



**CITY OF NEW YORK
DEPARTMENT OF CITYWIDE ADMINISTRATIVE SERVICES
DIVISION OF CITYWIDE PERSONNEL SERVICES**

COMPREHENSIVE PERSONNEL DOCUMENT (CPD-B)

APPLICANT GUIDELINES

FOR NEW HIRES

FOR UPDATES WHERE THERE IS NO PHQ OR CPD IN THE TRAVELLING PERSONNEL FOLDER

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The City of New York is an Equal Opportunity Employer

I. INSTRUCTIONS FOR COMPLETING THE CPD(B)

A. OVERVIEW

All applicants for employment with the City of New York, including former City employees with a break in service of more than one year, are subject to investigation to determine whether they meet the qualifications for their positions. The first step in your investigation is the completion of the Comprehensive Personnel Document (CPD-B) for New Hires.

If you are being hired from a jurisdiction not participating in the TPF system (e.g., CUNY, OTB, Libraries, HHC, School Construction Authority, Department of Education unclassified title), you are treated as a new hire, and as with all new hires, a CPD(B), fingerprints and fingerprint fees are required. An applicant hired from the New York City Police Department (uniform or non-uniform) will be required to complete a CPD(B) but will not generally be fingerprinted.

In completing the CPD(B), all questions must be answered completely and accurately. **Type or print clearly in black ink in the boxes provided.** Where dates are required, use zeroes with one digit numbers (e.g., 02/01/2004). If you have additional comments or your answer requires additional space, request supplementary Data Sheets and/or use the Comments Page. If, when completing the CPD(B), you use supplementary Data Sheets, ensure that they are stapled to the appropriate section of the CPD(B). Clearly label your "Comments" to indicate Section and Page Number.

If you are selected for appointment or promotion from a civil service list, you have the right to request that your investigation be completed before appointment. **However, you should be aware that such a request may delay your appointment. If you wish to be investigated before appointment, inform your personnel officer before completing the CPD(B).**

Claims for Veteran's or Disabled Veteran's Preference credits on list appointments/promotions are reviewed by DCAS.

Applicants for trades licenses may be required to complete the CPD(B) as the first step in the investigation to determine their fitness and qualifications.

You must initial each page of the CPD(B). Additionally, you must sign and date the Affirmation and the Authorization for Release of Information.

Your appointment to the job for which you are applying depends upon your full cooperation in this investigation. A false statement or intentional omission of any material fact may cause you to be disqualified, even following your appointment or licensure, and may lead to prosecution. It is your responsibility to make sure that all the information you provide on the CPD(B) and other related documents is complete and accurate.

B. COMPLETING EACH SECTION OF THE CPD(B)

1. Basic Information (Page 1)

If you have had a change in name, you should provide documents to confirm legal name change. These documents may include, but are not limited to, your marriage certificate, divorce decree, passport, Naturalization Certificate, Resident Alien Card, court order or other legal name change document for confirmation. Such document may be provided as one of the documents you have designated on your I-9 form.

If your social security number has changed, list the number, state the effective dates and provide evidence of the change. You may be required to provide a written justification for the change in Social Security number, and such a change is subject to investigation.

2. Miscellaneous Questions (Page 2)

There are 17 Miscellaneous Questions which require a YES or NO answer. For Questions 12-17, if you answer YES, you must provide complete details, specifying date, agency, reason, disposition, etc. on the Comments Page (p 18.)

Question 1 – Eligibility to Work

All applicants must be legally authorized to work in the United States. Proof of such eligibility is to be provided by completing the I-9 form and providing such support documents as you have designated on that form.

All New Hires must complete the I-9 and provide the support documents they have designated on that form.

For Updates, if you have previously completed an I-9 which is in your TPF, and you have no changes to your employability status, you are not required to complete a new I-9. If there has been a change in your employability status, the appropriate section of the I-9 must be completed and documentation must be provided. For applicants employed on the basis of a work permit, any change in position requires a new work permit. (See **Employment Eligibility Verification [I-9]** on Page 14 of these Guidelines.)

Question 2 – Citizenship

Citizenship is not a requirement for employment with the City of New York unless it is specifically required in the notice of examination or job specification for a given position. However, all applicants must provide evidence of employability in the United States.

If the position requires U.S. citizenship, you must provide one of the following documents: U.S. birth certificate, U.S. baptismal certificate (only acceptable if

baptized within six months of birth), U.S. passport, U.S. Certificate of Citizenship or Certificate of Naturalization, etc. Such document may be provided as one of the documents you have designated on your I-9 Form. (See **Employment Eligibility Verification [I-9]** on Page 14 of these Guidelines.)

Question 3 – Current City Employee/Break One Year or Less

If you have answered YES stating that you are a current City employee or are a former employee with a break in service of one year or less, you should complete the UPD(B)/Data Sheets rather than the CPD(B). The one exception is where there is not a fully completed PHQ or CPD(B) in your personnel file, in which case you must complete the CPD(B). You must complete the CPD(B) if you are a New Hire who has not previously been employed by NYC or you are a former NYC employee with a break in service of more than one year.

Question 4 – Former City Agency/Separation Date

If you answered YES that you have been previously employed by NYC, your TPF should be requested from your former agency by a personnel officer from your new agency.

Question 5 – Dual Employment

Before answering this question regarding dual employment, you must read Section III-B, “Dual Employment”, Pages 22-23 of these Guidelines. If you are requesting dual employment, you will be required to complete Form DP-1021A.

Question 6 – Approval to Hire Retiree

If you are a retiree from any retirement system administered by New York State or any of its political subdivisions (e.g., state, county, or municipality), your pension may be affected by accepting this job. If you answered YES to CPD(B) Question 6, Form DP-68 must be submitted by the agency to DCAS for approval. (See **Approval to Hire Retiree [DP-68]**, Page 15 of these Guidelines.)

