

OFFICE OF THE WARREN COUNTY CLERK
PAMELA J. VOGEL, COUNTY CLERK
MARIE TROMBLEY, DEPUTY

County Clerk/DMV Committee Agenda
Aug. 6, 2015 9:30 p.m.

Committee Members: Peter McDevitt, Chair; Evelyn Wood, Ron Vanselow, Doug Beaty, Jim Brock

- I. Committee meeting called to order by Chairman.
- II. Motion to approve minutes of prior committee meeting.
- III. Action Agenda/Pending Business

1. **Request For Reallocation:** Revise DMV grade structure: Motor Vehicle License Registration Clerk (Gr. 6) , Sr. Motor Vehicle Examiner (Gr. 8), DMV Supervisor (Gr. 12). Requesting Clerk's committee to approve moving the review to Reallocation Committee. **Discussed at June 26, 2015 Committee mtg. See update.**

Background:

CSEA contract Article 5 Sect 2, p.7, provides for the establishment of a reallocation committee. Warren County has a statutory responsibility to fulfill the local DMV duties and responsibilities as agent to the NYS Commissioner of Motor Vehicles (V & T Law Section 205). All duties performed are identical to those in NYS DMV district offices. These positions are only found in a DMV office.

Rationale: The DMV employee is trained only within the DMV (does not acquire the knowledge elsewhere in order to perform duties). Employee assesses, evaluates, examines, identifies documents appropriate for transactions; interprets agency rules and directives for accurate and successful completion of DMV transactions. Employee has substantial interaction with the public; completes all money transactions: cash, check, money order, and credit card; accountable for receipts \$ 3 million + annually. Over the past 15 years, the duties have become increasingly complex in order to comply with state and federal program mandates.

Update: Reallocation Committee Meeting: July 29, 2015 with County Administrator, Supervisor Taylor, HR Jackie Figuero, CSEA Mike Nixsen and Mark Murray. Rationale presented, supporting documentation; follow-up with adjoining county intended; positive response. Additional meeting: Aug. 5, 2015, county supportive of grade changes.

2. **Update: Notice of Resignation:** Warren County Historian, Ann McCann – effective 6/26/2015
Posting of position, with deadline for applications due Aug. 14. **No action needed.**
3. **Update: Notice to Fill: Recording Clerk** – due to resignation. **All approvals completed.** Position description being readied for posting. **No action needed.**

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Motor Vehicle Staff Reallocation:
MV License/Registration Clerk: Gr. 6
Sr. Motor Vehicle Examiner: Gr. 8
Motor Vehicle Supervisor: Gr. 12

- 1.) **Standard Duties For Each Title:** Conducts comprehensive review of all MV transaction applications and all supporting documentation; Assesses each application for completeness & accuracy; Complies with all DMV requirements to process transactions; Determines acceptability of supporting documentation (NYS, state, federal, international documents); Identifies and Provides customer with necessary forms and instruction for processing – 40+forms; Determines eligibility to complete transaction; Issues document (license, registration) based on examination, reviews, validity of documents, forms completion, fee collection; authorized access to statewide MV database/confidential information; Exercises independent judgment in processing with senior intervention as necessary.
- 2.) **Expanded, Complex Scope of Duties:** In addition to all standard duties, legislative changes and Post 9/11 impact have expanded clerk responsibilities:
 - a.) **National Voter Registration Act 1993**, implemented 1995. Jan.2005, 13 pg instructional manual including forms, FAQs, processing, batching, transmittals, 7 page employee guide;
 - b.) **Enforcement Responsibilities:** Determines applicants eligibility for driving privileges as a result of criminal or civil violations; collects civil penalties, processes removal or extension of suspension orders, assigns qualified applicants to Drinking Driver Program; reviews insurance lapses. Enforcement transactions have a high degree of difficulty to process correctly, require thorough investigation on part of the Clerk; most often involve working with our more challenging customers; Enforcement processing includes **Driver Responsibility Assessment Program** (law 11/18/2004; eff. Spring 2005); Assesses periodic fees for DWI offenders.
 - c.) **Stricter Identification program:** Increased requirements for proof of name and birth – type and value (5/02);
 - d.) **Expanded Compliance Requirements:** *Acceptable Proofs for Insurance and Enforcement Transactions* (3/30/05) re: stolen vehicles, spousal theft, illegal & junk vehicles, repossessed vehicles. 37 pgs. of guidelines given to each employee; Training presented by NYS on accessing national database system;
 - e.) **Enhanced Driver's License:** New program initiated 2008, compliant with Homeland Security requirement for WH Travel Initiative; requires 2-person staff processing to complete; authentication of identity & citizenship documents; requires federal/NYS criminal history background checks all FT employees.
 - f.) **Commercial Drivers' License Program:** A federal program (c. 1995), clerks administers lengthy, comprehensive permit tests for drivers of commercial vehicles. Medical Certification changes 2013-2014, increased responsibilities for processing; Test Administration changes involving increased proctor/security procedures (9/30/2013); Mandated requirements as per Federal Motor Carrier Safety Administration, phased in April –July 2015, includes additional finger-print based employee criminal history background checks (FBI, DCJS)-all FT employees.
 - g.) **US Patriot Act (10/25/2001):** Expanded requirements re: transport of Hazardous Materials.
 - h.) **Expanded Division of Field Investigations:** Works directly with local office in identifying & investigating criminal and fraudulent activity. Armed law enforcement officers with police powers conduct announced and unannounced visits to office.

3.) Expanded Security, Training, & Audit Requirements:

a.) Mandated National Background Checks-FBI, NYS w/ fingerprinting (2008, 2015):

Required of staff in order to perform the following transactions:

EDL Transactions: All employees required to have FBI, NYS background checks. Effective date: Fall 2008.

