NO!! Only people ranked above or tied in score with the THIRD CANDIDATE FROM THE TOP OF THE LIST.

### WHO IS REACHABLE FOR APPOINTMENT WHEN THERE IS ONE VACANCY?

#### Example 1

1	Julia	100
2	Nelson	95
3	Linda	90
4	Horace	85
5	Kwah	85
6	Joe	85
7	Carey	80

#### Example 2

1	Paula	90
2	Karen	90
3	Jim	90
4	Taylor	85
5	Dell	85
6	Pat	85
7	Doug	80

#### Example 3

1	Pedro	90
2	Will	90
3	Lori	85
4	Marie	85
5	Dan	85
6	Jill	85
7	Tammy	80