



## **THE TOMPKINS COUNTY SECTION 55A PROCESS**

Tompkins County Personnel is the civil service agency and primary recruiter for twenty-seven county departments; as well as the various towns, villages, school districts, and special districts within the county. In a civil service environment, positions are generally filled by choosing from among the top three candidates on an “eligible list” created as a result of a competitive civil service examination. Section 55A of the New York State Civil Service law is a way for qualified individuals with disabilities to gain civil service employment without having to participate in the competitive civil service process. A 55A appointment is simply a non-competitive (no examination) appointment to what would normally be a competitive (civil service testable) position. In Tompkins County, these non-competitive appointments can be made to any entry-level title as defined and designated us. The purpose of the program is to help individuals with disabilities overcome barriers and gain access to entry-level civil service employment opportunities.

### **WHAT IS THE PROCESS?**

1. As with all titles, you must first file an online application and meet the minimum qualifications of the position. In order to be considered for a 55A appointment, you must have an open case file with ACCESS-VR or the Commission for the Blind and have been determined by one of these agencies to have a disability under the meaning of the law.
2. When you apply as 55A eligible candidate, you are authorizing Personnel to make contact with hiring managers in an attempt to facilitate interviews and placement. If you wish to proceed with pursuing a 55A appointment, you must be comfortable with the hiring manager knowing that there is a disability and that you may need accommodation. You are under no obligation to disclose the nature of your disability and if you do not wish for the potential employers to be aware that you have a disability, simply do not file the 55A paperwork. You may retract your application for 55A eligibility at any time.
3. You can contact Stephen Estes (607) 274-5527 to talk about the 55A program and to initiate the paperwork. Steve will complete the Employer section of the 55A form and attach the job description. He will then either give the form to you to take to your counselor or he can mail/email it to the ACCES-VR Counselor on your behalf.

4. ACCES-VR evaluates your skills and abilities against the essential functions (Typical Work Activities) of the job and either approves your 55A status and suggests appropriate reasonable accommodations, or disapproves the candidate as not being able to perform the essential functions of the job. This decision is made on a job-by-job basis so if you are not determined to be physically or mentally able to perform the essential functions of one job, you may still be eligible for something else.
5. ACCES-VR then returns the completed form to Personnel. The candidate's application is then "tagged" internally as being 55A eligible. Each time a vacancy occurs, the applications of all candidates are made available to the hiring manager for consideration. 55A status gives the candidate the same standing for eligibility as anyone who is among the top 3 on an eligible list. Your 55A eligibility is shared with the appointing authority and they are encouraged to include you in the interview process.
6. Please be aware that as a 55A candidate, you are another employment option for the hiring manager. The hiring manager is under no special obligation to either interview or hire you. You must be able to interview well and move through the selection process on your own merits. As with any selection, the hiring manager is looking for candidates who have the qualifications, knowledge, skills, abilities and personal characteristics necessary to perform the essential functions of the job at the highest high level possible. You need to demonstrate, through the interview process, that you are the best candidate for this position. In a situation where there is no civil service list, and a temporary or provisional appointment must be made, 55A appointments are often more attractive to the employer because it eliminates the risk of the losing a new employee when the test does finally come up. You can tout this as a positive thing.

In summary, your best strategy is to move forward on two fronts; through the regular competitive process and as someone with 55A eligibility. We always encourage 55A applicants and employees to participate in the competitive process since it is to your advantage to convert your non-competitive appointment to a permanent appointment as soon as possible. A permanent competitive appointment gives you retention rights in a layoff situation and due process if a disciplinary situation should ever arise. Non-competitive people are "at will" until you obtain at least five years of service (but a union contract could give you those rights sooner). Participation in the examination process is a no-lose situation for you because even if you fail the competitive exam, or are not reachable on the resulting list, you will still maintain your 55A status. In other words, you will not lose your job if you fail the test. You are still expected to perform well on the job though.

Again, you are under no obligation to share the nature of your disability with that appointing authority during the interview process. The focus of your interview should be on your ability to do the job. Once you have been offered the job, you can negotiate reasonable accommodations. Apply online at <http://www.tompkins-co.org/personnel/> Best of luck!