



DEPARTMENT OF CITYWIDE ADMINISTRATIVE SERVICES
OFFICE OF THE COMMISSIONER

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Martha K. Hirst
Commissioner

January 15, 2009

Citywide Personnel
Services

Honorable Nancy G. Groenwegen
President
New York State Civil Service Commission
Alfred E. Smith State Office Building
Albany, New York 12239

Facilities
Management &
Construction

Dear President  Groenwegen:

Municipal Supply
Services

I am pleased to forward to you the first DCAS Progress Report submitted as part of our Five Year Plan to reduce the number of provisional employees working for the City of New York. The submission reports on data from the period beginning June 1, 2008 and ending November 30, 2008. Although the plan was officially approved on October 22, 2008, the Performance Targets are based on the provisional counts as of May 31, 2008.

Real Estate Services

DCAS had anticipated that the first reporting period might not show a dramatic decrease in the number of provisional employees, as we used this time to communicate with agencies and develop procedures to report on provisionals across all City agencies. Although progress in the reduction of provisional employees was modest for this reporting period (ending November 30th), we are already seeing a greater decrease in the number of provisionals in the early weeks of the reporting period which began December 1st, as a result of our efforts in exams and enforcement.

Citywide Equal
Employment
Opportunity

DCAS is in close contact with all City agencies regarding their provisionally appointed employees, particularly those provisionals serving in the face of a viable civil service list. All agencies with provisionals serving in a title where a civil service list exists have submitted plans to DCAS detailing what actions they are taking to ensure that no provisionals remain in that title.

Citywide
Occupational Safety
& Health

Despite budgetary constraints which have resulted in staffing shortages, DCAS is continuing to conduct all necessary activities to reduce the number of provisional employees in the City of New York. In addition to the targeted work noted above, and in our continuing effort to reduce the number of provisionals, we held 52 examinations and established 30 lists over the course of our first reporting period.

Transportation
Services

The City Record

Pursuant to the Plan, our first public hearing was held on December 16, 2008 regarding new Non-Competitive and Exempt class titles for use by all City agencies. We expect to send these titles to the State Civil Service Commission for review shortly.

CityStore

Noted below are a few issues/concerns we have encountered:

○ Eligibility Specialists in the NYC Human Resources Administration (HRA):

During a period when no civil service list was in existence for the classified title of Eligibility Specialist, HRA needed to provisionally appoint over 800 individuals into this title in order to comply with legal mandates regarding eligibility determinations for social service benefits, such as food stamps and Medicaid. Considerable resources went into training these individuals. Although a civil service list has now been established which contains an adequate number of candidates to replace these provisional employees, we have been advised by HRA that, because of its legal mandates and its need to train newly appointed Eligibility Specialists, it is untenable to replace all 800 within the time periods required of them. The Commissioner of HRA has contacted his counterparts in the State to request assistance in this matter. Consequently, we are requesting an extension until October 2009 to complete the process of replacing all provisional Eligibility Specialists. We expect to replace these provisionals in several groups over the next nine months and will update you on the status of provisionals serving in this title on our next status report in July 2009.

○ EMS-EMTs and EMS-Paramedics in the Fire Department (FDNY):

As you may recall, pursuant to the Plan, we proposed to reclassify the titles of EMS-Emergency Medical Technician and EMS- Paramedic into the non-competitive class due to the fact that these individuals are already licensed by the State.

While we prepare our proposal for the reclassification, we are currently reducing the number of provisional employees in these titles by utilizing existing eligible lists, and have scheduled additional examinations to continue the process of replacing all provisional employees. However, due to the specialized training required by the Fire Department, they are limited in their ability to make appointments throughout the year as classes for EMS-EMT are only held semi-annually in January and July and classes for EMS- Paramedic are only held annually in July. Therefore, we may have difficulty replacing all provisional employees in the time period required, despite our continued efforts.

○ Titles With Few Incumbents:

As you may note in the Status Report, resources will initially be focused on titles with large and medium numbers of provisionals. As such, DCAS will work on reclassifying titles with 20 or fewer incumbents towards the end of the fifth year of the plan.

○ MTA Agencies:

On-going discussions are taking place among representatives from DCAS, the Metropolitan Transportation Authority ("MTA"), and its affected constituent authorities, the Transit Authority and the Triborough Bridge and Tunnel Authority. These discussions have identified the myriad of issues associated with this initiative, ranging from transitional issues (for example, the status of candidates on current lists for TA and TBTA positions) to operational issues (for example, what computer programs are being used to monitor exam applications and appointments), and of course, serious current fiscal constraints.

Additionally, DCAS has prepared the framework for a draft bill to effectuate this initiative for consideration among the parties, and expect to distribute the draft bill shortly. We have also scheduled another technical meeting with the MTA on January 30, 2009 to further advance this initiative.

We look forward to continuing to work with you and Richard Ciprioni throughout the course of our Five Year Plan. If you have any questions, please call me at 212-669-7111 or Jim Hein at 212-669-2244.

Sincerely,

A handwritten signature in cursive script, appearing to read "Martha".

Martha K. Hirst

C: Richard Ciprioni, Director of Municipal Services, NYC Dep't of Civil Service
Edward Skyler, Deputy Mayor
Michael A. Cardozo, Corporation Counsel
Michelle L. Goldstein, Director, Office of State Legislative Affairs
James F. Hanley, Commissioner of Labor Relations
Mark Page, Director, Office of Management and Budget

Six-Month Performance Targets and Numbers of Provisional Appointments Eliminated

6-Month Benchmarks	Number of Provisional Appointments To Be Reduced, By Action Category+							
Plan Year	<u>Jurisdiction Classification</u>			<u>Position Classification</u>		Competitive Appointment from Eligible Lists	TA/TBTA Transfer	Total Number of Provisionals Reduced
	Temporary Title Codes	Non-competitive, Exempt, Labor Requests	Titles With Few Incumbents	Broadbanding	Consolidation			
0.5		2320			84			2404
1		469			92			561
1.5	1171	2222			50			3443
2		316			20	6740		7076
2.5		790			77			867
3				1		7651		7652
3.5	62	516						578
4					9	3104		3113
4.5	392	1595						1987
5			987			1588	4072	6647
Totals @ End	1625	8228	987	1	332	19083	4072	34328

+Adjustment for Multiple Actions has been omitted. The final Action used to reduce the provisional appointment should be reported as the resolution method for the provisional appointment.

Current Total of Competitive Class Employees	196648
Current Total of Provisional Employees	37797