

PUTNAM COUNTY CIVIL SERVICE

RULES AND APPENDICES

Incorporates all changes and amendments
approved through April 10, 2019

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PUTNAM COUNTY CIVIL SERVICE RULES
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RULES FOR THE CLASSIFIED CIVIL SERVICE OF PUTNAM COUNTY

Purpose and Effect

It is hereby declared to be the purpose of these rules to provide an orderly and uniform system for the administration of civil service in Putnam County on a basis of merit and fitness as provided in the Civil Service Law of the State of New York. These rules have the force and effect of the law, and apply to all positions in the classified service of Putnam County as well as the towns, villages, school districts, public libraries, and special districts therein. These rules may be amended by the Personnel Officer after public hearing and subject to the approval of the State Civil Service Commission.

RULE I DEFINITIONS

Unless otherwise expressly stated or unless the context or subject matter requires a different meaning, the several terms hereinafter mentioned, whenever used in these rules, shall be construed as follows:

1. "Personnel Officer" means the Personnel Officer of the County of Putnam.
2. "Employee" means the incumbent of a position holding the position in accordance with these rules and the Civil Service Law.
3. "Position" means an office or employment involving an aggregation of duties to be performed and responsibilities to be exercised by an individual.
4. "Compensation" means the remuneration of a position and shall include food, lodging, maintenance and commutation when the same is furnished.
5. "Eligible List" means an official record established and maintained by the Personnel Officer as a public record, which contains the names of those persons who have successfully completed examinations, listed and ranked in order of their final ratings from the highest to the lowest rank.
6. "Part-time Employment" means any employment or combination of one or more employments in a civil division in which an individual works fifty percent or less of the time prescribed as a standard work week or as a standard work year by the appropriate governing body or other appropriate authority of the civil division.
7. "Full-time Employment" means any employment or combination of one or more employments in a civil division in which an individual works a standard work week or a standard work year as prescribed by the appropriate governing body or other appropriate authority of the civil division.
8. "Transfer" means the change, without further examination, of a permanent employee from a position under the jurisdiction of one appointing authority to a similar position under the jurisdiction of another appointing authority.
9. "Reassignment" means the change, without further examination, of a permanent employee from a position under the jurisdiction of one appointing authority to a similar position under the jurisdiction of the same appointing authority.
10. "Municipality" means county, town, city, village, school district, public library or special district.

RULE II
EXEMPT CLASS

1. Positions in the exempt class are those for which competitive or non-competitive examinations or other qualification requirements are not practicable. (Civil Service Law, Section 41)
2. Positions approved by the State Civil Service Commission for allocation to the exempt class shall be listed in Appendix A of these rules and made a part hereof.

RULE III
NON-COMPETITIVE CLASS

1. A position in the non-competitive class may be filled by the appointment of a person who meets the minimum qualifications established for such position by the Personnel Officer. A nomination for such an appointment shall state the qualifications of the nominee and shall be filed by the appointing authority with the Personnel Officer. Such appointment shall become effective only after approval by the Personnel Officer.

2. Positions approved by the State Civil Service Commission for allocation to the non-competitive class shall be listed in Appendix B of these rules and made a part hereof.

RULE IV
LABOR CLASS

1. A position in the labor class may be filled by the appointment of any person selected by the appointing officer of the agency where a vacancy exists, and the Personnel Officer may require applicants for employment in the labor class to qualify in such test of their fitness for employment as may be deemed practicable.
2. Positions approved by the State Civil Service Commission for allocation to the labor class shall be listed in Appendix C of these rules and made a part hereof.

RULE V
UNCLASSIFIED SERVICE

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

RULE VI
RECRUITMENT OF PERSONNEL

1. Residence requirements of municipal positions

- a) An applicant must be at the time of examination and for at least one (1) month prior thereto a resident of the municipality in which appointment is to be made or any reasonable combination of municipalities both in and outside of New York State contiguous to the municipality in which appointment is to be made or contiguous to the municipality in which such municipality is located as determined by the Personnel Officer. Residence requirements may be suspended or reduced by the Personnel Officer in cases where recruitment difficulty makes such requirements disadvantageous to the public interest.
- b) When preference in certification is given to residents of a municipality pursuant to subdivision 4-a of Section 23 of the Civil Service Law, an eligible must be at the time of the issuance of the certification of eligibles, and for at least one (1) month prior thereto, and at time of appointment, a resident of such municipality in order to be included in a certification of eligibles as a resident of such municipality.

2. Announcements of examinations

The public announcement of an open competitive examination shall specify the application fee and waivers, if any, the title, salary or salary range, if known, the duties of the position, the minimum qualifications required, the issue date, the final date for filing applications (except for continuous recruitment), the subjects or scope of the examination and the relative weights thereof, and the date of the examination (except for continuous recruitment), post offer of employment medical requirements, special testing requirements and religious observance arrangements, and if known, the date and place of the examination. Public notice of open-competitive examinations shall be made at least twenty-five (25) days before the date of the examination and must be conspicuously posted in a public place for fifteen (15) days. The last day for filing applications shall be at least ten (10) days before the date of the examination.

RULE VII
APPLICATIONS

1. Receipt and Disposition of Applications

- a) Applications of candidates for positions in the classified service must be submitted to the Putnam County Personnel Department on the form and in the manner prescribed by the Putnam County Personnel Department.
- b) The burden of establishing qualifications to the satisfaction of the Putnam County Personnel Department shall be upon the applicant.
- c) Approved applicants for competitive examination shall be given notice of their approval at least four (4) days before the examination by mail address stated in the application, or no later than one (1) day before the examination by electronic communication to the electronic address stated by the applicant in the application.

2. Release of Application Information

A candidate's application for appointment or examination may be exhibited, upon request, to the appointing officer to whom his/her name is certified or to the appointing officer's representative; provided, however, that information therein relating to the candidate's national origin or indicating whether his/her citizenship is by birth or naturalization shall not be divulged. Before a candidate's application for appointment or examination is exhibited to the appointing officer or the authorized representative, all reference therein to the candidate's national origin or to the basis of his/her citizenship shall be concealed.

RULE VIII
DISQUALIFICATION

1. A record of disrespect for the requirements and processes of law, including repeated traffic offenses or disregard of summonses for traffic offenses, may be grounds for disqualification for examination or, after examination for certification and appointment.
2. The burden of establishing his/her qualifications to the satisfaction of the Personnel Officer shall be upon the applicant. Any applicant who refuses to permit the Personnel Officer to investigate matters necessary for the verification of his/her qualifications or who otherwise hampers, impedes or fails to cooperate with the Personnel Officer in such investigation shall be disqualified for examination or, after examination, for certification and appointment.

RULE IX
EXAMINATIONS

1. Examinations prepared and rated by the New York State Civil Service Department.
 - a) For examinations prepared and rated by the State Civil Service Department, the provisions of the rules and regulations of the State Civil Service Commission and Department shall govern the rating of examinations, the review of examination papers by candidates and the filing of appeals.
 - b) The State Civil Service Commission shall have sole and exclusive authority to correct any errors in rating upon appeal or otherwise.
2. Examinations prepared and/or rated by the Personnel Officer.
 - a) The Personnel Officer shall adopt a system to conceal the identity of the candidates' papers in a written examination until such written examination has been rated.
 - b) Rating keys shall be prepared for each examination held. Such keys shall be a permanent part of the record of each examination. The marking of an examination shall be made on the scale of 100, with 70 the passing score. The Personnel Officer may, after the announcement of an examination is made, subdivide the written examination into parts and require a passing mark of 70 in each of the parts in order that candidates be considered further for eligibility. Notice of such arrangements shall be given in the instructions of the written examination.
 - c) Applications and examination records and papers of candidates shall be preserved until at least six (6) months after the expiration of the eligible list resulting from such examination, but in no event may records be destroyed except in accordance with the policies of the State Commissioner of Education and the State Civil Service Commission. Whenever an oral examination shall be prescribed as part of an examination, every effort shall be made to insure that a stenographic or recording device record of all the questions and answers be made a part of the examination records.
 - d) Every candidate in an examination shall be notified in writing of his/her final rating. Except for continuous recruitment examinations, he/she shall also, if successful, be notified of his/her relative position on any eligible list established as a result of the examination.
 - e) Except for candidates in continuous recruitment examinations, any candidate receiving such notice may inspect his/her examination papers in the office of the Personnel Officer and in the presence of a designated representative of the Personnel Department, provided he/she make his/her request for such inspection, in writing, within ten (10) days of the date of the postmark or such notice. The examination papers of a candidate shall be exhibited only to the candidate.

- f) A candidate who wishes to appeal to the Personnel Officer from his/her rating in one, or more, or all of the subjects of an examination must submit such appeal in writing within twenty (20) days after the earliest date on which his/her examination papers were made available for his/her inspection. Such appeal must show that a manifest error was made in the original rating. Such appeal shall be considered as opening all of the candidate's papers for review, whether resulting in a higher or lower average standing. No change in rating shall be made as a result of an appeal unless it shall affect the candidate's relative position on the eligible list.
- g) There shall be no reviews of examinations conducted on a continuous recruitment basis other than for a computational check of the candidate's answers against the key answers; nor shall there be reviews of practical or performance examinations.

