



<b>HIRING PROCEDURES</b>		
<b>new:</b>		<b>cross-reference:</b>
✓ rescinds: 11.1		<b>accreditation standards:</b> NYSLEAP Standard(s): 11.1, 12.1, 12.6, 12.7, 12.8 & 12.9
✓ amends: All previous		
<b>effective date:</b> September, 2011	<b>amend date:</b> May, 2021	

**I. PURPOSE**

The purpose of this General Order is to establish and describe the selection process used by the Tompkins County Sheriff's Office to ensure that the best-qualified candidates are selected for appointment and that the selection process is valid, job-related and non-discriminatory. In accordance with the Professional Policing Act of 2021, agencies must maintain compliance in order to achieve and maintain certification as mandated in Executive Law 846-H (d.)

**II. POLICY**

It is the policy of the Tompkins County Sheriff's Office to recruit and select the best qualified candidates for positions in accordance with the New York State Civil Service Law, New York State Executive Law, New York Codes, Rules and Regulations, Americans with Disabilities Act of 1990, and all other applicable laws and regulations, as administered by the Tompkins County Human Resources Department.

Tompkins County government prohibits discrimination in employment program activities, procurement and contracting against any person due to such person's age, marital status, disability, genetic predisposition or carrier status, race, color, creed, sexual orientation, sex or national origin. Tompkins County government is committed to creating a diverse and fully inclusive workplace that strengthens our organization and enhances our ability to adapt to change.

**II. REQUIREMENTS**

Candidates considered for appointment must be of good moral character and must satisfy the physical fitness and medical standards as prescribed by the New York State Bureau for Municipal Police pursuant to S840 of the New York State Executive Law.

- A. Candidates may file for these examinations by completing an online application.
- B. Candidates must possess a valid New York State Operator's License at the time of application and maintain such a license in good standing throughout the duration of employment.

- C. Candidates must have graduated from high school or possess a high school equivalency (GED).
- D. Candidates must be at least 19 years old on or before the date of the examination to take the test. Eligibility for appointment as a Deputy Sheriff begins when the candidate reaches age 20.
- E. The maximum age under Civil Service Law, section 58, is 35 years of age at the date the applicant takes the written examination. Candidates may have a period of military duty or terminal leave up to six years as defined in Section 243 (10-a) of the Military Law deducted from their age for the purpose of determining whether they meet the age requirement.
- F. United States Citizenship is required at the time of appointment.
- G. Candidates must be a resident of Tompkins or one of the six contiguous counties (Seneca, Tioga, Cortland, Cayuga, Chemung and Schuyler) for at least 30 days immediately preceding the date of application and maintain residency.
- H. **Agility:** A physical agility performance test consisting of a distance run, sit-ups, and push-ups must be successfully completed. The agility test shall be administered and scored by Office personnel in accordance with the Examination Administration Manual that has been published by the Municipal Services Division of the NYS Department of Civil Service. If the candidate is not subsequently selected for appointment, a record of successful completion of the agility test will be maintained by the Tompkins County Human Resources Department.
- I. **Physical/Medical Requirements:** Medical Review by a Qualified Physician or Practitioner pursuant to 9 NYCRR Part §6000.4 and a Physical Fitness Screening pursuant to §6000.8. The physical and medical condition will be evaluated to ensure that the candidate is able to satisfactorily perform the duties of this position with or without reasonable accommodation. Failure to meet the standards may result in disqualification. A medical examination will be required prior to the appointment. The Tompkins County Human Resources Department will be responsible for payment of the clinical laboratory test fee.
- J. **Drug Testing:** Prior to appointment, candidates will be required to participate in a drug screening test. The Tompkins County Human Resources Department will be responsible for payment of the clinical laboratory test fee. Failure to meet the standards may result in disqualification.
- K. **Psychological Evaluation:** Psychological Review by a Qualified Psychologist or Psychiatrist pursuant to 9 NYCRR Part §6000.11. Prior to appointment, candidates will be required to participate in a psychological evaluation to determine their fitness to perform the essential duties of the position. Such screening is conducted by a qualified professional. Failure to meet the standards may result in disqualification.
- L. **Investigative Screening:** Due to the nature of the position, a background investigation, including, but not limited to education, military, employment, credit, drug use and criminal records will be conducted. Applicants must authorize access to these records. This investigation may include interviews with family, neighbors, associates and others. Derogatory information will be evaluated and may result in disqualification. A complete

