



Robert E. Antonacci II, CPA
Comptroller

COUNTY OF ONONDAGA

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County Comptroller*

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October 30, 2017

Onondaga County Legislature
401 Montgomery Street, Room 407
Syracuse, New York 13202

Re: Civil Service Audit

Dear Legislators:

Please find this Office's audit report on Civil Service compliance in Onondaga County.¹ This Office has often reviewed departments when a change in leadership occurs. Not only was a new Personnel Commissioner appointed, this Office hired a new Payroll Auditor as a result of the previous employee taking a job with the Administration. Our new Payroll Auditor brought a series of concerns to my attention which, in concert with the change in leadership at Personnel, resulted in this audit report.

Due to a lack of cooperation from the Administration, we were unable to access all necessary information. Should the Administration change its mind, we would be happy to revisit this scope limitation.

What we have found raises serious concerns in the operation of Civil Service in Onondaga County. The concerns are so serious we have sent copies of this report to the State Comptroller's Office and the New York State Civil Service Department. Numerous practices appear to violate Civil Service Law, including but not limited to, the use of temporary and provisional appointments, application of the rule of three, and the creation of new positions. Of particular concern to the Legislature should be the double-filling of positions, circumventing the legislative process.

It is my hope you, or any other relevant agency, review this matter and take any necessary steps to assist us in correcting the practices within Onondaga County.

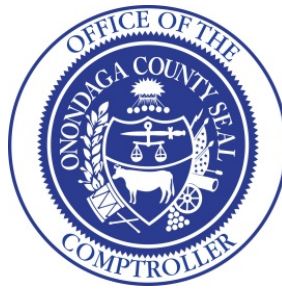
Thank you in advance for your prompt attention to this matter. Should you have any questions or concerns, please do not hesitate in contacting me directly.

Sincerely,

Robert E. Antonacci II

cc: Hon. Thomas DiNapoli, New York State Comptroller
Lola Brabham, Acting Commissioner New York State Department of Civil Service

¹ Also available at: <http://www.ongov.net/comptroller/documents/CivilServiceLawComplianceAudit.pdf>



Audit of Civil Service Law Compliance

October 30, 2017

By Onondaga County Comptroller Robert E. Antonacci II, CPA, Esq.

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SECTION I

BACKGROUND AND EXECUTIVE SUMMARY

Background

The Commissioner (the Commissioner) of Onondaga County Department of Personnel (the Department) is the personnel officer of the county appointed for a six year term by the County Executive with the advice and consent of the County Legislature. The Commissioner by state law is required to administer the provisions of civil service law with respect to the offices and employments in the classified service of the county and other civil divisions within the county (such as school districts, etc.). The Commissioner has the power and obligation at its own expense to conduct examinations and establish eligible lists for any position within the county jurisdiction. See Appendix for Civil Service Law Sections (CVS).

Significant internal control issues were brought to the attention of the Onondaga County Comptroller's Audit Division. The Audit Division began reviewing these areas of concern, and while researching, we noted other areas which did not conform to the Civil Service Laws of New York State.

We submitted an engagement letter addressed to the Commissioner on August 25, 2017. However, in return we received a letter from the Deputy County Executive (Exhibit A) on August 31, 2017 addressing the requested audit and the refusal to allow the Department's management and staff to cooperate with us. This was considered a significant scope limitation as we were unable to determine if policies and procedures do in fact exist or if internal controls are being followed to ensure compliance with the NYS Civil Service Law.

Executive Summary

During our audit of the Department of Personnel's compliance with civil service laws we found the following internal control weaknesses:

- 1) Inappropriate and/or excessive use of temporary and/or provisional appointment status to keep current staff
- 2) Back dating of "Notification of Personnel Changes" (P100)
- 3) Dual appointments (double filling one position)
- 4) Administration failed to cooperate
- 5) Non-compliance with numerous sections of Civil Service Law as illustrated below:

Civil Service Law Sections, Number of Non-Compliance Occurrences and Finding Reference

Section	§22	§23	§44	§50	§51 and §52	§55 and §55-a	§60	§61	§64	§65	§70
# of Occurrences	16	16	64	64	64	13	14	360	17	57	4
Finding	E,P	E,P	A,C,H,P, R,S,T	A,C,H,P, R,S,T	A,C,H,P, R,S,T	H	H,S	A,C,D,L, P,R,S,T	B,K,M,N, O,R,S,T,U	A,C,D,K, M,P,T,U	I,J,P

SECTION II

SCOPE AND METHODOLOGY

Scope and Objectives

The scope of this engagement was to review the Department's internal controls, policies and procedures to ensure compliance with NYS Civil Service Law ("CVS").

Our objectives were to:

- Determine if effective procedures are in place and operating effectively to ensure compliance with all applicable CVS rules and regulations.
- Review specific policies and procedures.
- Provide County administrators and the Department's management with recommendations relating to their current practices.

Methodology

In order to complete our objective we:

- 1) Attempted to inquire of department staff of applicable procedures. (Unable to perform this important step due to the imposed scope limitation.)
- 2) Queried Genesys (the County's computer payroll system) of provisional status employees in the competitive class, and current employees with SEC 55-a status (all of which show as competitive);
- 3) Reviewed public access active list of exams on Onondaga County website and other relative accessible information;
- 4) Analyzed and compared expected, required, and best practices to the application and compliance of Civil Service Law in accordance with New York State and the municipality of Onondaga County;
- 5) Finalized recommendations and included them in this report as to information and research we of Onondaga County Comptroller's Office were able to access.

SECTION III

FINDINGS AND RECOMMENDATIONS

The findings are as follows:

Section 65 Regarding Provisional Appointments

§65 of Civil Service Law addresses rules and regulations concerning provisional appointments. Certain time restrictions and purposes for such appointments apply, such as no provisional appointment should exceed nine months (See Section V Appendix).

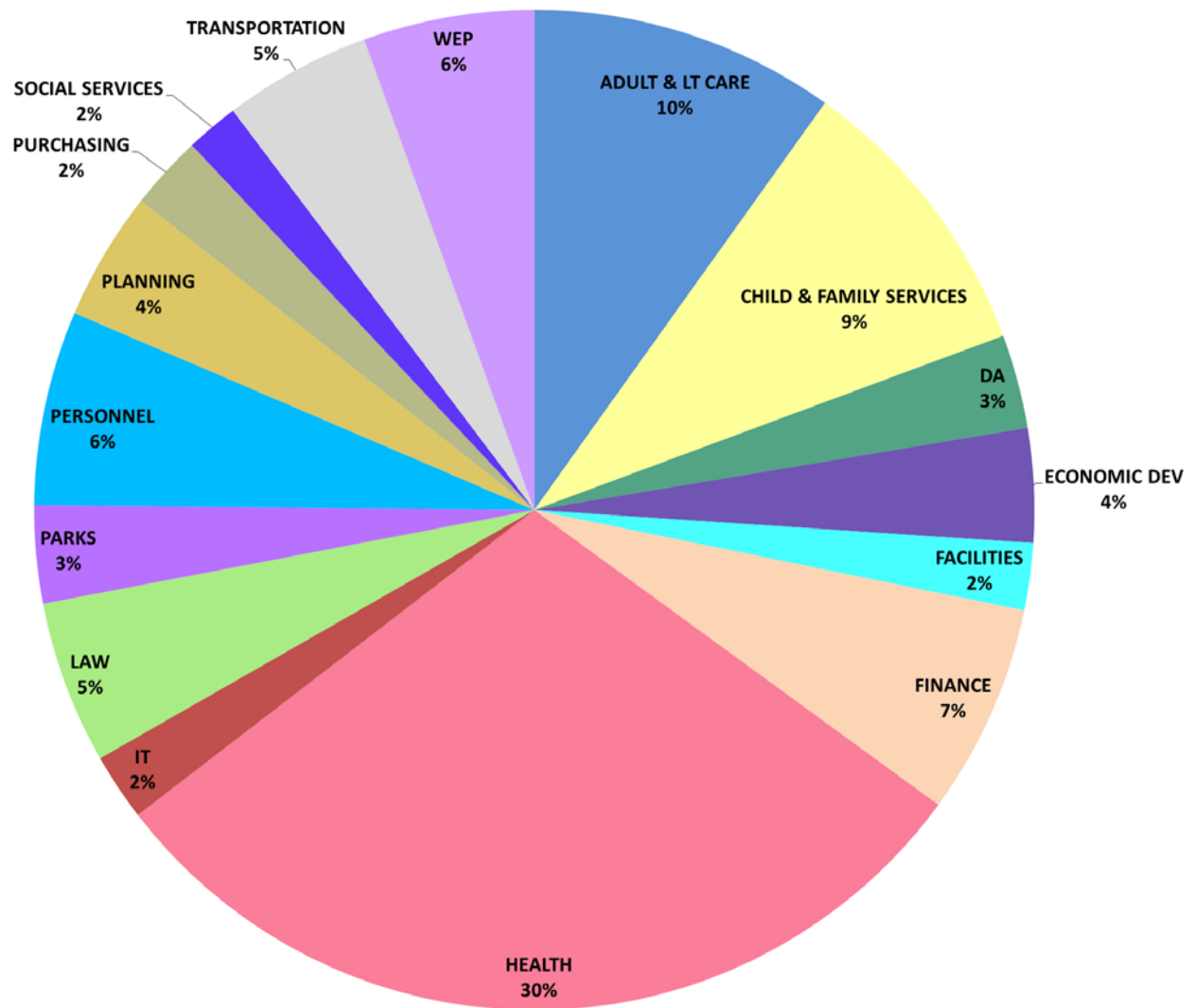
To test for compliance with §65, we conducted a query of Genesys of employees with provisional status of one month or more as of June 2017. This resulted in 113 employees which met the criteria.

A. FINDING:

We noted 46 of the 113 were in provisional status in excess of nine months.

