

## Hiring and Processing New Employees

<b>Objective:</b>	To establish the procedure for hiring and processing new employees according to the Tompkins County Values.	<b>Policy/Procedure Number:</b>	02-04
<b>Reference:</b> (All applicable federal, state, and local laws)		<b>Effective Date:</b>	January 12, 1981
<b>Legislative Policy Statement:</b>	It is desirable to establish clear and consistent practices for hiring and processing new County employees.	<b>Responsible Department:</b>	Human Resources
<b>General Information:</b>		<b>Modified Date (s):</b>	June 15, 1993; October 7, 2003; March 7, 2023
		<b>Resolution No.:</b>	2023-63
		<b>Next Scheduled Review:</b>	March 2028

**I. Definitions:**

**Ban-the-Box** - An initiative adopted by the Tompkins County Legislature that postpones questions related to the conviction status of prospective candidates until they become a finalist candidate or receive a contingent offer of employment in the hiring process.

**Department Head** - Officer appointed by the County Administrator to exercise discretionary powers and duties of an administrative unit of County Government as set forth in Articles 4 through 29 of the Tompkins County Charter.

**Implicit Bias Training** - Training designed to minimize the influence of automatic, unconscious bias and stereotypes associated with people or places that may result in preferential treatment or discrimination without our conscious knowledge.

**Supervisor Designee** - Employee assigned by the Department Head to exercise discretionary authority and duties related to personnel actions within a department.

**II. Policy:**

**A.** A new employee (including unclassified and exempt employees) may NOT be hired by any department without an approved Vacancy Fill Request and a completed and approved application on file with the Department of Human Resources (HR).

**B.** Under no circumstances is a Department Head authorized to allow an employee to begin work prior to approval from the Department of Human Resources.

**III. Procedure:**

**A. Request to Fill a Vacancy**

1. The Department Head must fill out the “*Authorization to Fill a Vacancy Form*” (Appendix A) and receive written approval from the County Administrator.
2. The Department Head shall consult with the Department of Human Resources (HR) regarding the vacancy and whether the job description needs to be updated, whether position is competitive vs. non-competitive, and

whether there is a current Civil Service eligible list for the title. Title changes which result in salary upgrades may require further approval by the County Administrator.

- a. If there is a current, valid Civil Service eligible list for the title: (view the lists tab within the Agency User Portal and/or check in with HR)
  - i. Contact HR to either certify or canvass list of eligible candidates
  - ii. Conduct interview/selection process based on your “reachable” candidates, check references, and select a candidate; Reachable refers to candidates “within reach” for appointment pursuant to Civil Service Law - one of the top three (3) qualified candidates on a register.
  - iii. Upon selection of a candidate, create a contingent offer of employment letter/email. Employment offer is contingent upon successful completion of “*Ban-the-Box*”.

Ban-the-Box link: <https://fweb.tompkins-co.org/Forms/TCBanTheBox>

- iv. Upon approval of Ban-the-Box, confirm start date with HR, finalize written offer of employment, notifying candidate of terms of employment including but not limited to start date, which must coincide with the beginnings of a pay period, salary/hourly rate, civil service status, probationary period, etc.,
- b. If there is no civil service list in existence for the title:
  - i. Request that HR post the vacancy for the department through the Agency User Portal (under the jobs tab) in order to hire provisionally. Vacancies may be posted for a minimum of fourteen (14) days to a maximum of thirty (30) days.
  - ii. Contact HR to order a Civil Service exam for the title.

Follow steps iii. and iv. as outlined in Section a.

## **B. Interviews and Candidate Selection**

1. Department Heads may begin to interview candidates once applications have been received. Consult with HR regarding search panels, Implicit Bias Training, and interview procedures.
2. After interviews have been conducted and a final candidate has been selected, the Department Head now may:

- a. Provide the candidate with a contingent offer of employment pending Ban-the-Box approval from the Department of Human Resources.
  - i. Sample e-mail below (*Appendix B*) includes the link to the Ban-the-Box Laserfiche form (link may be found on the employee intranet).
  - ii. Once the candidate completes and submits the Ban-the-Box form and no issues are found, the Department Head will receive an automatic notification of Human Resource's approval.