background check will be required, including a fingerprint check with the New York State Division of Criminal Justice Services and the FBI. The candidate will be responsible for payment of the required fees. All convictions must be reported. Conviction of a felony or misdemeanor, or any falsified or omitted information on the application, may bar appointment or result in removal after appointment, depending upon the relationship of the violation or omission to the duties of the position. The candidate must be legally eligible to carry a firearm and must range qualify in firearms operation after appointment.

- M. **Training:** Within one year of initial appointment the candidate must successfully complete a designated police basic training course in order to be certified as a police officer and retained in this position. The position is subject to a probationary period of between 52 and 78 weeks.

#### IV. **PROCEDURE**

##### A. New York State Department of Civil Service (NYSDCS)

1. The preliminary method of recruitment for the position of full time deputy sheriff within the Tompkins County Sheriff's Office is through the New York State Department of Civil Service testing program and they shall develop all written examinations and set the physical agility examination requirements for police officer/deputy sheriff candidates. The New York State Department of Civil Service will:
  - Design examinations to be valid, useful and have minimum adverse impact.
  - Provide these examinations to the Tompkins County Human Resources Department.
  - Score, evaluate and interpret written examinations in a uniform and non-discriminatory manner.

##### B. Tompkins County Human Resources Department

1. The TCHRD establishes procedures for:
  - Receiving and processing applications
  - Administering written examinations and physical agility testing.
    - Applicants who have an approved application on file for the Tompkins County written examination for Police Officer/Deputy Sheriff will be scheduled to participate in the agility test prior to the written examination.
    - Approved candidates will be provided with a Release of Liability form, Release to Participate form, Physical Fitness Screening test and notification of the date, time and where to appear for their scheduled Physical Fitness Screening Test.
    - Candidates that successfully pass the physical agility test, will receive their admission letter for the written examination about 10day before the examination date.
    - Tompkins County does not offer a re-test.
  - Establishing lists of eligible candidates
  - Re-testing and re-application.
2. The TCHRD publishes and distributes a test announcement whenever a competitive examination is scheduled. This announcement will inform potential applicants of: =

- Duties of the position;
  - Minimum qualifications for appointment;
  - Subject of the examination;
  - Physical and medical requirements;
  - Application procedure;
  - Latest filing date for application;
  - Date of examination;
  - Advertise that the agency is an equal opportunity employer.
3. The TCHRD will administer all written tests for positions within the Tompkins County Sheriff's Office and will:
- Select and train their personnel to administer examinations in a uniform and non-discriminatory manner.
  - Maintain the security of examination materials.
  - Dispose of examination materials in accordance with applicable laws and regulations.
4. Based on the results of the examinations, the TCHRD will establish a list of persons who are eligible for appointment. The lists will be provided to the Tompkins County Sheriff's Office upon request. All persons appointed, other than lateral transfers, must be selected from these lists in accordance with applicable Civil Service laws and regulations.

C. Responsibilities of the Tompkins County Sheriff's Office

1. The Sheriff shall have the authority to select and appoint candidates for the position of Deputy Sheriff for the Tompkins County Sheriff's Office. The Commissioner of Human Resources for the Tompkins County Human Resources Department shall be responsible for coordinating the selection process in accordance with the NY State Personnel Management Manual section 1600 Interviewing and Hiring. The selection process for sworn personnel shall be administered in the following steps:
- a. The Sheriff's Office will submit the on-line Personnel Requisition Form to the County Administrator, requesting authority to fill the vacancy;
  - b. The Sheriff will notify the Commissioner of Human Resources of vacancies within the TCSO, and the active Civil Service Eligibility List for the vacant position will be requested;
  - c. The Sheriff's Office will then conduct interviews of qualified candidates and will make a selection from among the three highest-scoring acceptors. Candidates will be given an oral interview to determine their suitability for the intended position. The Sheriff shall appoint designees to conduct such interviews. These interviews will employ a set of uniform questions and the results will be kept on file for minimum of one year after appointment resulting from any series of interviews.
  - d. Oral interviews shall employ a standardized set of questions that are non-discriminatory. Pre-employment interviews shall not ask questions regarding

the candidate's health, possible disabilities, or workman's compensation/sick time history.