Due to the imposed scope limitation we were unable to discuss policies and procedures and the Department's internal controls to ensure the Counties hiring practices are in compliance with CVS Laws. Therefore, we were unable to audit specific salary, overtime and fringe benefits costs associated with the provisional appointments in our sample population. We estimate these costs from 1/1/15 through 12/31/17 are in excess **\$10.1 million** (2017 ~ **\$4.5 million**; 2016 ~ **\$3.8 million** and 2015 ~ **\$1.7 million**). The following chart illustrates the percentage of total estimated provisional employee's salary and fringe by department.

Percentage of Provisional Employee's Salary and Fringe



B. FINDING:

We noted 1 of the 46 provisional appointees had taken the Storekeeper administered exam, but was not reachable on the eligible list with a rank of 3, grade of 90%, until 8 higher ranked candidates were cleared. Due to the imposed scope limitation, we are unable to verify the validity of this continued appointment as we did not have access to canvassing paperwork as Administration blocked our attempt to make inquiries with the Department staff.

We noted effective 9/19/17 this employee's appointment was changed from a provisional appointment to a temporary, per P100 dated 9/7/17, which creates a violation of §64 regarding successive temporary appointments discussed in more detail later in report.

- 1) *Recommendation: The Commissioner must execute his function as declared by the State of New York Civil Service to ensure all provisional appointments meet the requirements of New York State Civil Service Law.*

C. FINDING:

We noted an additional employee was found to be in a provisional appointment in excess of nine months for the title "Wastewater Treatment Plant Maintenance Crew Leader". At the time of provisional appointment there were two eligible lists available, one open competitive and one promotional. Per provisional appointments, if there is not a list available or there are not at least 3 eligible candidates, the provisional appointment does not have to be made from the list. In this case there were more than 3 eligible candidates who could have accepted the provisional appointment.

D. FINDING:

We noted an employee who had been in provisional status for almost 3 years in the Health Department, title Medical Records Technician. We question the provisional to permanent status change on 1/26/17 as there was no lag of time between that and the date the eligible list was established. Said employee was not reachable on the eligible list until 3 higher ranked candidates were cleared. We were unable to determine if required canvassing did in fact take place due to the imposed scope limitation.

We were unable to determine if the candidate possessed the minimum qualifications detailed on the job specifications which indicated the candidate must be registered with the American Health Information Management Association (AHIMA) as an accredited Registered Health Information Administer (RHIA) or a Registered Health Information Technician (RHIT) due to the imposed scope limitations.

- 2) *Recommendation: The Department must be in compliance with all sections of the New York State Civil Service Law.*

Section 22 Regarding Certification for Positions

§22 of Civil Service Law addresses rules and regulations for the certification of positions with the New York State Civil Service Commission regarding new titles/positions and the reclassification of any existing title/position already certified by the State Commission (using Exhibit B “New Position Duties Statement”).

E. FINDING:

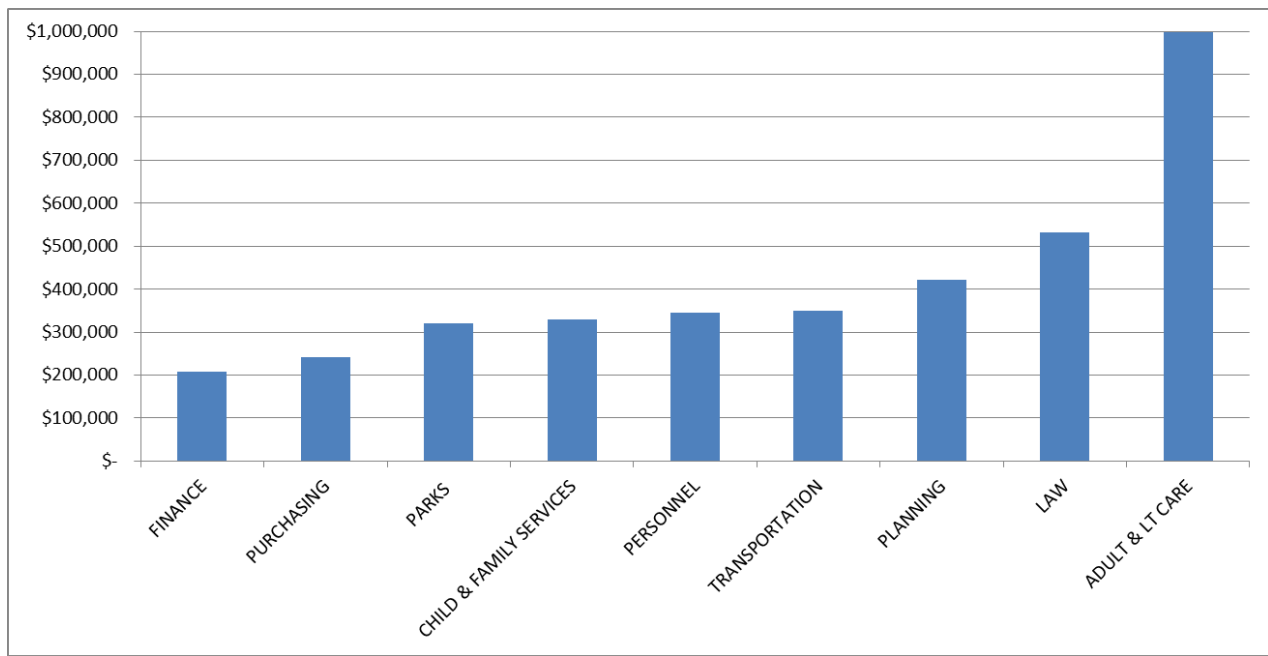
We noted 15 out of the 113 provisional appointees were in titles/positions not yet established or certified with the State Civil Service Commission. This appears to be in violation of CVS Law §22. This is based on a review of titles/positions listed with New York State Civil Service Commission and the municipality of Onondaga County Civil Service job specifications per website http://www.ongov.net/employment/job_specs/ as of 9/13/17.

DEPT	Title/Position
ADULT & LT CARE	Deputy Commissioner of Adult and LTC Serv
ADULT & LT CARE	Deputy Commissioner of Adult and LTC Serv
ADULT & LT CARE	Commissioner of Adult and LTC Serv
CHILD & FAMILY SERV	Deputy Commissioner of Child and Family Serv
CHILD & FAMILY SERV	Deputy Commissioner of Child and Family Serv
FINANCE	Deputy Director of Financial Operations
LAW	Chief Confidential Assistant Atty
LAW	First Chief Deputy County Atty

DEPT	Title/Position
PARKS	Deputy Commissioner (Parks)
PERSONNEL	Admin Officer Personnel
PERSONNEL	Director of Payroll Oper
PERSONNEL	Dep Comm Personnel
PLANNING	Dep Planning Director
PURCHASING	Deputy Purchasing Dir
TRANSPORTATION	Deputy Commissioner Trans - HGH

The total estimated monetary value of salary and fringes incurred from 1/1/15 to date and expected to be incurred through 12/31/17 of **\$3.7 million** is displayed by department in the graph below as it relates to these titles and their respective appointment date. Due to the imposed scope limitation, we were unable to determine if proper controls exist to ensure compliance with this section of law.

2015-2017 Expenses to Incur and Have Incurred For Uncertified Titles



- 3) **Recommendation:** *Personnel should implement controls to ensure all titles are certified per requirements of §22 of New York State Civil Service Law. Titles and job specifications should be in accordance with Civil Service Law. In the event of a non-certified title; Commissioner must satisfy legal means to create new title and job specifications with Civil Service Law Commission.*

F. FINDING:

We question the timing of the change for the following three titles, Deputy Director of Financial Operations, Deputy Commissioner (Parks) and Deputy Commissioner of Transportation as the Comptroller's date stamp of the P100's was on 8/31/17 and 9/1/17 and the sign off date by each certified department head was after the date of the Comptroller's engagement letter, which was dated and delivered on 8/25/17 (Exhibit C). The P100's for each of these were back dated and entered into Genesys for an effective date of 07/18/2017. These are non-certified titles noted in finding E above. The effect of the P100's (Exhibit D) was to change these titles from provisional status to permanent and indicated the following: ***as a "result of an appendices revision approved by the State Civil Service Commission"***. We further question the validity of the changes as New York State Civil Service Commission did not have these based on our review as of 9/13/17 ¹.

The monetary result from 1/1/15 through 12/31/17 of incurred expenses and expenses expected to be incurred for all three total approximately **\$ 876,000**. The approximate expenses for each department as follows:

¹ Subsequently checked on 10/4/17, 10/11/17 and 10/17/17.

Finance	\$ 207,100 (24%)
Parks & Rec	\$ 319,700 (36%)
Transportation	\$ 349,200 (40%)

- 4) *Recommendation:* *All Onondaga County employees in competitive positions must have job titles and job specifications in accordance with Civil Service Law §22. If a new title and new job specification is created, the appropriate method must be followed to append Civil Service Law to include said title, specifications and establishment of exam with accordance to Civil Service Law and approved by New York State Civil Service Commission before said title is established and appointed. All titles/positions certified as competitive should comply with §44 of New York Civil Service Law.*

G. FINDING

We also question the granting of permanent status with a jurisdictional class coded as competitive as to our knowledge there has been no examination ordered or administered (in regards to finding F above). Per the Civil Service Laws, a jurisdictional classification of competitive are for positions in which it is practicable to determine merit and fitness by competitive examination.

- 5) *Recommendation:* *Department of Personnel must prescribe, monitor and enforce Civil Service Laws. The three positions noted in this finding should not remain in permanent status until the appropriate exam can be ordered and administered per Civil Service Law. We recommend internal controls are implemented to ensure compliance with Civil Service Law.*

Section 55-a Regarding Disability Appointments

§55-a of Civil Service Law addresses rules and regulation for persons with disabilities. Such appointments must first go through an approval process with New York State Educational Services – Adult Career and Continuing Ed Services via Acces-VR.

H. FINDING:

We noted there are 13 Onondaga County employees currently holding §55-a appointment status and are classified as competitive class in Genesys. Per §55-a each individual title should have an “NC” (which indicates non-competitive status) denoted in the jurisdictional class in Genesys (Exhibit E). Due to imposed scope limitation, we were unable to verify these individuals followed the above protocol and went through the New York State Education Services for proper evaluation. The following estimated county expenses incurred 1/1/15 to date and expected through 12/31/17 relating to §55-a are presented below.