CDL Permit & Licensing Processing: Additional, separate nationwide background checks for all employees involved with all phases of CDL permit & licenses issuance, including proctoring, test distribution, correction, issuance. Expanded Training Requirements for all staff. Demonstrated knowledge of CDL/testing/administration: Effective date: July 2015.

Secured Workplace: Staff works in secured environment, individual security alarms at each station; Full-time law-enforcement security provided at entrance. Staff must be alert to potential for criminal and fraudulent intent for any transaction.

b.) Mandated Audits on Each Employee: All employees subject to batch/transaction audits, cash and station audits; as well as random/real time system audits. Document & Cash accountability. Frequency of audits on each employee (performed by supervisor) set by NYS DMV.

c.) Daily Account Reconciliation: Staff processes approximately 60,000 transactions per year; \$ 3 million in receipts. Money handling includes cash, check, credit, reconciled daily; also on demand.

d.) In-Service Training Requirements: Annual certifications including on-site Fraud training by DFI (includes US and international travel & personal documents (Passport, Visas, Alien Cards, Permanent Residence, Vehicle Titles, birth certificates, social security etc.); As available: License Training, Sales Tax, Financial Security, Audit, Tax & Finance. Includes: Mandated Procedural Updates: Daily Memo "Mailbags" disseminated to each office statewide re: procedural and statutory changes: ie: fraud, legal, admin, policy- effective date may be same day.

e.) DMV Accountability: In addition to Warren Co. Code of Ethics (2015), MV staff are subject to long-standing (c. 2000+) DMV Code of Conduct (Ethical behavior, Gratuities, Bribery, Political Activity, Outside Employment, Public Information, Confidentiality, Use of Equipment, and Malfeasance); also the MVR/Cashier, Manager, and/or Supervisor Accountability Policy (including password security, overages & shortages, errors & discrepancies, document inventory) based on DMV Procedure 4000). Staff has authorized access to one of the most secure and confidential records' database in the nation; the inclusion of the national driver registry c. 2006 further emphasizes the level of responsibility required of a MV staffperson.

4.) Related Position Changes: Supervisory Positions

Senior Motor Vehicle Examiner (Gr8) and DMV Supervisor (Gr 12). Established c. 1999: Positions represents supervisory positions within the 9 hour operation of the DMV. Each has advanced knowledge of the DMV, perform all DMV transactions as stated in Items 1-3; has a regularly assigned motor vehicle window, must meet security clearances (2 separate NYS/FBI finger print criminal background checks). In addition to daily MV transaction processing, supervisory duties include: evaluating employee performance, scheduling of staff (based on services, lunch, leave); monitoring quantity and quality of work by staff, participating in employee reviews, interview, hiring, training process; conducting mandatory batch, cash, station audits; approval/resolving NYS system random audits; performing accounting & daily reconciliation duties in absence of Senior Account Clerk; intervening/resolving problematic transactions for customers using established standards of acceptance and rejection. Supervisor is primary liaison to NYS DMV Audit & Finance; responsive to audit evaluations/implementation of changes. Each works cooperatively with and is responsive to the Co. Clerk and Clerk Deputy.

5.) Grade Reallocation: Duties, Responsibilities and Accountability of the DMV employee (base position forward ie Gr 6+) surpass that of other active positions in this grade: ie: auto parts clerk, building maintenance worker. Received approval to increase MV Clerk Gr. 5 (c. 1994) to Gr. 6 w/ typing requirement (2005). Comparative Base for MVR: Warren Co. \$ 13.75, Clerk Survey: \$

12.54-\$19 hr, NYS District Offices (non-county): \$16.33. **Note: Minimum qualifications for all DMV positions must be updated to reflect FBI and DCJS fingerprinting/background checks (EDL 2008; CDL 2015) for all FTEmployees, existing & new hires.**

- 6.) **Budget Impact:** The Warren County Board of Supervisors recently approved an organizational change within the DMV. One Full-Time MV Clerk (recently vacant due to medical resignation) has now been replaced with one Part-Time MV Clerk (still to be filled). The change amounts to savings of \$ 14,000-\$15,000 per year (not including health/leave benefits that will not be an expense to Warren County on a part-time, 1040 hr position).
- 7.) **Reallocation Summary:**
- a.) Motor Vehicle office operation and staffing – subject to NYS Vehicle & Traffic Law, Section 205; Commissioner’s Regulations; Procedure 4000; Agent to the Commissioner. All duties require developing a comprehensive understanding of all MV transactions regardless of type and being able to perform all transactions in accordance with DMV standards, training, and procedures.
 - b.) Expanded Compliance Requirements for Insurance and enforcement re: stolen vehicles, spousal theft, illegal vehicles, repossessed; conditional licensing.
 - c.) Enhanced and expanded procedures for issuance of licenses – specifically, Enhanced Driver’s License c. 2008:2 person processing requirements; DHS & NYS procedural compliance;
 - d.) Enhanced and expanded procedures for issuance of CDL permits, licenses c. 2013-2015;
 - e.) Enhanced and expanded procedures for Testing – vehicle, motorcycle, CDL, effective 2013.
 - f.) **Mandatory Security Clearances:** Nationwide Criminal Background Checks and Fingerprinting required of all staff processing EDL (2008) and CDL (2015); Examiner Training – 10 requirements/multiple units of instruction/study topics. All processing must clear.
 - g.) Duties, Responsibilities, Accountability surpass that of other positions within the current grades.
 - h.) Supporting documentation available.

Prepared by Pamela J. Vogel, Warren County Clerk –Agent – NYSDMV
June 26, 2015