**Note:** If the candidate indicates a past or pending conviction on the Ban-the-Box form, notice is automatically sent to Human Resources for further consideration. Convictions do not represent an automatic bar from employment unless otherwise required by law. The nature of the conviction, how long ago it occurred, and other factors are important. Each case is considered and evaluated on individual merits in relation to the duties and responsibilities of the position. If Human Resources determines the conviction poses a bar to employment, the Department Head is notified at that time.

- b. Finalize the written offer of employment with the candidate, confirm with Human Resources the date of new employee orientation, and notify the candidate of the start date, which must coincide with the beginning of a pay period and other applicable terms of employment.

### C. Processing a New Hire

1. Once the selection of a new employee is complete, the Department Head must fill out and forward to the Department of Human Resources the completed report of *Personnel and Supplementary Payroll Certification (MSD 428A)* <https://www.tompkinscountyny.gov/files2/personnel/428%20Final%202022%20Fillable.pdf> (*Appendix C*).
2. All new employees appointed on a permanent, contingent permanent, provisional or temporary indefinite basis must attend new hire orientation at the Department of Human Resources prior to or on the first day of employment. Orientation will be scheduled by the Department of Human Resources based upon the effective hire date.
3. Employees appointed on a temporary, under 120 days, or seasonal basis employees need not attend orientation. However, the following forms must be completed and forwarded to the Department of Human Resources within the first five (5) days of employment:
  - Article 15 Member Registration Form for the New York State Employees' Retirement System, for those employees eligible to participate in the retirement program or appropriate declination form, where permitted;

- Immigration form I-9 with copies of appropriate identification; and
  - New York State and Federal tax withholding forms.
4. Department Heads or designee must complete an “*Employee Account Activation*” Form at the following link: <https://lfweb.tompkins-co.org/Forms/empact> (can also be located on the employee intranet) prior to the employee start date.
  5. Notify candidates not selected. Sample templates can be found in the Agency User Portal.

Appendix A

<https://lfweb.tompkins-co.org/Forms/vacancyfillrequest>

## Request to Fill a Vacancy

This is the form you need to submit in order to have a vacancy position filled.



**Submission Date**

1/17/2023 

### Contact Information

**Department\***

**Department Head\***

**Department Head Email Address\***

**Submitter Email Address (Change if not Department Head)**

### Additional Email Notifications

**Additional Email Address to be notified (if applicable)**

Please only enter one email address per line.

Add

**Division or Program (if applicable)**

### Position

Information regarding positions (Titles, Job Codes, and Wages) can be found on the County website at the following link:  
[http://tompkinscountyny.gov/personnel/Contracts\\_Salary](http://tompkinscountyny.gov/personnel/Contracts_Salary)

**Position / Job Title\***

This Position's Supervisor

This Position's Backup Supervisor

Job Code

4 digit number representing the Job Code of this title.

Hourly Hire Rate\*

\$

Hourly Working Rate\*

\$

Budgeted Salary\*

\$

Number of Hours per week\*

Reason for Filling Position\*

Estimated Start Date

Estimated End Date (if applicable)

Person Previously in Title (if applicable)

### Justification

Justification\*

Please describe the justification for filling this vacancy

Value is required.

### Funding Information

In this table, please indicate the Funding Type, the Funding Account and the % of Salary for each Funding Type:

For example (this is how it is usually displayed):

Funding Type	Funding Account	% of Salary
State	1680.51000766	50
Budget	1680.51000766	50

Department
51000
Last 3 digits of job code

Funding Type

Fund Account

% of Salary

Add Another Row

Submit

Save as Draft

## Appendix B

*Tompkins County Department of Human Resources  
Updated 10/10/19*

### **Sample Ban-the-Box email to send to applicant for conditional offer:**

Dear (candidate),

Congratulations on your upcoming appointment to the Department of \_\_\_\_\_.