Year	Expenses
2015	\$ 898,700
2016	\$ 1,015,500
2017	\$ 978,400
Total	\$ 2,892,600

I. FINDING:

§52 indicates §55-a appointments may be promoted upon successfully passing the respected promotional exam for which they qualify. The qualifications are based on the eligibility to sit for the exam and the discretion of the department head.

We noted 1 of the 13 §55-a appointed employees was improperly promoted on 5/16/15. The individual worked in Facilities Management as a Building Maintenance Oper Assist and then was promoted to a Grounds Supervisor (competitive position) with a step up in pay grade without the Department first ordering and administering an examination. The *estimated net loss* to the county for salary and fringe benefits paid 5/16/15 through 9/8/17 was in excess of **\$ 19,000.**

J. FINDING:

We also noted 2 other of the 13 §55-a appointments appeared to have been promoted to different titles with higher pay and/or grades. Per §52.9, an increase in salary is considered a promotion.

Dept	From Title	To Title	Grade From	Grade To
Social Services	Social Services Examiner I	Support Enforcement	7	8
Children & Fam Serv	Program Monitor	Project Coordinator	9	31

K. FINDING:

We noted 6 out of the 13 §55-a appointees had begun in a competitive provisional or competitive temporary status and were in these appointments for longer than 9 months for provisional and/or longer than 6 months for temporary.

	Department	Title/Position
1	Facilities Management	Construction Administrator
2	Health Department	Nutrition Assistant
3	Purchase Division	Materials Management Coordinator
4	Sheriff's Office	Security System Maintenance Specialist
5	Social Services	Social Services Examiner I
6	WEP	Program Assistant

- 6) *Recommendation: The Department should obtain a full understanding of promotional provisions and implement controls to ensure compliance with New York State Civil Service Law.*

Section 61 Regarding Eligible Test and the “Rule of Three” and Reachability

§61 of Civil Service Law addresses rules and regulations for canvassing eligible lists and the appointment or promotion from one of the three highest ranked on the list (“Rule of Three”). The Department has provided the rules, regulations and instructions on canvassing http://www.ongov.net/employment/document_center/Docs/home.cgi under header of Civil Service Documents and Forms labeled “Instructions for Canvassing an Eligible List” (Exhibit F).

L. FINDING:

We could not properly test 295 appointees from the County’s current active eligible lists, and subsequent compliance with the “Rule of Three” addressed in §61 of Civil Service Law due to the imposed scope limitations.

Due to the uncertainty of the status of all listed exam candidates on each eligible list, the current count of 295 appointed candidates may be understated. This test was completed based from the public view of the Department’s website of eligible lists.

We noted candidates status’ are marked as active, inactive, undeliverable, or appointed based on our online review. Audit could not prove the validity of the candidates hired due to the scope limitations imposed by county administration, as we were denied access to canvas letters, response letters, constitutional oath statements, and the ability to discuss matters with employees in personnel.

- 7) *Recommendation: In the future we suggest the county administration allow the Department to fully comply with our audit requests.*

M. FINDING:

We question the retaining of 10 County employees, based on our testing for the “Rule of Three” (as defined in §61), public knowledge of active eligible lists and first hand county knowledge of employees in said position before or at time of the establishment of these eligible lists. The following illustration indicates the number of eligible candidates needed to be “cleared” from the list to reach the individual currently in the position. Also noted is the abusive use of provisional and temporary appointment status.

Title	Department	Non-Compliance	To Be Reachable
*Accounting Supervisor Grade B *Finding N	Financial Operations	Provisional status is in excess of 2 months past the established date of eligible list	2
Storekeeper	WEP	Status changed from provisional to a temporary appointment of the same position 2 months after list established	8
Public Information Specialist	WEP	Status changed from provisional to a second temporary appointment of the same position exactly 2 months after list established	9
Public Health Educator	Health Department	Status changed from provisional to a temporary appointment of the same position exactly 2 months after list established	9
Public Health Educator	Health Department	Status changed from provisional to a temporary appointment of the same position exactly 2 months after list established	9
**Purchasing Clerk **Finding O	Purchasing Division	Provisional status in excess of 9 month maximum appointment	12
Public Information Specialist	Transportation	Status changed from provisional to a second temporary appointment of the same position exactly 2 months after list established	17
Payroll Assistant	Personnel Department	Provisional status in excess of 9 month maximum appointment	18
**Purchasing Clerk **Finding O	Purchasing Division	Provisional status in excess of 9 month maximum appointment	19
Public Health Social Work Assistant	Health Department	Provisional status in excess of 9 month maximum appointment	68

N. FINDING:

The *Accounting Supervisor Grade B from above is in question as we were notified on a change in their records concerning their appointment status. The P100 was back dated effective 8/12/17. We question the date the department head certified this change as there was a greater lag of days as compared to other P100's we observed during this audit between signature of head of department (8/12/17), stamp received date in the Department (9/26/17) and stamp received date in the Comptroller's Office (9/27/17) (see Exhibit G). We also question this date as it is the exact 2 month period date for which (by §65) the provisional employee must be terminated if the department canvassing the list cannot reach them. A temporary position in this case would have had to been made off the top 3 ranked on the list. The choice (per §64) to use a temporary appointment from any candidate on the list regardless of their rank is only permitted when that position needs to be filled and no employee is currently performing the necessary duties. This appears to be a manipulation of Civil Service Law to accomplish retaining the current staff member in the position as opposed to canvassing the list in compliance with §61.

O. FINDING:

We question the 2 **Purchasing Clerks above in Finding M as we were notified on a change in their records concerning their appointment status. The P100's both have an effective date of 10/14/17 from provisional to temporary status. We also question this date as it is the exact 2 month period date for which (by §65) the provisional employee must be terminated if the department canvassing the list cannot reach them. A temporary position in this case would have had to been made off the top 3 ranked on the list. The choice (per §64) to use a temporary appointment from any candidate on the list regardless of their rank is only permitted when that position needs to be filled and no employee currently performing the necessary duties. This appears to be a manipulation of Civil Service Law to accomplish retaining the current staff member in the position as opposed to canvassing the list in compliance with §61.

Section 70 Regarding Transfers

§70 of Civil Service Law addresses rules and regulations expressing no employee shall be transferred to a position for which there is required by rules established hereunder an examination involving essential test or qualifications different from or higher than those required for the position held by such employee

P. FINDING:

We noted a possible violation of §22 & §70 (see Section V Appendix for §70 specifics) as an employee in the Research Coordinator title was in provisional status exceeding nine months and was placed in a new position of Director of Youth Bureau on 7/20/17. This new position was created in the 2017 budget. This employee may have been promoted inappropriately because the transfer to this higher grade position probably required more qualifications then the Research

Coordinator. However, we were unable to ascertain the appropriateness of this transfer as the Department has yet to certify the new position with the New York State Civil Service Commission. It is unclear why this has not taken place as the 2017 budget was approved October 2016.

- 8) *Recommendation: The Department must be in compliance with all sections of the New York State Civil Service Law.*

Dual Appointments:

Q. FINDING:

Dual appointments are when one single position is filled by 2 employees resulting in the position key to state # 1 or # 2 (see example of # 2 on Exhibit G). Dual appointments violate the Legislature's will as expressed in the annual budget.

Per the 2017 Finance Department Budget, the number of Project Coordinator positions was 3 (Exhibit H). In the 2018 Finance Department Budget the number of Project Coordinator positions is 3. The county records show that as of the date of this report, three employees hold the Project Coordinator position in the Finance Department. However, one position is double filled; the employee hired provisional for the position first is noted as # 1 and the second is noted as # 2. Leaving one position from their 2017 and 2018 budgets open to hire, when in fact there are three currently in this title.

Per the 2017 Water Environmental Protection Department Budget, the number of Project Coordinator positions was 1. This was modified sometime between the beginning of 2017 to the date of this report to 2 positions. Per the 2018 Water Environmental Protection Department Budget, the number of Project Coordinator positions are 2 (Exhibit I). There are currently 3 full time employees holding this position in WEP. One of the budgeted positions is double filled, which does not correlate to the budget of the department.

Based on a review of the 101 Position Roster Report (Exhibit J) in conjunction with Genesys we noted 8 other dual filled positions.

POSITION/TITLE	APPT STATUS 1	SALARY GRADE 1	APPT STATUS 2	SALARY GRADE 2	DEPARTMENT
CLERK 2	PE	(5 - Z) \$ 38,717	PE	(5 - A) \$ 35,062	CHILD & FMLY SERV
COMMUNITY SERVICE AIDE	PE	(1 - Z) \$ 31,564	PE	(1 - 2) \$ 29,594	CHILD & FMLY SERV
INCOME MAINTENANCE WORKER	PE	(7 - Z) \$ 45,194	PE	(7 - Z) \$ 45,194	CHILD & FMLY SERV
CONF DA INVEST 2	PE	(31 K) \$ 57,627	PE	(31 G) \$ 53,556	DA
PROCESS SERVER	PE	(22 J) \$ 36,110	PE	(22 L) \$ 37,007	DA
ACCOUNTING SUPERVISOR GRADE B	PE	(11 Z) \$ 61,421	TE	(11 A) \$ 55,496	FINANCE
BUDGET ANALYST 2	PE	(31 G) \$ 53,556	PE	(31 I) \$ 56,229	FINANCE
PROJECT COORDINATOR	PR	(31 G) \$ 53,556	PR	(31 I) \$ 56,229	FINANCE
PARK LABORER	PE	(3 - 2) \$ 32,110	TE	(3 - A) \$ 31,056	PARKS & REC
PROJECT COORDINATOR	PR	(31 I) \$ 56,229	TE	(31 I) \$ 56,229	WEP
TOTAL SALARIES FOR	# 1 IN TITLE \$ 466,084		# 2 IN TITLE \$ 455,652		

One can only surmise based on the findings presented in this report, a possible reason of dual filling this position and giving the appearance of an open position is to fill this title with another individual who is unreachable on an eligible list and in jeopardy of termination.

R. FINDING:

One employee noted in Finding M began in their title Accounting Supervisor Grade B in the Finance Department on 1/23/17. Per the 2017 and 2018 Finance Department budgets, they have 2 positions budgeted for such title. These positions already have permanent appointees in them before 1/23/17. The employee in question is double filling one of these positions, so in fact the Finance Department has 3 Accounting Supervisor Grade B appointees, which is one over budget for all of 2017, and we assume to go through 2018 (see Exhibit G). The salary for this non-permanent employee ranges from \$55,496 - \$61,421 (not including fringe expenses to the county), which in effect creates a potential Finance Department deficit to their approved budget.

- 9) *Recommendation: Each department should adhere to their proposed and approved budgets. The Department should adhere to the NYS Civil Service Laws and perform its required responsibilities to ensure compliance and thus avoid dual filling positions.*

Section 64 Regarding Temporary Appointments

§64 of Civil Service Law addresses rules and regulations for temporary appointments including §64(3) in exceptional cases concerning the need of professional, scientific, technical or other expert services, a temporary appointment may be used if it is established to conduct a special study or project and it would not be practicable to hold an examination of any kind.

S. FINDING:

It was brought to our attention that a new temporary appointment was filling a position title of Public Information Specialist in the Syracuse-Onondaga County Planning Agency with a starting date of 9/18/17. The "Notification of New Hire" form notes "Temp appointment in accordance

with Section 64 (3) NYS CLS”. According to New York State Civil Service Law this appointment is not in compliance with the criteria required for such appointment as the §64(3) addressed temporary appointments in exceptional cases in which professional, scientific, technical or expert services are rendered and it would not be practicable to hold an examination of any kind. There is no need to hold an exam as an eligible list is active on the County’s website and doesn’t expire until 2018. We note two eligible people on this active list were in the position, but transferred to another position two months after eligible test established date. This transfer appears to be due to the rank of said transferred employees and the appearance that they were unreachable on the list.

T. FINDING:

We noted one employee was promoted in September 2016 from a list that had expired 7/10/15 (see Exhibit K) to a permanent position in the Purchase Division, title Materials Management Coordinator). We do know based on information in Genesys this employee was in this position before the eligible list was established. On the exact date the 2 month provisional termination rule was to take effect, a change was made in the system to a temporary appointment. This did not appear to meet the rules for §64 regarding usage of temporary appointments. Due to the imposed scope limitations we were unable to obtain an understanding of why this employee was hired permanent from an expired list as well as the rational for not hiring other individuals at the time the list was valid.

We were unable to verify if the employee met the minimum qualifications for the position due to imposed scope limitations.

U. FINDING:

During the course of our research we noted at least 5 employees who have had successive temporary and/or provisional appointments. Per §64 (temporary) and §65 (provisional) an individual may not have successive appointments in one respective title or position.

Dept	Title
Purchase	Buyer I
Purchase	Buyer I
Transportation	Public Information Specialist
WEP	Public Information Specialist
WEP	Storekeeper

Due to the re-occurrence of the successive appointments and the excessive usage of temporary and provisional appointments to retain current staff, it is very likely there are more cases which did not come to our attention.

- 10) Recommendation: *The Department and the Commissioner should understand and implement all New York State Civil Service Laws.*

Imposed Scope Limitation

V. FINDING:

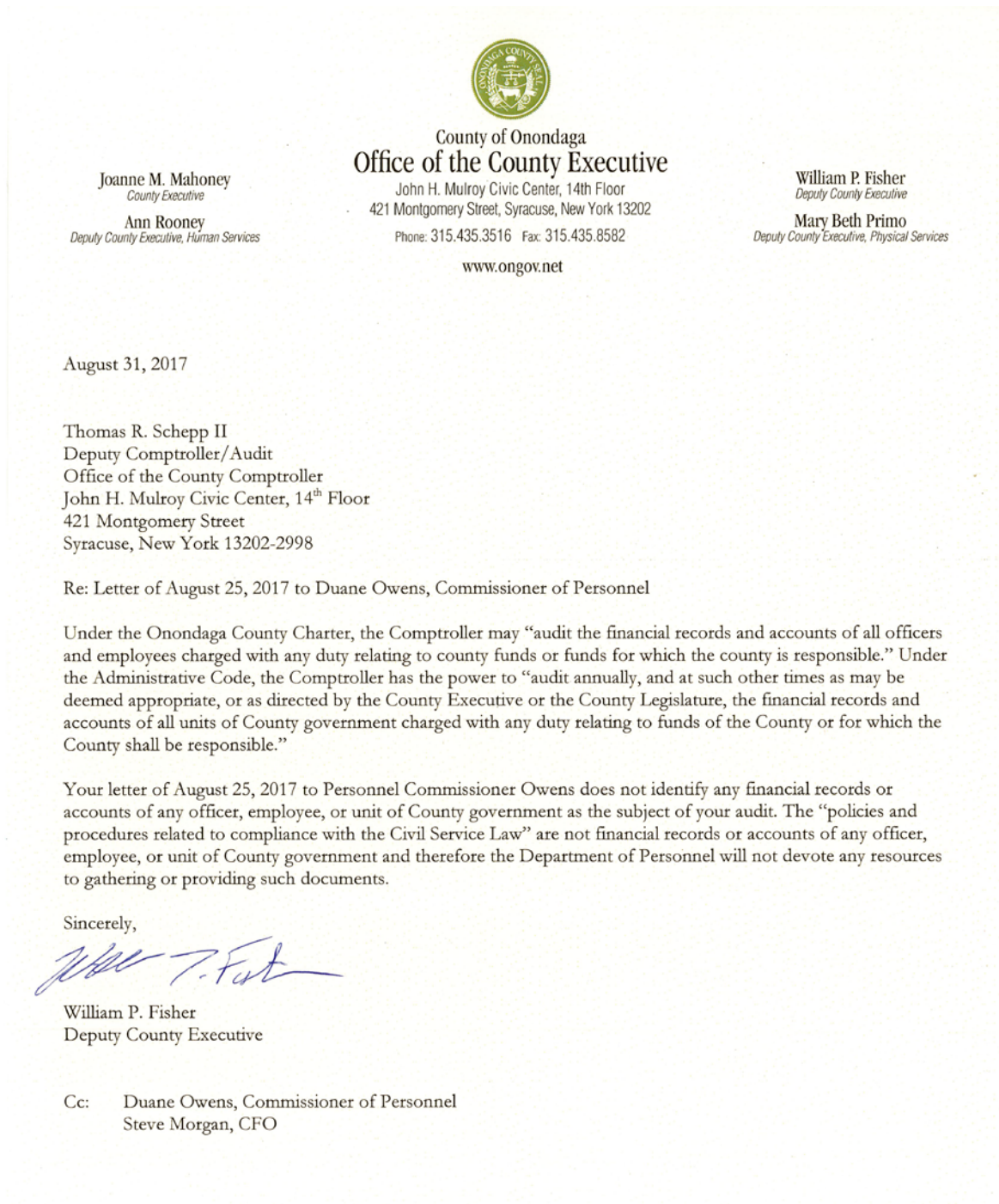
The Deputy County Executive's imposed scope limitation significantly hindered our ability to assess adequacy of the Department's process and procedures as they relate to the hiring and retention of County employees. The Commissioner of Personnel is responsible for ensuring compliance with New York State Civil Service Law. These processes and procedures have a direct effect on the County's payroll and related fringe benefit expenses. Any apparent deviation whether intentional or unintentional from the Civil Service Law is illegal and could produce bias and unfair employment practices in the eyes of the public.

- 11) Recommendation: *We recommend County administration have the understanding the Comptroller's Office provides an independent oversight as all County policies; procedures and internal controls will have a direct effect on County funds. In order to fulfill the duties, as elected by the taxpayers of Onondaga County, County departments should cooperate fully during our audits.*

SECTION IV

EXHIBITS

Exhibit A



ONONDAGA COUNTY DEPARTMENT OF PERSONNEL
New Position Duties Statement
Instructions

The appointing authority requesting the creation of a new position must prepare a separate description for each new position to be created. One duties statement may describe two (2) or more identical positions in the same organizational unit. The appointing authority must complete this form according to the following format:

TYPICAL WORK ACTIVITIES: Present a list of typical activities and percentage of time spent in performance thereof by incumbent(s). List those activities characteristic of the job as a whole which are related to successful job performance. This list is not intended to include all duties performed, but the list must state the primary duties in descending order of importance. Avoid generalities, and explain each duty so that it has meaning for a person unfamiliar with the position. Indicate a duty on the list if it's a principal reason for the existence of a job; if it requires a substantial portion of the worker's day or week; if the duty results in harm or damage if not done properly; or, if not done or done improperly, then subsequent duties cannot or will not be done.

FULL PERFORMANCE KNOWLEDGES, SKILLS, ABILITIES AND PERSONAL CHARACTERISTICS: Specify the knowledges, skills, abilities and personal characteristics necessary for proper discharge of the duties of the job. These knowledges, skills, abilities and personal characteristics must be devised to allow the reader to clearly understand that the knowledges, skills, and abilities and personal characteristics are related to the job. Knowledge is an organized body of information a person possesses through education, training, or experience. Skill is a learned psyche-motor activity involving physical performance of a task with ease and precision. Ability is the present power to perform a physical or mental function. Personal characteristics are non-learned individual attributes required for job performance. These knowledges, skills, abilities, and personal characteristics are required for full performance following any training customarily provided new employees.

Knowledges should be expressed in varying degrees: "Working" means familiarity only with the elementary principles, practices, and terminology of the subjects indicated; "good" means enough knowledge to work effectively in normal work situations; "thorough" means an advanced grasp of subject matter to work effectively in unusual as well as common and place work problems, advising on technical matters, and planning methods to resolve difficult work situations; "comprehensive" means almost complete mastery of the subject and is used for especially advance positions.

MINIMUM QUALIFICATIONS: Minimum qualifications must establish the lowest level of acceptable training or experience. The qualifications must be such that it would be reasonable to expect people with less training or experience not be able to perform or learn to perform the duties of the position. Do not recommend qualifications that present artificial barriers to employment; both educational and experiential.