- e. Tompkins County Sheriff's Office management will then review the interview results and advise TCHRD of their preferred selection. The TCHRD will review and endorse the selection, and the Sheriff's Office will then make a conditional offer of employment. This applies to both sworn and non-sworn applicants.
- f. The TCHRD will schedule the selected candidate(s) for their psychological and medical/physical examination. The TCHRD will notify the Sheriff of a positive or negative result. If the results are negative, the candidate will be removed from the eligibility list.
- g. Background investigations of eligible candidates will be conducted in accordance with the procedures set forth in *G.O. 302 Background Investigations* and pursuant to 9 NYCRR Part §6000.10. The background investigation must include, at a minimum:
  - Credentials of the candidate.
  - Candidate's criminal record (fingerprinting).
  - At least three-(3) personal character references.
- h. The Sheriff's Office will make notification to the TCHRD upon completion of the background investigation. If the background check is negative, the candidate will be removed from the eligibility list.
- i. Once all conditions are cleared, the Sheriff's Office in coordination with Human Resources should arrange a date for the candidate to report.
- j. Upon reporting, the appointee must be sworn in and a DCJS form 2214A and the Oath of Office card will be submitted to the Tompkins County Clerk's Office.
- k. Candidates who have not been selected for appointment shall be notified in writing within thirty (30) days of the decision.

#### D. Lateral Transfer

1. Applicants for lateral transfer must meet all criteria for lateral transfer established by New York State Civil Service Law and the Office of Human Resources.
2. Candidates for lateral transfer shall be processed in accordance with the provisions of this order.
3. Candidates for lateral transfer may be appointed by the Sheriff in accordance with the Tompkins County "Rules for Classified Service" and the NYS Civil Service Law.

#### E. Probationary Periods

1. All sworn persons appointed to the office shall be subject to a probationary period of not less than 12 months (1 year) nor more than 18 months (1.5 years). Persons appointed as a Lateral Transfer shall be subject to a probationary period of six (6) months.
2. Probationary police officers enrolled in the Field Training and Evaluation Program shall be evaluated on a daily basis in accordance with *G.O. Field Training and Evaluation Program*.
3. Probationary officers who have successfully completed the Field Training and Evaluation Program shall be evaluated monthly until the probation period is complete. The probationer's supervisor(s) shall carefully observe the probationary officer's conduct and performance. Any significant performance issues should be documented following the procedures set forth in this order.
4. During the probationary period, a [Probationary Employee Periodic Review](#) shall be completed monthly until the probation period is complete. Two (2) weeks prior to the end of the probationary term, the probationer's supervisor(s) shall submit a final Review to the Sheriff with their recommendations regarding whether the probationer should be given permanent status. Concurrently, the supervisor shall also advise the probationer of their status and progress.
5. Continual unsatisfactory performance may result in termination. The Sheriff shall consult with the Human Resources Department prior to any decisions being made.
6. Upon successful completion of the probationary period, the Human Resources Department shall advise the member, in writing, of their permanent appointment.
7. The Sheriff shall have the ultimate authority regarding the retention or dismissal of probationary officers.

#### F. Records

1. The Commissioner of Human Resources shall be responsible for the maintenance of all Civil Service process records.
2. Selection material shall be stored in a locked file when not in use.
3. All selection records shall be maintained in accordance with applicable State regulations. If selection materials are disposed of, they shall be shredded or burned under documented, monitored conditions to prevent disclosure of the information therein.
4. Records of law enforcement officers who have been selected shall be maintained a minimum of six years beyond the duration of their employment.

G. Recruitment

1. The Tompkins County Sheriff's Office will seek to involve itself directly or indirectly in all activities critical to the recruitment effort.

Attachments:

- A. [Probationary Employee Periodic Review](#)

By Order Of



Derek Osborne  
*Sheriff*