Question 7 – Leave of Absence

If you are requesting a leave of absence from your permanent civil service list title, approval must be granted by your agency and DCAS.

Questions 8 & 9 – Veteran's Preference

If you are being appointed or promoted from a list and are claiming veteran's preference credits or rescinding a claim made at your exam, you will need to

complete either DP-152 or DP-153. (See **Veteran's Preference Claims**, Pages 8, 9 & 15 of these Guidelines.)

Questions 10, 11 & 12 – Residency

Before answering these questions regarding residency, you must read Section III-A, “NYC Residency Requirements”, Pages 17-22 of these Guidelines. Employees of the City of New York are required to meet NYC Residency Requirements. You will affirm adherence to the NYC residency requirements by signing the CPD(B) Affirmation. There are no additional Residency Data Sheets or forms to be completed.

- If you are a New York City resident, you must answer YES (Y) to Question 10 and provide satisfactory proof of current residence (e.g., utility bills, bank statements, credit card statements, etc.) if such proof does not already exist in your TPF.
- If you are a nonresident of New York City who is required to move into New York City, you must answer YES (Y) to Question 11.
- If you are a nonresident who is not required to move into New York City, you must answer YES (Y) to Question 12. If you received a Residency Waiver for this position, it should be placed in your TPF by your personnel officer.

NOTE: Nonresidents of NYC are required to comply with the NYC Charter §1127 regarding City nonresident personal income tax. You must read and sign form DP-2028A , “Agreement under §1127 of the New York City Charter (r.1/94)”.

If you are a nonresident of New York City, you must complete the City of New York Certificate of Nonresidence-City Withholding (Form IT-2104.2).

If you are a nonresident of New York State, you should complete the State of New York Certificate of Nonresidence - State Withholding (Form IT-2104.1), particularly if you do not work 100% of your time in New York State.

Questions 13 through 17 - Employment Background

If you answer YES, you should provide complete details specifying date, agency, reason disposition, etc., as applicable, on the Comments Page (p. 18)

3. Conviction Record (Page 3)

You must ensure that you carefully read Questions III-A, B and C and the definitions of criminal convictions, pending charges and arrests.

You should answer YES to Question III-A if you have ever had any criminal convictions. You should answer YES to Question III-B if any criminal charges are currently pending against you.

- You must list ALL convictions and pending charges under Question III-B. (Do not include traffic violations or Juvenile Delinquency arrests.) If necessary, the Comments Page can be used to list additional convictions/pending charges.

If you will be designated a Firefighter, Police Officer or Peace Officer (including Special Patrolman), you must answer Question III-C regarding all arrests in your lifetime that did not result in conviction. A YES answer to Question III-C requires that you complete the chart on arrests. You must disclose ALL arrests not resulting in convictions (not including traffic violations and Juvenile Delinquency arrests.) during your lifetime, where material has been sealed, expunged, or set aside under Federal or State law.

If you are not applying for a position designated as a Firefighter, Police Officer or Peace Officer (including Special Patrolman), you should write N/A to Question III-C on page 3 of the CPD(B).

4. Education (Pages 4 and 5)

If you have more than four (4) schools to list, request additional Education Data Sheets from your personnel officer. If you do not have four schools to list, print "N/A" for each Education Section not completed.

For nonlist transactions, your statement of educational qualifications will be evaluated along with your stated experience qualifications in determining whether you meet the overall qualification requirements for this title. For list actions, this evaluation took place prior to list establishment. However, your statements here may be used in qualifying you for future nonlist positions.

Claimed education qualifications must be supported by original transcripts, diplomas, certificates, etc.

If you were educated in a foreign country and you are being appointed from a civil service list, your foreign education credentials will have been evaluated by an approved foreign education evaluation service prior to list establishment.

For nonlist actions, you will be required to have an approved foreign education evaluation service submit an original evaluation directly to the agency within eight weeks of the date of the request. A list of evaluation services will be provided by your Agency Personnel Officer. If you previously had an evaluation done, you should request that the service send a certified duplicate original directly to the agency.

5. Employment (Pages 6-13)

The Employment Section has two functions:

- to provide a complete work history and
- to describe experience and duties performed which are used to determine your qualifications for the position, trade license or certification applied for. Your claimed experience may also be used to qualify you for future positions.

A resume may be attached to the CPD(B); however, it will **not** be accepted in lieu of the completion of the CPD(B).

Start with your present job and work back to the time you left high school. Do not omit any jobs or required information. Even if certain experience is not required for this position, it may be used to qualify you for a position at some time in the future.

- If you have changed titles or civil service status while working for the same employer, you should use a separate Employment Page for each change of title/status. If you have changed duties but have not changed titles/status or employers, the multiple assignments should be shown as one job, listing duties from all assignments with the percentage for each duty adjusted to reflect the percentage of time performed during your overall time in that title/status.
- Confine description of duties for each separate employment to the space provided. If it is necessary to expand beyond the space provided, use the Comments Page.
- If you have had more than eight (8) jobs, you may ask for additional Employment Data Sheets (DS-10). Where additional Employment Data Sheets are provided, side 2 of the DS-10 should **not** be completed. If you have had fewer than eight jobs, write "N/A" on each Employment page not completed.
- Indicate the percentage of time spent for each duty. Total percentage (%) should equal 100%.
- If you supervised employees, indicate the number and titles of employees you supervised directly and/or indirectly.

Direct Supervision is where employees report directly to you.

Indirect Supervision is the supervision of employees who are two levels or more removed from you (i.e., you supervise their supervisor; employee reports through someone else to you).