SPECIAL REQUIREMENT(S): Stipulate what licenses or certificates, if any, are required at the time of appointment.

ONONDAGA COUNTY DEPARTMENT OF PERSONNEL
New Position Duties Statement

Civil Service Law, Section 22: Before any new position in the service of a civil division shall be created or any existing position in such serving shall be reclassified, the proposal therefor, including a statement of the duties of the position, shall be referred to the municipal commission having jurisdiction and such commission shall furnish a certificate stating the appropriate civil service title for the proposed position or the position to be reclassified. Any such new position shall be created or any such existing position reclassified only with the title approved and certified by the commission. Effective August 29, 1978.

The appointing authority requesting the creation of a new position must complete this statement per instructions (attach additional information if necessary).

[illegible]

2. Full Performance, Knowledges, Skills, Abilities and Personal Characteristics

New Position Duties Statement (page 2)

3. Minimum Qualifications

4. Special Requirements (s)

5. Name (s) and Title (s) of Supervisor (s). Type of Supervision (Admin, General, Direct)

6. Name (s) and Title (s) Supervised by this position. Type of Supervision (Admin, General, Direct)

7. Name (s) and Title (s) of persons performing similar work.

8. Certification by Appointing Authority: The above statements are accurate and complete

Date: _____ Title: _____ Signature _____

9. The Onondaga County Department of Personnel certifies the appropriate civil service title for the position described above as: _____

In accordance with Rule XVIII of the Onondaga County Rules for Classified Service, the Onondaga County Department of Personnel certifies the following minimum qualifications for the position described as:

NOTE: Appointees to this position must possess certified qualifications at time of appointment unless stated otherwise.

Date: _____ Title: _____ Signature _____

10. Legislative Action: _____ Approved _____ Disapproved

Date: _____ Title: _____ Signature _____



Robert E. Antonacci II, CPA
Comptroller

COUNTY OF ONONDAGA
Office of the
County Comptroller
John H. Mulroy Civic Center, 14th Floor
421 Montgomery Street
Syracuse, New York 13202-2998
(315) 435-2130 • Fax (315) 435-2250
www.ongov.net

James V. Maturo
Deputy Comptroller/Accounting

Thomas R. Schepp II
Deputy Comptroller/Audit

August 25, 2017

Duane Owens, Commissioner of Personnel
421 Montgomery St., 13th Floor
Syracuse, NY 13202

Pursuant to the County Charter, the County Comptroller is authorized to periodically access and audit the procedures and records of County departments. As such, we have chosen to review policies and procedures relating to compliance with the Civil Service Law. We are planning to begin our review within the next couple weeks. The review will be conducted by Patricia Gonzalez, Auditor I, and appropriate staff of the Comptroller's Office.


The exact scope will be decided based on review of your procedures and additional on-site risk assessment. That risk assessment will include analysis of records and data, interviews with key personnel and employees, and other factors. The scope of the review may be increased or decreased based on our on-site risk assessment.

We look forward to working cooperatively with you and your staff during this process. Our fieldwork completion date is subject to our final scope decisions and the effective and timely participation and response by the Onondaga County Personnel Department and other related departmental staff to our requests for interviews, documents and information.

With this letter we are requesting copies (electronic or hard copy) of your current written policies, procedures, and documentation requirements related to the Civil Service Law and any relevant areas. After we receive the above and have had time to review it, we will schedule a meeting with you and any staff you would like to attend to discuss next steps. We will also answer any questions you may have at that time.

Thank you and we look forward to working with you.

Sincerely,


Thomas R. Schepp II
Deputy Comptroller/Audit

CC: William P. Fisher - Deputy County Executive

CHECK ONE: ☒ PERSONNEL CHANGE
☐ REHIRE
☐ REINSTATEMENT → (ATTACH PERSONNEL DEPARTMENT APPROVAL)

EMPLOYEE NAME: **Employee name and personal information has been removed**

CURRENT EMPLOYEE KEY: **Employee name and personal information has been removed**

CURRENT POSITION KEY: **01 809310 1877** Position Type: ☐ 101 ☐ 103

1. PERSONNEL APPOINTMENT CHANGE
 (Promotions, Demotions, Transfers, Reclassifications, Other Job Changes)

Effective Date: **09-02-17 (over)**

New Employee Key: **01 809310 1877**

New Position Key: **01 809310 1877**

Job Title: _____ Title I _____

Famis #: _____ Salary Grade _____ Step _____ Longevity _____ Educ Prem _____

IF M/C, Enter Annual Salary: _____ Salary per p/p: _____

☐ (F) Full Time → Scheduled To Work _____ Hours Per Pay Period (BI-WEEKLY ONLY)
☐ (P) Part Time → If Part Time Semi-Monthly: _____ Hrs/Week OR % Full Time _____
 → If Part Time Bi-Weekly: _____ Hours/Pay Period

Civil Service Action/Status: ☐ Appoint ☐ Reinstate ☐ Rehire ☐ P-12 Transfer

☐ (PE) Permanent* → Probationary Period →
 1. ☐ 8-26
 2. ☐ 8-52
 3. ☐ 12
 Weeks

☐ (CP) Contingent Permanent →

☐ (TE) Temporary → Temp End Date _____ (ATTACH APPLICATION)

☐ (PR) Provisional (ATTACH APPLICATION)

E.L. # _____ Rank _____ Score _____

* ERS # **10.0** (ATTACH MEMBERSHIP FORM IF EMPLOYEE IS NEW TO THE ERS OR IS BEING REHIRED)

Attachments: **Pro PE**

Remarks: **Appendices Revision approved by NYS Civil Service**

NOTIFICATION OF PERSONNEL CHANGE ((101 and 103) (PAGE 2)

4. ALL OTHER TYPES OF PERSONNEL ACTIONS OR CHANGES

Effective Date: 09-02-17 7-18-17

A. ☐ Extension of Temporary appointment → New duration date.

B. ☐ Renewal of Provisional appointment. (Attach new application)
☐ First renewal ☐ Second renewal ☐ Continue Provisional

C. ☒ Civil service status change from PR (current status)

TO: (CHECK ONE)

☒ (PE) Permanent * → Probationary Period →

1.	<input checked="" type="checkbox"/> 8-26
2.	<input checked="" type="checkbox"/> 8-52
3.	<input type="checkbox"/> 12

 Weeks
☐ (CP) Contingent Permanent →
☐ (TE) Temporary → Duration Date
☐ (PR) Provisional

E.L. # Rank Score Title #

Salary Grade Step Longevity Educ Prem

IF M/C, Enter Annual Salary: Salary per p/p:

* ERS # 00 (Attach membership form if employee is new to the ERS)

D. ☐ Change probationary period:

Extend to Reason:

End prior to maximum term → End Date:

E. ☐ Disciplinary Action: (if LWP - fill out section 2A)

Date:

Action taken pursuant to: ☐ Section 75 ☐ Contractual Agreement

Discipline Imposed:

DEPARTMENT HEAD CERTIFICATION

I hereby certify that this personnel change is in accordance with civil service law and rules of Onondaga County.

Date 8/31/17 Department Head Gray Walden

Comments:

PERSONNEL DEPARTMENT CERTIFICATION

It is hereby certified that the employee named above has been appointed or employed in the above position and placed at the rate of compensation listed above, in accordance with the civil service law and rules made in pursuance thereof, unless change occurs, the above person is approved and certified in the above position and salary through 12-31-17

☒ Approved ☐ Disapproved By: (signature) MBM Date

Comments:

Genesys Report

-*Jurisdictional class "C" refers to the position as competitive status, see page 2 of exhibit for definition.

-To properly represent SEC 55-a this should be changed from "C" to an "NC"

```
EMPLOYEE HISTORY SCREEN #1                                OP60 01
SEARCH VALUE:                                             SEARCH PATH: G
***** CURRENT *****
NAME: [REDACTED] PREVIOUS NAME:
GRP/UNIT: [REDACTED] POS KEY: 018005108236
DEPT: FACILITIES MGMT JOB TITLE: GROUNDS SUPERVISOR
PAYROLL STATUS: A FT/PT: F CIV SVC STAT: PE JURIS CLASS: C
VET CODE: N VOL FIRE: N SECT 55A APPOINT: Y EMP JOB CLASS: N

ERS TIER: 4 ERS PLAN: A15 ERS #: 0038233268 ERS ENROLL DT: 09-23-1996
HIRE DT: 01-01-2008 DEPT DT: 01-01-2008 BARG UNIT DT: 01-01-2008
DT IN TITLE: 05-16-2015 PERM TITLE DT: / / TEMP END DT: / /
PROB END DT: / / LAY OFF DT: / / SENIORITY DT: / /
SALARY DT: 11-03-2015 FRINGE BEN DT: 01-01-2008 LONGEVITY DT: / /
LV TRANS DT: / / EXT SICK DT: / /
TERM DT: / / TERM SCK HRS: .00 TERM REASON:
*****
ACCESS PATHS RETURNS
ENTER: NEXT RECORD PF 7: EMPLOYEE HISTORY SCREEN #13
PF 1: EMPLOYEE KEY PF 8: EMPLOYEE HISTORY SCREEN #2
PF 2: SOC SEC NO (I.E. 123-45-6789) PF 9: PERSONNEL HISTORY MENU
PF 3: EMPLOYEE LAST NAME PF10: PERSONNEL MAIN MENU
PF12: ALL-SCREEN MAIN MENU
=>
```

**Names and other personal
info removed**

****The "N" indicates FLSA over time
can be earned - full definition page 2
of Exhibit**

ABBREVIATIONS/DEFINITIONS

OT ELIG (Overtime Eligibility):

Refers to overtime eligibility under the Fair Labor Standards Act (FLSA) and the applicable bargaining agreement.

The three (3) categories in this section are:

E (Exempt): Titles not eligible for FLSA overtime. May be eligible for straight time cash, compensatory time or contractual premium compensation for time worked as provided by collective bargaining agreement or legislative resolution.

I (Ineligible): Titles not eligible for FLSA or regular overtime compensation in any form.

