



APPROVED BY
Tassie Demps, Director/DHRM

REVISION DATE
August, 2020

REVIEWED DATE

POLICY / PROCEDURE
City Residency Requirement

1. INTRODUCTION

It is the policy of the City of Rochester that its employees maintain residency in the City throughout their employment with the City. This policy is designed to encourage employees to maintain a commitment and involvement with the community in which they live and with the government which employs them.

2. DEFINITIONS

Residency - The actual principal domicile of an individual where the individual normally sleeps, maintains usual personal and household effects, and lists as an address on tax filings, voter registration, postal address, motor vehicle registration, etc.

3. SCOPE

- 3.1. Full time employees hired on or after the effective date of this policy to whom the exceptions do not apply
- 3.2. Promotional appointments for employees going into exempt class positions or into noncompetitive class positions designated as confidential/policy-influencing under Civil Service Law, on or after the effective date of this policy
- 3.3. Non-full time employees hired on or after the effective date of this policy to whom the exceptions do not apply

4. POLICY

- 4.1. Employees as defined in 3.1, 3.2 and 3.3 above shall be required to be residents of the City throughout their employment with the City.
- 4.2. Employees as defined in 3.1 or 3.2 above who live outside the City shall be given up to one year from the date of appointment to establish City residency.
- 4.3. Employees as defined in 3.3 above shall be required to be City residents at the time of their appointment.
- 4.4. An employee who fails to, or is suspected of failing to, establish or maintain residency, as stated in 4.1, 4.2 and 4.3 above, will be given a written notice of failure to adhere to this policy and afforded an opportunity to submit facts within 7 days in opposition and/or explain why he/she should not be terminated. These facts will be reviewed and if they are found not sufficient to satisfy the requirements of this policy, the employee shall be terminated from his/her position for failure to satisfy the residency requirement.



APPROVED BY
Tassie Demps, Director/DHRM

REVISION DATE
August, 2020

REVIEWED DATE

POLICY / PROCEDURE
City Residency Requirement

5. PROCEDURE

Responsibility

Action

Human Resources

1. Will be responsible for tracking employee residency and adherence to the policy's timelines.
2. Will generate a report from HRS listing the employees who need to establish or maintain City residency that currently have a non-City address.

Anyone with a concern

3. Any concerns/issues should be submitted to the Secretary to the Director of BHRM. The Employee's name, concern and reason for the concern need to be included.

Secretary to Director/BHRM

4. Will research issues/concerns and gather employee's information.

Director of BHRM

5. Will review information and may escalate concerns to the Office of Public Integrity.

Office of Public Integrity

6. Investigates any concerns forwarded by BHRM.
7. Provides a written report of the findings to the Director of BHRM for follow up as required.

Human Resources

8. If the employee is found to be in violation of this policy, a written notice shall be sent to the employee.
9. Notification will be sent to the Employee's Department Head.



APPROVED BY
Tassie Demps, Director/DHRM

REVISION DATE
August, 2020

REVIEWED DATE

POLICY / PROCEDURE
City Residency Requirement

Employee

10. Has an opportunity to submit facts within 7 days of written notice in opposition and/or explain why he/she should not be terminated.

Director of BHRM

11. Will review the facts submitted by employee and if they are found not sufficient to satisfy the requirement of this policy, the employee shall be terminated from his/her position.

6. EXCEPTIONS

- 6.1. Employees hired prior to the effective date of this policy whose promotional appointments are governed by Civil Service Law or collective bargaining agreement.
- 6.2. The New York State Public Officers Law, Article 2, Section 3, Subdivisions 2 and 4 exempts police officers and firefighters, respectively, from this policy. However, residency must be maintained according to the Public Officers Law.
- 6.3. Employees of the Emergency Communications Department, the Rochester Public Library, and Department of Environmental Services Water Bureau employees assigned to work at Hemlock and Canadice Lake facilities shall be exempt from this policy.
- 6.4. Employees of the Information Technology Department. First preference will be given to qualified City residents for all recruitments for vacancies in the Information Technology Department.
- 6.5. Employees of the Project Management and Information Services Division of the Mayor's Office. First preference will be given to qualified City residents for all recruitments for vacancies in the Project Management and Information Services Division.
- 6.6. Individuals appointed to the position of Judicial Hearing Officer in the Traffic Violations Agency.
- 6.7. Individuals appointed to titles required by the Civil Service Commission for the City of Rochester to possess either a New York State Professional Architect or



APPROVED BY
Tassie Demps, Director/DHRM

REVISION DATE
August, 2020

REVIEWED DATE

POLICY / PROCEDURE
City Residency Requirement

Engineer License at time of appointment. First preference in hiring will be given to current City residents possessing these licensures.

- 6.8. An employee who is the spouse or domestic partner of an excepted employee shall also be excepted from this policy.
- 6.9. Individuals appointed to positions from preferred or recall lists.
- 6.10. The Director of Human Resource Management may consider extensions or exceptions to the policy on a case by case basis.

7. RESPONSIBLE UNIT(S)

- 7.1. The Bureau of Human Resource Management shall be responsible for tracking employee residency and adherence to the policy's timelines. BHRM shall notify an employee's department head if the employee fails to establish or maintain residency as required.
- 7.2. If non-residency is reported or suspected, the Office of Public Integrity shall investigate and verify an employee's residency. A written report of the findings shall be provided to the Director of Human Resource Management for follow up as required.

8. CROSS REFERENCE

- 8.1. Administrative Policy – City Residency Requirement for APT Employees