- Indicate those jobs in which you were self-employed by printing "Self-Employed" under "Supervisor."
- Where placed by a temporary agency or through a union referral, specify the

name and address of both the temporary agency/union and those work placements which exceeded six months. Thus, on one CPD(B) Employment Page, you will list your total period of employment with that temporary agency/union, including all placements, whether they are over or under six months. Under Duties, you will state, "Various Placements" and give a summary of the duties from those placements. If employment was not continuous (e.g., you worked approximately five days per month), you should estimate and state under Duties the total years/months actually worked. On separate Employment Pages, you will list each employment placement exceeding six months which you have included in the above-mentioned Employment Page as part of your total employment with the temporary agency/union.

- For each period that you were **unemployed** for more than four months, give the dates of the period of unemployment and state how you supported yourself. Use a separate Employment page for each such period.
- You must state "Reason for Leaving" each job.

CLAIMED EXPERIENCE MUST BE VERIFIABLE.

6. Licenses (Page 14)

All applicants who have a driver's/trade/professional license or certification, including bar admittance, should complete the license section of the CPD(B).

If the position requires a driver's/trade/professional license, you must submit your license for confirmation. You may also be required to produce a current motor vehicle abstract of your driving record if the position requires a driver's license.

On page 14 of the CPD(B), under A, specify all other trade/professional licenses, registrations, bar admittance, permits, certifications, etc. (other than a driver's license) which you presently hold.

Under B, specify information regarding your driver's license.

Vehicle Endorsement: Endorsements give extra driving privileges. The vehicle endorsement code(s) appear on the front of the Commercial Driver's License after license class code(s).

License Restriction Code(s): License restrictions explain driving limitations. The license restriction code(s) appear on the front of the license below license class code(s) and vehicle endorsements.

Under C, Traffic Conviction Record, you must list any traffic convictions or pending charges related to driving. Do not list parking tickets.

Under D, specify if any driver's/trade/professional license or certification you have ever held has been suspended, restricted or revoked or if you have ever been censured or disciplined by any licensing or certifying organization. Specify details on the CPD(B) Comments Page (p. 18).

7. Military (Page 15)

If you served in the Armed Forces of the United States of America, you must complete CPD(B) Section VII-I: Military Record and submit your **Certificate of Release or Discharge from Active Duty (DD-214)**.

If you are currently serving as an active reservist, you must answer Section VII-II.

Service in the Armed Forces of the United States does not necessarily qualify you for Veteran's or Disabled Veteran's Preference (VP/DVP).

- If you are being hired from a list and you claimed VP/DVP for this position when you filed for the exam, and if you are using such preference, complete form DP-152 and attach your DD-214 (Certificate of Release or Discharge from Active Duty), proof that you served on active duty under honorable conditions and proof that you were a resident of New York State at the time of list establishment.
- If you wish to withdraw your claim for VP/DVP, complete form DP-153.
- If you have previously used your VP/DVP credits for a civil service appointment or promotion within New York State, you are not eligible to claim this preference a second time unless you did not complete the probationary period.
- The use of VP/DVP credits for layoff seniority does not impact on future use of veteran's credits for a civil service appointment; likewise, prior use of veteran's credits for a civil service appointment does not impact on use of veteran's credits for layoff seniority.
- Any claim made for VP/DVP credits is granted subject to investigation.
- Veteran's Preference Dates:

World War II	12/07/41 - 12/31/46
Korean Conflict	6/27/50 - 1/31/55
Vietnam Conflict*	12/22/61 - 5/07/75
Hostilities in Lebanon**	6/01/83 - 12/01/87
Hostilities in Grenada**	10/23/83 - 11/21/83
Hostilities in Panama**	12/20/89 - 1/31/90
Persian Gulf Conflict**	8/02/90 - Not Specified

* Civil Service Law §85 was amended to change the start date of the Vietnam

War from 1/1/63 to 12/22/61. Please note that veteran's credits for those affected by the new date can only be applied to eligible lists established on or after 7/21/93.

****** If you served in Lebanon, Grenada or Panama during the above dates, you must have received the Armed Forces, Navy, or Marine Corps Expeditionary Medal to be eligible for Veteran's or Disabled Veteran's Preference Credit. The preference dates for Lebanon, Grenada, Panama and the Persian Gulf apply only to lists established after 8/1/91.

8. Residence (Page 16)

On your application you are required to list your residences over the past ten years or since you left high school, whichever is less. If you are still in high school, state your current address.

9. Resume Section (Page 17)

This section includes information on special skills and interests you possess and job training you have received.

10. Comments (Page 18)

The Comments Section is reserved for any additional comments or facts you may wish to make. Clearly label your comments to indicate section and page number.

11. Authorization for Release of Information (Page 19)

All applicants are required to sign the Authorization for Release of Information. The release is used for investigation purposes when requesting information regarding education, employment, or other background information relevant to your qualifications for employment. The release is also used to request medical records from the Military for confirmation of claims made by an applicant for Disabled Veteran's Preference Credit.

12. Affirmation (Page 20)

Before signing the CPD(B) Affirmation, you must read Section III of these Guidelines.

By signing your name on the Affirmation Page, you acknowledge that your appointment or promotion depends upon your full cooperation in investigation and in meeting all applicable qualifications including medical and residency, as provided by the Civil Service Law or other applicable laws, the Personnel Rules and Regulations of the City of New York, the Notice of Examination or Class Specification, and the NYC Charter/Administrative Code/Mayoral Directive on Residence.

By signing your name on the Affirmation Page, you signify that you do not object to verification or release to the City of New York of any or all information related to this application, including, but not limited to, documents from any personnel files residing with other agencies within the jurisdiction of the Commissioner of DCAS, and that should you subsequently change employment to another agency within the jurisdiction of the Commissioner of DCAS, your personnel files will be transferred to that agency.

Note: For purposes of the Travelling Personnel Folder, all mayoral and nonmayoral entities covered by the Personnel Rules and Regulations of the City of New York are treated as a single employer (The City of New York). Therefore, this Affirmation statement is not required, nor is the Release of Information required, in order for agencies to forward your personnel file to another City agency or to request your personnel folder from another City Agency.