The County's Human Resources Department will contact you regarding your New County Employee Orientation appointment, which will likely be scheduled at 8:30am on your first day of work on Monday, (insert date – has to be the first Monday on the payroll schedule i.e., 7/15; 7/29; 8/12; 8/26; etc.).

**Meanwhile, in order to transition the status of your appointment from "Conditional" to "Actual", please fill out and submit the online form regarding Tompkins County's "Ban the Box" program at the following URL:**

<https://fweb.tompkins-co.org/Forms/TCBanTheBox>

Note: In conformance with NYS Human Rights Law (NY Executive Law 296.16), I am clarifying that, by requiring that you complete this form, Tompkins County does not expect you to provide information regarding any conviction for which the records have been sealed.

Best regards,

Your name,

Title

Appendix C

<b>MSD 428</b>  <b>SUPPLEMENTARY PAYROLL CERTIFICATION AND REPORT OF PERSONNEL CHANGE</b> Report all personnel changes on this form prior to payroll affected by this change. Please send electronically to <a href="mailto:Personnel@tompkins-co.org">Personnel@tompkins-co.org</a>			
FROM:	Dept:	Vacancy Fill Approval # _____	
Town, Village, School Dist, TC3, Library, or County Dept. (County Depts: Include Dept Number)		Supervisor: _____	
<b>NAME OF EMPLOYEE:</b>			
<b>Address:</b>			
JOB TITLE	HOURLY RATE	# HOURS/WEEK:	
<b>Employee Previously In Position:</b>		Birth Date	Social Security Number
<b>CHECK NATURE OF PERSONNEL CHANGE</b>		<b>DATE EFFECTIVE</b>	<b>ACTION NECESSARY BY APPOINTING OFFICER</b>
A	<input type="checkbox"/> Permanent (competitive class only)		Appt Date Must Match Date of Electronic Certification
P	<input type="checkbox"/> Provisional		
P	<input type="checkbox"/> Temporary		State End Date
T	<input type="checkbox"/> Substitute		Give facts under remarks
S	<input type="checkbox"/> Non-Competitive Class		
	<input type="checkbox"/> Exempt Class		Submit this form only
	<input type="checkbox"/> Labor Class		
T	<input type="checkbox"/> Resignation		Attach Signed Resignation
E	<input type="checkbox"/> Retirement		Give Last Date of Work
R	<input type="checkbox"/> Deceased		Give Last Date of Work
M	<input type="checkbox"/> Removal		Attach copy of proceedings
S	<input type="checkbox"/> Lay-off (Lack of Work or Funds)		Give facts under Remarks
	<input type="checkbox"/> Temporary or Seasonal		Give Last Date of Work
O	<input type="checkbox"/> Leave of absence	From _____ To _____	Give facts under Remarks
T	<input type="checkbox"/> Transfer		Give facts under Remarks
H	<input type="checkbox"/> Demotion		Give facts under Remarks
E	<input type="checkbox"/> Suspension		Give facts under Remarks
R	<input type="checkbox"/> Reinstatement		Give facts under Remarks
	<input type="checkbox"/> Change in Classification		Give facts under Remarks
	<input type="checkbox"/> Change in salary		Indicate New Salary
	<input type="checkbox"/> Change in name and/or address		Give facts under Remarks
	<input type="checkbox"/> Other		Give facts under Remarks
Department Contact/Buddy: _____ ; Ext. _____		Signature of Appointing Officer: _____  Title: _____  Date: _____	
REMARKS: (Continue on back if necessary)			
Tompkins County CERTIFICATE valid until  _____ (Date)	This certifies that the above Employment is in accordance with Law and Rules made in pursuance to Law. Subject to any limitation or condition specified above.		By:  Date: