



CLINTON COUNTY DEPARTMENT OF PERSONNEL

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CLINTON COUNTY CIVIL SERVICE INFORMATIONAL MEMO #2 (6-08)

TO: All Clinton County Municipal Employers
FROM: Clinton County Department of Personnel
RE: Transfers/Reinstatements
Civil Service Law, Section 70(1) & Clinton County Rules XVII & XVIII

This is our second informational memo to all Clinton County Municipal Employers addressing Civil Service issues. In the near future, all informational memos will be placed on our website (www.clintoncountygov.com) for reference. Once again, if you have any ideas or topics you would like addressed, please let us know.

A **transfer** is when a permanent employee moves from one appointing agency to another in the same title or comparable title without a break in service. This is sometimes confused with the term reassignment, which is a change from one position to another position in the same title under the jurisdiction of the same appointing authority.

In order to qualify for a transfer, the person must be a current Civil Service employee and meet the following conditions:

1. Currently hold a permanent competitive class position in the same title (or comparable title) resulting from an appointment from a Civil Service eligible list.
2. Have served a probationary period in the transfer title.
3. Unless waived the person requesting transfer must be a resident of Clinton County at least 30 days prior to appointment.

The transfer is subject to the approval of the Personnel Director. The individual must submit a written request for the transfer to the appointing authority and the Personnel Director must receive a copy of their request along with the appointing authority's request to pursue the transfer. Before an individual can be permanently appointed to another competitive class position without further examination, our office must verify that there is no preferred list and there is no mandatory departmental promotional list for the position. The Director must determine if the exam scope and qualifications for the position held are comparable to the transfer position. If not identical, New York State Civil Service must review for appropriateness.

An employee transferring within the same civil division would serve a new probationary period and would be able to revert back to their previous position if probation is not satisfactorily completed or the employee decides to revert back (for example a transfer within county departments). For transfers under a different appointing authority in a different civil division, the employee would serve a new probationary period and would not have the right back to their previous position unless a leave of absence is granted by the employer prior to resignation (for example a transfer from a school district to the county). A civil division is defined as a county, town, city, village or school district, community college, public authority or special district.

A **reinstatement** is when a permanent employee who has resigned, retired or been laid off returns to work after a break in service. This permanent appointment is made without further examination to the position from which he/she resigned, if vacant, or any vacant position to which the employee was eligible for transfer or reassignment. The prospective appointing authority and individual must request reinstatement approval in writing through the Personnel Director. (Refer to Clinton County Civil Service Rule XVIII). A preferred list and mandatory promotional list must be used before a position can be filled by reinstatement. The Personnel Director must determine if the reinstatement is for the good of the service. If the reinstatement follows a break in service of more than one year, the appointing authority must provide documentation from the prospective employee showing he/she possesses current knowledge and skill in the occupational field to which reinstatement is sought. 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. See Civil Service Rule XIV on probationary periods.