N (Non-Exempt): Titles eligible for FLSA overtime and overtime premium compensation as provided by the applicable collective bargaining agreement

WK PRD (Work Period): The designated hours in a full-time work period for each title. There is no designated work period for Management/Confidential titles.

*

JC (JURISDICTIONAL CLASSIFICATION): Refers to the Civil Service designation as defined below:

*

C (Competitive): Positions for which it is practicable to determine merit and fitness by competitive examination.

E (Exempt): Positions that are deputies, secretaries to department heads, and positions for which competitive or noncompetitive examination is determined to be not practicable for appointment.

L (Labor): Positions that are unskilled for which competitive or non-competitive examination is not practicable.

*

NC (Non-Competitive): Positions for which it is not practicable to ascertain merit and fitness of applicants by competitive examination.

UN (Unclassified): Positions that are elected offices, heads of a department as described by Section 35 (E) of NYSCSL, in boards of election and those spoken to by NYS Education Law.

INSTRUCTIONS FOR CANVASSING AN ELIGIBLE LIST

Copies of these instructions and canvass documents should be made available to anyone given the responsibility of canvassing certifications or interviewing candidates whose names appear on the certifications.

1. The enclosed certification is valid for a period of 60 days from the date of issuance. The Commissioner of Personnel may extend a certification for good cause shown, however all requests for extension must be in writing and extensions will only be approved in situations where there is a valid reason for not completing the canvass within the initial 60 days. Appointments must be made within this 60 day period or within the approved extension period. **No appointment can be approved with an effective date that is after a certification has expired and in no event is this certification in effect after expiration of the eligible list.**
2. Per Rule XII of the Onondaga County Rules for Classified Service, certifications must be canvassed in writing by mail or by use of a telegram. Telephone canvass is unacceptable. If the canvass is conducted by mail, candidates must be afforded five (5) business days after the mailing of the canvass letters in which to respond. When computing the five (5) business days, do not include the date on which you mail the letters. Candidate's responses that are postmarked on the 5th business day and are received no later than the close of business two (2) days after this date must be accepted. For example, canvass letters that are mailed on a Monday should be dated on Tuesday. The 5th business day would then be the following Monday: a response postmarked with this Monday date and received by Wednesday (2 days after the postmark date) should be accepted. Responses received after this time frame may be considered at the discretion of the appointing authority. If a telegram canvass is conducted, responses must be received by the end of the next succeeding business day.
3. All letters to candidates inquiring as to their availability for employment must contain the following information:
 - a) Type of appointment – Permanent, Contingent-Permanent (**contingent-permanent canvass letters must also include an attached copy of the contingent-permanent rule.**), Temporary (indicate the duration of the temporary appointment).
 - b) Title, Salary (minimum and maximum), hours of work and location of employment.
 - c) That a failure to reply will result in the removal of the candidate's name from the eligible list.

Enclosed is a sample canvass letter illustrating the proper format for canvassing. We strongly recommend that you adopt this format **to be used on your standard letterhead paper**. All replies to your canvass (acceptances and declinations) should be in writing and the original letters returned with this certification. A copy of the candidate's canvass letter should be available at the interview to record any declinations offered at that time. If it is necessary to accept a verbal declination, you must indicate in the Report of Action column on the certification "Verbal Declination" and the reason for declination from among the choices listed on the canvass letter. Failure to indicate a reason for declination will result in the candidate's removal from the eligible list. In the event that a candidate contests how his/her canvass was reported to Civil Service, he/she will be referred to the appointing authority for resolution of their complaint. It is the responsibility of the appointing authority to verify that the candidate was properly canvassed. It will be to your advantage to keep documentation on all canvasses.

4. Once an appointment has been made from a **resident certification**, such resident certification must continue to be used until the list of residents is exhausted.
5. When canvassing open-competitive or promotion eligible lists, you may appoint any one of the top three highest scoring candidates willing to accept the position(s).

<u>EXAMPLE #1</u>		<u>(1 VACANCY TO FILL)</u>
<u>RANK</u>	<u>NAME</u>	<u>FINAL GRADE</u>
1	Laura Jones	95
2	Alan Parks	90
3	David Scott	85
4	Karen Murphy	80
5	Linda Burns	75

<u>EXAMPLE #2</u>		<u>(1 VACANCY TO FILL)</u>
<u>RANK</u>	<u>NAME</u>	<u>FINAL GRADE</u>
1	John Jones	95
2	Mary Smith	90
3	James Doe	85
3	Mary Roe	85
4	Thomas Howe	80

If all of the eligibles in example 1 accept the offer of employment, you may choose either Jones, Parks, or Scott. These are the three (3) highest scoring candidates who are willing to accept the position.

If all of the eligibles in Example 2 accept the offer of employment, you may choose either Jones, Smith, Doe or Roe. These are the three (3) highest scoring candidates who are willing to accept the position. Since there are two (2) individuals tied with a score of 85 (the third highest score) both are eligible for appointment.

Exhibit F 2/2

<u>EXAMPLE #3</u>			<u>(1 VACANCY TO FILL)</u>		
<u>RANK</u>			<u>NAME</u>		<u>FINAL GRADE</u>
1			Frank Royce		83
1			James Castle		83
2			Mary Scott		74
3			Jack King		72
4			Paula Lee		70

If all of the eligibles in Example 3 accept the offer of employment, you may choose either Royce, Castle or Scott. These are the three (3) highest scoring candidates who are willing to accept the position.

6. "Report of Action Column" This column should be completed to indicate one of the following:
- Permanent appointment (indicate salary and date of appointment).
 - Temporary appointment (indicate salary and date of temporary appointment).
 - Contingent-permanent appointment (indicate salary and date of appointment).
 - Declined appointment (indicate reason for declination and attach letter of declination).
 - No reply (indicate NR and attach copy of original letter sent to candidate).
 - Late Reply (indicate late reply and attach copy of the date stamped returned canvass letter and envelope).
 - Undeliverable mail (attach candidate's letter with returned envelope).

7. If you appoint an eligible whose rating includes veterans or disabled veteran credits, you should determine whether the credits must be used in order for the appointment to occur. If the veteran must use his/her credits to be reached for appointment a VETERANS CREDIT USE form should be completed. If the veteran can be appointed without the use of his/her veteran credits, a VETERANS CREDIT WAIVER form should be completed. Enclosed are copies of USE or WAIVER forms which must be dated on or before the effective date of appointment and returned with the results of canvass.

8. Certification Extensions

In accordance with Rule XII.2, certifications may, for good cause shown, be extended for an additional canvass period not to exceed sixty (60) days. Requests for extensions must be made in writing to your Personnel Department technical liaison prior to the expiration of the original sixty (60) day canvass period. Extensions will be given only in situations where there is a legitimate reason to do so such as the need to canvass additional candidates, filling a large number of vacancies or the candidate selected needs to provide notice to an employer.

9. New York State Civil Service Law requires that when an eligible list is certified and an appointment or promotion is made, the appointing authority must notify, in writing, all eligibles who were considered and not selected for appointment that the position was filled. Any eligible who was interviewed, or any eligible whose score was higher than that of the eligible who was appointed, should also be notified of their non-selection. Persons who decline or do not respond to a canvass need not be contacted. Agencies must retain a copy of the notification as a part of the supporting documentation relating to their eligible canvass list. However, copies of the notification need not be returned to our office with the completed certification document.

NOTE:

If there are fewer than three (3) candidates on the certification you receive or your canvass results in fewer than three (3) interested candidates and you decide to fill the position by provisional or temporary appointment, you should consult with your technical liaison prior to recruitment or initiation of an appointment to determine if the examination has been held and a new eligible list for the position is pending or an examination is scheduled in the near future. Any non-permanent appointment made will be subject to canvass from the next eligible list established for the position.

PERSONNEL CHANGE FORMS MUST BE SUBMITTED WITH NOTIFICATION OF APPOINTMENT

If you have any questions regarding the canvass procedure, contact your civil service liaison in the Department of Personnel (435-3537).

shared/forms/certforms/instructionscanvassing
Revised 11/2011

P100 Form

NOTIFICATION OF PERSONNEL CHANGE (101 and 103)
(DO NOT USE FOR NEW HIRES)

CHECK ONE: ☒ PERSONNEL CHANGE
☐ REHIRE
☐ REINSTATEMENT → (ATTACH PERSONNEL DEPARTMENT APPROVAL)

BATCH# 12053

SEQ# 0054

DATE 9/27/17

EMPLOYEE NAME: **Employee name and personal information has been removed**
 CURRENT EMP#

TITLE: Accounting Supv
 County Where Employee Resides:

CURRENT POSITION KEY: 01 103900 3632 11 Position Type: ☒ 101 ☐ 103

1. PERSONNEL APPOINTMENT CHANGE

(Promotions, Demotions, Transfers, Reassignments, Other Job Changes)

Effective Date: 10-8-12-17

New Employee Key: (If applicable)

New Position Key: (If applicable)

Job Title:

Fam# Index Project Phase Salary Grade Step Longevity Educ Prem
 IF M/C, Enter Annual Salary: Salary per p/p:

☐ (F) Full Time → Scheduled To Work Hours Per Pay Period (WEEKLY ONLY)

☐ (P) Part Time → If Part Time Semi-Monthly: Hrs/Week OR % Full Time
 → If Part Time Bi-Weekly: Hours/Pay Period

Civil Service Action/Status: ☐ Appoint ☐ Reinstatement ☐ Rehire ☐ P-12 Transfer

☐ (PE) Permanent* → Probationary Period → 1. ☐ 8-26
 2. ☐ 8-52
 3. ☐ 12 Weeks

☐ (TE) Temporary → Temp End Date (ATTACH APPLICATION)

☐ (PR) Provisional (ATTACH APPLICATION)

E.L. # Rank Score

* ERS # 00 (ATTACH MEMBERSHIP FORM IF EMPLOYEE IS NEW TO THE ERS OR IS BEING REHIRED)

Attachments:

Remarks:

This indicates which number they are in the current position key. Dual filling a position will cause the first one in this position key to have a 1 here and as in this example, this person is 2.

2. LEAVE WITHOUT PAY OR REINSTATEMENT FROM LEAVE WITHOUT PAY

A. Effective Date of LWP: Expected Return Date:

Reason: Code:

B. Reinstatement From LWP Effective Date: Job Title# Step

1. Is employee being reinstated with personnel changes (i.e. name, address, health benefits, position, tax, etc.)?

☐ YES ☐ NO IF YES, Process related changes in accordance with normal procedures.

2. Is employee being reinstated to pay terminal leave only?

☐ YES ☐ NO

C. ☐ Extension of LWP → New expected return date:

3. TERMINATION

Effective date of termination: Last paid workday (including paid leave):

Reason Code: (from exit interview form)

P-100C/FTPRQ/Rev 5/94

(OVER)

Effective Date: 08-12-17

- TO: (CHECK ONE)

☒ (TE) Temporary \longrightarrow Duration Date 02-12-17

E.L. # 77476 019 Rank 0.04 Score 80.0 Title # 30250

IF M/C, Enter Annual Salary: _____ Salary per p/p: _____

D. ☐ Change probationary period:

Extend to Reason:

End prior to maximum term \longrightarrow End Date: - -

E. ☐ Disciplinary Action: (if LWP - fill out section 2A)

Date: 11-11-11

Action taken pursuant to: ☐ Section 75 ☐ Contractual Agreement

Discipline Imposed:

I hereby certify that this personnel change is in accordance with civil service law and rules of Onondaga County.

Date 8/12/17 Department Head [Signature]

Comments: _____

It is hereby certified that the employee named above has been appointed or employed in the above position and placed at the rate of compensation listed above, in accordance with the civil service law and rules made in pursuance thereof, unless change occurs, the above person is approved and certified in the above position and salary through 12/31/17

☒ Approved ☐ Disapproved By:(signature) RB

Comments: _____

Original to Department; copy to Personnel; copy to Comptroller

P-100C/P-21ETP/Q/Rev B/22

Exhibit H**Finance Department Budgeted Positions**

Title	Grade	Pay Range	2016 Act	2017 Mod	2018 Exe	Exe vs Mod
Finance Administration						
Chief Fiscal Officer	39	116,722 - 154,735	1	1	1	0
Dep Dir Budget Admin	37	92,895 - 123,148	1	1	1	0
Exec Secretary	26	40,739 - 54,006	1	1	1	0
Finance Administration Total			3	3	3	0
Treasury						
Account Clerk 1	4	33,324 - 36,781	1	1	1	0
Accountant 1	9	49,276 - 54,505	1	1	1	0
Accountant 2	11	56,606 - 62,649	1	1	1	0
Financial Analyst	35	77,287 - 102,457	1	1	1	0
Treasury Total			4	4	4	0
Real Property Tax Services						
Account Clerk 2	7	41,709 - 46,097	2	2	2	0
Account Clerk 3	8	45,361 - 50,156	1	1	1	0
Accountant 1	9	49,276 - 54,505	1	1	1	0
Ast Dir RI Pr Tx Svs	31	53,556 - 70,998	1	1	1	0
Delinquent Tax Clerk	10	52,953 - 58,590	1	1	1	0
Dir Real Prop Tax Sv	36	84,730 - 112,323	1	1	1	0
Dir Tax Preparation	29	46,699 - 61,907	1	1	1	0
Sr Manage Analyst	33	64,324 - 85,272	1	1	1	0
Tax Abstract Clerk	10	52,953 - 58,590	1	1	1	0
Tax Clerk	5	35,764 - 39,491	1	1	1	0
Tax Map Supervisor	13	66,768 - 73,941	1	1	1	0
Tax Map Tech 1	6	38,816 - 42,882	1	1	1	0
Tax Map Tech 2	11	56,606 - 62,649	1	1	1	0
Real Property Tax Services Total			14	14	14	0
Division Of Management & Budget						
Budget Analyst 2	31	53,556 - 70,998	2	2	3	1
Budget Analyst 3	33	64,324 - 85,272	2	1	1	0
Dir Data Analytics	36	84,730 - 112,323	1	1	1	0
Management Analyst	31	53,556 - 70,998	3	3	3	0
Program Analyst	32	58,691 - 77,804	1	1	1	0
Project Coord	31	53,556 - 70,998	3	3	3	0

Exhibit I**Water Environment Protection Budgeted Positions**

Title	Grade	Pay Range	2016 Act	2017 Mod	2018 Exe	Exe vs Mod
Admin/Acct/Pers						
Account Clerk 2	7	41,709 - 46,097	1	1	1	0
Account Clerk 3	8	45,361 - 50,156	1	1	1	0
Accountant 1	9	49,276 - 54,505	1	1	1	0
Admin Assistant	9	49,276 - 54,505	3	3	3	0
Admin Dir (WEP)	35	77,287 - 102,457	1	1	1	0
Clerk 1	2	30,426 - 33,561	0	1	1	0
Clerk 2	5	35,764 - 39,491	1	1	1	0
Comm Of WEP	39	116,722 - 154,735	1	1	1	0
Comp Technical Spec	12	60,279 - 66,731	1	1	1	0
Dep Comm WEP	37	92,895 - 123,148	1	1	1	0
Exec Secretary	26	40,739 - 54,006	1	1	1	0
Fiscal Officer	33	64,324 - 85,272	1	1	1	0
Information Sys Coor	12	60,279 - 66,731	1	1	1	0
Office Auto Analyst	14	73,844 - 81,803	1	1	1	0
Office Auto Sup Tech	8	45,361 - 50,156	1	1	1	0
Project Coord	31	53,556 - 70,998	1	2	2	0
Public Info Spec	11	56,606 - 62,649	1	1	1	0
Research Aide	7	41,709 - 46,097	1	1	1	0
Safety Dir	31	53,556 - 70,998	0	0	1	1
Safety Dir	28	44,619 - 59,150	1	1	0	-1
Training Officer	31	53,556 - 70,998	1	1	1	0
Typist 1	3	31,677 - 34,951	1	0	0	0
Typist 2	5	35,764 - 39,491	2	1	1	0
Admin/Acct/Pers Total			24	24	24	0
Construction						
Wastew Tr P Con In 1	12	60,279 - 66,731	1	1	1	0
Wastew Tr P Con In 2	14	73,844 - 81,803	2	2	2	0
Wastew Tr Pl Con Sup	34	70,505 - 93,466	0	0	1	1
Wastew Tr Pl Con Sup	33	64,324 - 85,272	1	1	0	-1
Water Sys Const Eng	13	66,768 - 73,941	1	1	1	0
Construction Total			5	5	5	0
Fleet Management						
Auto Mech Crew Ldr	9	49,276 - 54,505	1	1	1	0

Exhibit J

RUN DATE 08-23-2017
FundSorc RPT
00 01

GEHB207 101 POSITION ROSTER

DEPT: 3900 FINANCE DEPARTMENT
SC POSITION KEY EMPLOYEE NAME

FAMIS INDEX: 200600
ST JC C SVCE TTL# TITLE


06	01103900	2106	Jane Doe	A	C	PE	02050	ACCOUNT CLERK 3
06	01103900	2107	Jane Doe	A	C	PE	02000	ACCOUNT CLERK 1
06	01103900	2550	Jane Doe	A	C	PE	02590	FISCAL OFFICER
06	01103900	2552	Jane Doe	A	C	PE	02310	ACCOUNTANT 2
06	01103900	2554	Jane Doe	A	C	PE	02050	ACCOUNT CLERK 3
06	01103900	2642	Jane Doe	A	C	PE	00110	CLERK 2
06	01103900	3357	Jane Doe	A	C	PE	01010	TYPIST 2
06	01103900	3567	Jane Doe	A	C	PE	02020	ACCOUNT CLERK 2
06	01103900	3593	Unfilled		C		30180	ACCOUNTING SUPV GR A
06	01103900	3594	Jane Doe Dual Position #1	A	C		30250	ACCOUNTING SUPVGR B
			Jane Doe Dual Position #2	A	C		30250	ACCOUNTING SUPVGR B
06	01103900	3597	Jane Doe	A	C	PE	02000	ACCOUNT CLERK 1
06	01103900	3599	Jane Doe	A	C	PE	02000	ACCOUNT CLERK 1
06	01103900	3602	Jane Doe	A	C	PE	02020	ACCOUNT CLERK 2
06	01103900	3605	Unfilled		C		02050	ACCOUNT CLERK 3
06	01103900	3607	Jane Doe	A	C	PE	02000	ACCOUNT CLERK 1
06	01103900	3613	Unfilled		C		02050	ACCOUNT CLERK 3

The blank space next to the employee's name is how a dual filled position is noticeable. See Exhibit G 1/2 for the denoting of the #2.
For presentation purposes omitted salary, grade, step, etc from original page.

Personnel Department

Joanne M. Mahoney, County Executive
Peter Troiano, Commissioner

ongov.net



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Jurisdictions Covered by Onondaga County Civil Service

Employee Benefits

EEO/Affirmative Action Information

New York State Civil Service

ONY Works

Contact Us

Civil Service Exam Test Results

Exam Results

Title: MATERIALS MANAGEMENT COORDINATOR

Candidate # 8

Exam Type: OPEN COMPETITIVE

Exam #: 63597

Date Established: 07/10/2014

Year Held: 2014

Date Expires: 07/10/2015

Rank Name

Grade Status Undeliverable

1 KEMP STEVEN M

90.0 ACTIVE

1 MAHONEY BERNARD T

90.0 ACTIVE

1 ZALESKI ROBERT J

90.0 ACTIVE

2 CHAIRMONTÉ BRIAN A

80.0 ACTIVE

2 FARRELL-LATOCHA MARIE

80.0 ACTIVE

3 JOY TERESA

75.0 ACTIVE

3 PRINTUP WILLIAM G

75.0 ACTIVE

3 SCHAFER-FARINO NICOLE

75.0 ACTIVE

Onondaga County | Version: 5.1.8(04/10/2013)

Eligible list expired
7/10/2015

SECTION V

APPENDIX

Appendix

New York State Civil Service Law Sections:

Section 17: It is the responsibility of the personnel officer or commissioner of the county to administer the provisions of civil service law. It is the obligation of the personnel office or commissioner to conduct examinations and establish eligible tests for any competitive position at its own expense.

Section 20: Each municipal civil service shall prescribe, amend and enforce rules for carrying into effect the provisions of civil service law, including but not limited to 1) rules for jurisdiction and classification of offices and employments; 2) for examinations; 3) appointments; 4) transfers; 5) resignations and reinstatements. Each municipal shall have a procedure for adoption of rules and any modifications thereof, but only after a public hearing. New York State Civil Service Commission is to promulgate rules.

Section 21: A municipal personnel officer for the purpose of investigating the enforcement and effect of the provisions and established rules in the service under their jurisdiction shall have the power to do so.

Section 22: Before any new position in the service of a civil division shall be created or any exiting position in such service shall be reclassified, the proposal therefor, including a statement of the duties of the position, shall be referred to the commission having jurisdiction and such commission shall furnish a certificate stating the appropriate civil service title for the proposed position or the position to be reclassified. Any such new position shall be created or any such existing position reclassified only with the title approved and certified by the commission.

Section 23: The state civil service department, upon the request of any municipal commission, render service or technical advice and assistance relative to the position classification and pay equity compensation assessment of offices and employments under their jurisdiction. The state civil service department, upon request of any such municipal commission, shall render service relative to the announcement, review of applications, preparations, construction, and rating of examinations, and establishment and certification of eligible lists for positions in the classified service under their jurisdiction.

Section 26: Each municipal civil service commission shall submit a report to the state civil service commissioner annually the manner in which this law and the rules established thereunder have been and are administered, and the results of such administration under their jurisdiction. All examinations conducted by a municipal civil service commission shall be publicly announced and all rules governing such examinations shall be made public.

Section 44: The competitive class shall include all positions for which it is practicable to determine the merit and fitness of applicants by competitive examination, and shall include all positions now existing or hereafter created of what functions, designations or compensation, in each and every branch of the classified service, except such positions as are in the exempt class, the non-competitive class or the labor class.

Section 50: Positions subject to competitive examination shall be ascertained by such examinations as may be prescribed by the state civil service department or the municipal commission.

Section 51: Upon the written request of the appointing officer stating his reasons therefor, or on its own initiative, the state civil service department or appropriate municipal commission may determine to conduct an open competitive exam for filling a vacancy or vacancies instead of a promotional examination.

Section 52: (1) Filling vacancies by promotion. Except as provided in section fifty-one, vacancies in positions in the competitive class shall be filled, as far as practicable, by promotion from among persons holding competitive class positions in a lower grade in the department in which the vacancy exists, provided that such lower grade positions are in direct line of promotion, as determined by the state civil service department or municipal commission; except that where the state civil service department or a municipal commission determines that it is impracticable or against the public interest to limit eligibility for promotion to persons holding lower grade positions in direct line of promotion, such department or commission may extend eligibility for promotion to persons holding competitive class positions in lower grades which the department or commission determines to be in related or collateral lines of promotion, or in any comparable positions in any other unit or units of governmental service and may prescribe minimum training and experience qualifications for eligibility for such promotion.

(2) Factors in promotion. Promotion shall be based on merit and fitness as determined by examination, due weight being given to seniority. The previous training and experience of the candidates, and performance ratings where available, may be considered and given due weight as factors in determining the relative merit and fitness of candidates for promotion.

(3) Promotion eligibility of persons on preferred lists and employees on leave of absence. Any employee who has been suspended from his position through no fault of his own and whose name is on a preferred list, and any employee on leave of absence from his position, shall be allowed to compete in a promotion examination for which he would otherwise be eligible on the basis of his actual service before suspension or leave of absence.

(4) Departmental and interdepartmental promotion lists. The state civil service department and municipal commissions may establish interdepartmental promotion lists which shall not be certified to a department until after the promotion eligible list for that department has been exhausted.

(5) Promotion units. In the state service, or in the service of a city containing more than one county, promotion examinations may be held for such subdivisions of a department as the state civil service department or the municipal commission of such city, as the case may be, may determine to be an appropriate promotion unit, but departmental and interdepartmental promotion eligible lists shall not be certified to a department until after the promotion unit eligible lists for that department have been exhausted.

(7) Promotion by non-competitive examination. Whenever there are no more than three persons eligible for examination for promotion to a vacant competitive class position, or whenever no more than three persons file application for examination for promotion to such

position, the appointing officer may nominate one of such persons and such nominee, upon passing an examination appropriate to the duties and responsibilities of the position may be promoted, but no examination shall be required for such promotion where such nominee has already qualified in an examination appropriate to the duties and responsibilities of the position.

(8) Limitation upon promotion. No promotion shall be made from one position or title to another position or title unless specifically authorized by the state civil service department or municipal commission, nor shall a person be promoted to a position or title for which there is required, by this chapter or the rules, an examination involving essential tests or qualifications different from or higher than those required for the position or title held by such person unless he has passed the examination and is eligible for appointment to such higher position or title.

(9) Increase in salary as a promotion. For the purposes of this section an increase in the salary or other compensation of any person holding an office or position within the scope of the rules in force hereunder, beyond the limit fixed for the grade in which such office or position is classified, shall be deemed a promotion.

(10) Credit for provisional service. No credit in a promotion examination shall be granted to any person for any time served as a provisional appointee in the position to which promotion is sought or in any similar position, provided, however, such provisional appointee by reason of such provisional appointment shall receive credit in his permanent position from which promotion is sought for such time served in such provisional appointment.

(11) Notwithstanding any other provision of law, the state department of civil service may, for titles designated by it, extend to employees in the state service who are holding or who have held a position in the non-competitive or labor class of such service the same opportunity as employees in the competitive class to take promotion examinations if such examinations are to be held in conjunction with open competitive examinations.

(12) Notwithstanding any other provisions of law, a municipal commission may, for entrance level titles as defined and designated by it, extend to employees in the service of a civil division who are holding or who have held a position in the non-competitive class of such service for a period of two years the same opportunity as employees in the competitive class to take promotion examinations for which such non-competitive class service is determined by the municipal commission to be appropriate preparation if such examinations are to be held in conjunction with open competitive examinations.

(14) Notwithstanding any other provision of law, in a city containing more than one county, the municipal civil service commission may, for titles designated by it, extend to employees in the service of a civil division or public authority under its jurisdiction who are holding a position in the non-competitive class or the labor class of such service the same opportunities as employees in the competitive class to take promotional examinations for which such non-competitive class or labor class service is determined by the municipal civil service commission to be appropriate preparation.

Section 55 and 55a: Municipal civil service commissions in the state, by rule, determine a prescribed number of positions, not to exceed seven hundred positions, with duties which can be performed by physically or mentally disabled people. Prior to making certification of physically or mentally disabled persons for any such positions, the commission for the blind or the state education department shall obtain from the appropriate municipal civil service commission.

Section 60: When an eligible list has been in existence for less than one year and contains the names of less than three persons willing to accept appointment, and a new list for the same

position or group of positions is established, the names of the persons remaining on the old list shall have preference in certification over the new list until such old list is one year old, and during such period such names shall be certified along with enough names from the new list to provide the appointing officer with a sufficient number of eligibles from which selection for appointment may be made.

Section 61: Appointment or promotion from an eligible list to a position in the competitive class shall be made by the selection of one of the three persons (also known as the “Rule of Three”) certified by the appropriate civil service commission as standing highest on such eligible list who are willing to accept such appointment or promotion. Persons on an eligible list who are certified pursuant to the section sixty of this chapter and are considered and not selected for appointment or promotion pursuant to this section shall, whenever another candidate is appointed or promoted, be given or sent written notice by the appointing authority of such non-selection.

Section 62: Every person employed by the state or any of its civil divisions before he shall be entitled to enter upon discharge of any of his duties, shall take and file an oath or affirmation in the form and language. This oath or statement is required only upon original appointment or upon new appointment. The oath or statement must be filed with the clerk of the county. The refusal or willful failure of such employee to take the oath or statement will result in termination of their employment.

Section 63: Every original appointment to apposition in the competitive class and every interdepartmental promotion from a position in one department or agency to a position in another department or agency must have a probationary term.

Section 64: Temporary appointments are authorized in such instances as to fill in for an employee on a leave of absence (not to exceed the duration of leave of absence), to a position that will not continue in existence (not to exceed 6 months), or when there is a reduction or abolishment of positions that results in suspensions or demotions. A temporary appointment can be made from an active eligible list and need not be made in direct order of list if there is a need to fill a vacant position. Temporary appointments longer than 6 months must be filled from among the highest standing candidates from the most appropriate active list. Successive temporary appointments are not permitted to the same position after the expiration of the authorized period of the original temporary appointment. One cannot be moved from temporary to provisional back to temporary appointment in that same position. (3) In exceptional cases concerning the need of professional, scientific, technical or other expert services, a temporary appointment may be used if it is established to conduct a special study or project and it would not be practicable to hold an examination of any kind.

Section 65: Provisional appointments are authorized when there is no appropriate eligible active list for filling vacancy in the competitive class. Time limitations on provisional appointments shall not exceed for a period in excess of 9 months (to control this time frame the county commission must for all competitive positions order a civil service examination for any position held by provisional appointment for a period of one month and such commission shall conduct or see that an examination is conducted as soon as practicable). A provisional employee must be terminated two months following the establishment of an appropriate eligible list if they are not reachable on the list (“Rule of Three” per Section 61). A provisional appointment must not exceed 4 months for filling following the establishment of an appropriate eligible list if such termination of provisional appointment would disrupt or impair essential public services.

Successive provisional appointments are not permitted for the same position after the expiration of the authorized original provisional period. One cannot be moved from provisional to temporary and back to provisional appointment in that same position. The exclusion to this rule is if the examination fails to produce an adequate list or if the new active list is exhausted immediately following its establishment. A provisional appointee has no rights, regardless of how long he/she serves in the position

Section 70: General provisions state no employee shall be transferred to a position for which there is required by rules established hereunder an examination involving essential test or qualifications different from or higher than those required for the position held by such employee.