Be advised that your background is subject to investigation. A false statement or intentional omission of any material fact may cause you to be disqualified, even following appointment or licensure, and may lead to prosecution.

If you have been selected for appointment or promotion from a civil service list, you have the right to request that your investigation be completed before appointment by completing the **Employee Requests Investigation Before Appointment** form. If you make such a request, you will be placed offside from the list (and not certified) until the investigation is completed. If such an investigation has not previously been requested and completed, you may waive that right.

By signing your name on the Affirmation Page, you acknowledge that your employment is subject to the satisfactory completion of any applicable probationary period. Appointments and promotions to a permanent competitive list position or a position in the labor class are subject to a probationary period of one year unless otherwise set forth in the terms and conditions for appointment or promotion, as determined by the Commissioner of DCAS. Appointments to positions in the noncompetitive or exempt class are subject to a probationary period of six months unless otherwise set forth in the terms and conditions for appointment, as determined by the Commissioner of DCAS.

By signing your name on the Affirmation Page, you affirm, under the penalties of perjury, that

- You have read the instructions/information on the CPD(B) application and Section III-C on Pages 23 - 27 of these Guidelines.
- You understand the requirements and conditions stated and agree to be bound by them;
- You have read and agree to comply with the following requirements, where

applicable:

- a. NYC Residence Requirement Document, based upon the Administrative Code and the Mayoral Directive on Residence. (**All** mayoral and nonmayorals appointments, Section III-A, Pages 17 - 23 of these Guidelines)
 - b. Notification of Drug Free Workplace Policy and any additional related agency reporting requirements (Section III-C, Page 25 of these Guidelines)
 - c. Personnel Order No. 78/9, as amended, re: Service as an Officer in Political Parties (Management employees in mayoral agencies serving in exempt or noncompetitive titles or serving provisionally in competitive titles, Section III-C, Page 25 of these Guidelines)
 - d. Mayoral Directive 81-2 re: Computer Usage and Data Security Policy (**All** mayoral and nonmayoral appointments, Section III-C, Page 26 of these Guidelines)
- You affirm that you have completed all 20 pages of the CPD(B) including those pages of the Education and Employment Sections which you marked "N/A." If additional data sheets were completed, the number of additional sheets should be recorded.
 - You affirm that you personally completed the CPD(B), and that everything you have written within the CPD(B) is, to the best of your knowledge and belief, true and complete.

13. Verifications: For Agency Use Only (Page 21)

In addition to the Agency Use Only verification sections at the bottom of the education and experience pages, Page 21 is a summary verifications page for agency use only. This is to verify receipt of required support documents.

C. **ADDITIONAL CERTIFICATIONS FOR NEW HIRE EMPLOYEES**

The following additional certifications are required for all new hires. Your personnel officer will provide you with the necessary documentation and instructions.

Constitutional Oath (DP-7)

All employees newly hired to NYC are required to complete a Constitutional Oath which will be forwarded to the City Clerk together with a \$9.00 fee.

Certification for City Employees Pursuant to Charter §1136

A New Hire employee certifies that he/she has read and shall conform to Chapter 49 of the Charter. Receipt will be forwarded to the City Clerk.

Certification for Agency Head Pursuant to Charter §1136

Agency Head certifies that he/she has read and shall conform to Chapter 16 & 49 of the Charter. Receipt will be forwarded to the City Clerk.

Certification for Employee Pursuant to Charter §2603

A New Hire employee certifies that he/she has read and shall conform to the provisions of Chapter 68 of the Charter. Receipt will be forwarded to the Conflicts of Interest Board.

Agreement Under §1127 of the New York City Charter

All employees newly hired by the City of New York

II. INFORMATION REGARDING ADDITIONAL PERSONNEL/BENEFIT FORMS

You are required to complete some of the forms listed below; completion of other forms is optional. Your personnel officer will provide you with any required/optional forms.

Fingerprint Card/Fees

NYS Fingerprint Card, DCJS-4 (2002) and Fees: Payment must be in the form of a money order made payable to DCAS.

Fingerprint Verification Card, DP-144: If you are being hired from a list for a civil service appointment, these fingerprints are for comparison against those taken at the exam as part of your background investigation.

Fingerprints at Investigation Card, DP-310: If you are under consideration for a list or nonlist position with the Police Department, these fingerprints are for comparison against other prints taken as part of your background investigation.

Medical Fingerprint Card, DP-125: These fingerprints are taken for any title requiring a medical and/or drug screening for comparison against prints taken as part of your background investigation.

Processing Fee (filing fee)

All nonlist actions for Updates and New Hires (i.e., provisional, noncompetitive, labor class, exempt and unclassified) require a processing fee. For most employees, payment will be made through payroll deduction from your first paycheck. For employees appointed to positions with the Transit Authority, Triborough Bridge and Tunnel Authority, and certain positions with the Department of Education, payment must be in the form of a money order **made payable to DCAS**.

Employee Withholding Allowance Certificate for Federal Taxes (W-4) and New York State Taxes (IT-2104) and Nonresident Tax Withholding (IT-2104.1)

To designate or change your income tax withholding allowance, complete Forms W-4 and IT-2104. If you are a nonresident of New York State and/or New York City, you must complete the New York State, City of New York, and City of Yonkers Certificate of Nonresidence and Allocation of Withholding Tax (Form IT-2104.1).

Employment Eligibility Verification (I-9)

This form is used to verify your eligibility for employment in the United States. You must provide the original document(s) which you designate on the I-9. The **only** exception is a **certified** copy of your birth certificate.

Designation of Beneficiary (DP-2328A)

To designate or change your beneficiary, complete the Designation of Beneficiary, Form DP-2328A.

In Case of Emergency

Complete a Notify in Case of Emergency Card/Sheet designating the name, address and telephone number of the individual whom you have designated to be notified in case of emergency.