3. Examinations generally.

- a) The Personnel Officer may at any time during the life of an eligible list resulting from any examination, whether prepared and rated by the Personnel Officer, except as provided in 1b, correct any clerical or computational errors in the ratings of candidates who competed in the examination.
- b) Any change in an eligible list pursuant to this rule shall be made without prejudice to the status of any person previously appointed from such eligible list.

4. Examination Material Security.

In order to prevent the unauthorized publication and dissemination of examination material, the following acts are prohibited except as authorized by the New York State Civil Service Commission.

- a) No person shall copy, record or transcribe any examination question or answer; or remove from the examination room or possess outside the examination room, any question sheet, answer sheet or booklet, scrap papers, notes or any other papers or materials relating to such examination.
- b) A candidate in an examination shall not at any time communicate with an examiner concerning the conduct or content of such examination; and shall not directly or indirectly communicate to any other person information concerning the content of such examination until completion of the testing of all candidates.
- c) No examiner, proctor or other person charged with the supervision of a candidate or group of candidates during an examination shall have authority to waive the provisions of this subdivision. A person who is found by the New York State Civil Service Commission to have violated the provisions of this subdivision or any similar provision of the rules of any other civil service jurisdiction within the State of New York shall be disqualified from appointment to the position for which the examination is being held and may be disqualified from being a candidate for any civil service examination for a period of five years.

RULE X
ELIGIBLE LISTS

1. Every candidate who attains a passing grade in an examination as a whole and who meets the standards prescribed, if any, for separate subjects or parts of subjects of the examination shall be eligible for appointment to the position for which he/she was examined and his/her name shall be entered on the eligible list in the order of his/her final rating; but if two or more eligibles receive the same final rating in the examination, they shall be ranked in accordance with such uniform, impartial procedure as may be prescribed therefore by the Personnel Officer.
2. The date of the establishment of a list shall be the date fixed therefore by the Personnel Officer, and shall be entered on such list. The duration of all eligible lists shall be fixed by the Personnel Officer prior to the establishment of such list, but shall not be less than one (1) nor more than four (4) years. The date of establishment of a list and its duration shall be given to all successful candidates at the time when notice of standing on the eligible list is given to such candidates. Where the duration of an eligible list is fixed at less than four (4) years, the Personnel Officer may, prior to the expiration date of such list, extend the duration of the list up to the maximum limitation of four (4) years, provided that eligibles on such list are notified in writing of the extension of the eligible list.
3. Eligible lists shall be open to public inspection at the office of the Personnel Officer. The names of persons who failed to receive a passing grade on the examination shall not be disclosed to the public.
4. The Personnel Officer shall have the power in his/her discretion to correct any error and amend any eligible list where it appears that an error has been made. The Personnel Officer shall have the power to revoke any eligible list where the provisions of these rules were not properly or sufficiently carried out; provided, however, that an eligible list shall not be revoked except after notice and an opportunity to be heard has been given to all persons whose names appear thereon. The reasons for such action shall be recorded on the eligible list and reported to the State Civil Service Commission.

RULE XI
CERTIFICATION

1. The Personnel Officer shall determine the eligible list most nearly appropriate for the position to be filled, and shall certify to the appointing authority a sufficient number of eligibles from which selection for appointment may be made. When the name of any eligible is included in a certification for appointment, the names of all other eligibles on the list having the same final rating as such eligible shall likewise be included in such certification.
2. A certification issued by the Personnel Officer to an appointing officer shall be valid for a period of sixty (60) days from the date of its issuance, with the exception of a certification issued in the title of Deputy Sheriff, Police Officer, or Correction Officer, which shall be valid for a period of ninety (90) days from the date of its issuance.

The Personnel Officer may, for good cause, extend the life of any certification for an additional period of thirty (30) days, provided there has been no change in the ranking or composition of the eligibles in the range certified. After the expiration of such period, no appointment shall be made except from a new certification.

3. When an eligible is canvassed for appointment or is offered appointment in writing by canvass or offer sent to him/her by mail to the address stated in the application, or by email sent to the email address stated in the application, and fails to state his/her willingness to accept such appointment within ten (10) business days after the mailing of such canvass or offer or before the end of the next succeeding business day, he/she may be considered ineligible for purposes of making selection for such particular appointment.
4. The name of the person declining appointment may be eliminated from further certification from the eligible list unless declination is for one or more of the following reasons:
 - a) Insufficiency of compensation offered when below minimum of grade of the position for which the examination was held;
 - b) Location of employment;
 - c) Temporary inability, physical or otherwise, which must be satisfactorily explained by the eligible in writing;
 - d) Other reason deemed acceptable by the Personnel Officer.

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

5. Except as otherwise provided herein, appointment or promotion to a position in the competitive class shall be made by the selection of a person on the most nearly appropriate eligible list who is willing to accept such appointment and whose final rating in the examination is equal to or higher than the final rating of the third highest ranking eligible on the list indicating willingness to accept such appointment. The term “ranking” as used herein refers to the order in which the names of eligibles appear on the eligible list as provided in Rule X.
6. Whenever a vacancy exists in a position in the competitive class and an open competitive examination duly advertised results in three or fewer approved applicants for the examination, the appointing officer may nominate to the Personnel Officer one of the applicants who may be certified for appointment to fill the vacancy without further examination, provided that he/she has already qualified in an examination of equivalent character within the last four (4) years from the date of nomination.
7. Whenever one or more eligibles shall have declined any appointment offered for reason of salary and an eligible, whose relative standing is lower and who was reachable on the certification only because of the aforesaid declination, shall have been appointed to the position, the salary or compensation of such appointee shall not be increased, except by a service or a class wide increase, within a period of six (6) months after his appointment beyond that offered to the persons so declining.
8. An open-competitive, promotion or preferred eligible list shall not be certified for filling a permanent competitive class vacancy created by reclassification of a permanently encumbered competitive class position if the appointment or promotion from such list would require the layoff of a permanent employee; but this provision shall not apply if the incumbent whose position was reclassified has, following such reclassification, either refused to take an examination for such reclassified position or failed to qualify for appointment, examination or promotion to such position.
9. Whenever a vacancy exists in a position in the competitive class and an open-competitive examination duly advertised results in three or fewer approved applicants, and the announced minimum qualifications for the position included a requirement of possession of a license or certificate in a profession issued by the State of New York, the Personnel Officer may waive the examination and certify for appointment to the appointing authority the names of such qualified applicants, provided, however, that such applicants have been licensed or certified in the profession by the State of New York.

RULE XII PROMOTIONS

1. In order to be eligible to participate in a promotion examination a candidate must have been employed in a competitive class position on a permanent basis in a lower grade, either in direct line of promotion or in a related or collateral line of promotion as determined by the Personnel Officer. The Personnel Officer shall determine the minimum period of such service for eligibility to enter a promotion examination, and may also prescribe a minimum period of such service as a qualification for promotion from the resulting eligible list.
2. Any person who is nominated for non-competitive examination for promotion to a position and who fails to pass two successive examinations for such promotion shall not thereafter be eligible for employment in such position, except by appointment or promotion from an eligible list established following competitive examination.
3. When a vacancy exists in a permanent competitive class position and a permanent competitive class candidate in direct line of promotion, as defined in these Rules, is nominated for non-competitive promotion examination in accordance with Section 52(7) of Civil Service Law, the Personnel Officer may determine that the examination that shall be appropriate for such non-competitive promotion may consist of a review of the candidate's training and experience at the time of nomination.

If the Personnel Officer determines the candidate's training and experience meets or exceeds the open-competitive qualifications for the position, the candidate shall be certified as eligible for permanent appointment to the position subject to a probationary period.

4. Non-competitive employees serving in full-time positions may be eligible to participate in a promotion examination for entrance level titles as determined by the Personnel Officer provided they are holding or have held a position in the non-competitive class on a permanent basis for a period of at least two (2) years and provided further that an open-competitive examination is held concurrently.

RULE XIII
PROBATIONARY TERM

1. Probationary Term.

- a) Except as otherwise provided in these Rules, every permanent appointment from an open-competitive list and every original appointment to a position in the non-competitive, exempt or labor class shall be subject to satisfactory completion of a probationary term of not less than eight (8) weeks nor more than fifty-two (52) weeks unless the probationer is notified of successful completion of their probationary term at an earlier date, but in no event shall the probationary term be less than eight (8) weeks.
- b) The probationary term for a Trainee position, in which an appointee is required to serve a specified training term, shall be one hundred four (104) weeks unless the probationer is notified of successful completion of their probationary term at an earlier date, but in no event shall the probationary term be less than twenty-six (26) weeks.
- c) The probationary term for the positions of Police Officer and Deputy Sheriff shall be seventy-eight (78) weeks unless the probationer is notified of successful completion of their probationary term at an earlier date, but in no event shall the probationary term be less than twenty-six (26) weeks.
- d) An appointment shall become permanent upon the retention of the probationer after his/her completion of the maximum period of service or upon earlier retention notice, following completion of at least the minimum period of service, that his/her probationary term is successfully completed. A copy of such notice shall be sent to the Personnel Officer.
- e) If the conduct or performance of a probationer, as described in subsections (a) through (d) above, is not satisfactory, his/her employment may be terminated at any time after the completion of the minimum period of service, and on or before completion of the maximum period of service in a manner as prescribed in these Rules.

