

SENIORITY LIST
FREQUENTLY ASKED QUESTIONS

The following questions and answers are meant as a guideline for seniority purposes. Please reference your BCUEA Agreement **Article VII – General Conditions of Employment** for detailed information on Seniority, Competitive and Non-Competitive positions and Recall rights.

Q: What is the difference between competitive and non-competitive employees?

A: Competitive employees must take a civil service exam and be reachable on a civil service list to be appointed to a probationary position. Non-Competitive employees must meet the minimum qualifications to be appointed to a probationary position.

SENIORITY FOR NON-COMPETITIVE EMPLOYEES

Q: How is the seniority list determined for Non-Competitive titles?

A: The seniority list is determined by the employee's date of hire to a benefit eligible position and according to the Agreement between the District and the BCUEA.

Q: Do temporary non-competitive appointments accrue seniority rights?

A: No, according to the BCUEA Agreement no temporary appointments shall accrue seniority rights.

Q: Do I lose seniority if I take a position to another non-competitive job title?

A: If the job title is not within the same seniority classification you will lose any seniority accrued in that job title.

Examples: From a Food Service Helper to a School Monitor
From a School Monitor to a Custodial Worker
From a School Monitor (Noon Hour Aide) to a School Monitor (Aide to Students with Disabilities)

NOTE: As per an MOA dated July 2002, the School Monitor title has several "subtitles" for seniority purposes. Listed below are the subtitle classifications.

- a. Transportation monitors
- b. Aides to students with disabilities, Teacher aides and Reading lab aides
- c. Library monitors and Clerical monitors
- d. Hall monitors and Parking lot attendants

Q: If a layoff is being considered within my job title, and I held a permanent appointment to another non-competitive title, do I have retreat rights to that former title?

A: Yes, if you were permanently appointed and have more seniority in that former title than the least senior currently in that position you do have rights to "bump" the least senior employee.

SENIORITY FOR COMPETITIVE EMPLOYEES

Q: How is the seniority list determined for Competitive positions?

A: Seniority for competitive positions is determined by your permanent appointment with Albany County Civil Service. The district must follow the guidelines as set by Civil Service for competitive titles.

Q: Does a temporary appointment to a competitive title accrue seniority rights with civil service?

A: Yes. According to civil service, temporary appointments within a competitive title do accrue seniority rights.

Q: If I am a 12 month employee hired on the same day as a 10 month employee to the same competitive title, who holds more seniority? What about if appointed more hours per day than another employee?

A: If two people have the same seniority date, Civil Service will determine who has higher seniority based on the factors surrounding the appointment of the two individuals to that title. For example, it may be based on the order of the Board of Education appointments, alphabetical, score on the exam etc. Hours per day are not factored into the seniority determination. Civil Service would advise the district how to proceed in this instance.

Q: If I held permanent status in a non-competitive title and I am now appointed to a permanent competitive title, does my seniority as a non-competitive employee count towards my competitive seniority status?

A: Yes. Civil Service will maintain your seniority status from the date of your permanent appointment in any position (providing there is no break in service).

Q: If I am appointed as a provisional employee, does this count towards seniority?

A: This depends. If you had a permanent appointment **prior** to the provisional appointment, then became appointed to a permanent position, without a break in service, then YES.

If your **first** competitive appointment was provisional, then you became permanent, then NO, none of the time that you were appointed provisional will count towards seniority.

NOTE: If you are currently in a provisional appointment and the district is considering layoffs within your job title, the provisional employee would be the first to be eliminated, per Albany County Civil Service rules.

Q: If a layoff is being considered within my job title, and I held a permanent appointment to another competitive Civil Service title, do I have retreat rights to that former title?

A: Yes, if you were permanently appointed and have more seniority in that former title than the least senior currently in that position you do have rights to “bump” the least senior employee, even if your former position was with another employer. This determination would be made by Albany County Civil Service.