Agency Shop Fee Agreement (DP-2328B)

If you are being appointed to a position subject to union membership (i.e., all positions except those in the managerial pay plan, original jurisdiction titles, and those specifically excluded from collective bargaining by decisions of the Office of Collective Bargaining), it is your responsibility to complete the Agency Shop Fee Agreement Form DP-2328B and notify the appropriate union of any title or level change.

Employee Health Benefits Application (ERB-2000)

If you are newly hired, have changed agencies, or had any break in service, complete the Employee Health Benefits Application Form ERB-2000.

Pension Plan

If you are being appointed to a permanent competitive or labor class position for the first time, you must join the pension system within six months of your appointment. Provisional, noncompetitive, and exempt class employees have the option of joining a pension plan. To apply for pension plan membership, you should submit an application for membership to the appropriate pension system. If you already belong to a pension system and are changing agencies, you should notify your pension system of the change. (See **Deferred Compensation** on Page 16 of these Guidelines regarding the relationship between pension, deferred compensation, and FICA.)

Management Benefits Fund (1060)

If you are being appointed to a position which makes you eligible for membership in the Management Benefits Fund, complete the Management Benefits Fund Application for Membership, Form 1060.

DOI Terms and Conditions and DOI Questionnaire

If the position for which you are being hired falls into one of the following categories, complete the **DOI Terms and Conditions** and the **DOI Questionnaire**: management, computer analysis/design/programmer title, DOI/IG employee, contract negotiation position, or noncompetitive or provisional position with a salary rate of \$80,000 or more. You will receive a DOI Questionnaire from the agency personnel officer who will forward the questionnaire to DOI when you have completed it.

Section 55-a Noncompetitive Appointment (DP-2025)

If hired to a noncompetitive position pursuant to Section 55-a of Civil Service Law (Employment of persons with disabilities by municipalities), **Form DP-2025 Report on Noncompetitive Approvals to Positions Subject to Rule 3.2.10** must be completed and forwarded to DCAS.

Approval to Hire Retiree (DP-68)

If you are a retiree from any retirement system administered by New York State or any of its political subdivisions (i.e., state, county, or municipality), the hiring agency is required to obtain hiring approval from DCAS under §211 of the Retirement and Social Security Law (RRSL) if you will be earning more than the cap allowed under RRSL §212 (\$27,500 in 2003). Failure to obtain such approval will impact upon your pension. Submission of the waiver request (DP-68) does not guarantee approval, as DCAS denies a significant number of such requests.

Certificate of Appointment with Use of Disabled or Nondisabled Veteran's Credits (DP-152)

If you are using veteran's preference, complete DP-152, and provide your agency Personnel Officer with your DD-214 and proof of New York State residency. Use of disabled veteran's preference also requires confirmation of the disability by the Department of Veterans Affairs.

If you have previously used your VP/DVP credits for a civil service appointment or promotion within New York State, you are not eligible to claim this preference a second time unless you did not complete the probationary period.

Request to Withdraw Veteran's Credits (DP-153)

If you wish to withdraw your claim for VP/DVP, complete form DP-153.

Equal Employment Opportunity Self-Identification Form (DP-2467)

Completion of this form by New Hires is voluntary and will assist the City in ensuring that employment discrimination does not occur. The information contained in this form is strictly confidential and will not be included in personnel files or disclosed to individuals making employment decisions.

Deferred Compensation

If you wish to join the Deferred Compensation Plan, complete the Deferred Compensation Plan Enrollment/Change Form and forward it to the Deferred Compensation Plan.

If you are already a member of the Deferred Compensation Plan and are changing agencies, or wish to make changes in your current options, complete the Deferred Compensation Plan Enrollment/Change form.

The U.S. Budget Reconciliation Act requires that after July 1, 1991 all state and local government employees join the social security system and/or a retirement system.

After July 1, 1991, City employees not members of a retirement system must pay 6.2% social security tax (FICA). All City employees are also subject to the 1.45% Medicare tax.

Any member of the City's Deferred Compensation Plan who is not in a pension plan and who is contributing at least 7.5% of annual wages to the Deferred Compensation Plan will be exempt from FICA tax after July 1, 1991.

Membership in a retirement system mandates that a worker also pay social security taxes. That decision cannot be reversed. However, if an employee decides to join the social security system and not a pension system (see **Pension Plan** on Page 14 of these Guidelines) or the Deferred Compensation Plan, the employee can later join the Deferred Compensation Plan and cease social security contributions. Workers who join the Deferred Compensation Plan and later decide to join the social security system or a pension system can do so.

Municipal Credit Union

If you choose to join the Municipal Credit Union and have deductions made from your paycheck, complete the Municipal Credit Union Application for Membership and the Deduction Authorization and forward them to the Municipal Credit Union in the envelope provided. If you are already a member and are changing agencies, you should notify the Credit Union.

Savings Bond Deductions

If you wish to have payroll deductions made by the Payroll Management System (PMS) for U.S. Savings Bonds or if you wish to make a change in deductions already being made for this purpose, complete the Savings Bond Deduction form.

Reinstatement

If you are requesting reinstatement to your permanent competitive or labor class position, you must complete **Form DP-71, Request for Reinstatement** and have it approved by your agency and by DCAS. A processing fee will be required.

If you have had a break in City service of more than one year and are requesting reinstatement, your service is not considered to be continuous; you are required to complete the CPD(B), be fingerprinted and pay the fingerprint fees. The Equal Opportunity Self-Identification Form (DP-2467) may also be completed on a voluntary basis.

III. IMPORTANT INFORMATION ABOUT RESIDENCY, DUAL EMPLOYMENT AND THE AFFIRMATION

You must read this section carefully before you complete the Comprehensive Personnel Document (CPD-B) and sign the Affirmation.

A. INFORMATION REGARDING NYC RESIDENCE REQUIREMENTS

1. Overview

Unless exempt from these residence requirements, anyone appointed or promoted to a position in City service on or after September 1, 1986, must be or become and remain a City resident.