2. Departmental Promotions.

A departmental promotion means a promotion from a position in a department to a position in the same department on a permanent or contingent-permanent basis. Every departmental promotion (other than for titles listed in 1c above) shall require a probationary term of twenty-six (26) weeks unless the probationer is notified of successful completion of their probationary term at an earlier date, but in no event shall the probationary term be less than eight (8) weeks.

If the conduct or performance of a probationer is not satisfactory, his/her appointment in such position may be terminated at any time after the completion of the minimum period of service in a manner as prescribed in these Rules. For the purpose of this subdivision, the term “promotion” shall include the appointment of an employee to a higher-grade position in the non-competitive or exempt class.

3. Inter-Departmental Promotions.

An inter-departmental promotion means a promotion from a position in one department to a position in another department on a permanent or contingent-permanent basis. Every inter-departmental promotion (other than for titles listed in 1c above) shall require a probationary term of twenty-six (26) weeks unless the probationer is notified of successful completion of their probationary term at an earlier date, but in no event shall the probationary term be less than eight (8) weeks.

If the conduct or performance of the probationer is not satisfactory, his/her appointment in such position may be terminated at any time after the completion of the minimum period of service, and on or before completion of the maximum period of service in a manner as prescribed in these Rules. For the purpose of this subdivision, the term "promotion" shall include the appointment of an employee to a higher grade position in the non-competitive or exempt class.

4. Transfers to Positions in the Same Civil Division.

Every transfer from a position to another in the same civil division shall require a probationary term of twenty-six (26) weeks unless the probationer is notified of successful completion of their probationary term at an earlier date, but in no event shall the probationary term be less than eight (8) weeks.

If the conduct or performance of the probationer is not satisfactory, employment in such position may be terminated at any time after the completion of at least the minimum period of probation, and on or before the completion of the maximum period of probation.

5. Restoration to Permanent Position.

When a permanent employee is promoted or transferred to a position in which he/she is required to serve a probationary term, the position thus vacated by him/her shall not be filled, except on a temporary basis, during such probationary term. At any time during such probationary term the employee shall have the right to return to his/her previous position at his/her own election. If the conduct or performance of the probationer is not satisfactory, he/she shall be restored to his/her former permanent position at the end of his/her probationary term.

6. Transfers to Positions Under Different Appointing Authorities in Different Civil Divisions.

Every transfer from a position in one civil division to a position in another civil division shall require a probationary term of twenty-six (26) weeks unless the probationer is notified of successful completion of their probationary term at an earlier date, but in no event shall the probationary term be less than eight (8) weeks.

If the conduct or performance of the probationer is not satisfactory, employment in such position may be terminated at any time after the completion of the minimum

period of probation of eight (8) weeks, or on or before completion of the maximum period of probation of twenty-six (26) weeks. The Personnel Officer shall advise the prospective transferee in writing prior to approval of the transfer that an eight (8) to twenty-six (26) week probationary term is required and must be successfully completed to obtain permanent status in the position to which transfer is sought. The prospective transferee shall be advised it is his/her responsibility to request a leave of absence from the releasing agency, and that is not required that the releasing agency hold a position for the prospective transferee to return to should the probationary period not be successfully completed.

7. Absence during Probationary Term.

Any periods of authorized or unauthorized absence aggregating up to ten (10) workdays during the probationary term, may, at the discretion of the appointing authority, be considered as time served in the probationary term. Any such periods of absence not so considered by the appointing authority as time served in the probationary term, and any periods of absence in excess of periods considered by the appointing authority as time served in the probationary term pursuant to this subdivision shall not be counted as time served in the probationary term. The minimum and maximum periods of the probationary term of any employee shall be extended by the number of work days of his/her absence which, pursuant to this section, are not counted as time served in the probationary term.

8. Report on Probationer's Service.

The appointing authority and supervisor of a probationer will carefully evaluate the probationer's work performance of the duties and responsibilities of the position. A probationer whose services are to be terminated for unsatisfactory service shall be given written notice prior to such termination and, upon request, shall be granted an interview with the appointing authority or his/her representatives.

9. Restoration to Eligible List.

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

10. Contingent-Permanent, Temporary or Provisional Service in Higher-Level Position.

When an employee who has not completed his/her probationary term is appointed on a contingent-permanent, temporary or provisional basis to a higher level position, the period of contingent-permanent, temporary or provisional service rendered by such employee in such higher level position, may, at the discretion of the appointing authority, be considered as satisfactory probationary service in his/her lower position and may be counted as such in determining the satisfactory completion of such probationary term. At any time after the expiration of the minimum period of the

probationary term, or the entire probationary term if it be one of fixed duration, the appointing authority shall, on request of such probationer, furnish his/her decision in writing as to whether or not service in such higher level position shall be considered as satisfactory probationary service. In the event of an adverse decision by the appointing authority, such probationer, at his/her request, shall be returned to his/her lower position for sufficient time to permit him/her to complete his/her probationary term. The employment of such a probationer in his/her lower position shall not be terminated at the end of his/her probationary term on account of unsatisfactory service unless he/she shall have actually served in such position, in the aggregate, at least the minimum period specified for such probationary term or the entire probationary term if it be one of fixed duration.

11. Removal During Probationary Term.

Nothing contained in this rule shall be construed to limit or otherwise affect the authority of an appointing authority pursuant to Section 75 of the Civil Service Law, or applicable negotiated disciplinary procedures, at any time during the probationary term, to remove a probationer for incompetency or misconduct.

12. Reinstatement.

An employee who is reinstated to a position within one (1) year in his/her former municipality shall not be subject to a new probationary term.

An employee who is reinstated to a position within one (1) year in other than his/her former municipality shall be subject to a new probationary term in the same manner and subject to the same requirements as apply upon the original appointment to such position.

An employee who is reinstated to a position after separation of more than one (1) year, either in his/her former municipality or another municipality shall serve a new probationary term in the same manner and subject to the same requirements as apply upon the original appointment to such position.

13. Leave of Absence for Police Supervisors

Notwithstanding any other provision of these Rules, if a Police Officer is promoted to a higher rank for which he/she has met all requirements of eligibility for permanent promotion except training requirements applicable under Section Two Hundred Nine of the General Municipal Law, he/she shall be deemed to be on leave of absence from the lower rank position from which he/she was promoted pending completion of such training. During such period, such lower rank position may not be filled except on a temporary or contingent permanent basis. In the event of his/her failure to successfully complete such training within the time allowed therefor, he/she shall be restored to such lower rank position.

RULE XIV
TRAINEE APPOINTMENTS

1. The Personnel Officer may require that permanent appointments or promotions to designated positions shall be conditioned upon the satisfactory completion of a term of service as a Trainee in such a position or in an appropriate lower training title, or upon the completion of specified training or academic courses, or both. The period of such term of training service shall be as prescribed by the Personnel Officer. Upon the satisfactory completion of such training term, and of specified courses as required, an appointee shall be entitled to full permanent status in the position for which appointment was made. Any appointment hereunder shall be subject to such probationary period as prescribed in these rules. Also, the employment of such person may be discontinued if his/her conduct, capacity or fitness is not satisfactory, or at any time if he/she fails to pursue or continue satisfactorily such training or academic courses as may be required.

2. For the purposes of this rule, appointment or promotion to positions where training is required by State Law or Rule, such appointments shall be considered as Trainee appointments. The term of training shall conform with the maximum time prescribed by statute for successful completion of the required training programs.

RULE XV
EFFECT OF TEMPORARY OR PROVISIONAL APPOINTMENT
ON STATUS OF APPOINTEE

1. Effect of temporary appointment on eligibility for permanent appointment.

The acceptance by an eligible of a temporary appointment shall not affect his/her standing on the eligible list for a permanent appointment, nor shall the period of temporary service be counted as part of the probationary service in the event of subsequent permanent appointment.

2. Non-permanent appointment of permanent employee.

- a) When a permanent employee is given a provisional, temporary or contingent permanent appointment to a competitive class position in the same department or agency, the position thus vacated by him/her shall only be filled on a temporary or contingent permanent basis until the position is unencumbered by the permanent incumbent.
- b) A provisional, temporary or contingent permanent appointee may return to his/her permanent position at any time by providing written notice to the appointing authority requesting to be returned to such permanent position. The appointing authority shall return such appointee to his/her permanent position within fifteen days of receipt of such written notice.

3. Successive provisional appointment.

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

RULE XVI
TRANSFER

1. Transfer of Eligibility for Permanent Appointment.

Upon the written request of an individual and the prospective appointing authority, and subject to the approval of the Personnel Officer, any individual serving in a competitive class position as a permanent appointee may be permanently appointed to another competitive class position subject to these rules without further competitive examination, provided:

- a) There is no preferred list appropriate for filling the position to which appointment is sought containing the name of an eligible willing to accept appointment; and
- b) There is no departmental promotion list for the position to which appointment is sought containing the names of three or more eligibles willing to accept appointment; and
- c) The Personnel Officer determines that the examinations' scopes and qualifications for the positions held and to which appointment is sought are:
 - i. the same or substantially the same; or
 - ii. if not the same or substantially the same, the New York State Department of Civil Service has determined that the examination for the position held involved or would involve essential tests and qualifications the same as or greater than those of the position to which appointment is sought; and
- d) The Personnel Officer has determined that such appointment is for the good of the service.

RULE XVII
REINSTATEMENT

A permanent competitive class employee who has resigned may be reinstated without further examination to the position from which he/she resigned, if then vacant, or in any vacant position to which the employee was eligible for transfer or reassignment. An employee who is laid off shall be eligible for reinstatement in the same manner as an employee who had resigned. Reinstatement following a break in service of more than one (1) year must also satisfy the following additional conditions:

1. All reinstatements are subject to the following terms and conditions:
 - a) The prospective appointing authority must request approval from the Personnel Officer to reinstate an individual.
 - b) A reinstatement may not be approved to a position for which a preferred list exists containing the name of an eligible willing to accept appointment.
 - c) With the exception of an employee who is being reinstated to his/her former position within four years, a reinstatement may not be approved to a position for which a promotion eligible list exists containing the names of three or more eligibles willing to accept appointment.
 - d) The Personnel Officer shall determine if the reinstatement is for the good of the service.

Reinstatement following a break in service of more than one (1) year must also satisfy the following additional conditions:

- e) The appointing authority must provide documentation or explanation that demonstrates to the satisfaction of the Personnel Officer that the individual requested to be reinstated possesses current knowledge and skill in the occupational field to which reinstatement is sought.
 - f) If the position to which reinstatement is sought requires successful completion of medical and/or physical agility tests for original appointment, the individual being reinstated must satisfy these criteria immediately prior to reinstatement.
2. Refusal or failure to accept reinstatement from preferred list.
 - a) Preferred lists shall be established for four (4) years.
 - b) Relinquishment of eligibility for reinstatement. The failure or refusal of a person on a preferred list, after reasonable notice, to accept reinstatement therefrom to his/her former position, or any similar position in the same salary grade for which such list is certified, shall be deemed to be a relinquishment of his/her eligibility for reinstatement, and his/her name shall thereupon be stricken from such preferred list. The name of such person may be restored to such preferred list and certified to fill such appropriate vacancies as may thereafter occur only upon the request of such

person and his/her submission of reasons satisfactory to the Personnel Officer for his/her previous failure or refusal to accept reinstatement.

- c) Effect of refusal to accept reinstatement to lower grade position. A person on a preferred list shall not be deemed to relinquish his/her eligibility for reinstatement therefrom by reason of his/her failure or refusal to accept reinstatement to a position in a lower salary grade than the position from which he/she was suspended or demoted. The name of such person may be withheld from further certification for reinstatement to a position in a lower salary grade than the position to which he/she failed or refused to accept reinstatement.
- d) Restoration to eligibility for reinstatement not to affect previous appointments. The restoration of the name of a person to a preferred list, or his/her restoration to eligibility for certification therefrom to positions in a lower salary grade than his/her former position, shall not invalidate or in any manner adversely affect any appointment, promotion, reinstatement or demotion previously made to any position to which such person would otherwise have been eligible for reinstatement from such preferred list.

RULE XVIII
LEAVE OF ABSENCE

1. A leave of absence without pay, not to exceed two (2) years, may be granted to an employee by an appointing officer where not prohibited by law. Notice of such leave of absence shall be given to the Personnel Officer. Where a leave of absence without pay has been granted for a period, which aggregates two (2) years, a further leave of absence without pay shall not be granted unless the employee returns to his/her position and services continuously therein for three (3) months immediately preceding the subsequent leave of absence. Notice of such subsequent leave of absence shall also be given to the Personnel Officer. Absence on leave for more than two (2) years shall be deemed the equivalent of a resignation from the service upon the date of commencement of such absence, except as provided in subdivision 2 of this rule.
2. In an exceptional case, where requested by an appointing authority, the Personnel Officer may, for good cause shown, waive the provisions of this rule to permit an extension of the leave of absence for an additional one (1) year period where not prohibited by law. In no case may such leave of absence exceed in aggregate three (3) years from the date of commencement of the leave.
3. A leave of absence without pay, not to exceed four (4) years, shall be granted by an appointing officer to an employee who is a veteran of the Armed Forces of the United States, providing such a leave of absence is for the purpose of taking courses under the educational benefits provided for in Title 38, United States Code or under a New York State Board of Regents War Service Scholarship, Education Law, Section 614. An employee taking such a leave shall be reinstated to this position, provided he/she makes application for such reinstatement within sixty (60) days after the termination of his/her course of study.

RULE XIX
RESIGNATION

1. Resignation in writing.

Except as otherwise provided herein, every resignation shall be in writing to the extent possible.

2. Effective date.

If no effective date is specified in a resignation, it shall take effect upon delivery to or filing in the office of the appointing authority. If an effective date is specified in a resignation, it shall take effect on such specified date. However, if a resignation is submitted while the employee is on a leave of absence without pay, such resignation, for the purpose of determining eligibility for reinstatement, shall be deemed to be effective as of the date of the commencement of such absence. Notwithstanding the provisions of this section, when charges of incompetency or misconduct have been or are about to be filed against an employee, the appointing authority may elect to disregard a resignation filed by such employee and to prosecute such charges; and, in the event that such employee is found guilty of such charges and dismissed from the service, his/her termination shall be recorded as a dismissal rather than as a resignation.

3. Withdrawal or amendment.

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

4. Voluntary demotion of permanent competitive employee.

An employee who voluntarily elects to relinquish his/her permanent competitive class status to a position and accept a demotion, must file a written statement of relinquishment to the appointing authority. Upon receipt of the statement of relinquishment from the employee by the appointing authority, the employee may be demoted to any vacant lower salary level position for which he/she is eligible. An employee may not be demoted to a position for which a preferred eligible list exists. Such statement of relinquishment shall not take effect until the employee is demoted to the lower level position. Such demotion shall not be subject to a new probationary period.

RULE XX
REPORTS OF APPOINTING OFFICERS

For the purpose of certification of payrolls and to enable the Personnel Officer to keep an official roster of the classified services as required by law, each appointing officer, from time to time, and upon the date of the official action in each case, shall report to the Personnel Officer as follows:

- a) Every appointment or employment whether permanent, probationary, provisional, temporary or otherwise, in the classified service, with the date of commencement of service and the title and compensation of the position.
- b) Every failure to accept an appointment under him/her by a person eligible therefore, with copies of the offer or notice of appointment and the reply thereto, if any.
- c) Every discharge during or at the end of probationary term with the date thereof.
- d) Every vacancy in a position, for whatever reason with the date thereof.
- e) Every position abolished, with the date of such abolition.
- f) Every change of compensation in a position, with the date thereof.
- g) Every promotion, giving positions from which and to which made, with the salaries and date thereof.
- h) Every transfer, giving the positions from which and to which made, with the date and salaries thereof.
- i) Every reinstatement in a position, with the date and salary thereof.
- j) Every leave of absence, with the date and duration thereof.
- k) Every new position, giving a complete description of the duties thereof.

RULE XXI
CERTIFICATION OF PAYROLLS

1. Certification required prior to payment

- a) No person shall receive salary or compensation until the Personnel Officer has certified his or her employment to be in compliance with the provisions of the Civil Service Law and these Rules.
- b) The Personnel Officer shall not certify the name of any person employed in a manner that does not comply with the provisions of the Civil Service Law and these Rules.

2. Extended certification

- a) The Personnel Officer may certify the employment of a person for a limited or extended period. No further certification shall be necessary for the payment of salary or compensation to such person as long as his or her status, title, and salary grade remain unchanged during the period of the certification granted.
- b) The Personnel Officer shall require certification of the full payroll of every civil division under its jurisdiction at least once every fiscal year, and shall require such certifications according to the following schedule:

Civil Division	Payroll(s) to be Certified:
Towns:	
<i>Carmel, Kent and Patterson</i>	First Full Payroll in March
<i>Philipstown, Putnam Valley and Southeast</i>	First Full Payroll in April
County	First Full Payroll in April
Villages	First Full Payroll in May
School Districts:	
<i>Brewster and Carmel</i>	First Full Payroll in October
<i>Garrison, Haldane, Mahopac and Putnam Valley</i>	First Full Payroll in November
All Other Agencies Or Special Districts	First Full Payroll in June

- c) The Personnel Officer may, at any time, require any civil division under its jurisdiction to submit payrolls or accounts for certification in accordance with §100(1) of the Civil Service Law.
- d) Annual certifications provided by the Personnel Officer shall be valid for a period of no more than 12 months following the scheduled date of certification established in these Rules. Certifications provided at any other time during the year shall be valid for a period not to exceed the next scheduled certification established in these Rules.

3. Refusal or termination of certification

- a) The Personnel Officer shall investigate any discrepancies between the payroll and the official roster and any other instances where the Personnel Officer finds the employment of a person may be in violation of the law and these Rules.
- b) In any case where the Personnel Officer finds satisfactory evidence that the employment of a person is in violation of law and these Rules, or the Personnel Officer finds satisfactory evidence of intent to evade the provisions of law or these Rules in regard to the employment of any person, the Personnel Officer shall refuse certification of the person and terminate any certification of the person previously made and then in force.
- c) Any refusal, termination, or revocation of a certification of any person shall be communicated in writing to the appropriate fiscal or disbursing officer.