You have 90 days from the date of appointment or promotion to become a City resident.

If you are being appointed or promoted to a position that is not a permanent competitive (civil service list) position BUT you have an underlying permanent competitive title AND you entered City service before September 1, 1986, you have one year from the date of appointment or promotion to become a City resident. City residence must thereafter be maintained as a condition of employment UNLESS an exemption has been granted.

Failure to maintain City residence will result in loss of this employment.

You are NOT subject to these residence requirements if:

- you entered City service before September 1, 1986, and you are now being appointed or promoted to a new permanent competitive position without a break in service; or
- regardless of your entry date into City service, you have been granted an exemption for the position to which you are now being appointed; or
- you are being appointed to a title or in an agency that is exempt from these residence requirements.

Additional explanations of the residence requirements are in Section 3 on the following pages. You should follow the guidelines at the beginning of this section regarding which sections you must read. If you have any questions about this subject, talk to your Agency Personnel Officer.

2. Definition and Verification of Residence

The word "residence" means domicile (the place where you live). The following are evidence of City residence:

- Employee, spouse and minor children reside at City address;
- Employee and spouse are registered to vote at City address;
- Any motor vehicle registered to employee or spouse is registered at City address;
- Employee and spouse file tax returns from City address;
- Children who attend public school attend the public schools of the City of New York.

Verification of residence includes:

- rent receipts on a letterhead (not generic receipts)
- mortgage payments notice
- motor vehicle registration and license
- motor vehicle insurance receipts
- bank statement
- credit card statement
- utility bill (including telephone bill)
- withholding tax statement
- registration to vote
- the payment of City income tax
- insurance policy
- hospital/clinic or other institutional records

3. Explanation of Residence Requirements

a. Resident Employees of New York City Who Are Not Subject to the Residence Requirement

- You are a resident of the City of New York who entered City service before September 1, 1986, in a title or in an agency covered by the residence requirements and you continue to serve in a permanent competitive position; or
- You are a provisional employee who entered City service before January 13, 1978, and you have not changed title since that date; or
- You are in a title or in an agency that is exempt from these residence requirements (see Section (b.) below).

b. Nonresident Employees of New York City Who Are Not Subject to the Residence Requirement

- You are a nonresident who entered City service before September 1, 1986, in a permanent competitive (civil service list) position OR in a provisional, noncompetitive, labor or exempt class position AND you have now been appointed or promoted to a new permanent competitive position without a break in service; or
- You are a nonresident who entered City service before September 1, 1986, and have been granted an exemption by the Commissioner of the Department of Citywide Administrative Services (DCAS) based on:
 - personal hardship, or
 - indispensability to agency, or
 - status as a stepped-up provisional in the next higher title in a competitive occupational series where there are no equally or better qualified candidates from among current eligible agency employees who are City residents; or
- You are a nonresident who, regardless of your entry date into City service, has been granted an exception or an exemption from the residence requirement of New York City Administrative Code §12-119, et seq., or the Mayoral Directive on Residence, while serving in a title for which recruitment is difficult; or
- You are a nonresident provisional employee who entered City service before January 13, 1978, and has not changed title since that date; or

- You are a nonresident who:
 - has a worksite outside the City, or
 - works for the Transit Authority, Housing Authority, Department of Education, City University of New York, Health and Hospitals Corporation (which has its own residence requirement), Triborough Bridge and Tunnel Authority or District Attorney's Office, or
 - has, prior to September 1, 1986, worked and continues to work for any other nonmayoral agency; or
 - works for the Department of Probation, or
 - works in the uniformed force of the Police Department, Fire Department, Sanitation Department or Correction Department, or
 - is an Officer or Inspector at the Department of Health and Mental Hygiene, or
 - is employed in the title of Chaplain.

Note: If you are subsequently appointed or promoted to a provisional, noncompetitive, exempt or labor class position for which City residence is required, you must become a resident within one year of the date of appointment to that position.

If you are subsequently employed in a title for which City residence is required (except an employee who entered City service before September 1, 1986, who accepts permanent competitive appointment without a break in service), you must become a New York City resident within either 90 days or one year of the date of appointment, whichever is applicable.

If you fail to become a City resident within the applicable time period, you will forfeit your employment in that title.

You must remain a City resident during the period of your employment in a title subject to the residence requirement.

Permanent employees who entered City service before September 1, 1986, and who subsequently separate from City service, shall not be subject to a residence requirement if they return to service in the same permanent competitive title within one year from the date of separation.

Provisional employees as described in Section (b.) above who are in the title of Chaplain or whose worksites are outside the City, who entered City service before September 1, 1986, and who subsequently separate from City service shall not be subject to a residence requirement if they return to service in the same title within 30 calendar days of separation.

c. Employees of New York City Who Must Remain City Residents

- You are a resident of the City of New York who entered City service prior to September 1, 1986, and are being appointed to a provisional, noncompetitive, exempt, seasonal, labor class, temporary, or part-time position. Regardless of prior civil service status, you are required to be a resident in accordance with the Mayoral Directive on Residence; or
- You are a resident of the City of New York who entered City service on or after September 1, 1986, who is required to be a resident in accordance with New York City Administrative Code §12-119, et seq.

Note: Failure to remain a resident during the period of employment with the City of New York will result in loss of employment UNLESS

- an exemption has been granted; or
- an exception from the residence requirements has been granted; or
- you entered City service before September 1, 1986, AND you are being appointed to a permanent competitive position.

Throughout your period of employment with the City, you must notify your agency head prior to any change in your residence.

d. Employees of New York City Who Must Become Residents Within 90 Days of Appointment to a New Position

- You are a nonresident who entered City service on or after September 1, 1986; or
- You are a provisional, noncompetitive, labor or exempt class employee who entered City service before September 1, 1986, AND were previously granted an exemption as set forth in Section (b.) above, and you are now being appointed to a different provisional, noncompetitive, labor or exempt class position for which no such exemption exists; or
- You are a provisional employee who entered City service before January 13, 1978, who has not changed title since that date AND are now being appointed to a new title.

Note: You are required to become a New York City resident within 90 days of appointment. If you fail to become a City resident, you will forfeit your employment in the title.

You must remain a City resident during the period of your employment in the title in the appointing agency.

e. Employees of New York City Who Must Become Residents Within One Year of

Appointment to a New Position

- You are a nonresident with an underlying permanent competitive title who entered City service before September 1, 1986, and are now assuming a position that is not permanent competitive.

Note: If you fail to become a City resident within one year of appointment, you will forfeit your employment in the title.

You must remain a City resident during the period of your employment in the title in the appointing agency.

B. INFORMATION REGARDING DUAL EMPLOYMENT

Rule 7.2.3 of the Personnel Rules and Regulations (PRR) of the City of New York states:

"Except as otherwise provided by law, no person receiving remuneration from employment in a position in the classified service shall be eligible to receive remuneration for employment in any additional position or positions in the civil service of the city or in the civil service of any other governmental agency or jurisdiction unless the agency head or heads concerned shall certify that such employment or employments are not in violation of any law, rule, or regulation and that such additional employment or employments are not incompatible with the position held by such person."

If you are being appointed or promoted to a position with the City of New York and you are continuing employment with another City agency or other governmental agency or jurisdiction, where one or both positions are in the classified service of the City, you must complete **Form DP-1021(A), Certification of Dual Employment** prior to appointment, at the same time you complete the CPD(B). Prior to appointment, dual employment approval must be obtained from the agency heads of each of those agencies which are subject to the Personnel Rules and Regulations of the City of New York.

Any requests for dual employment with two mayoral agencies **must** be submitted on Form DP-1021(A) to DCAS' Bureau of Examinations Executive Unit for approval **prior to** appointment to the secondary agency. Agency Head approval by both the primary and secondary agencies is also required.

If you are a current employee in the classified service of the City of New York and are not being processed for a personnel transaction with NYC (i.e., not completing a CPD(B) or UPD(B)), but are accepting employment in the civil service of any other governmental agency or jurisdiction, with the intention of continuing your employment with NYC, then you must complete the **Form DP-1021(B), Certification of Dual Employment**, and obtain approval of the agency head of that City agency.

If neither of the positions is in the classified service of NYC, no dual employment approval is required.

Definitions

"Governmental Agency or Jurisdiction" includes, but is not limited to, any Federal, State, County, or Municipal employer, Public Benefit Corporation, School District or Public Authority.

"Civil Service of New York City" or "Civil Service" includes all offices and positions in the classified service and unclassified service which are described under §2 of the Civil Service Law.

"Classified Service" refers to those offices or positions in the civil service which are described in §40 of the Civil Service Law. These offices and positions are divided into four jurisdictional classes: competitive, including both permanent list and provisional nonlist status employees, noncompetitive, labor class or exempt; including such offices and positions in the New York City Housing Authority, Triborough Bridge and Tunnel Authority, New York City Transit Authority, New York City Department of Education, the City University of New York (except for those positions within the jurisdiction of the CUNY Civil Service Commission), and the offices of all District Attorneys and all Public Administrators within the City of New York.

"Unclassified Service" refers to those offices or positions in the civil service which are described in §35 of the Civil Service Law.

C. DOCUMENTS REFERRED TO IN THE AFFIRMATION

By signing your name on the Affirmation Page of the CPD(B), you affirm, under the penalties of perjury, that you agree to comply with the following requirements, where applicable:

1. NYC Residence Requirement Document, based upon the Administrative Code and the Mayoral Directive on Residence

See Section III-A, Pages 17 - 22 of these Guidelines, "Information Regarding NYC Residence Requirements".

2. Section 1127 of the New York City Charter

Under the provisions of Section 1127 of the New York City Charter, every person seeking employment with the City of New York (the "City") or any of its agencies, must sign an agreement as a condition precedent to such employment to the effect that if such person is or becomes a nonresident individual as defined in Section 11-1705(b) (Note: the City Charter incorrectly refers to 11-1706) of the Administrative Code of the City of New York ("the Code") or any similar provision of the Code at any time during such employment, the person will pay to the City an amount by which a City personal income tax on residents computed and determined as if such person was a resident individual during such employment exceeds the amount of any City earnings tax and City personal income tax imposed on such person for the same period.

In furtherance of this requirement and as a condition precedent to employment,

such person hereby agrees that if he/she is or becomes a City Nonresident Individual as defined below:

- a. Such person will pay to the City an amount by which a City personal income tax on residents computed and determined as if such person were a resident individual, as defined in Section 11-1705(b) of the Code, during such employment, exceeds the amount of any City earnings tax and City personal income tax imposed on such person for the same taxable period.
- b. The City may, at each payroll period, deduct and withhold from such person's wages or compensation, an amount equal to the amount it would be required to withhold for City personal income tax on residents if such person were a resident individual as defined in such section, to be credited to his/her City earnings and/or income tax liability and to his/her liability under this agreement and said Section 1127 of the New York City Charter.
- c. Within ten days of filing them, such person will furnish the Commissioner of Finance of the City with copies of his/her Federal income tax return and his/her State income tax return (if any).
- d. Whenever such person's status as a nonresident individual or a resident individual changes, such person will notify the head of the agency by which he/she is then employed, the Commissioner of DCAS, and the Commissioner of Finance of such change.