RULE XXII
CLASSIFICATION PLAN

1. Definitions. For the purpose of this rule the following definitions shall apply:
 - a) “Class” means one or more positions sufficiently similar with respect to duties and responsibilities to be designated by a single descriptive title and treated as a unit for the purpose of recruiting, examinations, salary and administering other personnel functions.
 - b) “Class title” means the designation given under these rules to a class and to each position allocated to such class.
 - c) “Job classification specification” means a formal written statement of the class which defines the general character and scope of the duties and responsibilities of positions in the class, lists typical work activities, enumerates knowledge’s, skills, abilities and personal characteristics required for successful full performance of the work, states required minimum qualifications and indicates any special requirement of the class.
 - d) “Allocation” means the assignment of a position to an appropriate class as determined by the duties, responsibilities and minimum qualification requirements of the position.
 - e) “Reclassification” means the reallocation of a position from one class to another because of a permanent and material change of the duties of that position.

2. Powers and Duties. The Personnel Officer shall have the power and duty to:
 - a) Classify and reclassify all positions in the civil service of all civil divisions under his/her jurisdiction.
 - b) Prepare and maintain job classification specifications for each class of positions in the competitive, non-competitive and labor classes under the jurisdiction of the Personnel Officer and establish appropriate minimum qualifications for each class.
 - c) Investigate all matters affecting the classification and reclassification of all positions and from time to time review the duties, responsibilities and qualification requirements of all positions under his/her jurisdiction and to make revisions in the classification of positions.

3. Classification of Vacant Positions.

When a position has or is about to become vacant, the Personnel Officer may request that a detailed description of the duties and responsibilities of the position and a statement of suggested minimum entrance qualifications for the position be filed with the Personnel Officer. After an analysis of the detailed description of duties and responsibilities, the Personnel Officer shall allocate the position to an appropriate class, or, if no appropriate class exists, shall create a new class and prepare a class specification for such position including a statement of appropriate minimum qualifications.

4. Classification of New Position.

When a new position is to be created, the appointing officer shall file a detailed description of the duties and responsibilities of the position and a statement of suggested minimum entrance qualifications for the position with the Personnel Officer, prior to creating the position. After an analysis of the detailed description of duties and responsibilities, the Personnel Officer shall allocate the positions to an appropriate class, or if no appropriate class exists, shall create a new class and prepare a class specification for such new class including a statement of appropriate minimum qualifications.

5. Reclassification of Positions. Either:

a) The Personnel Officer may, upon his/her own initiative, review the duties and responsibilities and qualification requirements of any position under his/her jurisdiction. Appointing authorities and employees in positions under review shall be required to complete a detailed description of the duties and responsibilities of the positions and provide such other information as determined necessary by the Personnel Officer. After an analysis of the detailed description of the duties and responsibilities, the Personnel Officer shall allocate the position to an appropriate class, or if no appropriate class exists, shall create a new class and prepare a class specification for such position including a statement of appropriate minimum qualifications; or

b) Whenever a permanent and material change is made in the duties and responsibilities of any position, the appointing authority shall file a detailed description of the duties and responsibilities of the position with the Personnel Officer. After an analysis of the duties and responsibilities of the position, the Personnel Officer shall allocate the position to an appropriate class, or if no appropriate class exists, shall create a new class and prepare a class specification for such position including a statement of appropriate minimum qualifications; or

c) Any employee in the classified service may apply to the Personnel Officer for a position reclassification. Such application shall include a detailed description of the duties and responsibilities of the position since the last determination with respect to its classification. After an analysis of the duties and responsibilities of the position, the Personnel Officer shall allocate the position to an appropriate class, or if no appropriate class exists, shall create a new class and prepare a class specification for such position including a statement of appropriate minimum qualifications.

6. Notice and Appeals. The Personnel Officer shall give reasonable notice of any proposal or application for a change in classification to the appointing authority and to the employee or employees affected thereby. Any person desiring to submit facts orally or in writing in connection with the reclassification of any position shall be afforded reasonable opportunity to do so. The Personnel Officer shall then determine the proper allocation of the position. No employee, either by classification or reclassification, change of title or otherwise shall be promoted, demoted, transferred, suspended or reinstated except in accordance with the provisions of the Civil Service Law and these rules.

RULE XXIII
PROHIBITION AGAINST QUESTIONS ELICITING INFORMATION
CONCERNING POLITICAL AFFILIATION

No questions in any examination or application or other proceeding by the Personnel Officer or his/her examiners shall be so framed as to elicit information concerning, nor shall any other attempt be made to ascertain the political opinions or affiliations of any applicant, competitor or eligible, and all disclosures thereof shall be discountenanced by the Personnel Officer and his/her examiners. No discrimination shall be exercised, threatened or promised against or in favor of any applicant, competitor or eligible because of his/her political opinions or affiliation.

RULE XXIV
CONTINGENT PERMANENT STATUS

1. Contingent permanent appointments.

- a) A position left temporarily vacant by the leave of absence of the permanent incumbent may be filled, at the discretion of the appointing authority, by a contingent permanent appointment through the use of an open-competitive or promotion eligible list. Any person appointed on a contingent permanent basis shall have all the rights and benefits of a permanent competitive class employee subject to the following limitations.
 - i. Probationary Period: All appointments under this rule shall be required to complete the probationary period for original appointment or promotion as prescribed by these rules.
 - ii. Return of Incumbents: In the event of layoff or the permanent incumbent returns from leave of absence, persons holding positions on a contingent permanent basis shall be displaced before any persons holding permanent status in the same title regardless of total seniority. In the event more than one position in the same title is held by persons having contingent permanent appointments, displacement among those persons shall be based on the inverse order of their contingent permanent appointments.
 - iii. Preferred List: Upon displacement, if the contingent permanent appointee was made from a promotion eligible list, he/she shall be restored to his/her permanent position and have their name placed on a preferred eligible list for certification as a mandatory list only to the department or agency in which the contingent permanent appointment was made. If the contingent permanent appointee was appointed from an open-competitive eligible list and does not have a permanent position to return to, he/she shall have their name place on a preferred eligible list for certification as a mandatory list in the civil division in which the contingent permanent appointment was made.
 - iv. Seniority: When a contingent permanent appointment matures into a permanent appointment, the date of permanent service shall be the date of the original contingent permanent appointment.
 - v. Promotion: When a permanent competitive class employee accepts a contingent permanent appointment, the position vacated by such employee shall not be filled except on a temporary or contingent permanent basis until the contingent permanent appointment matures into a permanent appointment.

- b) Appointments to contingent permanent positions shall be made by selection of one of the top three candidates on an appropriate eligible list willing to accept a contingent permanent appointment; an explanation of contingent permanent will be included on the canvass letter and there will be no reconvening of the eligible list in the event the contingent permanent position becomes unencumbered. Acceptance of a contingent permanent appointment will remove the person's name from the eligible list for any future contingent permanent vacancies.
- c) If a permanent vacancy becomes available in the same title in the department or agency in which a contingent permanent appointment has been made, contingent permanent appointees may be offered reassignment, prior to canvassing for a permanent appointment from an appropriate eligible list or prior to appointing a temporary or provisional to the positions.
- d) When a position filled by a contingent permanent appointee becomes unencumbered, the contingent permanent appointee in that position shall immediately gain permanent competitive class status in the class if the required probationary period as prescribed in this rule has been satisfactorily completed.

RULE XXV
LAYOFF OF COMPETITIVE CLASS EMPLOYEES

1. For the purpose of this Rule the following terms shall mean:
 - a) Direct line of promotion shall be strictly construed in that in order to be considered as direct line all titles must have the same generic root.
 - b) Next lower occupied title shall mean the title in direct line of promotion immediately below the title from which the incumbent is suspended or demoted, unless no one is serving in that title in that layoff unit, in which case it shall be the closest lower title in direct line of promotion in that lay off unit in which one or more persons do serve.
 - c) Layoff unit shall mean each department of a county, city, town, village, each school district and each special district. Authorities and community colleges shall be deemed to be separate civil divisions.
 - d) Satisfactory service shall mean service by an employee during which he/she did not receive an “Unsatisfactory” performance rating and was not found guilty of misconduct or incompetency pursuant to Section 75 of the Civil Service Law which resulted in the imposition of any of the following penalties upon such employee:
 - 1) dismissal from the service, or
 - 2) suspension without pay for a period exceeding one month, or
 - 3) demotion in grade and title.
 - e)
 - i. Permanent Service shall start on that date of the incumbent’s original appointment on a permanent basis in the classified service, however, in the case of disabled veterans, the date of original permanent appointment is considered to be sixty (60) months earlier than the actual date; while non-disabled veterans are considered to have been appointed thirty (30) months earlier than their actual date of appointment. For the purposes of this Rule the definition of what constitutes a veteran or disabled veteran is contained in Section 85 of the Civil Service Law.
 - ii. A resignation followed by a reinstatement or reappointment more than one (1) year subsequent to the resignation constitutes a break in service. The original appointment date is to be determined from the date of re-employment, the prior service would not count.
 - iii. Temporary or provisional service preceding the original permanent appointment does not count. However, temporary or provisional employment immediately preceded and followed by permanent classified service employment does not interrupt continuous service.

- iv. The permanent service of any employee who was transferred from another civil division shall start on the date of his original permanent appointment in the classified service in the other civil division.
- v. If an employee was covered-in to a classified position upon acquisition by a civil division of an agency in which he/she was employed, his/her seniority begins on the effective date of the cover-in. As between that employee and others covered-in on the same date, they shall have the seniority held by them as among themselves in the agency before the cover-in.

2. Suspension

- a) When an occupied position in the competitive class is abolished, suspension is to be made from among those employees holding the same title in the same layoff unit as the abolished position.
- b) Among permanent employees, the order of suspension is the inverse of the order of their original permanent appointments in the classified service. (See above definition of permanent service for veterans and disabled veterans.) An exception to this rule is that the blind have absolute retention rights but only in their job status.
- c) A blind person may not back-date his permanent service if he/she also happens to be either a veteran or disabled veteran.
- d) A person is considered blind if he/she is so certified by the Commission for the Blind and Visually Handicapped of the New York State Social Service Department.
- e) When two or more permanent incumbents of positions in a specific title are suspended, demoted or displaced at the same time, the order in which they shall be entitled to displace shall be determined by their respective retention standing, with those having the greater retention standing entitled to displace first.
- f) When several employees were originally appointed on a permanent basis from the same eligible list or same certification on the same day, their retention rights shall be determined by their rank on the eligible list from which they were appointed; that person having the highest rank having greater retention rights over those having lower ranks.
- g) All temporary, provisional and contingent permanent employees occupying these positions must be let go before any permanent employee is suspended from such positions.
- h) Probationary employees occupying such positions in the same title, must also be suspended before any permanent employee in the layoff unit in that title who has completed his probationary period. Probationary employees do, however, have

superior retention rights to those of contingent permanent, temporary and provisional employees.

- i) The order of suspension among probationary employees shall follow the same principles as that among permanent employees.

3. Vertical bumping

- a) Vertical bumping occurs when an employee in a specific title to which there is direct line of promotion, who is himself/herself suspended or displaced, displaces an employee in the next lower occupied title in direct line of promotion in the same layoff unit having the least seniority if the employee who seeks to displace has a greater retention standing.
- b) Where the layoff involves more than one position in a title the order of displacement will be the inverse of the order of suspension. That is, the most senior of the suspended employees will be the first to displace. This shall apply to both vertical bumping and retreat.
- c) If an employee refuses to displace a junior incumbent he/she must be laid off. This, however, does not protect the junior incumbent from being compared in retention standing with other incumbents if other positions at the higher level are being abolished.
- d) When a next lower title has been occupied by means of displacement regardless of when the displacement into the title has occurred, it is considered to be occupied for further displacement purpose; however, a next lower title which has all of its positions abolished at the same time as positions are abolished at the higher level cannot be considered as occupied.

A title which is occupied by an incumbent on a temporary, provisional, contingent permanent, probationary or permanent basis is considered occupied for the purpose of this section.

4. Retreat

- a) Retreat occurs when and only when there is no lower occupied position in direct line of promotion at any level.
- b) An employee may retreat by displacing the incumbent with the least retention right who is serving in a position in the title in which the displacing incumbent last served on a permanent basis prior to service in the title from which he/she is currently suspended or displaced. Retreat may only occur where the position in the title formerly held by the displacing incumbent is occupied in the competitive class, in the same layoff unit, and at a lower salary grade; the service of the displacing incumbent

- while in the former title must have been satisfactory, and the junior incumbent must have less retention standing than the displacing incumbent.
- c) The service of the displacing incumbent in the title to which he/she is retreating need not have been in the same layoff unit as the one from which he/she is displaced.
 - d) An employee may also displace by retreat to a position in a title he/she last served on a permanent basis although he/she had intervening service in other titles as long as his/her service in each of the intervening titles was on other than a permanent basis. He/she may also displace by retreat to a position, which does not count in the computation of his/her continuous service.
 - e) Where a title change has been effected to better describe the duties of a position but the duties have not substantially changed since the suspended employee last served in that title, the new title will for retreat purposes be deemed to be the former title.
5. An employee who refuses to accept an appointment afforded by displacement for whatever reason waives all rights regarding the displacement; however, this employee's name will be entered on an appropriate preferred list.
 6. An appointing authority may take such steps as it may deem necessary in order to secure binding written commitments in advance of suspension, demotion or displacement from employees potentially affected by such suspension, demotion or displacement as to their willingness to accept reassignment or displacement.

APPENDIX A

Exempt Positions

APPENDIX B

Non-Competitive Positions

APPENDIX C

Labor Positions

APPENDIX D

Unclassified Service

APPENDIX A

EXEMPT CLASS: COUNTY SERVICE

In the Office of the County Clerk:

Confidential Secretary to the County Clerk
First Deputy County Clerk
Deputy County Clerks (2)

In the Office of the County Coroner :

Confidential Secretary to County Coroner

In the Office of the County Executive:

Deputy County Executive
Director of Constituent Services
Chief of Staff (County Executive)
Confidential Secretary to County Executive (2)

In the Office of the District Attorney:

Assistant District Attorney (8)
Chief Assistant District Attorney
Criminal Investigator (District Attorney)
Confidential Secretary to District Attorney or Chief of Staff (District Attorney)
First Assistant District Attorney

In the Board of Electrical Examiners:

Secretary to Electrical Board (1)

In the Office of Emergency Management:

Director of Emergency Management

In the Bureau of Emergency Services:

Deputy Commissioner of Emergency Services (2)

In the Department of Finance:

Chief Deputy Commissioner of Finance
Deputy Commissioner of Finance (1)

In the Department of Highways and Facilities:

Deputy Commissioner of Highways and Facilities
Confidential Secretary to the Commissioner of Highways and Facilities

In the Department of Law:

County Attorney
First Deputy County Attorney
Senior Deputy County Attorney (2)
Senior Deputy County Attorney for Risk and Compliance
Deputy County Attorney (3)
Confidential Secretary to County Attorney

In the Office of the County Planning Board:
Secretary

In the County Plumbing Board:
Secretary to Plumbing Board

In the County Sheriff's Office:
Confidential Advisor to County Sheriff
Confidential Secretary (1)
Undersheriff

EXEMPT CLASS: TOWN SERVICE

In all Towns Where They May Exist:
Budget Officer (Town)
Deputy Receiver of Taxes
Deputy Town Attorney
Deputy Town Clerk
One Clerk to each elected Town Justice
Town Attorney
Secretary or Clerk to Town Supervisor, or Bookkeeper

In the Town of Carmel:
Clerk to Highway Superintendent
Clerk to Zoning Board
Deputy Highway Superintendent
Deputy Town Clerk
Town Comptroller

In the Town of Kent:
Clerk to Zoning Board
Deputy Highway Superintendent or Clerk to Highway Superintendent
Deputy Town Clerk
Director of Finance
Secretary to Planning Board

In the Town of Patterson:
Deputy Highway Superintendent or Clerk to Highway Superintendent
Deputy Town Clerk and Clerk to Assessors
Deputy Tax Collector
Secretary to the Planning Board
Secretary to the Zoning Board
Town Comptroller

APPENDIX A – EXEMPT CLASS

In the Town of Philipstown:

- Clerk to Highway Superintendent
- Deputy Highway Superintendent
- Deputy Town Clerk (2)
- Secretary to Assessors Board
- Secretary to Planning Board
- Secretary to Zoning Board
- Town Comptroller

In the Town of Putnam Valley:

- Aide to Town Board
- Clerk to Highway Superintendent
- Clerk to Zoning Board
- Deputy Highway Superintendent
- Secretary to Planning Board

In the Town of Southeast:

- Aide to Town Board
- Clerk to Zoning Board
- Deputy Highway Superintendent or Clerk to Highway Superintendent
- Deputy Town Clerk (2)
- Secretary to Planning Board

EXEMPT CLASS: VILLAGE SERVICE

In all Villages Where They May Exist:

- Acting Police Justice
- One Clerk to each elected Village Justice
- Village Attorney
- Village Clerk/Treasurer
- Village Treasurer

In the Village of Brewster:

- Deputy Village Clerk/Treasurer

In the Village of Cold Spring:

- Village Treasurer

In the Village of Nelsonville:

- Deputy Village Clerk/Treasurer

EXEMPT CLASS: SCHOOL DISTRICT SERVICE

In all School Districts Where They May Exist:

- Confidential Secretary to School Superintendent
- School Auditor
- School District Clerks
- School Tax Collectors
- School District Treasurers
- School Attorneys
- Census Takers

In the Brewster Central School District:

- Claims Auditor

In the Garrison Union Free School District:

- Claims Auditor

In the Haldane Central School District:

- Claims Auditor

In the Mahopac Central School District:

- Claims Auditor

In the Putnam Valley Central School District:

- Claims Auditor

EXEMPT CLASS: FIRE DISTRICT SERVICE

In all Fire Districts Where They May Exist:

- Fire District Treasurer
- Secretary to the Board of Fire Commissioners
- Secretary to the Board of Fire Commissioners/ Fire District Treasurer

APPENDIX B

NON-COMPETITIVE CLASS: COUNTY SERVICE

In all Offices and Departments Where the Following Positions Exist:

Section 55-a – designated positions in titles where the incumbent is certified by either the commission for the Blind and Visually Handicapped in the State Department of Social Services as physically disabled by blindness or by the State Education Department as otherwise physically or mentally disabled and, in any event, qualified to perform satisfactorily the duties of any such position.

In all County Departments Where They May Exist:

- Account Clerks (PT)
- Account Clerk/Typists (PT)
- Clerks (PT)
- Data Entry Operators (PT)
- Laborers
- Stenographers (PT)
- Typists (PT)

In the Office of Civil Defense and Disaster Preparedness:

- Civil Defense Assistants (PT)*

In the Office for Consumer Affairs:

- Director of Consumer Affairs (PT)*

In the Office of the County Clerk:

- Motor Vehicle Cashier Examiners (PT)
- Drivers

In the Office of the County Executive:

- Coordinator of Community Affairs*
- Watershed Information Coordinator*
- Public Relations Assistants (PT) (2)

In the Office of the District Attorney:

- Victim/Witness Assistants
- Special Victims Investigator (District Attorney)

In the Bureau of Emergency Services:

- Building Maintenance Mechanic II
- Emergency Services Coordinators (PT)*
- Evaluation Helpers
- GPS Recording Equipment Operator (PT)

*Confidential or Policy Influencing pursuant to Civil Service Law §42.2-a

In the Office of Employment and Training:
Employment and Training Director III*

In the Office of the County Legislature:
Jail Physician

In the Health Department:
Commissioner of Health* or Public Health Director*
Environmental Health Aides
Home Health Aides
Licensed Practical Nurses
Medical Consultant*
Outreach Workers (PT)
Outreach Workers (Spanish Speaking) (PT)
Public Health Nurses (PT)
Registered Professional Nurses
Registered Professional Nurses II
Senior Licensed Practical Nurses
Senior Registered Professional Nurses

In the Department of Highways and Facilities:
Account Clerks (PT)
Assistant Carpenters
Assistant Maintenance Masons
Assistant Maintenance Masons II
Assistant Maintenance Welders
Automotive Body Mechanics
Automotive Mechanic Helpers
Automotive Mechanics
Automotive Painter
Building Maintenance Mechanics I
Building Maintenance Mechanics II
Chief Mechanics
Construction Equipment Operators
Construction Equipment Operators II
Crew Chiefs
Crew Chiefs II
Diesel Mechanics
Head Lifeguards (Seasonal) (May-September)
Lead Stable Attendant
Lifeguards (Seasonal) (May-September)
Maintenance Carpenter
Maintenance Electricians
Maintenance Masons
Maintenance Painters
Maintenance Plumber

*Confidential or Policy Influencing pursuant to Civil Service Law §42.2-a

In the Department of Highways and Facilities (cont'd):

- Maintenance Welders
- Maintenance Workers
- Maintenance Workers II
- Master Mechanics I
- Master Mechanics II
- Park Attendants
- Park Custodian/Security Officer (PT)
- Park Maintenance Workers
- Road Maintenance Equipment Operators I
- Road Maintenance Equipment Operators II
- Set-up Mechanic
- Sign Maintenance Worker
- Stable Attendants
- Supervisor, Construction and Maintenance*
- Supervisor, Planning and Design*
- Tree Maintenance Equipment Operators
- Tree Maintenance Equipment Operators II

In the Department of Law:

- Special Assistant to the County Attorney (*until first vacant after 1/31/2007*)

In the Office of the County Historian:

- County Historian*
- County Historian Aides
- Assistant County Historian (PT)

In the Department of IT and GIS:

- Building Maintenance Mechanics I
- Video Camera Operator (PT)

In the Department of Mental Health:

- Alcohol Abuse Counselors (PT)
- Community Mental Health Aides (PT)
- Deputy Commissioner of Mental Health*
- Director of Mental Health*
- Pediatrician (PT)
- Psychiatrist Trainee (PT)
- Psychologist (PT)
- Psychiatrist (PT)
- Speech Pathologist (PT)
- Supervising Clinical Psychologist (PT)
- Supervising Psychiatric Social Worker (PT)

*Confidential or Policy Influencing pursuant to Civil Service Law §42.2-a

All Titles not deleted above that were previously listed under the Community Mental Health Board, and

- Commissioner of Mental Health*
- Psychiatric Social Workers (PT)
- Psychiatrists

In the Personnel Department:

- Personnel Officer*
- Physician*

In the Department of Planning, Development and Public Transportation:

- Commissioner of Planning, Development and Public Transportation*
- Drafting Technician (PT)

In the Department of Purchasing and Central Services:

- Director of Purchasing and Central Services*
- Mail Clerk (PT)
- Maintenance Workers
- Maintenance Workers II

In the Office of Real Property Tax Services:

- Director of Real Property Tax Services*

In the County Recycling Department:

- Recycling Workers

In the Office for Senior Resources:

- Aging Services Aides
- Cooks
- Cooks (Trainee)
- Coordinator, Homebound Elderly Services
- Coordinator, RSVP
- Dietitian (PT)
- Director, Office for Senior Resources*
- Drivers
- Head Driver
- Home Health Aides
- Home Helpers
- Nutrition Site Managers (PT)
- Outreach Workers (PT)
- Outreach Workers (Spanish Speaking) (PT)
- Project Director, RSVP*
- Nurses (OSR)

*Confidential or Policy Influencing pursuant to Civil Service Law §42.2-a

APPENDIX B – NON-COMPETITIVE CLASS

In the County Sheriff's Department:
Confidential Secretary to the Sheriff*
Cooks (Jail)
Correction Captain*
Criminal Investigations Captain*
Criminal Justice Captain*
Inspector General*
Operations Captain*
Registered Professional Nurses
Road Patrol Captain*

In the Department of Social Services:
Caseworkers (PT)
Commissioner of Social Services*
Community Services Aide
Deputy Commissioner of Social Services*
Dental Consultant (PT)
Medical Consultant (PT)
Social Services Attorney (PT)
Social Welfare Examiners (PT)

In the Office of Veteran's Affairs:
County Veterans Director*
Deputy County Veterans Director*
Veterans Assistants (PT)

In the Office for Youth:
Youth Director*

NON-COMPETITIVE CLASS: TOWN SERVICE

In all Towns Where They May Exist:
Account Clerks (PT)
Assessor
Assistant Building Inspectors (PT)
Assistant Fire Inspectors (PT)
Assistant Zoning Inspectors (PT)
Automotive Mechanic Helpers
Automotive Mechanics
Building Maintenance Workers
Clerks (PT) or (Seasonal)
Construction Equipment Operators
Crew Chiefs
Custodian (PT)

*Confidential or Policy Influencing pursuant to Civil Service Law §42.2-a

In all Towns Where They May Exist (cont'd):

Directors of Parks and Recreation (PT)

Dog Wardens

Drivers (PT)

Fire Inspectors (PT)

Garage Attendants

Grader Operators

Health Officers (PT)

Heavy Motor Equipment Operators

Laborers

Lifeguards (PT)

Light Equipment Operators

Maintenance Workers

Mechanics

Motor Equipment Operators

Municipal Bingo Inspectors (PT)

Park Superintendents (PT)

Police Dispatchers (PT)

Police Officers (PT)

Police Patrolmen (PT)

[For those Towns electing to rescind Section 9
of Chapter 610 of the Laws of 1941 known as
the Putnam County Police Act.]

Recreation Assistants

Recreation Director (PT) or (Seasonal)

Recreation Leaders (PT)

Recreation Specialists (PT) or (Seasonal)

Recreation Supervisors (PT) or (Seasonal)

Sanitary Inspectors (PT)

School Crossing Guards

Senior Recreation Leaders (PT) or (Seasonal)

Senior Stenographers (PT)

Senior Typists (PT)

Stenographers (PT)

Superintendents of Recreation (PT)

Swimming Area Directors

Town Accountant (PT)

Town Codes Enforcement Officers (PT)

Town Engineer (PT)

Water Superintendents (PT)

Water Treatment Plant Operators (PT)

Zoning Enforcement Officers (PT)

In The Town of Carmel:

Assessor III

Building Maintenance Workers

Crew Chiefs

*Confidential or Policy Influencing pursuant to Civil Service Law §42.2-a

In The Town of Carmel (cont'd):

- Deputy Town Comptroller*
- Head Lifeguards
- Limited Duty Workers 55-A
- Mechanics
- Museum Coordinator (PT)
- Park Maintenance Workers
- Police Officer (PT)
- Physician (PT)
- Recycling Workers
- Road Maintenance Equipment Operators I
- Road Maintenance Equipment Operators II
- Water and Sewer Maintenance Workers
- Water Superintendent (2)
- Water Treatment Plant Operators (PT)

In The Town of Kent:

- Building Maintenance Workers II
- GPS Recording Equipment Operator (PT)
- Head Lifeguards
- Lead Automotive Mechanic
- Maintenance Welder
- Park Maintenance Helper
- Park Maintenance Workers

In The Town of Patterson:

- Head Lifeguards
- Park Maintenance Workers
- Recycling Workers

In The Town of Philipstown:

- Childcare Assistants I
- Childcare Assistants II
- Park Maintenance Workers
- Truck Drivers

In The Town of Putnam Valley:

- Childcare Assistants I
- Childcare Assistants II
- Groundskeeper/Recreation Assistants
- Head Automotive Mechanic
- Lake Harvester Operators (Seasonal)
- Lake Patrol Officers (PT)
- Park Maintenance Workers
- Senior Recreation Assistants
- Truck Drivers
- Truck Driver/Automotive Mechanic Helpers

*Confidential or Policy Influencing pursuant to Civil Service Law §42.2-a

In The Town of Southeast:

Assistant Crew Chief
Assistant Director of Parks and Recreation (PT)*
Park Maintenance Workers
Road Maintenance Equipment Operators I
Road Maintenance Equipment Operators II
Town Historian (PT)
Truck Drivers

NON-COMPETITIVE CLASS: VILLAGE SERVICE

In all Villages Where They May Exist:

Account Clerks (PT)
Building Inspector III (PT)
Clerks (PT)
Crew Chiefs
Custodian (PT)
Fire Inspectors (PT)
Health Officer
Laborers
Lifeguards (PT)
Municipal Bingo Inspectors (PT)
Parking Enforcement Officers (PT)
Police Matron (PT)
Police Officers (PT)
Police Patrolmen (PT)
Recreation Assistants
Recreation Director (PT) or (Seasonal)
Recreation Leaders (PT) or (Seasonal)
Recreation Specialists (PT) or (Seasonal)
Recreation Supervisors (PT) or (Seasonal)
Registrar of Vital Statistics
School Crossing Guards
Senior Recreation Leaders (PT)
Stenographers (PT)
Superintendents of Recreation (PT)
Swimming Area Directors (PT)
Typists (PT)
Water Maintenance Workers
Water Superintendent (PT)

*Confidential or Policy Influencing pursuant to Civil Service Law §42.2-a

In the Villages of Brewster, Cold Spring and Nelsonville, whose populations are less than 5,000, the following positions where they may exist:

- Assistant Building Inspector (PT)
- Assistant Building Inspector/Fire Inspector (PT)
- Highway Superintendent*
- Motor Equipment Operators
- Water Superintendent*
- Park Superintendent*
- Water Treatment Plant Operators
- Building Inspector (PT)

In the Village of Cold Spring:

- Sewage Treatment Plant Operators
- Sewer Inspector (PT)
- Water and Sewer Superintendent*
- Water Inspector (PT)

In the Continental Village Water District:

- Account Clerk-Typists (PT)
- Assistant Water Treatment Plant Operators (PT)
- Water Superintendent (PT)
- Water Treatment Plant Operator (PT)

In the Continental Village Park District:

- Park District Superintendent (PT)

NON-COMPETITIVE CLASS: SCHOOL DISTRICTS

In all School Districts Where They May Exist:

- Account Clerks (PT)
- Automotive Mechanic/Bus Drivers
- Automotive Mechanic Helpers
- Automotive Mechanics
- Building Maintenance Mechanics I
- Building Maintenance Workers
- Bus Drivers
- Carpenters
- Cleaner/Bus Drivers
- Clerks (PT)
- Cook Managers
- Cooks
- Custodial Workers
- Custodial Worker/Bus Drivers
- General Mechanics (PT)
- Groundskeepers

*Confidential or Policy Influencing pursuant to Civil Service Law §42.2-a

In all School Districts Where They May Exist (cont'd):

- Head Bus Drivers
- Head Groundskeepers
- Health Office Assistants (PT)
- Laborers
- Licensed Practical Nurses (School)
- Maintenance Carpenters
- Maintenance Helper/Bus Drivers
- Maintenance Helpers
- Maintenance Workers
- Nurse's Aides
- Office Assistants (School) (PT) [to be used only where Typist (PT) is no longer used]
- Registered Professional Nurses (School)
- School Bus Drivers
- School Bus Mechanics
- School District Couriers
- School Physicians
- Stenographers (PT)
- Supervisor of Attendance (PT)
- Teacher Aides
- Teacher Aides (PT)
- Typists (PT)

In the Brewster School District:

- Automotive Mechanic/Maintenance Helpers
- Health Care Workers
- Human Resources Director*
- Recreation Assistants (PT)
- Recreation Leaders (PT)
- School Bus Driver/School Monitors
- School Bus Monitors
- Special Education Student Aides
- Teacher Aides (Spanish Speaking)
- Video Camera Operator

In the Carmel Central School District:

- Attendance Clerks I (PT)
- Automotive Mechanic/Maintenance Helpers
- Building Maintenance Workers
- Building Maintenance Mechanics II
- Cashiers I
- Cleaner/Groundskeepers
- Cleaner/Groundskeepers II
- Courier/Cleaner
- Custodial Worker/Mason
- Lead Automotive Mechanic

*Confidential or Policy Influencing pursuant to Civil Service Law §42.2-a

In the Carmel Central School District (cont'd):

- Printer (PT)
- Recreation Assistants (PT)
- Recreation Leaders (PT)
- School Bus Monitors
- School Monitor/Special Education Student Aides
- Senior Cleaner/Groundskeepers
- Senior School Monitors
- Special Education Student Aides
- Typists I (PT)
- Upholsterer

In the Garrison Union Free School District:

- Automotive Mechanic/Maintenance Helpers
- Maintenance Worker/Bus Drivers
- Recreation Assistants (PT)
- Recreation Leaders (PT)
- School Bus Monitors
- Special Education Student Aides

In the Haldane Central School District:

- Automotive Mechanic/Maintenance Helpers
- Head Cleaner
- Recreation Assistants (PT)
- Recreation Leaders (PT)
- School Bus Monitors

In the Mahopac Central School District:

- Automotive Mechanic/Maintenance Helpers
- Courier
- Food Service Carrier/Cleaner
- Maintenance Mechanics (General)
- Maintenance Mechanics (Special)
- Parking Attendant/Cleaners
- Printer (PT)
- Recreation Assistants (PT)
- Recreation Leaders (PT)
- School Bus Monitors
- Special Education Student Aides

In the Putnam Valley Central School District:

- Automotive Mechanic/Maintenance Helpers
- Custodial Worker/Groundskeepers
- Custodial Worker/School Monitors
- Recreation Assistants (PT)
- Recreation Leaders (PT)
- School Bus Monitors
- Senior School Bus Driver

*Confidential or Policy Influencing pursuant to Civil Service Law §42.2-a

NON-COMPETITIVE CLASS: PUBLIC LIBRARY SERVICE

In all Public Libraries Where They May Exist:

Building Maintenance Worker

Library Clerks (PT)

In the Mahopac Public Library:

Library Board Recorder (PT)

NON-COMPETITIVE CLASS: FIRE DISTRICT SERVICE

In all Fire Districts Where They May Exist:

Custodial Workers

Fire House Caretaker

*Confidential or Policy Influencing pursuant to Civil Service Law §42.2-a

APPENDIX C

LABOR CLASS

In any Municipality Where They May Exist:
Student Workers

LABOR CLASS: COUNTY SERVICE

In all County Departments:
Services performed by Inmates in Public Institutions
Cleaners

In the Office for Senior Resources:
Aging Services Helpers
Day Care Helpers
Food Service Helpers

In the Department of Personnel:
Examination Monitors

LABOR CLASS: TOWN SERVICE

In all Towns Where They May Exist:
Cleaners
Court Attendants
Incinerator Attendant
Recreation Attendants

In The Town of Patterson:
Permit Checkers

In The Town of Putnam Valley:
Beach Monitors (Seasonal, May – September)

LABOR CLASS: VILLAGE SERVICE

In all Villages Where They May Exist:
Court Attendants
Recreation Attendants

LABOR CLASS: SCHOOL DISTRICTS

In all School Districts Where They May Exist:

- Cleaners
- Food Service Helpers
- School Bus Aides
- School Monitors

In the Putnam Valley Central School District:

- School Monitor/School Bus Aides

LABOR CLASS: PUBLIC LIBRARY SERVICE

In all Libraries Where They May Exist:

- Library Pages
- Senior Library Pages

APPENDIX D

UNCLASSIFIED SERVICE

The Unclassified Service Shall Consist of:

- (a) All elective Officers
- (b) All Elections Officers and Employees
- (c) All positions unclassified by Law
- (d) Members of Boards or Commissions
- (e) All persons employed in the public service as Superintendents, Teachers or by any title whatsoever whose principal functions are teaching or the supervision of teaching in a public school.

UNCLASSIFIED: COUNTY SERVICE

All Officers and Employees of the County Legislative Body whose principal functions and duties as determined by the Personnel Officer are directly related to the performance of the legislative functions of such body.

The County Clerk

The County Coroners

The County District Attorney or Acting District Attorney

The County Executive

The Commissioner of Emergency Services

The Commissioner of Finance

The Commissioner of Highways & Facilities

The County Sheriff

The County Superintendent of Schools

UNCLASSIFIED: TOWN SERVICE

All Towns:

Supervisors, Town Clerks, Superintendents of Highways (if elected), Tax Collectors, Boards of Assessors, Justices of the Peace, Councilmen, Councilwomen and School Directors.

UNCLASSIFIED: VILLAGE SERVICE

All Villages:

Mayors, Village Clerks, Trustees and Police Justices, Members of Boards or Commissions.

UNCLASSIFIED: IN GENERAL

Members of all Volunteer Fire Departments and Fire Protection Districts.