Resident and Nonresident, as defined in the Administrative Code Section 11-1705(b):

- a. City Resident Individual - For purposes of Section 1127 of the New York City Charter, City resident individual means an individual:
 - who is domiciled in this City, unless,
 - he/she maintains no permanent place of abode in this City, maintains a permanent place of abode elsewhere, and spends in the aggregate not more than thirty days of the taxable year in this City, or
 - within any period of 548 consecutive days he/she is present in a foreign country or countries for at least 450 days, and during such period of 548 consecutive days he/she is not present in this City for more than 90 days and does not maintain a permanent place of abode in this City at which his/her spouse (unless such spouse is legally separated) or minor children are present for more than 90 days, and during any period of less than 12 months, which would be treated as a separate taxable period pursuant to Section 11-1754, and which period is contained within such period of 548 consecutive days, he/she is present in this City for a number of days which does not exceed an amount which bears the same ratio to 90 as the number of days contained in such period of less than 12 months bears to 548, or
 - who is not domiciled in this City but maintains a permanent place of

abode in this City and spends in the aggregate more than 183 days of the taxable year in this City, unless such individual is in active service in the armed forces of the United States.

- b. City Nonresident Individual - For purposes of Section 1127 of the New York City Charter, City nonresident individual means an individual who is not a City resident.

3. Notification of Drug Free Workplace Policy

Pursuant to the requirements of the Federal Drug-Free Workplace Act of 1988, the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited in the workplace. Violations of this policy will subject an employee to discipline up to and including discharge.

The Federal Drug-Free Workplace Act of 1988 also requires that any employee convicted of a criminal drug statute for a violation occurring in the workplace must notify the employing agency within five days of the conviction. A conviction includes a finding of guilt, a no contest plea ("nolo contendere"), or the imposition of a sentence by any judicial body charged with determining violations of any criminal statute involving the manufacture, distribution, dispensation, use, or possession of any controlled substance. Agency policy may specify additional related reporting requirements.

You agree to notify the agency head and agency personnel director if you are convicted of any criminal drug statute, for a violation occurring in the workplace, within five days of that conviction. The applicant also agrees to adhere to any additional related agency reporting requirements. Your personnel officer will give you a copy of the City's booklet entitled, "Someone You Know?"

4. Compliance with Personnel Order No. 78/9 re: Political Party Positions

If you are being appointed to a noncompetitive or exempt management title in a mayoral agency, or provisionally in a competitive management title, you certify that you are in compliance with Section VI. C. of Personnel Order No. 78/9 of January 13, 1978, as amended, which states:

"Management employees will not be permitted to serve as officers of any political party or political organization, or serve as members of any political party committee including political party district leader (however designated). This prohibition is not intended to deter political activity but only to bar official partisan responsibility."

5. Mayoral Directive 81-2 re: Computer Usage and Data Security Policy

Directive 81-2, Electronic Data Processing Security specifies that City of New York computer systems may only be used for officially authorized work, specifies procedures for the protection and release of City programs, data and passwords, requires that

information services vendors to the City be advised of the City's security requirements and property rights with respect to its information systems, programs and data, and recommends that System Security Standard Number 116 be used when terminating employees who have had access to the City's automatic information systems.

Directive No. 81-2 is printed below in its entirety.

Statement of Policy: The City of New York relies heavily on its electronic data processing ("EDP") systems to meet its operational, financial and informational requirements. It is essential that these systems be protected from misuse and that both the computer systems and the data that they process be operated and maintained in a secure environment. The Office of Operations and the Department of Investigation are directed to work closely with agency heads, heads of information services and Inspectors General to ensure that this is accomplished and that observations of computer fraud and misuse are reported in accordance with the requirements of Executive Order No. 16(1978).

1. All use of City owned or leased computer systems must be for officially authorized purposes only. Agency heads shall be responsible for the proper authorization of computer utilization by their agencies and the establishment of effective use.
2. The Commissioner of Investigation shall establish Citywide standards for EDP security to ensure that programs, data files and data communications as well as City computer systems are used in compliance with this Directive.
3. The use of City computer systems for non-City consulting work or other unofficial purposes is prohibited without the written approval of the responsible agency head and the consent of the Corporation Counsel.
4. The sale of City computer system time to persons or organizations other than City employees or agencies is prohibited without the prior written approval of the responsible agency head and the consent of the Corporation Counsel.
5. All computer programs and data in City computer systems and data libraries are for the sole use of the City. All computer programs and data developed for the City by consultants to the City or provided to consultants for use in conjunction with programs or data developed for the City are the property of the City and must be promptly returned to the City upon project completion or termination, unless requested prior thereto by the agency head or the agency head's designee.
6. Copies of any programs or data may only be released from City computer system upon written authorization of the agency head or the agency head's designee.
7. Effective immediately, all information services contracts, leases, licenses or

other information services agreements entered into by the City shall contain a provision, approved as to form by the Corporation Counsel, advising information services vendors of the City's retained property rights with respect to its information systems, programs and data and the City's requirements for EDP security, including data maintenance and return.

8. Passwords and other EDP security procedures shall be protected by individual users from unauthorized use or disclosure.
9. Employees whose employment is terminated shall return all City property and equipment used in connection with City computer systems. Such items as keys, identification cards and badges, portable computer and communications equipment, manuals and documentation and other materials shall be returned to the individual employee's supervisor prior to the last day of active employment. It is recommended that agency heads refer to "System Security Standard No. 116."
10. A violation of procedures established pursuant to this Directive may result in the initiation of disciplinary procedures. Misuse of government property, including programs and data, may also be punishable by fine or imprisonment or both.
11. All City employees and vendors to the City are hereby directed to remove immediately all unofficial data files and programs from City computer systems. Questions concerning the appropriateness of a data file or computer program shall be directed to the individual employee's supervisor or to the responsible agency head.
12. This Directive shall take effect immediately.

Your affirmation attests that you understand that City computers, computer programs and computerized data are substantial City assets and that they may be used only for official City work. Further, you understand that any rights that you may have to use these assets will cease upon your leaving City service, whether by resignation or adverse termination procedure, and that failure to comply with Directive 81-2 will be cause for disciplinary or criminal actions to be initiated against you.