



DEPARTMENT OF CITYWIDE ADMINISTRATIVE SERVICES
OFFICE OF THE COMMISSIONER

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Martha K. Hirst
Commissioner

March 28, 2008

*Citywide Personnel
Services*

*Facilities
Management &
Construction*

*Municipal Supply
Services*

Real Estate Services

*Citywide Equal
Employment
Opportunity*

*Citywide
Occupational Safety
& Health*

*Transportation
Services*

The City Record

CityStore

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

Dear President *Nancy* Groenwegen:

I am pleased to forward to you, on behalf of the DCAS employers, the attached plan, to be implemented within five years of its approval by the New York State Civil Service Commission, to substantially comply with the time periods permitted by subdivisions one, two, three and four of Section 65 of the New York State Civil Service Law. The plan includes eight appendices which, together with the text of the plan, provide appropriate documentation and explanation.

I confirm that the information contained in this plan is accurate to the best of my knowledge, based on a reasonable inquiry by this agency into the facts set forth therein.

We look forward to working with you, Mr. Ciprioni, and your staff toward adopting and implementing a final plan.

Sincerely,

Martha K. Hirst

- c: Richard Ciprioni, Director of Municipal Services, NYS 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

1.0.0 **INTRODUCTION**

This Plan is being submitted pursuant to New York State Civil Service Law Section 65(5)(b).

1.1.0 **The Department of Citywide Administrative Services (“DCAS”)**

1.1.1 Designation as the Municipal Civil Service Commission for the City of New York

Section 811 of the Charter of the City of New York provides that

“The commissioner [of the New York City Department of Citywide Administrative Services (“DCAS”)] shall be responsible for citywide personnel matters, as set forth in this chapter, and shall have all the powers and duties of a municipal commission provided in the civil service law or in any other statute or local law other than such powers and duties as are by this chapter assigned to the mayor, the city civil service commission or the head of the city agencies....”

1.1.2 Entities under the Jurisdiction of DCAS

Pursuant to the City Charter, DCAS administers the civil service system for all New York City agencies, including the offices of elected officials in the City. This system includes certain agencies, such as the offices of district attorneys, public administrators and pension systems, that have historically been treated as City agencies for civil service purposes.

Additionally, pursuant to either statute or case law, DCAS administers the civil service system for several other entities, which are not agencies or offices of the City of New York. The following entities have opted into this Plan:

- New York City Department of Education
- New York City Transit Authority
- New York City Triborough Bridge and Tunnel Authority
- New York City Housing Authority
- New York City Municipal Water Finance Authority

1.1.3 Promulgation of Rules

Pursuant to Section 20 of the New York State Civil Service Law, DCAS has promulgated Rules with respect to its administration of the Civil Service Law (see Appendix I: Personnel Rules and Regulations of the City of New York).

1.1.4 Organization of DCAS

DCAS was created in 1996 by the merger of the Department of General Services (“DGS”) and the Department of Personnel (“DOP”). Prior to the merger, the City Personnel Director/Commissioner of DOP served as the municipal civil service commission; as a result of the merger, DCAS was designated as the City’s municipal civil service commission and DOP’s responsibilities transferred to DCAS’s Division of Citywide Personnel Services (“DCPS”). The two major operating bureaus in DCPS are the Bureau of Examinations and the Bureau of Civil Service Administration, and the division is run by a Deputy Commissioner (see Appendix II for a DCAS organizational chart).

The Bureau of Examinations is responsible for the classification of titles, and for all examination matters, including test development, test writing, test administration, and test rating. The Bureau of Civil Service Administration is responsible for the citywide administration of civil service eligible lists, and maintains the databases that provide most of the personnel information presented in this Plan.

1.1.5 Mayor’s Office of Labor Relations

Collective bargaining is conducted on the Mayor’s behalf by the Commissioner of Labor Relations, who is the head of the Office of Labor Relations (“OLR”). DCAS does not participate in labor negotiations, but works closely with OLR in the administration of the City’s labor force.

1.2.0 **Civil Service Law Section 65(5)**

Civil service titles fall into one of four jurisdictional classifications: competitive, non-competitive, labor and exempt. Under the New York State Constitution, competitive titles must be filled by competitive exams, which are used to create lists of eligible candidates for competitive civil service jobs. Exam administration is an extensive process that involves the development of test questions through discussions with subject matter experts, the administration and scoring of exams, an appeal process for candidates, and the development of a list of qualified candidates in score order. The lists developed on the basis of exam results expire after certain periods of time, or may not have enough eligible candidates to fill existing vacancies.

Often, vacancies arise and must be filled before an exam can be administered to create a new civil service list for a particular title. To address this issue, Section 5.5.1 of the Personnel Rules and Regulations for the City of New York provides for the appointment of “provisional” employees for a period of up to nine months, while a new civil service list is promulgated. Currently, a number of provisional employees are serving beyond the nine-month provisional service period. Many of the individuals who hold provisional appointments perform essential public services, and it has been established that it would take a reasonable period of time for the City and related employers to develop and administer competitive examinations and to make appointments from resulting eligible

lists in a manner that ensures the continued quality and effectiveness of governmental operations.

New York State Civil Service Law Section 65(5) was enacted to enable the City to address this issue in a manner that ensures that City operations are not disrupted, and to bring the City into substantial compliance with the Civil Service Law with respect to provisional appointments within a reasonable period. The law requires DCAS to draft a binding plan, subject to approval by the State Civil Service Commission, under which the City and its related employers will achieve “substantial compliance” with the provisions of the Civil Service Law with respect to provisional appointments within five years of the effective date of the plan.¹ “Substantial compliance” means that “the total number of competitive class positions of the DCAS employers filled by provisional appointments that have continued beyond the [appointment period] . . . shall not exceed five percent,” as defined by § 65(5).

1.3.0 Plan Requirements and Summary of Key Elements

As of December 31, 2007, the City’s workforce under the jurisdiction of DCAS included 190,860 employees serving in competitive class titles. Of these 190,860 competitive class employees, 36,855 employees – or 19.31% – were serving in their positions provisionally.² To achieve substantial compliance under § 65(5)(b), the City must reduce the number of provisional appointees serving in excess of authorized timeframes to no more than 5% of those serving in a competitive civil service title (fewer than 9,500 employees based on the number of competitive class employees as of December 31, 2007). The plan to achieve this reduction “may include a schedule for the administration of examinations and establishment of eligible lists, a determination of additional appropriate existing or planned eligible lists that may be used, consolidation of titles through appropriate reclassification, and any other lawful and appropriate means of implementation.”

The plan presented here includes four key elements which, if fully implemented, DCAS expects will reduce the number of provisional appointments within the five-year period required under § 65(5):

- (1) DCAS plans to increase the number of competitive exams administered every year by nearly 17%, from 120 to 140 exams per year. In the early years of the plan, examinations will be administered in titles that have large numbers of provisional appointments and titles that have a significant impact on City Administration [See Sections 2.1.1 and 2.1.2].
- (2) DCAS plans to implement a number of classification and reclassification strategies - including consolidating titles within the same title series and

¹ Paragraph (d) of Section 65(5) authorizes a modification that extends the duration of a plan to a date no more than one year beyond the initial five-year plan period.

² Throughout this plan, references to numbers of provisional employees, and to the City workforce as a whole, are full-time per annum and per diem employees and part-time per annum employees.

broadbanding titles in different title series [see Section 2.2.0]; reclassifying selected competitive class titles to the non-competitive or exempt classes, reclassifying temporary³ titles to the non-competitive class or exempt class, increasing caps on the number of employees that may serve in certain exempt titles, and transferring provisional employees who are serving in eliminated titles into appropriate titles; and classifying new non-competitive class positions and, where appropriate, exempt class positions [see Section 2.3.0].

- (3) DCAS will propose legislation to have the administration of the New York State Civil Service Law for the New York City Transit Authority (“TA”) and the New York City Triborough Bridge and Tunnel Authority (“TBTA”) transferred to another civil service commission [see Section 2.5.0].
- (4) DCAS plans to develop innovative competitive examination formats that will enable the frequent administration of exams on a large scale [See Section 2.6.0].

Table 1.3.0 shows the projected impact of each of these plan elements on the total competitive workforce, the number of provisional appointments, and the number of required examinations.

In order to ensure that agencies are properly using lists, implementation strategies, coupled with enforcement mechanisms, must be in place. Where titles remain classified in the competitive class and eligible lists exist, lists must be used in the manner set out in the Civil Service Law.

- Provisional Reduction Analysis Team: DCAS has instituted a new group, the Provisional Reduction Analysis Team, to aid in tracking provisional movement.
- New provisional appointments: When, because a viable list is not available from which permanent appointments can be made, agencies plan to hire an individual provisionally, a rigorous verification process will be carried out.
- Aggressive Examination Notification: DCAS has provided agencies with templates for a series of letters which can be sent in various situations to employees currently serving provisionally in titles.
- Hiring Pools: Where appropriate, DCAS plans to host hiring pools for the title, which will allow agencies to consider large numbers of candidates to fill vacancies and, where provisional appointments exist, to make permanent appointments.
- List Publication: Prior to the official establishment of any eligible list, DCAS plans to publish the list. This will allow the appeal process to begin for those candidates who believe that they have been improperly disqualified, improperly found ineligible or who otherwise believe their score was miscalculated. It will also enable DCAS and agencies to analyze how a list might be most effectively certified to agencies.

³ A title is deemed a “competitive class title” until authorization is received from the State Civil Service Commission to include the title in the non-competitive or exempt class. While awaiting such authorization, such a competitive class title is termed a “temporary title.” Because an appointment to such a title is not from a civil service list, the appointment is deemed a provisional appointment.

Table 1.3.0: Provisional Reduction Plan Impact

	Current Status	Reclassifying Temporary Title Codes	Transfer of TA/TBTA	Comp to Non-Comp, Exempt, or Labor	Broadbanding	Consolidation	Reclassification of Titles with Few Incumbents	Exam Administration	Adjustment for Multiple Actions on the Same Title	Total Change (%)	Total Remaining
Number of Needed Examinations	874	-216	-67	-116	-4	-97	-178	-73	4	-747 -85.47%	127
Number of Competitive Employees	190,860	0	-40,730	-20,805	0	0	-1,321	0	0	-62,856 -32.93%	128,004
Number of Provisional Competitive Employees (% of Total Reduction)	36,855	-2,658 -7.21%	-4,067 -11.04%	-7,367 -19.99%	-33 -0.09%	-421 -1.14%	-994 -2.70%	-18,284 -49.61%	265 0.72%	-33,559 -91.06%	3,296
Provisionals Remaining as Percentage of Competitive Workforce											(3,296/ 128,004) 2.57%

As the table displays, the overall number of employees serving in competitive class titles would be reduced by 32.93% to a total of 128,004 after all the reduction strategies are implemented. Similarly, the number of total provisional employees would be reduced by 91.06% to 3,296 provisional employees. These 3,296 provisionals, therefore, would be 2.57% of the overall number of competitive employees, well within the definition of substantial compliance.

2.0.0 PROVISIONAL REDUCTION PLAN

During the five years of the Plan, DCAS proposes to increase the schedule of competitive examinations, and to perform a series of classification actions designed to reduce the number of competitive titles. The exam schedule in Table 2.1.3 demonstrates the impact that these actions would have on the number of provisional employees currently serving and the number of examinations needed to reduce the number of provisional employees. The main objective is to ensure that DCAS employers achieve “substantial compliance” under § 65(5), while also ensuring that critical City operations are maintained.

2.1.0 Examination Administration

A fundamental component of this Plan is the proposal to increase the number of competitive civil service exams that the City administers. DCAS currently develops and administers approximately 120 competitive examinations for each Fiscal Year (“FY”) (which runs from July 1st to June 30th). The schedule is typically prepared in the spring of each calendar year and announced around the start of each fiscal year, on or near July 1st. In the past, DCAS has not announced examination schedules for future fiscal years, but as part of this plan, DCAS is announcing a proposed five-year schedule of approximately 80 additional exams that will dramatically reduce the number of provisional appointments in City government.⁴

Beginning in the second year of the plan, DCAS plans to administer an additional twenty examinations every year, increasing the total number of exams administered from 120 to 140 exams per year (an increase of approximately 17%). In the five years of the plan, DCAS plans to administer approximately 80 additional exams, listed in Table 2.1.3 of Section 2.1.3. During the first year of the plan, DCAS plans to recruit and train the new staff needed to administer and create these additional tests, and seek to implement the non-exam related components of the plan described in Sections 2.2.0 through 2.6.0 below. In choosing the proposed order of exam administration, DCAS targeted titles that

⁴ Note that examinations for public safety titles (e.g., titles in the Police, Fire and Correction Services) are frequently administered and will always be the City’s top priority in terms of exam administration. These exams have been and will continue to be administered on a relatively predictable schedule. As a result of their frequent administration, these exams are not included in the five-year anticipated schedule described below.

have a significant impact on City government administration, and titles that currently employ large numbers of provisional employees.

2.1.1 Titles that have a Significant Impact on City Government Administration

DCAS has consulted with agencies under its jurisdiction in order to identify titles that are critical for maintaining the current level of agency operations. Employees serving in these titles work at several responsible levels of government and are employed by many different City agencies. The work that these employees perform is critical to the administration of City government. For example, the Staff Analyst title series includes hundreds of City employees who serve in administrative capacities up to Commissioner-levels of responsibility; and the Clerical title series includes employees responsible for maintaining City records, and both basic and high-level administrative functions.

Examinations in these titles would be staggered over the five-year period to ensure the continuity of City services while the number of provisional appointments is reduced.

2.1.2 Titles that Employ More than 250 Provisional Employees

Titles with 250 provisional appointments or more would also be targeted during the five-year plan. Table 2.1.2.1 shows the distribution of provisional employees within these competitive titles. As of December 31, 2007, there were 25 competitive titles that employ at least 250 provisionals, and more than 500 competitive titles that employ 10 or fewer provisionals. Because the administration of an exam requires substantial resources regardless of the number of positions required or anticipated to be filled, exams administered pursuant to this plan would target titles with large numbers of provisional appointments. The plan also seeks to reduce the overall number of exams to be administered through title reclassification, broadbanding, and other actions described in Sections 2.2.0 through 2.6.0 below.

Provisional Appointments	# of Titles
250+	25
101-250	52
51-100	58
26-50	86
11-25	141
1-10	505
Total	867

Table 2.1.2.2 below identifies the 10 titles with the highest number of provisional appointments. There are 11,402 provisionals serving in these 10 titles, which would be addressed through some aspect of this plan.

	Title Code	Title Description	Provisionals
1	10124	Principal Administrative Associate	2041
2	10251	Clerical Associate	1892
3	12627	Associate Staff Analyst	1329
4	10026	Administrative Staff Analyst	1220
5	52366	Child Protective Specialist	1143
6	10025	Administrative Manager	903
7	10050	Computer Systems Manager	792
8	10104	Eligibility Specialist	774
9	10252	Secretary	685
10	71651	Traffic Enforcement Agent	623

2.1.3 Exam Schedule

Table 2.1.3 identifies 73 of the examinations that DCAS proposes to administer in the second, third, fourth and fifth years of the Plan (with recurring administration as resultant civil service lists expire), and shows the projected reduction in the number of provisional appointments attributable to each exam.⁵ DCAS projects that the administration of these exams over the five-year plan period would result in a decrease of approximately 18,300 provisional appointments, or 49.61% of such appointments which were in existence as of December 31, 2007.

Title Code	Title	Provisional Reduction
Provisional Reduction Plan Year 2		
10022	ADMINISTRATIVE COMMUNITY RELATIONS SPECIALIST	130
10056	ADMINISTRATIVE DIRECTOR OF SOCIAL SERVICES	295
10124	PRINCIPAL ADMINISTRATIVE ASSOCIATE	2,041
10250	CLERICAL AIDE	191
12627	ASSOCIATE STAFF ANALYST	1,329
12629	ASSOCIATE EDUCATION ANALYST	129
30080	PARALEGAL AIDE	134
31670	INSPECTOR (HOUSING)	218
40510	ACCOUNTANT	248
52314	JOB OPPORTUNITY SPECIALIST	463

⁵ Projected reductions are based on the number of provisional appointments as of December 31, 2007. Note that the test schedule in Table 2.1.3 is preliminary and would likely change as the plan is implemented to ensure efficient exam administration while at the same time preserving the continuity of government services.

NEW	SOCIAL WORKER	1,146
11702	OFFICE MACHINE AIDE	119
71651	TRAFFIC ENFORCEMENT AGENT	623
80305	ASSISTANT RESIDENT BUILDINGS SUPERINTENDENT	131
80609	CUSTODIAN	81
81111	PARK SUPERVISOR	77
81303	CLIMBER AND PRUNER	64
82991	ADMINISTRATIVE CONSTRUCTION PROJECT MANAGER	117
91619	HEATING PLANT TECHNICIAN (HOUSING AUTHORITY)	126
Projected Plan Year 2 Reduction		7,662
Provisional Reduction Plan Year 3		
10001	ADMINISTRATIVE ACCOUNTANT	102
10015	ADMINISTRATIVE ENGINEER	320
10026	ADMINISTRATIVE STAFF ANALYST	1,220
1002A	ADMINISTRATIVE STAFF ANALYST (NM)	365
10031	ADMINISTRATIVE EDUCATION ANALYST	322
10251	CLERICAL ASSOCIATE	1,892
10252	SECRETARY	685
NEW	CHEMIST	86
12158	PROCUREMENT ANALYST	215
22426	PROJECT MANAGER	597
34202	CONSTRUCTION PROJECT MANAGER	155
40493	ASSOCIATE RETIREMENT BENEFITS EXAMINER	235
40502	MANAGEMENT AUDITOR	62
51022	PUBLIC HEALTH NURSE (SCHOOL HEALTH)	135
54483	SCHOOL FOOD SERVICE MANAGER	169
60421	URBAN PARK RANGER	171
60910	RESEARCH ASSISTANT	197
81805	PUBLIC HEALTH ASSISTANT	69
Projected Plan Year 3 Reduction		6,997
Provisional Reduction Plan Year 4		
60440	RECREATION SUPERVISOR	71
10004	ADMINISTRATIVE ARCHITECT	57

10020	ADMINISTRATIVE INVESTIGATOR	56
10025	ADMINISTRATIVE MANAGER	903
10062	ADMINISTRATIVE EDUCATION OFFICER	156
10248	ADMINISTRATIVE JOB OPPORTUNITY SPECIALIST (NM)	78
12626	STAFF ANALYST	61
20210	ASSISTANT CIVIL ENGINEER	66
31121	ASSOCIATE INVESTIGATOR	108
31215	PUBLIC HEALTH SANITARIAN	149
31622	INSPECTOR (CONSTRUCTION)	196
40562	ASSOCIATE CONTRACT SPECIALIST	54
80310	RESIDENT BUILDINGS SUPERINTENDENT	55
22122	CITY PLANNER	141
52450	CONGREGATE CARE SPECIALIST	87
70810	SPECIAL OFFICER	207
83008	ADMINISTRATIVE PROJECT MANAGER	261
91644	STATIONARY ENGINEER	69
91645	STATIONARY ENGINEER (ELECTRIC)	81
Projected Plan Year 4 Reduction		2,856
Provisional Reduction Plan Year 5		
51196	SUPERVISING PUBLIC HEALTH ADVISER (SCHOOL HEALTH)	0
10033	ADMINISTRATIVE PUBLIC INFORMATION SPECIALIST	59
10095	ADMINISTRATIVE CONTRACT SPECIALIST	50
20141	SENIOR QUALITY CONTROL SPECIALIST	0
20215	CIVIL ENGINEER	83
21513	LABORATORY MICROBIOLOGIST	53
10019	ADMINISTRATIVE HOUSING SUPERINTENDENT	44
51193	SUPERVISING PUBLIC HEALTH ADVISOR	60
52369	CHILD WELFARE SPECIALIST	0
40491	ASSISTANT RETIREMENT BENEFITS EXAMINER	44
52015	MORTUARY TECHNICIAN	44
71022	EVIDENCE AND PROPERTY CONTROL SPECIALIST	70

80184	SPACE ANALYST	47
92509	SENIOR AUTOMOTIVE SERVICE WORKER	44
81815	PUBLIC HEALTH ASSISTANT (SCHOOL HEALTH)	53
82976	ADMINISTRATIVE PROCUREMENT ANALYST	73
91650	HIGH PRESSURE PLANT TENDER	45
Projected Plan Year 5 Reduction		769
Total Estimated Provisional Appointment Reduction		18,284

2.2.0 Classification Actions within the Competitive Class

To develop this plan, DCAS performed a detailed analysis of competitive class titles and determined that a number of titles can be meaningfully reduced without compromising the ability of agencies to make appointments based upon merit and fitness. Consolidating certain title series and broadbanding titles where the work performed and salary range in two or more existing titles is substantially similar will require the administration of fewer exams; and as a result the exams that are administered can be offered more frequently.

2.2.1 Consolidation of Competitive Titles

DCAS has identified specific title series in which more senior titles can be appropriately reclassified as assignment levels in lower titles in the series. Since a competitive examination is not necessary to assign incumbents in a title to a higher assignment level in that title, the need for competitive exams in the relevant title series would be reduced. In addition, in situations where there are step-up provisionals with permanent status in a lower title, a consolidation will reduce the number of provisional appointments, since step-up provisionals would remain in their permanent title at a higher assignment level.

DCAS proposes to consolidate several titles in a title series into one title with assignment levels where the knowledge, skills and abilities needed for the more senior titles are not fundamentally different than those in the lower titles. Reclassifying incumbents into the new consolidated titles at the assignment levels that correspond to their current titles will reduce the number of promotion examinations required to be given in the future. These consolidations and reclassifications will also convert “step-up” provisionals who have permanent positions in the lower titles of the consolidation into permanent incumbents of the new consolidated title who are assigned to a higher assignment level of the title. A detailed review of planned consolidations is included in Appendix III. The proposed consolidations will decrease the number of competitive titles with provisionals serving by 97, an 11.10% decrease in competitive and temporary titles currently available for examination. These consolidations will also have the effect of converting 421 provisional appointments to permanent employees, thereby reducing the number of provisional appointments by 1.14%.

2.2.2 Broadbanding of Competitive Titles

Broadbanding titles combines two or more titles with comparable salary ranges that require similar knowledge, skills and abilities. Combining such titles eliminates the need to administer largely duplicative exams for substantially similar positions. DCAS has identified four competitive titles with provisionals serving that can be broadbanded with similar titles, which will result in a 0.46% decrease in the total number of competitive titles and will eliminate 33 provisional appointments (0.1% of provisional appointments as of December 31, 2007). A detailed review of planned broadbanding actions is attached in Appendix IV.

2.3.0 **Reclassification Actions out of the Competitive Class**

As part of its review, DCAS has concluded that the principles of merit and fitness would not be compromised if a number of current competitive class titles were reclassified into another jurisdictional classification.

Under the State Constitution and the Civil Service Law, a position may be classified outside the competitive class where competitive examination to ascertain merit and fitness is not practicable. In some circumstances, where the procedures and protections applicable to the non-competitive class should not be applied, classification in the exempt class rather than the non-competitive class may be appropriate. It has been recognized by courts that, while many qualities are testable, important qualities often are not testable. Involvement in highly discretionary managerial or policymaking decisions, as well as confidential duties, can play an important role in determining that a position should be non-competitive or, in appropriate cases, exempt. Further, skills of a more specialized nature or that require frequent reassessment, are often not appropriate for competitive examination. The fact that examinations may have been administered for a position evidently does not determine whether it is appropriately classified as competitive.

In the sections of the Plan that follow, DCAS outlines the proposals for reclassifications that it proposes to make to the State Civil Service Commission in the coming months. While these are of broader scope than proposals the City has made in the past, several factors justify making these proposals now. First, the State Legislature itself has recognized explicitly that the City may achieve the necessary reduction of its numbers of provisional employees not only through additional examinations, but also through a variety of "lawful and appropriate means of implementation," as defined by Civil Service Law §65(5)(b).

Second, it has become clear to DCAS that one reason for the City's difficulties with provisional employees is that many positions are inappropriately placed in the competitive class, and others include individuals who perform more specialized or high-level functions that are best served by classification of new non-competitive or exempt titles. The wholly predictable result of these misclassifications has been that agencies have retained provisional employees to perform duties of the misclassified positions.

Third, DCAS has carefully studied the classification system that the State has used for its own employees, and has identified many City positions that are closely comparable to non-competitive and exempt positions of the State. It appears that the State has created a number of positions outside the competitive class that cumulatively ensure that the key high-level management and policy structures of agencies do not have to resort to the inappropriate use of provisional appointments. Further, many other State positions that rely fundamentally upon the exercise of judgment or discretion or the exercise of specialized skills have long been classified outside the competitive class. Based upon this study, DCAS has proposed to reclassify positions that parallel those that have been classified by the State outside the competitive class; the State's approach also influenced the proposal by DCAS to create a limited number of new titles that, while not always matching a State title precisely, reflect the State's approach to create a limited pool of positions that are designed to facilitate appropriate flexibility in the design and implementation of important policy initiatives.

Fourth, the concept of practicability must be considered as applied to a City government with responsibilities and mandates in areas like public safety and social services that exceed those of many states and even nations. As a civil service agency, DCAS fully recognizes the value of a well-designed system for testing and rewarding the merit and fitness of current employees and applicants for employment. Nevertheless, the City's resources, especially in a period of economic uncertainty like the current one, cannot be expended upon examinations that, under applicable legal standards, should never have been given. Similarly, it is difficult to imagine that the State Constitution and the Civil Service Law intended that the City develop hundreds of examinations for titles that have never been occupied by more than a very small number of individuals. Viewed in this context, examination for these titles too is simply not practicable.

Given all of these factors, DCAS believes that this Plan provides an appropriate and long overdue vehicle for the City and State to work together to ensure that the City, like the State, has in place a classification system that ensures that the City is not struggling to develop and administer examinations, and City agencies are not straining to appoint (or avoid appointing) individuals from lists that should never have been created to perform duties for which competitive examination is not legally practicable. For all of these reasons, and the more particular reasons set forth below, DCAS has concluded that the principles of merit and fitness would not be compromised if a number of current competitive class titles were reclassified into another jurisdictional classification (as described immediately below), and if a limited number of new non-competitive and exempt titles were also created (as described beginning in section 2.4.0 below). A listing of titles proposed to be reclassified to the non-competitive class and a listing of proposed new titles are included in Appendices V and VII. Other necessary reclassifications are set forth in Appendices VI and VIII.

2.3.1 Reclassifying Current Competitive Titles to the Non-Competitive Class where the State has Non-Competitive Class Titles Performing Comparable Work

As discussed above, DCAS has conducted a detailed review of State non-competitive titles that are comparable to City titles that are currently in the competitive class. DCAS took particular note of those titles for which the duties center upon either the exercise of intangible personal characteristics or the utilization of specialized skills, as well as those for which expertise may best be demonstrated by presentation of the appropriate credentials. DCAS plans to petition the State Civil Service Commission to reclassify competitive City titles as non-competitive where a title is substantially similar to a non-competitive State title. These reclassification actions will reduce the number of current and future provisional appointments, because appointments to non-competitive class positions are never provisional, as that term is used in the Civil Service Law. A listing of titles being reclassified to the non-competitive class is included in Appendix V.

2.3.2 Reclassifying Current Competitive Titles to the Non-Competitive Class where the State or an Industry-Accepted Organization Administers Examinations for Required Licenses or Certificates

DCAS has identified certain competitive titles that should not require competitive examination, particularly where a position requires a license or other certification obtained through successful completion of training programs and examination. By way of example, none of the classified Attorney titles into which individuals can currently be appointed in the City is a competitive class title, based, to a large extent, on the fact that attorneys have already demonstrated their competency by having passed a bar examination. As part of this plan, we expect to petition the State to reclassify other such titles with license or certification requirements as non-competitive. Similarly, the competitive titles of Emergency Medical Specialist – EMT and Emergency Medical Specialist – Paramedic require for appointment possession of New York State certificates which indicate that an applicant has successfully completed a State-approved training program and passed a certifying examination. Furthermore, the EMS titles are historically “oversubscribed,” i.e., all or virtually all qualified candidates are offered employment; therefore these titles can be reclassified as non-competitive without implicating any significant “merit and fitness” concern. There are currently 596 provisional employees serving in the title of EMT and an additional 352 provisionals serving in the title of Paramedic. Reclassifying these titles as non-competitive would reduce the number of provisional employees by 948 and eliminate the need for two competitive examinations.⁶

Similar to the titles of Attorney, Emergency Medical Specialist – EMT, and Emergency Medical Specialist – Paramedic, the competitive titles of Certified IT Administrator (Database), Certified IT Administrator (LAN), Certified IT Administrator (WAN), and Certified IT Developer (Applications) each require professional or vendor certifications.

⁶ Other generally “oversubscribed titles” have also been proposed for reclassification in appropriate sections of the Plan.

DCAS believes that there is no need for further examination once the certificate is obtained. As discussed above, once individuals applying for appointment to these titles have demonstrated their knowledge, examination must be deemed impracticable in light of the overall allocation of resources that must be made to administering examinations for titles that do not require outside licensing or certification, as well as other programs for the public safety and welfare. In addition, the selection among individuals who have proven their expertise through previous examination or licensure would (if it occurs at all) generally seek out additional qualities that are largely not amenable to further competitive testing. As part of this plan, we propose to petition the State to reclassify these titles as non-competitive.

DCAS projects that reclassification actions identified in 2.3.1 and 2.3.2 will reduce the number of provisional appointments by over 7,300 (a 19.99% decrease) and eliminate the need to administer 116 exams (a 13.27% decrease).

2.3.3 Reclassifying Competitive Class Titles with Historically Few Incumbents into the Non-Competitive Class

Exam development and administration is intensive and requires a substantial commitment of resources. DCAS identified 178 titles that are currently competitive, but for which there have been 20 or fewer positions allocated Citywide. In most cases, the investment required to develop an exam for such a limited number of positions cannot be justified (note that an exam in such a title could generate a civil service list with dozens, or hundreds of names). There are also other reasons why testing is not practicable for these titles. For example, the small population of individuals in these specialized titles makes it difficult to identify individuals with the subject matter expertise necessary to develop examinations and address protests under §50-a of the Civil Service Law. In general, this situation is strikingly similar to that addressed by Civil Service Law §42(2), which recognizes that testing may not be practicable for smaller jurisdictions in the State. While New York City is evidently not such a jurisdiction, the competing demands upon its resources of programs that are required by law and/or policy to further the public safety and welfare, as noted above, similarly highlight the impracticability of administering hundreds of tests for extremely low-population titles. The City is no better situated than any other municipality to divert its scarce resources in hundreds of separate instances to examine a handful of people.

DCAS plans to request that the State reclassify these titles as non-competitive and projects that these reclassifications will reduce the number of provisional appointments by approximately 994 (2.70%) and will eliminate the need to administer 178 exams. A full listing of these reclassifications is included in Appendix VI.

2.3.4 Classifying New Titles or Reclassifying Current Competitive Titles to the Exempt Class where State has Exempt Class Titles Performing Comparable Work

DCAS has conducted a detailed review of State exempt class titles and positions that are comparable to City titles and positions that are currently in the competitive class. This review has persuaded us that DCAS (and its predecessor agency, the NYC Department of Personnel) has taken an unnecessarily restrictive view as to what kinds of positions can properly be classified in the exempt class, and is prompting us to identify those positions for which a close and confidential relationship with an agency head or deputy agency head, or involvement with significant managerial or policy decisions requiring a high level of discretion, is a paramount qualification. We have identified a number of positions common to many, if not most, agencies which meet one or both of these criteria, such as an agency's director of legislative affairs. In some cases, we have found virtually identical exempt class positions in the State civil service; in other cases, we have found strikingly similar positions.

As described above, this analysis and the resulting proposed reclassification are not peripheral to the reduction of provisional employees – they are integral to it. The use of provisional employees to perform high-level discretionary functions at City agencies was the natural outcome of a classification system that, unlike the system for most State agencies, did not afford sufficient availability of exempt class positions to effectively implement complex and wide-ranging policy initiatives or even to perform day-to-day confidential or managerial duties at those agencies. A listing of titles for which reclassification to the exempt class is anticipated to be proposed to the State Civil Service Commission based upon this review is included in Appendix VII. These positions are being proposed now with position authorizations determined after a preliminary analysis of the needs of approximately 80 municipal agencies. Proposals submitted pursuant to Civil Service Law Section 20 would reflect DCAS's determination after continued analysis both with respect to position authorizations and the allotment of those positions among agencies and/or citywide.⁷

2.3.5 Resolving Classification Status of Temporary Titles

More than two thousand City employees currently work in temporary titles. These appointments are considered provisional until such classification is approved by the State Civil Service Commission. The titles were created to enable City agencies to hire immediately to meet a specific need, while DCAS completed the necessary steps to classify the titles as non-competitive or exempt. However, a variety of factors has resulted in these titles remaining temporary. As part of this plan, DCAS plans to seek State authorization to have these temporary titles appropriately classified as non-competitive or exempt (see Appendix VIII for a listing of temporary titles with provisionals serving). Review of the list of these titles reveals that virtually all of them

⁷ This initiative may overlap, in certain instances, with companion initiatives. For example, DCAS may have established a temporary title for one of these positions in one agency (see Section 2.3.5), or an appropriate exempt class title may already exist, but with an inappropriate number of authorized positions (see Section 2.3.6). Proposals will be submitted to the State pursuant to Civil Service Law Section 20 in a fully integrated manner.

relate to either the exercise of confidential or other high-level policymaking functions (or work directly in aid of such functions) or specialized expertise, or in a few cases to duties that are time-limited by nature. Also, many are unique positions that would be held by just one individual, and are thus obviously not amenable to development of competitive examinations. DCAS estimates that these classifications would reduce the number of provisional appointments by approximately 2,700, or 7.21%.⁸

2.3.6 Adjusting Current Position Limits with Respect to Non-Competitive Class and Exempt Class Positions

In its discussions with agencies, DCAS ascertained that the number of authorized positions for some non-competitive and exempt class titles, including some titles relating to the exercise of either confidential or other high-level policymaking functions (such as Deputy Commissioners, Assistant Commissioners and program directors), does not always reflect the need within the agency. This can result in employees serving in other titles provisionally.

DCAS is performing analysis of the number of authorized positions for exempt and non-competitive class positions to determine if they are still current and relevant to the City's needs. After the requisite analysis is completed, DCAS will likely determine that certain titles' number of authorized positions should be increased to account for past developments and reasonably anticipated future needs. When these increases are authorized, individuals who have been serving provisionally because there were no additional positions available in the proper non-competitive or exempt class title could be appointed to a position in an appropriate jurisdictional status. It should be noted that these are instances in which the additional individuals are generally performing the very duties that have already been determined to be appropriate for exempt or non-competitive classification, but that agency operational needs have simply overtaken the original numerical position limitations. So long as the numerical limitations are reasonably related to agency needs, there is no reason, based upon merit and fitness concerns, why the limitations should not be increased to accommodate those needs.

A notable example is the current position authorization of 484 positions for the Exempt Class position of Assistant Corporation Counsel, a position authorization which reflected the anticipated needs of the New York City Law Department when the positions were authorized in 1988, but no longer reflects the size of that Department twenty years later. Consequently, by way of example, DCAS expects to request that the position authorization be adjusted to 1,000.

2.4.0 Classification of New Titles

In addition to increasing the number and frequency of examinations and reclassifying titles to streamline exam administration, DCAS has worked with City agencies to determine whether any new titles are needed to ensure that the City can continue to

⁸ In a few cases, these titles may overlap with companion initiatives. As noted above, proposals will be submitted to the State pursuant to Civil Service Law Section 20 in a fully integrated manner.

attract the best talent to City service. DCAS suggests that this can be done by developing the positions required to create, recommend and implement new initiatives with uniquely talented individuals who can bring their innovative approaches and special knowledge to the public service and thereby further the constitutional policy of “merit and fitness” in their own way.

2.4.1 Classification of New Non-Competitive Analytic Titles

Agency personnel directors and senior managers uniformly agreed that Deputy Commissioners and Assistant Commissioners need the flexibility and discretion to hire a discrete number of individuals with strong analytic and quantitative backgrounds to work on key initiatives, strategic plans and management reports. Due to the sensitive nature of these projects, it would not be practicable to hire competitively for these positions.

DCAS proposes to petition the State Civil Service Commission to allow the City to develop a non-competitive “strategic analyst” title designed to support Deputy Commissioners and Assistant Commissioners in the achievement of agencies’ strategic goals. These individuals should personify what the agency head considers the desired combination of knowledge, skills and abilities to further agency and City initiatives and strategic plans along with the personality traits such as dedication to and enthusiasm for that initiative and a vision of how to define and coordinate the implementation of the initiative that comports with that of the agency head. Some provisional employees currently serving in a competitive title may be eligible for this new position, which could result in some reduction in provisional appointments. Depending on the size of the agency, Deputy and Assistant Commissioners and employees in comparable senior positions should have the flexibility to hire two to five strategic analysts, for a total allocation of up to 1,000 such positions citywide.

2.4.2 Classification of New Exempt Class Analytic Titles

In addition to the creation of a non-competitive class title, the City expects to petition the State Civil Service Commission to create an exempt class title for “executive program specialist” positions related to a particular project or program that furthers a specific City goal. Specialized programmatic expertise, particularly in constantly evolving areas of policy or operations, is a recognized criterion for classification of positions in the exempt class. In the case of this position, DCAS anticipates that agencies will recruit senior level subject matter experts for these positions to lend their program or industry expertise to a particular topic or issue area.

Depending on agency size, DCAS estimates the need for between two and three positions per agency, for a total of between 160 and 240 positions citywide. To ensure that these positions are filled by issue experts, DCAS would develop specific criteria for this title and agencies would be required to justify the need for such positions within their agency and that each candidate meets the required criteria.

2.4.3 Classification of New Strategic Initiative Specialist Titles

In addition to the new positions described in sections 2.4.1 - 2.4.2, agencies indicated a need to create an exempt title series that would enable the City to recruit mid- and senior-level individuals with experience in particular disciplines who could participate in the implementation of agency initiatives, but who would not likely seek long-term City employment. Currently, there is no title series available that allows an agency head to appoint individuals with the education and skills, as well as the personal characteristics, to manage discrete, complex City initiatives; often, the City is forced to contract with private-sector consultants.

To enable City agencies to compete for top talent, DCAS anticipates petitioning the State Civil Service Commission to create a new title that agency heads can use to fill strategic staff positions. The positions would be limited to four-year appointments, and agencies would be required to justify each appointment by tying it to a specific initiative or program. DCAS expects to seek authorization for 1,500 Strategic Initiative Specialist positions that would be available to all City Agencies, offices and entities. If, while serving as a specialist, an individual wished to remain with the City, he or she could take a Civil Service examination for any title for which he or she is qualified (including the Staff Analyst title series) in order to achieve competitive civil service status.

2.5.0 **Transfer of Civil Service Administration for NYC Transit Authority and Triborough Bridge (“TBTA”) & Tunnel Authority (“TA”)**⁹

DCAS currently serves as the “municipal civil service commission” for two State Authorities under the umbrella of the Metropolitan Transportation Authority (“MTA”), the TA and the TBTA. As the municipal commission for these two State authorities, DCAS develops, administers, and rates competitive examinations, and maintains eligible lists for civil service titles used by these agencies.

The City of New York is working with the MTA on proposing legislation to transfer the responsibility of administering the civil service for these State authorities from the jurisdiction of DCAS to the jurisdiction of another commission, for example, the jurisdiction of a newly constituted municipal commission under the control of the MTA.¹⁰ This would result in the eventual reduction in the raw number of provisional employees under DCAS jurisdiction and, because of the very large number of titles unique to these authorities, would have the lasting result of reducing the number of examinations which DCAS will need to develop and administer. This, of course, will allow the City to target its resources to those agencies over which it maintains fiscal and legal authority.

⁹ There are currently two titles on the anticipated exam list for the TBTA. DCAS will continue to administer these two exams in FY09, notwithstanding our initiative to have the TBTA (and TA) placed under the jurisdiction of another municipal commission.

¹⁰ A similar initiative was proposed and enacted in the early 1980’s to create a separately constituted municipal commission to administer the civil service system for the City University of New York.

A successful transfer of jurisdiction would, based on current numbers, result in a reduction in the total competitive class workforce for which DCAS is responsible to approximately 150,130, and reduction of the provisional workforce to 32,788.

Upon enactment of the proposed transfer legislation, there will be a transition period during which DCAS moves toward ending its role as the TA and TBTA's municipal civil service commission. DCAS may continue to administer TA and TBTA exams during this time as needed, and the structure of this transition period will be developed in detail between DCAS and the TA and TBTA.

There are 4,067 provisional employees currently serving in over 60 titles used only by the TA and TBTA and in the 118 titles used by more than one City agency, including the TA and TBTA. The transfer of DCAS's responsibilities for the titles used by these agencies will result in an 11.04% reduction in the number of provisional employees for which DCAS is responsible, and a 7.67% decrease in the number of exams that DCAS will have to develop and administer.

2.6.0 Examination Strategies

In addition to administering more exams and implementing the strategies of reclassification and other measures described in sections 2.1.0 to 2.5.0, this plan contemplates the implementation of measures to reduce the overall number of exams that the City needs to administer to fill anticipated personnel needs, and to increase the frequency and accessibility of the exams it does administer. These proposed measures include: the administration of generic managerial exams; item banking; and opening testing centers where job candidates can take computer-based examinations essentially "on-demand."

2.6.1 Generic Managerial Examinations

Generic managerial exams (GMEs) will assess abilities that are required for the successful performance of a number of managerial positions, so that one examination can be administered for several different managerial titles. Even though one exam will be administered, the results can be used to generate civil service lists for a number of managerial titles. The use of GMEs will significantly reduce the number of competitive examinations that DCAS will have to administer to reduce the overall number of provisional appointments. DCAS is piloting GMEs now, and expects that this testing format could reduce the number of exams that the City will need to administer over the five-year plan implementation period.

2.6.2 Item Banking

An item bank is a set of possible exam questions for a title. Developing a bank of four exams' worth of exam questions would allow DCAS to administer exams more frequently and prevent provisional build-up in that title. DCAS must have the ability to

administer examinations on an as-needed basis for titles in which there is frequent hiring and there exists the potential for large numbers of provisionals.

Developing several hundred test items for each scheduled multiple-choice examination would allow DCAS to administer equivalent versions of these exams on a regular basis to lessen the potential for employees to serve more than nine months in the titles being assessed. This item bank of possible questions can be drawn from to create an exam when needed. The impact of an item bank is to allow the development of four exams' worth of questions for every title banked.

2.6.3 Computerized Testing Centers

DCAS is developing Computerized Testing Centers (CTCs) to increase the availability of civil service examinations by permitting exam candidates to walk in off the street, file for an exam, take it, and immediately get their test results. CTCs will expedite the establishment of civil service lists, which will accelerate a corresponding reduction in provisional appointments.

The first CTC opened in December 2007 with the daily administration of Police Officer examinations. Over the next six months, DCAS plans to increase the number of exams offered several times each week. Exams for hard-to-recruit titles are currently being identified for priority administration through CTCs. Once CTCs are fully operational and expanded into other boroughs, DCAS expects that the increased ease of taking an exam at a CTC will encourage both existing provisional employees and the general public to take examinations. We expect that the CTC initiative could contribute to a substantial reduction in provisional appointments, though the impact is difficult to quantify at this time.

2.7.0 Implementation

Implementation Strategy

DCAS has already begun developing and implementing strategies to reduce the number of provisional appointments. DCAS has been meeting with and advising agencies under its jurisdiction to prepare for the changes that will be required in connection with implementation of this plan and to minimize the impact on agencies' operations.

Having developed this rigorous plan for reducing the provisional employee count, DCAS expects to implement the processes discussed above: increased exam administration, reclassification actions, the creation of new titles and divestiture of DCAS's responsibility for the TA and TBTA. Table 2.7.1, below, outlines an estimated timeline for the City's initiatives.

Table 2.7.1 Implementation Timeline					
Activity	Plan Year 1	Plan Year 2	Plan Year 3	Plan Year 4	Plan Year 5
Expand Exam Staff					
Expand Certification Staff					
Administer Additional Exams					
Monitor Agency List Usage					
Develop TA/TBTA Divestiture Legislation					
Transition out TA/TBTA Exams					
Reclassify Broadbanded Positions					
Reclassify Consolidated Positions					
Reclassify Competitive Positions with Non-Competitive State Counterparts or an Industry-Accepted Organization Administers Examinations for Required Licenses or Certificates					
Reclassify Competitive Positions with Fewer than 10 Incumbents					
Classifying New Titles or Reclassifying Current Competitive Titles to the Exempt Class where State has Exempt Class Titles Performing Comparable Work					
Create New Titles					

Exam administration and other strategies mentioned above would decrease the number of provisionals serving in City government in excess of nine months, but these strategies will not fully be successful unless agencies make full use of the resultant lists. In order to ensure that agencies are properly using lists, implementation strategies, coupled with enforcement mechanisms, must be in place. Where titles remain classified in the competitive class and eligible lists exist, lists must be used in the manner set out in the Civil Service Law.

Provisional Reduction Analysis Team

DCAS proposes to institute a new group, the Provisional Reduction Analysis Team, to aid in tracking provisional movement. The existence of dedicated staff resources would help ensure that agencies maintain appropriate hiring practices.

New provisional appointments

When, because a viable list is not available from which permanent appointments can be made, agencies plan to hire an individual provisionally, a rigorous verification process will be carried out. First, the hiring agency's Agency Personnel Officer must check that there is no viable civil service list in existence for a title for which it is submitting a

Planned Action Report (PAR) to the Office of Management and Budget (OMB). Once the Agency Personnel Officer has done this, the Agency Head must sign a cover sheet certifying that none of the provisional new hires included in the Agency's PAR submission is in a title for which a viable civil service list exists. DCAS anticipates conducting computerized audits to ensure that no provisionals are hired in the face of a list.

Aggressive Examination Notification

DCAS has provided agencies with templates for a series of letters which will be sent to employees currently serving provisionally in titles to proactively notify them of upcoming exams. This heightened effort to inform provisionals individually about relevant exams will help ensure that employees are aware of the steps they need to take to become permanent in their title.

Hiring Pools

Where appropriate, DCAS will host hiring pools for the title, which will allow agencies to consider large numbers of candidates to fill vacancies and, where provisional appointments exist, to make permanent appointments. DCAS plans to monitor the movement of provisionals in that title to ensure that lists are being used to replace provisionals.

List Publication

Prior to the official establishment of any eligible list, DCAS will publish the list. This will allow the appeal process to begin for those candidates who believe that they have been improperly disqualified or improperly found ineligible or who otherwise believe their scores were miscalculated.

At the same time, it will enable DCAS and agencies to analyze how a list might be most effectively certified to agencies. Where the top scorers on an examination, for example, are already serving provisionally at a particular agency, it would allow DCAS to consider certifying that list to that agency first, to afford that agency an opportunity to consider its own provisional employees for permanent appointments.

3.0.0 CONCLUSION

As a result of the City's above-proposed actions and based on the statistics supplied, the City predicts that the number of all provisional appointments in competitive class titles at the end of the five year plan will be 3,296 employees. This number represents 2.57% of the total number of all competitive City employees.

Appendix I: Personnel Rules and Regulations

RULE I - DEFINITIONS

Agency: Agency is any department, administration, board, body or authority possessing separate and independent powers and functions and recognized as such by the department of citywide administrative services.

Agency Head: Agency head is the head of an agency.

Announcement: Announcement is the official notice of examination.

Appointing Officer: Appointing officer is the officer, commission, board, body or authority having the power of appointment to subordinate positions.

Certifying Agency: Certifying agency is an agency which administers and certifies eligible lists for classes of positions unique to such agency.

Civil Service of New York City or Civil Service: Civil Service of New York City or Civil Service includes all offices and positions in the definitions hereinafter set forth of "classified service" and "unclassified service."

Class of Positions: Class of positions means a group of positions substantially similar with respect to duties, responsibilities, qualifications and examination requirements to the extent that the same title may be used to designate such positions and the same salary grade may be equally applied thereto.

Classified Service: Classified service means all offices or positions in the civil service of New York City, classified under one of the four jurisdictional classes: exempt; competitive; non-competitive; labor; 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 board of education and the offices of all district attorneys and all public administrators within the City of New York.

Commission: Commission means the New York City civil service commission.

Commissioner of Citywide Administrative Services: The Commissioner of Citywide Administrative Services is the head of the New York City department of citywide administrative services.

Compensation: Compensation is the annual salary attaching to a position or its equivalent if stated by the day, week, month, hour or other unit. Maintenance in the form of board and lodging or its monetary equivalent as duly fixed may also be included therein.

Day: Day is each day of the week; provided, however, if the last day for completing action on any matter is a Saturday, Sunday or holiday, it shall be the next business day.

The Department of Citywide Administrative Services: The Department of Citywide Administrative Services is the department established by chapter thirty-five of the New York City charter.

Examination: Examination is the process by which the department of citywide administrative services or other examining agency ascertains the fitness of candidates for entrance into the classified service or promotion therein.

Examining Agency: Examining agency is an agency which schedules and conducts non-written promotion examinations for positions in that agency.

Grade or Salary Grade: Grade or salary grade is the order or standing of a position with reference to the full-time annual compensation attaching to it or, if compensation be paid on other than a full-time per annum rate, then the equivalent of such rate as determined by the commissioner of citywide administrative services.

Jurisdictional Classification: Jurisdictional classification is the assignment of positions in the classified service to the exempt, non-competitive, labor or competitive classes.

Period of Service: In computing the length of a period of service in order to attain a prescribed eligibility requirement, whenever the first working day is immediately preceded by a Saturday, Sunday or public holiday, or a combination thereof, such "period of service" shall be deemed to commence on the day following the last work day preceding the Saturday, Sunday or public holiday, or combination thereof.

Position: Position means a particular office or employment in the civil service.

Position Classification: Position classification is a grouping together under common or descriptive titles of positions that are substantially similar in the essential character and scope of their duties and responsibilities and in the qualification requirements thereof.

Position Reclassification: Position reclassification is the reassignment of a position or positions from one class of positions to a different class of positions.

Publish: The term "publish" means making a public announcement by advising the public or making known of something to the public or bringing before the public either by posting publicly and conspicuously in the office of the department of citywide administrative services or other appropriate agency or printing or causing to be printed and to issue from a newspaper, or such other distribution or circulation as the commissioner of citywide administrative services deems appropriate.

Regulation: Regulation is a resolution of the commissioner of citywide administrative services setting forth policy or procedures for the effectuation of the provisions of the civil service law of the State of New York and the rules of the commissioner of citywide administrative services, which shall not be inconsistent with or supersede the civil service law or the rules.

Salary Grade Allocation: Salary grade allocation is the assignment of a class of positions to one of the salary grades set forth in the classification rules.

Salary Grade Reallocation: Salary grade reallocation is the reassignment of a class of positions from one salary grade to another salary grade.

Service Rating, Performance Rating, or Performance Evaluation: Service rating, performance rating, or performance evaluation means a rating or evaluation of an employee for performance in a position as defined in the rules or regulations of the commissioner of citywide administrative services.

Subject: Subject is a subdivision of a test.

Terminal Date: If the "terminal date" of a prescribed period in which to accomplish an act of duty occurs on a Saturday, Sunday or public holiday, or a combination thereof, such date shall be deemed to be the first working day following thereupon.

Test: Test is a major subdivision of an examination.

Title: Title is the designation of a position based upon its duties and functions.

Unclassified Service: Unclassified service means all offices or positions in the civil service of New York City as described in section thirty-five of the civil service law.

RULE II - APPLICABILITY AND ADMINISTRATION

SECTION I--PERSONNEL ADMINISTRATION

2.1. (a) The commissioner of citywide administrative services shall have the power to promulgate rules and regulations relating to the personnel policies, programs and activities of city government in furtherance of and consistent with state civil service law and chapter 35 of the New York City charter.

(b) The commissioner of citywide administrative services shall have all the powers and duties of a municipal civil service commission provided in the civil service law or in any other statute or local law other than such powers and duties as are by chapter 35 of the New York City charter assigned to the mayor, the city civil service commission or the heads of agencies.

(c) The heads of agencies shall have the powers and duties of personnel management as provided for in chapter 35 of the New York City charter.

SECTION II--RULES

2.2. These rules shall have the force and effect of law.

SECTION III--REGULATIONS

2.3. The commissioner of citywide administrative services shall have power to adopt suitable regulations to carry out the provisions of the civil service law, the New York City charter and the rules.

SECTION IV--GENERAL ADMINISTRATION AND ENFORCEMENT

2.4. (a) The commissioner of citywide administrative services shall have the authority and responsibility in the administration and enforcement of the rules and regulations prescribed thereunder and shall possess the powers and duties assigned to the commissioner of citywide administrative services pursuant to the provisions of chapter 35 of the New York City charter.

(b) The commissioner of citywide administrative services shall prescribe directives and orders for the instruction of the staff of the department of citywide administrative services and for the execution of the rules and regulations and wherever practicable, shall prescribe forms for all applications, certifications, reports, records and returns required thereunder.

SECTION V--APPLICABILITY

2.5. These rules shall apply to all offices and positions in the classified service of the city including offices and positions in the New York City housing authority, New York City transit authority, triborough bridge and tunnel authority, New York City board of education, and the offices of all district attorneys and all public administrators within the City of New York.

SECTION VI --RULE CHANGES; CALENDAR

2.6. (a) No proposed amendment, modification or addition to the rules shall be acted upon until public notice thereof shall be given in a designated newspaper for not less than three days prior to a public hearing thereon. Such notice shall set forth the proposal; but notice and public hearing shall not be necessary where the purpose of the proposed amendment, modification or addition is to conform with a change in a statute.

(b) Certified copies of all duly adopted amendments, modifications or changes of rules shall be transmitted to the offices of the secretary of state, the corporation counsel, the city clerk and to said designated newspaper for publication. Certified copies of all duly adopted regulations shall be transmitted to all of the foregoing except the office of the secretary of state.

(c) The commissioner of citywide administrative services shall cause to be published in said designated newspaper, as the commissioner of citywide administrative services may determine, those minutes of general interest or broad application appearing as items in the calendar. Copies of the entire calendar shall be maintained for public inspection at the office of the department of citywide administrative services.

(d) If one year after the date of the public hearing held to consider approval of a change of a rule of the commissioner of citywide administrative services (as provided for by section 20 of the New York State civil service law) either the commissioner of citywide administrative services or the mayor of the City of New York or the state civil service commission has not acted upon the matter, the resolution shall automatically be deemed withdrawn unless the period of consideration is extended by an official action of the commissioner of citywide administrative services.

SECTION VII --NON-DISCRIMINATION; EQUAL OPPORTUNITY

2.7. There shall be no unlawful discrimination in city employment on the basis of race, sex, age, religion, national origin or disability, and equal opportunity in employment shall be ensured and promoted in the administration of personnel.

SECTION VIII --CONTINUITY AND PRESERVATION

2.8. Any resolutions, equivalency tables, terminal dates, restrictions, terms and conditions, and regulations in connection with the rules of classification in force and effect immediately prior to the effective date of these rules, shall continue to be in force and effect to the extent theretofore provided under the provisions of these rules, unless otherwise provided herein.

RULE III - JURISDICTIONAL CLASSIFICATION

SECTION I --THE EXEMPT CLASS

3.1.1. Definition.

The exempt class shall include all offices and positions in the classified service enumerated in section forty-one of the civil service law and all other subordinate offices or positions for the filling

of which competitive or non-competitive examination shall be found by the commissioner of citywide administrative services to be not practicable.

3.1.2. Application to Classify.

An application by an agency to classify in the exempt class a position not specifically thus classified by law shall not be considered unless it is accompanied by a statement setting forth the reasons why examination, competitive or non-competitive, is impracticable.

3.1.3. Number of Positions; Classification by Rule.

Not more than one appointment shall be made to or under the title of any office or position placed in the exempt class unless a different number is specifically prescribed in the classification rules. No office or position shall be deemed to be in the exempt class unless it is specifically named in such class in the rules.

3.1.4. Agency Certificate.

Appointments to positions in the exempt class may be made without examination; but the agency head shall in each case submit to the department of citywide administrative services, in such form as it shall prescribe, a certificate which shall include:

- (a) the title of the position;
- (b) the full name and residence of the appointee;
- (c) the place of the appointee's residence for five years immediately preceding appointment;
- (d) the appointee's previous appointments to and periods of service, if any, in the public service;
- (e) the appointee's qualifications for the office or position to be filled.

3.1.5. Evaluation Upon Vacancy.

(a) Upon the occurrence of a vacancy in any position in the exempt class, the commissioner of citywide administrative services shall study and evaluate such positions and, within four months after the occurrence of such vacancy shall determine whether such position, as then constituted, is properly classified in the exempt class. Pending such determination, such position shall not be filled, except on a temporary basis.

(b) If the commissioner of citywide administrative services shall determine that such position is properly classified in the exempt class, such appointment shall be deemed effective as exempt as of the original date of appointment. The determination of the commissioner of citywide administrative services thereon shall be recorded.

SECTION II--THE NON-COMPETITIVE CLASS

3.2.1. Definition.

The non-competitive class shall include all positions that are not in the exempt or labor class and for which it is found by the commissioner of citywide administrative services not to be practicable to ascertain the merit and fitness of applicants by competitive examination.

3.2.2. Application to Classify.

An application by an agency to classify in the non-competitive class a position not specifically thus classified by law shall not be considered unless it is accompanied by a statement setting forth the reasons why competitive examination is impracticable.

3.2.3. Classification by Rule.

(a) Not more than one appointment shall be made to or under the title of any office or position placed in the non-competitive class, unless a different or unlimited number is specifically prescribed in the classification rules. No office or position shall be deemed to be in the non-competitive class unless it is specifically named in such class in the rules.

(b) The commissioner of citywide administrative services shall designate among positions in the non-competitive class those positions which are confidential or require the performance of functions influencing policy.

3.2.4. Examination.

Appointments to positions in the non-competitive class shall be made after such non-competitive examination as is hereinafter prescribed and all such examinations shall be subject to the control of the commissioner of citywide administrative services.

3.2.5. Agency Examiners.

(a) In each agency there shall be a board of examiners for non-competitive positions, consisting of three members who are officers or employees of the agency designated by the agency head subject to the approval of the commissioner of citywide administrative services.

(b) In each institution of an agency there may be an institutional examiner who shall be designated by the agency head subject to the approval of the commissioner of citywide administrative services.

(c) Members of the agency board of examiners and the institutional examiners shall, insofar as practicable, be persons in the competitive class.

3.2.6. Scope of Examination.

Such examinations shall be conducted so as to show that the candidate (a) is free from any physical or medical disability which will interfere with the proper discharge of the candidate's duties;

(b) is a person of satisfactory character and reputation;

(c) possesses the requisite knowledge and ability;

(d) is qualified by experience or training to discharge the duties of the position efficiently.

3.2.7. Examination Reports; Action of Commissioner of Citywide Administrative Services.

The reports of the character, scope and results of the examination of each candidate for a non-competitive position conducted by an agency board of examiners or by an institutional examiner, as the case may be, shall be transmitted to the commissioner of citywide administrative services or appropriate forms, when approved by such board at the end of each month or as otherwise prescribed in the regulations by the commissioner of citywide administrative services. If such reports are disapproved in whole or in part by the commissioner of citywide administrative services, the employees therein disapproved shall have their appointments terminated.

3.2.8. Compensation.

Except as otherwise provided, the maximum compensation for positions in the non-competitive class shall be stated on a without maintenance basis. However, appointments may be made with or without maintenance. Where appointments are made with maintenance, the cash compensation for persons receiving maintenance shall be determined by subtracting the value of maintenance from the stated salary. A schedule showing allowable maintenance shall be prepared.

3.2.9. (Deleted 6/30/86)

3.2.10. Positions for the Physically or Mentally Disabled.

(a) The commissioner of citywide administrative services may determine a prescribed number of positions, not to exceed the maximum set by state law, with limited duties which can be performed by physically or mentally disabled persons who are found qualified, in the manner prescribed by law, to perform such duties.

(b) Upon such a determination, such positions shall be classified in the non-competitive class, and shall be filled by persons who shall have been certified by either the commission for the blind and visually handicapped in the state office of children and family services as physically disabled by blindness or by the state education department as otherwise physically or mentally disabled and, in any event, qualified to perform satisfactorily the duties of any such position. At least three hundred of such positions shall be filled by persons who have been certified as physically disabled. If no qualified physically disabled persons have applied for such positions, the commissioner of citywide administrative services may determine to fill those unfilled positions with qualified mentally disabled persons.

(c) The commissioner of citywide administrative services shall issue procedures for approval of appointments of physically or mentally disabled persons to such non-competitive positions as are established pursuant to this rule.

3.2.11. Service Outside the City of New York.

The commissioner of citywide administrative services may except from competitive examination any qualified person who is to render services in a locality outside the city and who is a resident of such locality, where competitive examination is not practicable. No such person shall be eligible for transfer or assignment to work within the city.

SECTION III--THE LABOR CLASS

3.3.1. Definition; Classification; Requirements.

(a) The labor class shall comprise all unskilled laborers in the classified service as are not classified in the competitive or non-competitive class.

(b) The commissioner of citywide administrative services shall prescribe the requirements and tests to be held for positions in the labor class.

3.3.2. Termination.

Upon the termination of an employment in the labor class, the agency head shall certify to the department of citywide administrative services the reasons therefor.

SECTION IV--THE COMPETITIVE CLASS

3.4.1. Definition.

The competitive class shall include all positions for which it is practicable to determine the merit and fitness of applicants by competitive examination and shall include all positions now existing or hereafter created, of whatever functions, designations, or compensation, except such positions as are in the exempt class, the non-competitive class or the labor class.

3.4.2. Application to Otherwise Classify.

An application by an agency to classify in the exempt, non-competitive or labor class, a position not specifically thus classified by law shall not be considered unless it is accompanied by a statement setting forth the reasons why competitive examination is impracticable.

3.4.3. Examination.

The merit and fitness of applicants for positions which are classified in the competitive class shall be ascertained by such examinations as may be prescribed by the commissioner of citywide administrative services and as provided for in these rules.

3.4.4. Jurisdictional Reclassification.

Whenever a position in the exempt, non-competitive or labor class is reclassified into the competitive class, the permanent incumbent of such position, if there be any at the time of such reclassification, shall continue to hold the position with all the rights and status of a competitive employee.

RULE IV - EXAMINATION PROCEDURES, VETERANS PREFERENCE, ELIGIBLE LISTS AND CERTIFICATION

SECTION I--GENERAL EXAMINATION PROCEDURES

4.1.1. General Provisions; Applicability.

(a) The commissioner of citywide administrative services shall conduct examinations for such positions as may be necessary to anticipate the needs of the city service.

(b) The head of an examining agency shall conduct non-written promotion examinations for such positions in the agency as may be necessary to anticipate the needs of the agency.

(c) The provisions of this section shall apply to examinations conducted by the department of citywide administrative services and by examining agencies.

4.1.2. Scheduling of Examinations.

The department of citywide administrative services shall maintain the general schedule of all examinations for positions in the city service.

4.1.3. Examining Agency Examination Plans.

Agency examination plans for non-written promotion examinations shall contain such material as set forth in these rules or provided in the regulations. Such plans shall be submitted to the commissioner of citywide administrative services for approval prior to the holding of such examination.

4.1.4. Job Analysis.

(a) A job analysis shall be conducted for each examination.

(b) Agencies shall assist the department of citywide administrative services in the preparation of job analyses for examinations conducted by the department of citywide administrative services.

(c) Job analyses conducted by examining agencies for non-written promotion examinations shall be submitted to the department of citywide administrative services by the examining agency.

4.1.5. Examination Experts.

The commissioner of citywide administrative services may secure outside expert assistance in examinations or may approve an agency examination plan providing for such assistance in such cases as the commissioner of citywide administrative services deems appropriate and necessary.

4.1.6. Responsibility for Examination.

(a) Every examination shall be under the direction of the assistant commissioner for examinations or designated officer of the examining agency, who shall consult with agency heads concerning the qualifications for the position for which an examination is to be held.

(b) Such examination shall be free from the influence or participation of the agency head or subordinates, except those who may be assigned to assist such assistant commissioner for examinations or designated officer of the examining agency who shall have the sole direction and control of such individuals during the period of such assignments.

4.1.7. Test and Weight.

The tests comprising an examination and the relative weight given to each shall be fixed prior to each examination by the assistant commissioner for examinations or in the examining agency's examination plan subject to the approval of the commissioner of citywide administrative services.

4.1.8. Preparation of Examinations.

(a) The assistant commissioner for examinations or designated officer of the examining agency shall assign examiners for a particular examination.

(b) All written questions prepared by such examiner shall be placed in safe compartments provided by such assistant commissioner for examinations or designated agency officer. Such questions shall be printed from type or other process under the immediate supervision of such assistant commissioner for examinations or designated agency officer or a designated subordinate.

(c) The assistant commissioner for examinations or designated agency officer shall be responsible for the safekeeping of such questions unless relieved by the commissioner of citywide administrative services or agency head, as the case may be. So far as practicable, such printing shall be done immediately prior to the date of the examination.

4.1.9. Announcement.

(a) In advance of an examination, the commissioner of citywide administrative services shall prepare and publish an announcement setting forth the title of the position, the minimum qualifications required, the tests of the examination, and such other information as the commissioner of citywide administrative services may deem necessary.

(b) Where an agency is conducting a non-written promotion examination such announcement shall be included in the agency's examination plan and upon approval by the commissioner of citywide administrative services the announcement shall be published by such agency.

4.1.10. Publication.

Such announcement shall be published daily throughout the entire filing period. Where the announcement does not specify a closing date, a filing period shall not be closed without at least three days' notice by publication. Such announcement and list of examinations for which applications are being received shall be posted conspicuously in the office of the department of citywide administrative services or of the examining agency, as the case may be. The provisions of paragraph 4.1.9 of this section relative to the publication of announcements shall not be applicable where a nomination for promotion is made pursuant to paragraph 5.3.7 of these rules.

4.1.11. Modification.

The commissioner of citywide administrative services may, after the announcement has been published, subdivide the several tests into subjects or parts, or approve such action by an examining agency. Notice of such action must be given at the time such tests are held.

4.1.12. Limitation.

Eligibility may be limited to one sex where the duties of the position involve the institutional or other custody or care of persons of the same sex, or visitation, inspection or work of any kind the nature of which constitutes a bona fide occupational qualification requiring sex selection.

SECTION II--APPLICATIONS AND RECRUITMENT

4.2.1. Application Forms and Completion.

(a) The standard application forms for examinations shall be furnished by the commissioner of citywide administrative services or examining agency without charge to all persons requesting the same.

(b) An applicant shall state upon the prescribed form such information as is required including the applicant's background, experience and qualification for the position sought and merit and fitness for the public service. Applications shall be subscribed by the applicant and shall contain a declaration that the statements are made subject to the penalties of perjury.

(c) The personal history form or other prescribed form provided in connection with the investigation of an applicant shall be deemed a part of the application.

4.2.2. Filing Period.

Unless otherwise provided in the announcement of the examination, the commissioner of citywide administrative services shall fix the period, or shall approve the period fixed by the examining agency, to be not less than two weeks, during which applications shall be received. There shall be not less than ten days between the last day for the receipt of applications as originally publicly announced and the date of the first test in an examination unless otherwise provided in the announcement of the examination.

4.2.3. Filing Fees.

Filing fees shall be accepted by the department of citywide administrative services for all examinations including those conducted by an examining agency. The amounts of such fees and the terms and conditions for receipt and acceptance and any waivers shall be set forth in the regulations.

4.2.4. Non-Return of Applications.

All applications shall be dated. An accepted application shall not be returned to the applicant or the applicant's agent, as the case may be.

4.2.5. Defective Application.

An application found to be defective shall be suspended. Where an application is found to be incomplete or defective or not accompanied by the proper fee, if any, such application shall not be accepted unless the defect or omission has been corrected by the applicant and returned within seven days from the date of notification to the applicant of the required corrections.

4.2.6. Recruitment.

Recruitment of persons for positions in the city service shall be conducted by the department of citywide administrative services and by agencies. Recruitment procedures shall include those set forth in the regulations or otherwise prescribed by the commissioner of citywide administrative services.

SECTION III--DISQUALIFICATION OF APPLICANTS OR ELIGIBLES

4.3.1. General Provisions.

(a) The commissioner of citywide administrative services, upon investigation of applicants for positions in the civil service or review of their qualifications, may refuse to examine an applicant or after examination refuse to certify or refuse to permit the certification of an eligible for reasons and in the manner prescribed by law or these rules.

(b) Investigation of the qualifications and background of an eligible may be made after appointment and, upon finding facts which, if known prior to appointment, would have warranted disqualification, or upon a finding of illegality, irregularity or fraud of a substantial nature in the eligible's application, examination or appointment, the certification of such eligible may be revoked by the commissioner of citywide administrative services and the employment directed to be terminated, provided, however, that no such certification shall be revoked or appointment terminated more than three years after it is made, except in the case of fraud.

(c) No person shall be disqualified by the commissioner of citywide administrative services unless such person has been given a written statement by the commissioner of citywide administrative services of the reasons therefor and afforded an opportunity to make an explanation and to submit facts in opposition to such disqualification. An examining agency's determination of eligibility of candidates for such agency's non-written promotion examination shall be subject to the provisions of 8.2.2 and 8.2.3 of these rules.

(d) Agencies shall assist the department of citywide administrative services in investigations in the manner prescribed by the commissioner of citywide administrative services.

4.3.2. General Requirements.

(a) An applicant or eligible must possess the established minimum requirements and qualifications for admission to an examination or for appointment to a position.

(b) Satisfactory character and reputation shall be deemed a part of the established minimum requirements and qualifications for admission to an examination or for appointment to a position.

(c) A person convicted of petit larceny may in the discretion of the commissioner of citywide administrative services be examined or certified as a police officer or firefighter. A person dishonorably discharged from the armed forces of the United States shall not be examined, certified or appointed as a police officer or firefighter.

(d) Except as provided in subdivisions (e) and (f) hereof, any physical or mental disability, disease, injury, abnormality, or defect which renders a person unfit for the performance in a reasonable manner of the duties of the position the person seeks or the failure to meet the required medical or physical standards of a position, shall constitute grounds for the disqualification of such person.

(e) In the case of blind or otherwise physically disabled persons as described in section fifty-five of the civil service law, who do not qualify under subdivision (d) hereof, due consideration shall be given to such findings as may be submitted by the state commission for the blind and visually handicapped or the state education department, as the case may be, and such persons, if otherwise qualified, may be certified to positions from eligible lists upon which their names appear either generally or upon limited terms and conditions, as provided by regulations and procedures adopted by the commissioner of citywide administrative services.

(f) Where a person on an eligible list does not qualify under subdivision

(d) hereof for the position for which the list was established, and where such list is declared appropriate for a position requiring lesser medical and physical standards than those required for the original position, such person shall, upon application during the life of the list, if he or she meets such lesser standards, be qualified for the latter position and shall be certified thereto in his or her regular order on such list.

4.3.3. Burden.

The burden of establishing the required qualifications shall be upon the applicant or eligible.

SECTION IV--ADMINISTRATION AND RATING OF EXAMINATIONS

4.4.1. Applicability.

The provisions of this section shall apply to examinations conducted by the department of citywide administrative services and by examining agencies.

4.4.2. Admission to Examination; Identification.

A candidate shall not be admitted to an examination or any test thereof whose application therefor has not been presented and accepted in accordance with the rules. The name of a candidate who has not been fingerprinted at the time of examination shall not be placed on the eligible list.

4.4.3. Processing of Examination Papers.

On the day of the examination, the admission cards of the candidates shall be enclosed in an envelope and sealed. In an examination in which the papers are rated in whole or in part by examiners, the identity of each candidate shall remain concealed until the ratings are completed. In an examination in which all procedures from the rating of tests to the production of the list are accomplished entirely by machine, the seal may be broken prior to rating solely to permit verification of mark-sensed application numbers.

4.4.4. Oral Tests.

Oral tests, wherever practicable, shall be recorded by a suitable method to provide a reviewable record.

4.4.5. Second or Special Examinations.

Except as provided in paragraph 4.4.6 hereof, or as provided in the military law of the State of New York, no candidate shall be given a second or special competitive test in connection with an examination held, unless it be shown to the satisfaction of the commissioner of citywide administrative services or the head of the examining agency that the candidate's failure to take or complete such test was due to:

(a) a manifest error or mistake for which the department of citywide administrative services or the examining agency is responsible, the nature of which shall be recorded;

(b) compulsory attendance before a court or other public body or official having the power to compel attendance;

(c) physical disability incurred during the course of and within the scope of the municipal employment of such candidate where such candidate is an officer or employee of the city; or

(d) absence from the test within a period of one week after the date of death of a spouse, mother or father, sister or brother, or child of such candidate where such candidate is an officer or employee of the city. No such claim shall be granted unless it is submitted in writing to the department of

citywide administrative services or the examining agency either in person or by certified or registered mail within two months following the date of the regular examination.

4.4.6. Sabbath Observers.

A candidate claiming to be unable to participate in an examination when originally scheduled because of the candidate's religious beliefs may seek consideration as a sabbath observer by requesting a special examination by submitting to the department of citywide administrative services or examining agency such request in writing either in person or by certified or registered mail no later than five days prior to the date of the examination. A written statement signed by the candidate's religious leader attesting to the candidate's religious beliefs and certifying that the candidate is a sabbath observer and that it is contrary to the candidate's tenets to participate in an examination during the sabbath must accompany said written request.

4.4.7. General Rating Procedures.

Except when otherwise specified by the assistant commissioner for examinations or by the designated officer of the examining agency, each test, subject or part of an examination shall be rated by not less than two examiners. They, or employees designated by the assistant commissioner for examinations in charge or by the designated officer of the examining agency, shall then affix to each paper or record a rating expressing the average of their judgment attested by their respective signatures or initials.

4.4.8. General Rating Standards.

The rating shall be comparative and in accordance with such standards as the needs of the service may require.

4.4.9. Passing Rating.

(a) Unless otherwise specified by resolution or regulation of the commissioner of citywide administrative services, or by the announcement of examination, candidates must attain a final examination rating of not less than seventy percent in an examination in order to be placed upon an eligible list for certification and appointment.

(b) The required passing rating in any test, subject or part of an examination shall be fixed not later than the time of the holding thereof or as soon as practicable thereafter by the assistant commissioner for examinations or by the designated officer of the examining agency.

(c) Where it is anticipated that the number of eligibles will not meet the needs of the service, the commissioner of citywide administrative services or the head of an examining agency, as the case may be, may, in order to provide an eligible list to meet the needs of the service, authorize the use of any type or combination of types of conversion methods or a mathematical formula of penalties for incorrect answers on the basis of test difficulty and other relevant factors involved in the rating of any test.

(d) The commissioner of citywide administrative services or the head of an examining agency may prescribe that the passing mark shall be the lowest grade received among a certain fixed number of candidates graded highest in the examination or in any subject or part thereof.

(e) In the case of an examining agency, any action proposed to be taken pursuant to subparagraphs (b), (c) or (d) hereof which was not provided for in the agency plan for examination approved by

the commissioner of citywide administrative services shall be submitted for such approval prior to any such action.

4.4.10. Finality of Rating.

Except as otherwise provided by paragraph 4.4.13 hereof or by resolution or regulation of the commissioner of citywide administrative services, no final rating of a test, subject or part of an examination shall be subject to alteration or re-rating.

4.4.11. Candidates With Same Final Examination Rating.

Whenever two or more candidates in an examination receive the same final examination ratings, their respective place on the resulting eligible list shall be determined for administrative reasons only by a sequence of the number derived from the last five and then the first four positions of their social security numbers.

4.4.12. Certification and Use of Eligible List Where Paragraph 4.4.11 Has Been Applied.

(a) If the name of any eligible whose place on the eligible list has been determined in accordance with the procedures set forth in paragraph 4.4.11 is included in the certification for appointment, the names of all other eligibles on the list having the same final examination rating as such eligible shall likewise be included in such certification.

(b) Appointments and promotions then may be made by the selection of any such eligible whose final examination rating is equal to or higher than the final examination rating of the third highest standing eligible qualified and willing to accept appointment or promotion.

4.4.13. Correction of Manifest Error or Mistake.

The commissioner of citywide administrative services, at any time prior to the establishment or during the existence of an eligible list, may correct any manifest error or mistake made in connection with an examination, on the initiative of the commissioner of citywide administrative services or that of the head of an examining agency, or in the granting of a claim of manifest error or mistake. Such action shall be taken in accordance with the procedures set forth in rule VIII of these rules and may result in a higher or lower rating. The nature of such manifest error or mistake shall be recorded.

SECTION V--ADDITIONAL CREDIT ON COMPETITIVE EXAMINATIONS FOR VETERANS AND DISABLED VETERANS

4.5.1. Application for Additional Credit.

(a) A veteran or disabled veteran who elects to claim additional credit as provided in the civil service law, shall so notify the commissioner of citywide administrative services and establish by appropriate documentary evidence eligibility for such additional credit.

(b) No such claim shall be accepted as approved which has not been filed prior to the establishment of the eligible list. However, such timely claim may, prior to appointment, be amended to reflect the disabled or non-disabled veteran status recognized by the veterans administration at the time the list was established.

4.5.2. General Procedures.

(a) Prior to appointment or promotion, as the case may be, a veteran or disabled veteran reached for appointment or promotion on an eligible list by virtue of such additional credits, shall subscribe a statement on a form provided by the commissioner of citywide administrative services that no permanent original appointment or permanent promotion to a position in the civil service of the state or any civil division or city thereof had previously been obtained as a result of the additional credits prescribed in the civil service law.

(b) The agency head shall at the time of appointment require a person appointed by virtue of such additional credits to execute an instrument on a form prescribed by the commissioner of citywide administrative services, setting forth such person's public employment since January 1, 1951.

4.5.3. Use of Additional Credit.

(a) A person who has received a permanent original appointment or permanent promotion to a position in the civil service of the state or any of its civil divisions as a result of additional credit shall not thereafter be entitled to additional credit, either as a veteran or disabled veteran, in any competitive examination for original appointment or promotion to any position in the civil service of the state or any civil division thereof.

(b) The appointment or promotion of a veteran or disabled veteran as a result of additional credits shall be void if such veteran or disabled veteran, prior to such appointment or promotion, had received a permanent original appointment or permanent promotion to a position in the civil service of the state or any of its civil divisions as a result of additional credits.

4.5.4. Exhaustion of Credits; Exceptions.

When a veteran or disabled veteran accepts a permanent position from an eligible list by virtue of such additional credits, such person shall be deemed to have exhausted those credits unless:

(a) prior to the expiration of the probationary term, such veteran or disabled veteran resigns from the position; or

(b) the services of such veteran or disabled veteran are terminated at the end of or during the probationary term; or

(c) at the time of establishment of an eligible list, the position of a veteran or disabled veteran on such list has not been affected by the addition of credits; or

(d) at the time of appointment from an eligible list, a veteran or disabled veteran is in the same relative standing among the eligibles who are willing to accept appointment as if the veteran or disabled veteran had not been granted additional credits.

4.5.5. Withdrawal of Application; Election to Relinquish.

(a) An application for additional credits may be withdrawn by the applicant in writing at any time prior to the establishment of an eligible list or during its existence and prior to appointment or promotion therefrom. In such case, the election shall be irrevocable and the applicant's place on the eligible list shall be revised accordingly.

(b) Where such election is made in connection with certification to a position for which the list has been declared appropriate other than to the position for which the examination was held, it shall not affect the applicant's standing on the list in respect to the latter position.

4.5.6. Roster.

There shall be established in the department of citywide administrative services a roster of all veterans and disabled veterans appointed or promoted as a result of the additional credits granted pursuant to the civil service law.

4.5.7. Disabled Veteran's Records.

All certificates and other documents, memoranda, reports and information furnished by the United States veterans administration to the department of citywide administrative services in connection with claims for disabled veterans' preference shall be deemed confidential unless the commissioner of citywide administrative services determines that the withholding thereof is contrary to the public interest.

SECTION VI--ELIGIBLE LISTS

4.6.1. Establishment of Lists.

(a) The provisions of this section shall apply to examinations conducted by the department of citywide administrative services and by examining agencies.

(b) The results of each examination shall be reported by the assistant commissioner for civil service administration or by the head of the examining agency, as the case may be, to the commissioner of citywide administrative services and the names of the candidates passing such examination shall be listed in the order of their respective final examination ratings. The names of disabled and non-disabled veterans who have duly established claims to additional credits shall be reported in the manner prescribed by law.

(c) The list thus reported shall be officially established only by order of the commissioner of citywide administrative services. The date prescribed in such order shall be the date of such establishment.

4.6.2. Terms and Conditions.

An eligible list may be established subject to the conduct of such medical, physical, or other appropriate non-competitive qualifying tests, investigations and conditions as may be deemed appropriate by the commissioner of citywide administrative services.

4.6.3. Publication of Established Lists.

An established eligible list shall be published as soon as practicable after establishment. Upon the establishment of an open competitive eligible list notification thereof shall be published as soon as practicable thereafter stating the title of the examination, the examination number, the number of passing candidates, the date of establishment, and such other information as the commissioner of citywide administrative services shall prescribe.

4.6.4. Notification to Candidates.

Unless otherwise provided for in the notice of examination with respect to a continuing eligible list, the commissioner of citywide administrative services, upon the establishment of an eligible list, shall notify each candidate of the candidate's ratings and, if the candidate has received a passing final examination rating, of the numerical place on such list. Any candidate rejected for reasons other than failure to attain a passing final examination rating shall be advised of such reasons.

4.6.5. Inspection of Examination Papers.

Except as otherwise provided by the commissioner of citywide administrative services, candidates may personally inspect their examination papers at the offices of the department of citywide administrative services, or the examining agency, as the case may be, at specified times in the presence of employees designated by the commissioner of citywide administrative services or by the head of the examining agency.

4.6.6. Duration of Eligible Lists.

(a) The duration of either an open competitive or promotion eligible list shall be not less than one nor more than four years from the date of establishment.

(b) Unless otherwise provided, an eligible list which has been in existence for one year or more shall terminate upon the establishment of an appropriate subsequent like list for the same title.

(c) Where the duration of an eligible list is fixed in the announcement of examination at less than four years, the commissioner of citywide administrative services may by resolution prior to the expiration date of such list extend the duration of such list up to the maximum limitation of four years, provided that such announcement of examination states that such extension may be made.

(d) The commissioner of citywide administrative services may also by resolution prior to the expiration date of an eligible list extend the duration of such list as provided for in section fifty-six of the civil service law, as amended by section one of chapter four hundred and forty-three of the laws of nineteen hundred and seventy-six.

SECTION VII--CERTIFICATION OF ELIGIBLE LISTS AND SELECTION THEREFROM

4.7.1. General Provisions.

(a) The provisions of this section shall apply to the certification of eligible lists by the commissioner of citywide administrative services or, in the case of classes of positions unique to an agency, the certification of eligible lists for such classes by the agency head.

(b) Appointments or promotions shall be made from the established list most nearly appropriate for the position to be filled, as determined by the commissioner of citywide administrative services.

(c) Appointment or promotion from an established eligible list to a position in the competitive class shall be made by the selection of one of the three persons certified by the commissioner of citywide administrative services or the head of the certifying agency, as the case may be, as standing highest on such established list who are qualified and willing to accept such appointment or promotion. Where applicable, such selection shall be made as provided for in paragraph 4.4.12 of these rules.

(d) The rating of each eligible shall be stated in the certification.

(e) The agency head may review the examination application and records of each certified eligible at the office of the department of citywide administrative services.

4.7.2. Existing Eligible Lists.

(a) When an eligible list has been in existence for less than one year and contains the names of less than three eligibles willing to accept appointment, and a new list for the same position or group of positions is established, the names of the eligibles remaining on the old list shall have preference in certification over the new list until such old list is one year old. During such period such names shall be certified along with enough names from the new list to provide a sufficient number of eligibles from which selection may be made.

(b) Where an old list which has been in existence for one year or more is continued upon the establishment of a new list which contains less than three names, the commissioner of citywide administrative services may certify or may authorize the head of the certifying agency to certify the names on the old list along with enough names from the new list to provide a sufficient number of eligibles from which selection may be made.

(c) Agency and city-wide promotion eligible lists shall not be certified for an agency until after the promotion unit eligible lists for that agency, if any, have been exhausted.

4.7.3. Additions to Certification.

(a) If there be more than one position to be filled, or if the commissioner of citywide administrative services or certifying agency head has reason to anticipate declinations, or where the certification is to be completed as set forth in this paragraph, the commissioner of citywide administrative services or certifying agency head shall supplement the certification for the selection by the addition of the names of those next in order on the established list. However, selection shall be made singly and in each case from the three highest names remaining qualified and eligible and willing to accept appointment or promotion, or from among those eligibles as provided for in paragraph 4.4.12 of these rules, as the case may be.

(b) On notification from an agency head that one or more eligibles have declined appointment and on receipt by the department of citywide administrative services from such officer of any such declination in writing, or of evidence of the failure of any such eligible to respond to a notice properly sent, such certification shall be completed by the addition of the name or names of the eligibles next in order of standing on the list.

(c) Upon receipt by the head of a certifying agency of a written declination of appointment by one or more eligibles named in a certification or of evidence of the failure of any such eligible to respond to a notice properly sent, such certification shall be completed by the addition of the name or names of the eligibles next in order of standing on the list.

(d) Where objection to the certification of one or more eligibles has been duly made by an agency head and the commissioner of citywide administrative services sustains such objection, the certification shall be completed by the addition of the name or names of the eligibles next in order of standing on the eligible list.

4.7.4. Limitation on Certifications.

No name shall be certified more than three times to the same agency head for the same or similar position unless at such officer's request. However, only those who have been actually entitled to

consideration for selection shall be charged with certification. For appointment to the position of police officer in the police, transit police, or housing police services, no name certified three times to one agency head shall be certified to another unless at such agency head's request.

4.7.5. Duration of Certification.

A certification shall not remain in force and effect for a period longer than thirty days nor beyond the existence of the eligible list from which certification was made. Until such certification has been exhausted or terminated, no new certification shall be made for the same position in the same agency.

4.7.6. Revocation of Individual Certification or Appointment.

Whenever a person not entitled to certification is certified, such certification and appointment, if any, shall be revoked by the commissioner of citywide administrative services.

4.7.7. Ineligibility for Further Certification.

An eligible who has been appointed to a permanent position for which the list was established or to a similar position in the same or higher grade, shall no longer be eligible for certification from such list.

4.7.8. Conditional Certification.

(a) Upon the initiative of the commissioner of citywide administrative services or upon request of the agency head, the commissioner of citywide administrative services may certify eligibles subject to investigation, medical test or other qualifying test or requirement, where such conditions were not provided for at the time an eligible list was established. Upon approval by the commissioner of citywide administrative services, such conditional certification may be made by the head of a certifying agency.

(b) Written notice of such conditional certification pursuant to this paragraph shall be given to eligibles at the time of appointment or promotion, as the case may be.

(c) Whenever, upon subsequent investigation, medical test or other qualifying test or requirement, an eligible thus certified is found to be not qualified, such certification shall be revoked by the commissioner of citywide administrative services and the employment, if any, of such eligible terminated, provided, however, that no such certification shall be revoked or appointment terminated more than three years after it is made, except in the case of fraud.

4.7.9. Certification by Sex.

The commissioner of citywide administrative services may authorize the limitation of certification from an eligible list to one sex when the duties of the position involve institutional or other custody or care of persons of the same sex, or the visitation, inspection, or work of any kind the nature of which is a bona fide occupational qualification requiring sex selection.

4.7.10. Selective Certification.

(a) Selective certification may be made from an eligible list to fill similar or related positions which require additional or special qualifications not tested for specifically in the prescribed requirements or tests of an examination, in the manner provided in this paragraph.

(b) Upon the initiative of the commissioner of citywide administrative services or at the request of the head of an agency, the commissioner of citywide administrative services may selectively certify from an eligible list where the announcement of examination originally contained a specific provision for such selective certification.

(c) With respect to certifying agencies, the agency head may so selectively certify, where the announcement of examination originally contained a specific provision for such selective certification, upon approval by the commissioner of citywide administrative services.

(d) Selective certification shall be made only upon due notice to all affected eligibles on such list.

(e) Eligibles on such list who possess the additional or special qualifications required as evidenced by experience, appropriate licensure, possession of essential tools, equipment and facilities, or who pass an appropriate qualifying test shall be qualified for selective certification and shall be certified to such similar or related positions in the order of standing on the original list.

(f) Where the announcement of examination did not originally contain a provision for such selective certification, it shall not be made or authorized until intention to make such certification has been duly advertised in a designated newspaper and a public hearing thereon held by the commissioner of citywide administrative services in the same manner as is required for the adoption or amendment of a rule.

4.7.11. Certification Pools.

Certification pools may be conducted at the discretion of the commissioner of citywide administrative services for the purpose of filling positions more expeditiously. Such certification pools shall be conducted pursuant to appropriate terms and conditions not inconsistent with the civil service law or these rules.

4.7.12. Continuing Eligible Lists.

(a) The commissioner of citywide administrative services may establish continuing eligible lists for such classes of positions where the needs of the service require. Such continuing eligible lists shall consist of the names of candidates successful in tests which may be conducted from time to time and which shall be so constructed and rated so as to be as nearly equivalent as possible in coverage and difficulty.

(b) The name of any candidate who passes any such test and who is otherwise qualified shall be placed on such eligible list in the rank corresponding to the candidate's final rating on such test.

(c) The period of eligibility of successful candidates for certification and appointment from such continuing eligible lists shall be one year following the date on which such candidates first became eligible for certification.

(d) A candidate may take more than one test provided, however, that no such candidate shall be certified simultaneously with more than one rank on the continuing eligible list.

SECTION VIII--DECLINATION OF APPOINTMENT

4.8.1. Applicability.

The provisions of this section shall apply to appointments from established eligible lists certified by the commissioner of citywide administrative services or by the head of a certifying agency.

4.8.2. Effect of Declination; Failure to Respond; Failure to Report.

Except as otherwise provided in this section, the name of an eligible who has been certified for employment in and offered an appointment to a position, whether or not the list was expressly established therefor, shall be withheld from certification for any position upon the occurrence of one of the following:

- (a) declination by the eligible of an offer of appointment to any such position;
- (b) failure of the eligible to respond to an offer of appointment within the period fixed by the agency head, provided that such period is not less than four days after the date of such offer;
- (c) failure of the eligible to report for duty after accepting such position.

4.8.3. Exceptions for Declinations.

(a) Notwithstanding the provisions of paragraph 4.8.2, declination by an eligible of an offer of appointment to a position, whether or not the list was expressly established therefor, shall result only in withholding such eligible's name from certification to a like position if the declination is for one of the following reasons:

- (1) temporary inability to accept the position;
- (2) in the case of original appointment the location in which the duties are to be performed. However, if the location is within the city of New York, such declination shall apply to the entire city, and if outside the city of New York, such declination shall apply to the entire county;
- (3) in the case of a promotion, where the certification is from a citywide promotion list and the position offered is in an agency other than the agency where the eligible is employed;
- (4) in the case of a promotion, location on the basis of borough or county in which the duties are to be performed.

(b) Where the offer of appointment is to a position other than that for which the list was expressly established and is declined by an eligible for that reason, such declination shall result only in withholding such eligible's name from further certification to any such other like position.

(c) Where the eligible declines appointment to a specific position for which the list has not been expressly established, because of the objectionable nature of the duties of such position, and the commissioner of citywide administrative services finds the duties to be of such nature, such eligible's name shall be withheld only for certification to a like specific position. However, where the list has been expressly established for such specific position, such person's name shall be withheld from certification upon declination of appointment for such reason.

(d) If a list established for permanent appointment is certified for temporary, seasonal or part-time employment, declination of an offer of appointment shall result only in withholding such eligible's name from certification for a position of a like duration of employment. However, where the eligible list has been expressly established for a position of a temporary, seasonal or part-time duration, declination of appointment to such position shall result in withholding the eligible's name from further certification.

4.8.4. Effect of Withholding from Certification on Certification to a Like Position.

A person whose name has been withheld from certification shall not be eligible for like certification until all eligibles on the eligible list upon which such person's name appears have been reached for like certification unless such person submits an explanation satisfactory to the commissioner of citywide administrative services for the declination or failure to reply or to accept appointment. Such explanation must be filed in writing with the department of citywide administrative services at any time prior to the expiration date of the eligible list.

4.8.5. Conditions for Restoration.

(a) The name of an eligible for an original appointment which has been withheld from certification shall not be restored to such list for certification, except upon written request therefor by such eligible. No more than a total of three restorations shall be permitted.

(b) The name of an eligible for promotion to a higher position, which has been withheld from certification shall automatically be restored to the bottom of such list for certification. No more than a total of three restorations shall be permitted.

(c) The commissioner of citywide administrative services may, if the needs of the service require, restore names of eligibles covered by this paragraph 4.8.5 to a list without their written request. Such restorations shall not be included in the total of three restorations permitted.

4.8.6. Declination for Insufficiency of Compensation.

When declination for insufficiency of compensation offered results in the selection of an eligible lower on the eligible list than the person who thus declined, the compensation of the person selected shall not be increased within one year after such selection beyond the amount declined, unless each eligible originally declining has received or declined appointment or promotion at the increased amount. However, at the discretion of the commissioner of citywide administrative services, for reasons to be recorded, this limitation may be waived.

4.8.7. Different Compensation.

Notwithstanding the provisions of paragraph 4.8.6, upon the written request of an agency head setting forth the reasons therefor, the commissioner of citywide administrative services may certify to specified agencies, eligibles having specified additional qualifications at a rate of compensation above that offered to other persons on the same eligible list.

RULE V-APPOINTMENTS AND PROMOTIONS

SECTION I--APPOINTMENTS AND PROMOTIONS GENERALLY

5.1.1. Prohibition Against Out-of-Title Work.

No person shall be appointed, promoted or employed under any title not appropriate to the duties to be performed and, except upon assignment by proper authority during the continuance of a temporary emergency situation, no person shall be assigned to perform the duties of any position unless duly appointed, promoted, transferred or reinstated to such position in accordance with the law and rules prescribed therefor. No credit shall be granted in a promotion examination for out-of-title work.

5.1.2. Procedures for Identification and Oath.

(a) Upon appointment or promotion an eligible shall be fingerprinted and shall execute in the presence of the agency head or representative the prescribed identification form.

(b) An eligible shall likewise take and file such oath or affirmation as may be required by law. Such oath shall not be required from an employee in the labor class and shall be required only in other cases upon original appointment or upon a new appointment following an interruption of continuous service and shall not be required upon promotion, demotion, transfer or other change of title during the continued service of the employee, or upon the reinstatement pursuant to law or rules of an employee whose services have been terminated and whose last executed oath is on file.

(c) The duly executed identification form of the eligible or employee, together with the notice of appointment or promotion, shall be transmitted to the department of citywide administrative services.

5.1.3. Appointment Subsequent to Qualification.

Whenever a person has been declared qualified after investigation, medical or other qualifying tests or requirements, and is certified either by the commissioner of citywide administrative services or the head of a certifying agency for appointment after such qualification, such person upon appointment shall execute a supplemental statement, as the commissioner of citywide administrative services may prescribe, pertaining to such investigation, medical or other qualifying tests or requirements.

SECTION II--PROBATIONARY TERMS

5.2.1. Probationary Term.

(a) Every appointment and promotion to a position in the competitive or labor class shall be for a probationary period of one year unless otherwise set forth in the terms and conditions of the certification for appointment or promotion as determined by the commissioner of citywide administrative services. Appointees shall be informed of the applicable probationary period.

(b) Every original appointment to a position in the non-competitive or exempt class shall be for a probationary period of six months unless otherwise set forth in the terms and conditions for appointment as determined by the commissioner of citywide administrative services. Appointees shall be informed of the applicable probationary period. However, such probationary period may be terminated by the commissioner of citywide administrative services or by the agency head before the end of the probationary period, and the appointment shall thereupon be deemed revoked. Nothing herein shall be deemed to grant permanent tenure to any non-competitive or exempt class employee.

5.2.2. Effect of Certain Prior Service and Military Law.

(a) Notwithstanding anything to the contrary contained in paragraph 5.2.1, if a permanent employee has served in a promotional title and particular job assignment on a provisional or temporary basis for a continuous period equal to or greater than the probationary period for that title immediately prior to a permanent promotion to such title or, as determined by the commissioner of citywide administrative services, in a title in a similar grade and in such particular job assignment or similar job assignment in the same agency, the promotee shall not be required to serve a probationary period upon such promotion.

(b) Subject to the provisions of the military law of the state of New York, the computation of the probationary period shall be based on the time during which the employee is on the job in a pay status.

5.2.3. Status of Former Position Upon Promotion.

Upon promotion, the position formerly held by the person promoted shall be held open for the promotee, and shall not be filled, except on a temporary basis, pending completion of the probationary term.

5.2.4. Waiver Upon Promotion.

Upon promotion, the agency may waive the requirement of satisfactory completion of the probationary term at any time during such term.

5.2.5. Leave of Absence During Probationary Term.

Whenever a probationer who has not completed a probationary term has been granted a leave of absence to accept appointment on a provisional, temporary, emergency or exceptional basis to another position in the city service or to accept permanent appointment to a position in another jurisdictional classification, the period of service in such position or positions may, in the discretion of the agency head who appointed such person as a probationer, be counted as satisfactory probationary service in determining the completion of such probationary term.

5.2.6. Restoration After Separation From Service; Conditions.

A probationer separated from the service for any reason other than fault or delinquency may be restored by, and at the discretion of, the commissioner of citywide administrative services to the eligible list from which selected, if it be in existence, with the same relative standing thereon for general certification therefrom or for certification to agencies other than the one from which the probationer was separated provided that:

(a) the time during which such person has actually served shall be deducted from the probationary term if such person be again selected by the same agency head;

(b) if selected by another agency head, such person shall be required to serve a full probationary term unless such agency head elects to credit such person with the time theretofore served.

5.2.7. Termination.

(a) At the end of the probationary term, the agency head may terminate the employment of any unsatisfactory probationer by notice to such probationer and to the commissioner of citywide administrative services.

(b) Notwithstanding the provisions of paragraph 5.2.1, whenever any agency has with the approval of the commissioner of citywide administrative services established a prescribed formal course of study or training for all probationary employees in a given title or titles, the agency head may, at the close of such course of study or training, terminate the employment of any probationer who fails to complete successfully such course of study or training, as the case may be.

(c) Notwithstanding the provisions of paragraphs 5.2.1 and 5.2.7(a) the agency head may terminate the employment of any probationer whose conduct and performance is not satisfactory after the completion of a minimum period of probationary service and before the completion of the maximum period of probationary service by notice to the said probationer and to the commissioner of citywide administrative services. The specified minimum period of probationary service, unless otherwise set forth in the terms and conditions of the certification for appointment or promotion as determined by the commissioner of citywide administrative services, shall be:

(1) two months for every appointment to a position in the competitive or labor class and

(2) four months for every promotion to a position in the competitive or labor class.

5.2.8. Extension of Probationary Period.

(a) Notwithstanding the provisions of paragraph 5.2.1, upon the written request of the agency head setting forth the reasons therefor and with the written consent of the probationer, the commissioner of citywide administrative services may authorize the extension of the probationary term for one or more additional periods not exceeding in the aggregate six months; provided, however, that the agency head may terminate the employment of the probationer at any time during any such additional period or periods.

(b) Notwithstanding the provisions of paragraphs 5.2.1, 5.2.2 and 5.2.8(a), the probationary term is extended by the number of days when the probationer does not perform the duties of the position, for example:

limited duty status, annual leave, sick leave, leave without pay, or use of compensatory time earned in a different job title; provided, however, that the agency head may terminate the employment of the probationer at any time during any such additional period.

5.2.9. Restoration After Termination.

Where the services of a probationer have been terminated, the commissioner of citywide administrative services has the discretion to and may restore the name of such probationer to the eligible list, if it be in existence. Such probationer's name shall be duly certified to other agency heads or to the same agency head if the latter so requests.

5.2.10. Continued Employment Pending Appeal.

Whenever a probationer who has been declared not qualified by the commissioner of citywide administrative services for the position held by the probationer files an appeal with the commission, upon the written request of the agency head setting forth the reasons therefor, the probationer's continued employment may be authorized at the discretion of the commissioner of citywide administrative services pending final decision of such appeal; provided, however, that the period of service between such declaration of disqualification and the disposition of the appeal shall not be counted in determining the completion of such probationary term.

5.2.11. Reports to Commissioner of Citywide Administrative Services.

The commissioner of citywide administrative services may require an agency head to report in writing on the quality of the performance of any probationer.

SECTION III--PROMOTIONS

5.3.1. General Provisions.

(a) Except as otherwise provided, promotion examinations and promotions shall be governed by the rules relating to original appointments.

(b) The provisions of this section shall apply to promotion examinations conducted by the department of citywide administrative services and to non-written promotion examinations conducted by examining agencies.

5.3.2. Limitations On Promotion.

(a) No promotion shall be made from one position or title to another position or title unless specifically authorized by the commissioner of citywide administrative services, nor shall a person be promoted to a position or title for which there is required an examination involving essential tests or qualifications different from or higher than those required for the position or title held by such person unless the person has passed the examination and is eligible for appointment to such higher position or title.

(b) An increase in the salary or other compensation of any person holding an office or position in the competitive class beyond the limit fixed for the grade of such position in the classification rules or an advancement from one rank to a higher rank shall be deemed a promotion except as provided otherwise in a labor contract, a labor relations order or personnel order and be subject to the prohibition of this paragraph.

5.3.3. Filling Vacancies by Promotion.

(a) Except as provided in paragraph 5.3.5, vacancies in positions in the competitive class shall be filled, so far as practicable, by promotion from among persons holding competitive class positions in a lower grade in the agency in which the vacancy exists, provided that such lower grade positions are in the direct line of promotion, as determined by the commissioner of citywide administrative services.

(b) Where the commissioner of citywide administrative services determines that it is impracticable or against the public interest to limit eligibility for promotion to persons holding lower grade positions in the direct line of promotion, the commissioner of citywide administrative services may extend eligibility for promotion to persons holding:

(1) competitive class positions in lower grades which are determined by the commissioner of citywide administrative services to be in related or collateral lines of promotion; or

(2) comparable positions in any other unit or units of governmental service and may prescribe minimum training and experience qualifications for eligibility for such promotion.

(c) The commissioner of citywide administrative services may open promotion examinations to eligibles, otherwise qualified, in two or more grades who shall have served for the required period in any or all of such grades to which such examination is open. The commissioner of citywide administrative services also may extend eligibility in a promotion examination to persons holding positions of a corresponding character in the same grade as that of the position for which the examination is held. Eligibility shall be limited to persons who meet the requirements prescribed in the announcement of examination.

(d) Agency requests for any extension of eligibility provided for in this paragraph shall be made in accordance with the regulations of the commissioner of citywide administrative services.

5.3.4. Promotion Units.

Promotion examinations may be held for such subdivisions of an agency as the commissioner of citywide administrative services may determine to be an appropriate promotion unit. Where promotion examinations are held for a promotion unit in an agency there shall be no certification of agency and citywide promotion eligible lists until after the promotion unit eligible lists for that agency have been exhausted.

5.3.5. Filling Vacancies by Open Competitive Examination.

(a) Upon the initiative of the commissioner of citywide administrative services or upon the written request of an agency head stating the reasons therefor the commissioner of citywide administrative services may determine to conduct an open competitive examination for filling a vacancy or vacancies instead of a promotion examination.

(b) An agency head may determine that an open competitive examination should be conducted for filling a vacancy or vacancies in positions within the agency, instead of a promotion examination, subject to the provisions of this paragraph.

(c) Prior to any determination under paragraph 5.3.5(a) or (b) a determination shall be made by the commissioner of citywide administrative services:

(1) whether there are less than three persons eligible for promotion in the promotion unit where the vacancy exists or in the agency, if such vacancy is not in a separate promotion unit; or

(2) whether, in consultation with the agency head, an open competitive and promotion examination should be held simultaneously for vacancies in such positions.

If an affirmative determination is made under this subparagraph (c), the notice provisions of this paragraph shall not apply.

(d) A notice of intention to conduct such open competitive examination or a copy of the agency head's request for an open competitive examination, as the case may be, shall be publicly and conspicuously posted in the offices of both the agency and the department of citywide administrative services, where such determination is made by the commissioner of citywide administrative services under the provisions of 5.3.5(a). The determination or request shall not be acted upon until said notice has been so posted for a period of not less than fifteen days.

(e) A notice of intention to conduct such open competitive examination shall be publicly and conspicuously posted in the offices of the agency, where such determination is made by the agency head under the provisions of 5.3.5(b). Said notice shall be so posted for a period of not less than

fifteen days. The agency head's determination and the reasons therefor, in writing, shall have been sent to the commissioner of citywide administrative services simultaneously with such posting.

(f) Any employee who believes that a promotion examination should be held for filling such vacancy, may submit to the commissioner of citywide administrative services and the agency head a request in writing, for a promotion examination rather than an open competitive examination, stating the reasons why such employee believes it to be practicable and in the public interest to fill the vacancy by promotion examination.

(g) The commissioner of citywide administrative services shall decide whether to disapprove an agency determination pursuant to 5.3.5(b) within thirty days of its receipt.

5.3.6. Citywide Lists.

The commissioner of citywide administrative services may establish citywide promotion lists which shall not be certified to an agency until after the promotion eligible list for that agency has been exhausted.

5.3.7. Promotion by Non-Competitive Examination.

Whenever there are no more than three persons eligible for examination for promotion to a vacant competitive class position, or whenever no more than three persons file applications for examination for promotion to such position, the agency head may nominate one of such persons and such nominee, upon passing an examination appropriate to the duties and responsibilities of the position may be promoted, but no examination shall be required for such promotion where such nominee has already qualified in an examination appropriate to the duties and responsibilities of the position.

5.3.8. Factors in Promotion.

Promotion shall be based on merit and fitness as determined by examination. Seniority, previous training and experience of candidates, and performance based on performance evaluation may be considered and given due weight as factors in determining the relative merit and fitness of candidates for promotion.

5.3.9. Credit for Provisional Service.

No credit in a promotion examination shall be granted to any person for any time served as a provisional appointee in the position to which promotion is sought or in any similar position, provided, however, such provisional appointee by reason of such provisional appointment shall receive credit in the permanent position from which promotion is sought for such time served in such provisional appointment.

5.3.10. (Deleted 10/19/81)

5.3.11. (Deleted 10/19/81)

5.3.12. Eligibility to Compete in a Promotion Examination: Preferred List or Leave of Absence Status. An employee who has been suspended from a position through no fault of the employee and whose name is on a preferred list, and any employee on leave of absence from a position shall be allowed to compete in a promotion examination for which such employee would otherwise be eligible on the basis of actual service before suspension or leave of absence.

5.3.13. (Deleted 10/19/81)

5.3.14. Eligibility for Certification from a Promotion List.

Eligibility for certification by the commissioner of citywide administrative services or head of a certifying agency from a promotion list shall be limited to permanent employees whose names appear on such list who have successfully completed their probationary periods in the eligible title from which promotion is being made.

5.3.15. Eligible List Status of Employees Involuntarily Transferred, Reinstated From a Preferred List or Transferred to Avoid Layoff.

Whenever a permanent employee is involuntarily transferred from one agency to another due to a transfer of personnel upon a transfer of functions or whenever such employee is reinstated from a preferred list to an agency other than the one from which the employee was separated:

(a) If both the examination for the agency to which the employee is being transferred and the examination for the agency from which the employee was transferred were not given simultaneously nor are they identical, the employee shall be entitled, upon written application, to have his or her name transferred from such agency promotion list upon which it may appear in the first agency and entered upon a corresponding special promotion list for the agency to which such employee was reinstated from the preferred list or was involuntarily transferred. However, such corresponding special promotion list shall not be certified for promotion to such agency until any existing corresponding agency and unit promotion list or lists shall have been exhausted or terminated;

(b) If both the examination for the agency to which the employee is being transferred and the examination for the agency from which the employee was transferred were given simultaneously and are identical, the said employee shall be entitled upon written application to have his or her name transferred from such agency promotion list upon which it may appear and entered upon the appropriate eligible list in the agency to which such employee was reinstated from the preferred list or was involuntarily transferred based upon the final adjusted mark of such employee;

(c) If both the examination for the agency to which the employee is being transferred and the examination for the agency from which the employee was transferred were given simultaneously and although not identical the commissioner of citywide administrative services has determined that said examinations are comparable, the said employee shall be entitled upon written application to have his or her name transferred from such agency promotion list upon which it may appear and to have his or her name entered upon the appropriate eligible list in the agency to which such employee was reinstated from the preferred list or was involuntarily transferred based upon the final adjusted mark of such employee.

(d) The provisions of this section shall apply to a permanent employee who is transferred either voluntarily or involuntarily to avoid imminent suspension or demotion of employees within an agency due to an abolition or reduction of positions. The determination that suspensions or demotions are imminent shall be made by the commissioner of citywide administrative services.

(e) Where employees in the second agency, in the same title as the transferred employees provided for in this section, would have been eligible to participate in a promotion examination given at the same time as the one given to such transferred employees, but no such promotion examination was given, the provisions of this section shall not apply to such transferred employees.

5.3.16. Provisions for Promotion in the Correction, Fire, Housing Police, Police, Rapid Transit Railroad and Transit Police Services.

(a) The provisions of paragraph 5.3.14 shall not be applicable in the case of promotion examinations and promotions in the correction, fire, police, and rapid transit railroad services.

(b) Eligibility to compete in promotion examinations for positions in the rapid transit railroad service shall be limited to employees, otherwise qualified, who have served permanently in the eligible title or titles for a period of not less than one year if the examination is for a position in group II or for a period of not less than six months if the examination is for a position in group I, except as otherwise provided by law or rule or fixed in the notice of examination.

(c) In examinations for promotion to positions in the police, fire, rapid transit railroad, transit police, housing police and correction services, the method of rating seniority and performance and the terms and conditions of eligibility for competition and promotion therefor shall be set forth in the announcement of examination.

SECTION IV--TEMPORARY APPOINTMENTS

5.4.1. Temporary Appointments from Eligible Lists.

(a) A temporary appointment for a period not exceeding three months, where the need therefor is important and urgent, may be made without regard to existing eligible lists.

(b) A temporary appointment for a period exceeding three months but not exceeding six months may be made by the selection of a person from an appropriate eligible list, if available, without regard to the relative standing of such person on such list.

(c) Any further temporary appointment beyond such six-month period or any temporary appointment originally made for a period exceeding six months shall be made by the selection of an appointee from among those graded highest on an appropriate eligible list, if available, upon certification thereof by the commissioner of citywide administrative services to the agency head in the manner prescribed in the rules for certification and appointment from eligible lists, provided however, that:

(1) such appointee may be withheld from certification at the request of the agency head for a period of four months or for the duration of such employment, whichever period is shorter.

(2) This limitation, however, shall not apply during the last four months of the life of such eligible list.

(d) The head of a certifying agency shall certify eligible lists for classes of positions unique to the agency pursuant to the provisions of this section and shall report thereon as prescribed by the commissioner of citywide administrative services.

5.4.2. Temporary Appointments Exceeding One Month Duration.

(a) Temporary appointment may be made to a position when an employee is on leave of absence from such position for a period not exceeding the duly authorized duration of such leave of absence.

(b) Temporary appointment may be made for a period not exceeding six months when the commissioner of citywide administrative services shall find, upon due inquiry, that the position to which such appointment is proposed will not continue in existence for a longer period; provided, however, that where such appointment is made and it subsequently develops that such position will remain in existence beyond such six-month period such temporary appointment may be extended with the approval of the commissioner of citywide administrative services for a further period not to exceed an additional six months.

5.4.3. Successive Temporary Appointments.

Except as otherwise provided, successive temporary appointments pursuant to paragraphs 5.4.1 or 5.4.2 shall not be made to the same position after the expiration of the authorized period of the original temporary appointment to such position.

5.4.4. Effect of Temporary Appointment on Promotion Eligibility.

Any employee who is appointed or promoted to a position left temporarily vacant by the leave of absence of the permanent incumbent thereof (pursuant to rule 5.4.2) after having qualified therefor in the same manner as required for permanent appointment or promotion thereto, shall have all the rights and benefits with respect to promotion eligibility of permanent status.

SECTION V--PROVISIONAL APPOINTMENTS

5.5.1. Appointment Requirements.

Whenever there is no appropriate eligible list available for filling a vacancy in the competitive class, the agency head may nominate a person to the commissioner of citywide administrative services for non-competitive examination, and:

(a) if such nominee shall be certified by the commissioner of citywide administrative services as qualified after such non-competitive examination, the nominee may be appointed provisionally to fill such vacancy until a selection and appointment can be made after competitive examination;

(b) such non-competitive examination may consist of a review and evaluation of the training, experience and other qualifications of the nominee without written, oral or other performance tests.

5.5.2. Duration.

A provisional appointment shall not continue for a period in excess of nine months.

5.5.3. Termination.

A provisional appointment to any position shall be terminated within two months following the establishment of an appropriate eligible list for filling vacancies in such positions; provided, however, that:

(a) when there is a large number of provisional appointees in any agency to be replaced by permanent appointees from a newly established eligible list and the agency head deems that the termination of the employment of all such provisional appointees within two months following the establishment of such list would disrupt or impair essential public services, evidence thereof may be presented to the commissioner of citywide administrative services; and

(b) after due inquiry, and upon finding that it is in the best interests of the public service, the commissioner of citywide administrative services may thereupon waive the provision of this paragraph requiring the termination of the employment of provisional appointees within two months following the establishment of an appropriate eligible list and authorize the termination of the employment of various numbers of such provisional appointees at prescribed stated intervals;

(c) in no case however shall the employment of such provisional appointee be continued longer than four months following the establishment of such eligible list.

5.5.4. Successive Provisional Appointments.

(a) Successive provisional appointments shall not be made to the same position after the expiration of the authorized period of the original provisional appointment to such position except as provided in this paragraph.

(b) Where an examination for a position or group of positions fails to produce a list adequate to fill all positions then held on a provisional basis, or where such list is exhausted immediately following its establishment, a new provisional appointment may be made to any such position remaining unfilled by permanent appointment. Such new provisional appointment may, in the discretion of the agency head, be given to a current or former provisional appointee in such position, except that a current or former provisional appointee who becomes eligible for permanent appointment to any such position shall, if he/she is then to be continued in or appointed to any such position be afforded permanent appointment to such position.

5.5.5. Credit for Provisional Service.

The commissioner of citywide administrative services may, by regulation, provide a suitable method for the computation of experience credit for provisional service in open competitive or labor class examinations.

5.5.6. Review of Provisional Appointments.

The commissioner of citywide administrative services shall review any appointments of persons as provisional employees within sixty days after appointment to assure compliance with the New York City charter, the civil service law and other applicable law and the rules and regulations of the commissioner of citywide administrative services.

SECTION VI--SEASONAL APPOINTMENTS

5.6.1. Seasonal Appointments Authorized.

All positions in the competitive class, where the nature of the service is such that it is not continuous throughout the year, but recurs in each successive calendar year, may be designated by the commissioner of citywide administrative services as seasonal positions and appointments thereto shall be designated as seasonal appointments.

5.6.2. Seasonal Re-employment Roster.

(a) At the end of an employment season, the names of all persons employed during such season or major portion thereof shall be entered upon a seasonal re-employment roster in the order of their

first appointment to the title vacated by them on the expiration of such employment season provided that:

(1) the services rendered by such persons shall have been certified as satisfactory during such season or major portion thereof by the agency head; and

(2) they are otherwise still qualified.

(b) The names of the persons appearing on such roster shall be certified in numerical order during the next succeeding season to an agency head upon that official's request for seasonal re-employment in the positions previously held by such persons or similar positions.

(c) The qualifications of any such person may be further reviewed by the commissioner of citywide administrative services with respect to such person's continuing fitness to perform the required duties and such person may be disqualified for re-employment in the same manner and for any of the reasons applicable to disqualification for permanent employment.

5.6.3. Effect Upon Status.

Such seasonal re-employment roster shall in no event be deemed to be a preferred eligible list and persons employed in seasonal positions shall acquire no civil service status or right or privilege other than is set forth in this section.

SECTION VII--EXCEPTIONAL APPOINTMENTS

5.7.1. Temporary Appointments Without Examination in Exceptional Cases.

(a) The commissioner of citywide administrative services may authorize a temporary appointment, without examination, when the person appointed will render professional, scientific, technical or other expert services:

(1) on an occasional basis; or

(2) on a full-time or regular part-time basis in a temporary position established to conduct a special study or project for a period not exceeding eighteen months.

(b) Such appointment may be authorized only in a case where because of the nature of the services to be rendered and the temporary or occasional character of such services it would not be practicable to hold an examination of any kind.

5.7.2. (Deleted 7/8/80)

5.7.3. Records.

All exceptions made pursuant to this section shall be recorded by the commissioner of citywide administrative services.

5.7.4. Effect Upon Status.

Persons engaged for employment pursuant to this section shall acquire no civil service status or right or privilege of tenure other than those set forth herein.

5.7.5. City Services Aides.

Appointments to positions in the title city services aide title code no. 91405 which are paid on a per diem basis entirely from state and/or federal funds and are designed for the purpose of training individuals for specific skills and/or providing work opportunity in accordance with the provisions of an agreement between the City of New York or one of its agencies or authorities and the New York State or federal agency involved, shall be designated as exceptional appointments. Such appointments shall be made after authorization by the commissioner of citywide administrative services and in accordance with the terms and conditions of the appropriate agreement and for a period not to exceed eighteen months.

Appointments to positions in the title city services aide title code no. 91405 which are needed to perform or directly supervise the performance of general work requiring little or no experience or education and which result from a natural or humankind emergency that has been declared by the mayor, shall also be designated as exceptional appointments. Such per diem appointments shall be made after authorization by the commissioner of citywide administrative services and shall exist for the duration of the emergency, not to exceed a total of six months.

SECTION VIII--TRAINEE OR AIDE APPOINTMENTS

5.8.1. Trainee or Aide Appointments Authorized; Conditions.

The commissioner of citywide administrative services may require that permanent appointments to designated positions in the competitive class shall be conditioned upon the satisfactory completion of a period of service as a trainee or aide in an appropriate lower, trainee or aide position in such class and/or, where required, the completion of specified formal courses of training.

(a) The period of such trainee or aide service shall be prescribed and set forth in the announcement of examination.

(b) Upon the satisfactory completion of such trainee or aide service and/or of specified formal courses of training, as the case may be, an appointee shall attain permanent status in the designated position.

(c) Any trainee or aide appointment shall be subject to such probationary term as is prescribed in the rules.

(d) The employment of such trainee or aide may be terminated at the end of the period of the trainee or aide service, or at any time within such period, if the trainee's or aide's conduct, capacity or fitness is not satisfactory or if such person fails to pursue or to continue satisfactorily such formal courses as may be required, provided, however, that the announcement of examination shall set forth appropriate information relative to such termination.

5.8.2. Effect of Service in a Trainee Title Upon Probationary Period in the Permanent Title.

If, in the opinion of the agency head, an appointee conclusively demonstrates during service in a trainee title ability and fitness to perform the duties of the permanent title to which the appointee is thereafter assigned, completion of service in the trainee title, in the discretion of the agency head, may be deemed to be satisfactory completion of the probationary period in the permanent title, provided that the agency head files a written statement to that effect with the department of citywide administrative services at the time of such assignment to the permanent title.

RULE VI - PERSONNEL CHANGES

SECTION I--TRANSFERS

6.1.1. General Provisions.

Except as provided in paragraph 6.1.9 of this section, an employee shall not be transferred to a position for which there is required an examination involving essential tests or qualifications different from or higher than those required for the position held by such employee.

6.1.2. Functional Transfers.

Upon the transfer of a function from one agency to another agency, the permanent employees in the competitive or labor class so transferred shall be transferred without further examination or qualification and shall retain their respective civil service classification and status as employees in such new agency in accordance with the provisions of law governing functional transfers.

6.1.3. General Requirements.

Every transfer, other than a functional transfer, shall require the consent, in writing, of the proposed transferee and of the respective heads of the agencies concerned therewith and the approval of the commissioner of citywide administrative services.

6.1.4. Existing Eligible Lists, Restriction.

A transfer, other than a functional transfer, shall not be approved to a position for which an adequate appropriate preferred or agency promotion list exists, except as provided for in paragraph 6.1.5 of this section.

6.1.5. Special Transfer Lists.

Whenever it is determined to the satisfaction of the commissioner of citywide administrative services that the abolition of a permanent position in the competitive class is imminent:

- (a) the head of the agency in which such position exists shall furnish forthwith to commissioner of citywide administrative services the name, title, date of original appointment and the salary of the employee expected to be suspended; and
- (b) the commissioner of citywide administrative services shall thereupon establish a special transfer list for such title and shall place the name of such employee thereon in the order of original appointment as though suspended in accordance with section eighty of the civil service law; and
- (c) for a period not exceeding six months prior to the prospective abolition of such position, an employee whose name appears on such special transfer list shall be eligible for the filling of vacancies in the same or similar position before certification is made from any open competitive or promotion list; and
- (d) the name of any employee appearing on such special transfer list who is not so transferred prior to the abolition of such employee's position shall be placed on an appropriate preferred list pursuant to section eighty-one of the civil service law.

6.1.6. Eligibility of Probationers for Transfer.

An employee on probation shall be eligible for transfer; provided however, that:

(a) if such transfer is voluntary such employee shall serve the entire period of probation on the job in a pay status in the new position in the same manner and subject to the same conditions as required upon such employee's employment in the position from which transfer is made, and in accordance with the provisions of paragraph 5.2.1;

(b) if such employee is involuntarily transferred from one agency to another due to a transfer of personnel upon a transfer of function, or if such employee transfers voluntarily to avoid layoff resulting from a reduction in force, then, in either of such events, such employee shall receive credit for the period of time already served on probation.

6.1.7. Assignment During Period of Disability.

An employee who has incurred a disability which prevents the employee from performing the normal duties of the position may be assigned during the period of such disability to other appropriate duties for which the employee is deemed duly qualified as determined by the commissioner of citywide administrative services.

6.1.8. Transfers: Other Jurisdictions.

Transfers between positions subject to the jurisdiction of the commissioner of citywide administrative services and positions subject to the jurisdiction of the state civil service commission, the administrative board of the judicial conference or any other municipal civil service commission in the state may be approved by the commissioner of citywide administrative services, provided that the state civil service commission, the administrative board of the judicial conference or other municipal civil service commission has adopted reciprocal rules therefor and approves such transfers.

6.1.9. Transfer and Change of Title.

Notwithstanding the provisions of paragraph 6.1.1 of this section or any other provision of law, any permanent employee in the competitive class who meets all of the requirements for a competitive examination, and is otherwise qualified as determined by the commissioner of citywide administrative services, shall be eligible for participation in a non-competitive examination in a different position classification provided, however, that such employee is holding a position in a similar grade.

SECTION II--REINSTATEMENTS

6.2.1. General Provisions.

(a) An employee who has completed a probationary term in a permanent position in the competitive or labor class, and who has resigned or retired therefrom may be reinstated with the approval of the commissioner of citywide administrative services to:

(1) the position from which the employee has resigned or retired, if vacant, or to any similar vacant position in the agency in which the employee was employed; or

(2) to a position in another agency to which the employee would have been eligible for transfer.

(b) Such reinstatement may be made only if the separation from employment was without fault or delinquency on the employee's part and the head of the agency to whom the employee has applied for such reinstatement is willing to reinstate the employee.

6.2.2. General Conditions.

(a) Such reinstatement shall be subject to the provisions of this section and shall be made without further examination except that the employee reinstated under this section may be subject to such probationary period, investigation, medical or other qualifying tests or requirements as the commissioner of citywide administrative services shall determine.

(b) The head of the agency wherein such reinstatement occurs may elect to waive the requirement of satisfactory completion of the probationary term at any time during such term.

6.2.3. Period of Eligibility for Reinstatement.

(a) Such reinstatement must be accomplished within a period of time equivalent to the time the employee has actually served in the civil service of New York City, but in no event shall such period for reinstatement be less than one year nor more than four years from the date of resignation or retirement provided, however, that:

(1) the commissioner of citywide administrative services may fix a period equal to or twice the period actually served, but in no event less than one year nor more than four years within which an employee may be reinstated for designated classes of positions, where the commissioner of citywide administrative services determines that there is a lack of a sufficient number of qualified persons available for recruitment; and

(2) the commissioner of citywide administrative services shall annually re-examine the reason for establishing such period for reinstatement and shall revoke the prior determination upon a finding that there is a sufficient number of qualified persons available for recruitment.

(b) In computing the aforementioned time limitation, any time subsequent to separation spent in active service in the armed forces of the United States or of the State of New York resulting in discharge under honorable conditions and any time spent subsequent to separation in another position in the civil service of the city shall not be considered.

(c) Notwithstanding the foregoing provisions of this paragraph, with respect to members of the uniformed forces of the police and fire departments, the uniformed force of the New York City transit authority police department, and the uniformed force of the police department of the New York City housing authority, such reinstatement must be applied for by the former employee within a period of one year from the date of resignation or retirement.

6.2.4. Effect on Continuous Service.

Any such reinstatement effected more than one year after such separation shall not constitute continuous service.

6.2.5. Reinstatement After Separation for Disability.

(a) Where an employee has been separated from the service by reason of a disability resulting from occupational injury or disease as defined in the workers' compensation law, such employee shall be entitled to a leave of absence for at least one year unless the disability is of such a nature as to permanently incapacitate the employee from the performance of the duties of the position.

(b) Such employee may, within one year after the termination of such disability, make application to the commissioner of citywide administrative services for a medical examination to be conducted by a medical examiner selected by the commissioner of citywide administrative services. If, upon such examination, such examiner shall certify that such person is physically and mentally fit to perform the duties of the former position, such person shall be reinstated to it, if vacant, or to a vacancy in a similar or lower position in the same occupational field or to a vacant position for which such person was eligible for transfer.

(c) If no appropriate vacancy shall exist to which reinstatement may be made, or if the work load does not warrant the filling of such vacancy, the name of such person shall be placed upon a preferred list for the person's former or similar position, and such person shall be eligible for reinstatement therefrom for a period of four years from the date of medical and physical qualification. In the event that such person is reinstated to a position in a lower grade, the person's name shall likewise be placed on a preferred list.

(d) This paragraph shall not be deemed to modify or supersede any other provisions of law applicable to the re-employment of persons retired from the public service on account of disability.

6.2.6. Reinstatement of Dismissed Employee.

(a) An agency under the jurisdiction of the commissioner of citywide administrative services, upon written application for reinstatement by a person who was dismissed from a permanent competitive or labor class position in such agency, which sets forth the reasons for requesting an opportunity of making a further explanation, may consider such application.

(b) If the agency shall determine that such application and explanation are meritorious, it may, in its discretion and with the approval of the commissioner of citywide administrative services, reinstate such person; provided however, that:

(1) such person shall be eligible for reinstatement for a period of one year only from the date of dismissal; and

(2) such person shall execute a prescribed waiver, in writing, with respect to claims for back pay, civil service rights and status for the period of the dismissal.

6.2.7. Other City Service.

A permanent competitive class employee, separated from a position by appointment or promotion to another position in the unclassified or classified service of the city and who has served continuously therein, shall be eligible for reinstatement to the competitive class position formerly held by the employee or to another similar position or lower position in the same or similar occupational group or service.

SECTION III--VOLUNTARY DEMOTIONS

6.3.1. General Provisions.

No permanent competitive class employee shall be demoted unless such employee consents thereto in writing. The agency head concerned shall transmit to the commissioner of citywide administrative services such consent together with a statement of the reasons therefor. This paragraph shall not be applicable to penalties of demotion resulting from disciplinary proceedings.

6.3.2. Restoration.

A person who has been demoted may, upon written request by the agency head concerned, be restored to such person's former position or a similar position, with the approval of the commissioner of citywide administrative services.

SECTION IV--REMOVAL AND OTHER DISCIPLINARY ACTION

6.4.1. Removal Notification to Department of Citywide Administrative Services.

Where a person has been removed from a position for cause, a copy of the reasons therefor together with a copy of the proceedings thereon shall be transmitted to the department of citywide administrative services.

6.4.2. Service of Charges and Determination.

(a) Where the employee is a resident of the city, a copy of charges preferred in a disciplinary action pursuant to sections seventy-five and seventy-six of the civil service law shall be served in person upon the employee thus charged.

(b) Where personal service cannot be made or where the employee is not a resident of the city, it shall be sufficient for the agency head to serve such charges by registered mail to the last known address of such person. Where service is made by registered mail such person shall be allowed an additional three days in which to answer or otherwise appear.

(c) Service by the agency head of written notice of determination to be reviewed pursuant to sections seventy-five and seventy-six of the civil service law shall be sufficient if such written notice is delivered personally or by registered mail to the last known address of such person and when notice is given by registered mail such person shall be allowed an additional three days in which to file such appeal.

6.4.3. Absence Without Leave.

(a) When an employee is absent without leave and fails to communicate with the department in which employed in the manner prescribed by that department for a period of twenty consecutive work days, such absence shall be deemed to constitute a resignation effective on the date of its commencement unless the appointing officer, at the discretion of that officer, accepts an explanation for such unauthorized absence.

(b) In the case of an employee covered by the provisions of section seventy-five of the civil service law such absence shall constitute a cause for action against such employee under and subject to the provisions of that section.

SECTION V--ABOLITION OF POSITION, SUSPENSION, DEMOTION, PREFERRED LISTS

6.5.1. Suspension or Demotion.

The suspension or demotion of competitive class employees upon the abolition or reduction of positions shall be governed by the provisions of section eighty of the civil service law.

6.5.2. Units for Suspension or Demotion.

(a) The commissioner of citywide administrative services may, by rule, designate as separate units for suspension or demotion under this section, any institution or any division of any agency.

(b) There are hereby designated within the department of health the following separate units for suspension or demotion:

(1) urine testing laboratory of the methadone maintenance treatment program;

(2) Williamsburg methadone maintenance clinic of the methadone maintenance treatment program;

(3) evaluation and control unit of the methadone maintenance treatment program.

(c) There are hereby designated within the department of mental health, mental retardation and alcoholism services the following separate units for suspension and demotion:

(1) criminal and supreme court mental health program;

(2) family court mental health program.

(d) There are hereby designated within the department of citywide administrative services the following separate units for suspension or demotion:

(1) executive offices, which shall include the commissioner's office, office of the general counsel, office of technology and information services, office of fleet administration and transportation and office of external affairs and communications;

(2) offices of the chief financial officer and the chief administrative officer;

(3) office of administrative trials and hearings;

(4) division of facilities management and construction services;

(5) division of municipal supply services;

(6) division of real estate services;

(7) division of citywide personnel services.

(e) There are hereby designated within the department of housing preservation and development the following units for suspension or demotion:

(1) office of property management;

(2) office of development;

(3) office of rent and housing maintenance;

(4) office of central administration.

(f) There are hereby designated within the Department of Finance the following units for suspension or demotion:

(1) Department of Finance;

(2) Tax Appeals Tribunal.

6.5.3. Preferred Lists; Certification and Reinstatement.

In the event of suspension or demotion, preferred lists and certification and reinstatement therefrom shall be governed by the provisions of section eighty-one of the civil service law.

6.5.4. Effect of Failure or Refusal to Accept Reinstatement.

(a) The failure or refusal of a person on a preferred list to accept reinstatement therefrom to the person's former position, or any comparable position in a comparable salary or salary range for which such list is certified, shall be deemed to be relinquishment of eligibility for reinstatement, and such person's name shall thereupon be stricken from such preferred list.

(b) The name of such person may be restored to such preferred list, and certified to fill such appropriate vacancies as may thereafter occur, only upon the written request of such person containing a submission of reasons satisfactory to the commissioner of citywide administrative services for the previous failure or refusal to accept reinstatement.

6.5.5. Labor Class.

Whenever in any agency a position in the labor class is abolished or made unnecessary in any manner, or whenever the number of such positions is reduced, the permanent employee in such position shall be deemed suspended without pay and such employee's name shall be placed upon a preferred list for certification to appropriate vacancies for a period of one year from the date of suspension in the same manner as provided by sections eighty and eighty-one of the civil service law for the competitive class.

SECTION VI--EDUCATIONAL LEAVE OF ABSENCE UNDER THE MILITARY LAW

6.6.1. Certification.

In the event an employee on an educational leave of absence pursuant to the military law is on an eligible list and is certified but passed over for appointment from such a list during the period of absence, such employee shall not be charged with the certification.

6.6.2. Seniority.

The seniority of an employee on educational leave of absence pursuant to the military law shall accrue for purpose of suspension pursuant to section eighty of the civil service law during the period of such absence and the employee may in the same manner as all regular candidates file for and compete in any scheduled promotion examination held during the period of absence for which the

employee meets the eligibility requirements, but inability to file or to appear for the examination at the regularly scheduled time and place because of such absence shall not be sufficient grounds for granting a special examination.

6.6.3. Probation.

Whenever an employee shall have been granted an educational leave of absence pursuant to the military law prior to the completion of the probationary term prescribed by these rules, such probationary term shall not continue to run during the period of absence, but the employee shall be required to serve the remainder of such prescribed term upon return to active duty in pay status in city service before the employment shall be considered permanent.

6.6.4. Performance Rating or Evaluation.

No performance rating or evaluation shall be assignable to an employee on an educational leave of absence pursuant to the military law unless such employee shall have served at least three months on active duty in pay status in city service during a rating or evaluation period as prescribed

RULE VII - GENERAL PERSONNEL ADMINISTRATION

SECTION I--MAINTENANCE OF ROSTERS, ADDRESSES AND RECORDS

7.1.1. Roster.

The department of citywide administrative services shall maintain an official roster of the classified service, setting forth in detail the employment listing of each employee and each change of status from the time the employee enters service until separation therefrom.

7.1.2. Address.

(a) Each officer or employee in the classified service shall, upon appointment or promotion, notify the agency head of his or her address. Such officer or employee shall likewise inform the agency head of any change of address during the period of employment.

(b) A candidate for examination or an eligible on a list shall promptly notify the department of citywide administrative services and the examining or certifying agency, as the case may be, of any change of address which occurs between the time of filing the application and the expiration of the eligible list upon which such person's name appears.

(c) Any communication or service to the last address thus furnished shall be deemed a valid and sufficient communication of service upon such person.

7.1.3. Records.

Personnel records created and maintained by each agency shall include such records as prescribed by the commissioner of citywide administrative services to be maintained by the agency or submitted to the department of citywide administrative services.

SECTION II--CERTIFICATION OF PAYROLLS

7.2.1. Certification.

Payrolls shall not be certified except upon declaration by the agency submitting them to the commissioner of citywide administrative services that the persons named therein are employed in their respective positions in accordance with law and the rules and regulations adopted pursuant thereto. The payroll of any person whose employment is in contravention of the foregoing provision shall not be certified by the commissioner of citywide administrative services.

7.2.2. Notification.

Notification prior to each action or decision of an agency pursuant to chapter 35 of the New York City charter which changes the status of an individual employee, a position or a class of positions shall be provided by the agency to the commissioner of citywide administrative services.

7.2.3. Additional Employment.

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 additional 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.

SECTION III--POSITION CLASSIFICATION AND ALLOCATION

7.3.1. Position Classification.

(a) The commissioner of citywide administrative services shall, in accordance with the law and rules, duly classify and reclassify positions in the city service and shall prescribe regulations and procedures therefor.

(b) Agencies shall participate, in accordance with the provisions of this paragraph, with the department of citywide administrative services in job analyses for classification of positions and shall assist in setting the minimum requirements therefor.

7.3.2. Position Allocation: Existing Titles.

(a) Any new or existing positions which are allocated by an agency to a title of an existing class of positions shall be appropriate to the duties and responsibilities of such title and conform to the class specifications therefor.

(b) Agency allocations of such positions shall be made in accordance with these rules and with the standards set forth in the regulations or otherwise prescribed by the commissioner of citywide administrative services.

7.3.3. Position Allocation: New Class of Positions.

(a) If a new position is to be allocated by an agency to a new class of positions, the agency head shall request of the commissioner of citywide administrative services, and the commissioner of citywide administrative services shall furnish to the agency head and the commissioner of finance, a certificate stating:

- (1) the appropriate civil service title for the proposed position;
 - (2) the range of salary of comparable civil service positions;
 - (3) a statement of required class specifications and line of promotion, if any, into which such new position shall be placed.
- (b) Any such new position shall be created only with the title approved by the commissioner of citywide administrative services and in accordance with the rules.

SECTION IV--MANAGEMENT SERVICE (RESERVED)

SECTION V--PERFORMANCE EVALUATION FOR SUB-MANAGERIAL EMPLOYEES

7.5.1. Agency Performance Evaluation Programs.

Each agency shall establish and administer a performance evaluation program for sub-managerial employees in accordance with these rules or as prescribed by the commissioner of citywide administrative services in the regulations or procedures. Such programs shall be subject to approval by the commissioner of citywide administrative services.

7.5.2. Definition.

The performance evaluations of all sub-managerial employees, other than members of the uniformed forces of the police, fire, transit police, housing police, correction services and operating staff of the independent authorities, shall be based upon evidence of the work actually performed by such employees as compared with pre-established performance standards.

7.5.3. Use.

Performance evaluations of sub-managerial employees shall be used by agencies during the probationary period and for promotions, assignments, incentives and training.

7.5.4. General Administration.

- (a) Each agency shall establish and maintain an employee service board to oversee the operation and effectiveness of the agency's sub-managerial performance evaluation program.
- (b) Rating criteria in the form of performance standards shall be developed through a process of job analysis that will include consultation with employees to be evaluated.
- (c) Sub-managerial employees shall be rated by supervisors who directly observe and/or review their work. All such evaluations shall be reviewed by a superior who is at least one level above that of the evaluator.
- (d) Final evaluations shall be issued by the agency's employee service board subject to review by the agency head.
- (e) Sub-managerial employees shall receive at least one performance evaluation a year and shall be informed in writing at the beginning of the evaluation period of the performance standards that are to be used as the basis for evaluation. All such employees shall be shown their evaluation reports.

7.5.5. Appeals.

(a) Each agency shall establish and maintain an appeals board which shall determine appeals by permanent sub-managerial employees of their performance evaluations.

(b) The determination of the appeals board may be appealed by such permanent employee to the head of the agency.

(c) Procedures for such appeals shall be contained in the sub-managerial performance evaluation program submitted by the agency to the commissioner of citywide administrative services.

7.5.6. Sub-Managerial Performance Evaluations for Probationary Employees.

(a) Interim evaluations shall be made for sub-managerial probationary employees at least every three months and a final report shall be made at the end of the probationary period. Each interim evaluation shall contain a recommendation that the probationary employee either be retained for an additional three-month period or terminated from the position.

(b) Such probationary employee shall not have the right to appeal a performance evaluation but any unsatisfactory interim reports and all final probationary reports shall be reviewed by the agency's employee service board.

7.5.7. Notices.

Each agency shall publicize in a timely fashion any salary increases, other monetary rewards or assignments which result from sub-managerial performance evaluations. The names of employees who receive overall ratings above satisfactory shall also be made public.

SECTION VI -- PERSONNEL PROGRAMS FOR EMPLOYEE INCENTIVES AND RECOGNITION, TRAINING AND SAFETY

7.6.1. Employee Incentives and Recognition.

(a) The commissioner of citywide administrative services shall administer citywide employee incentive and recognition programs.

(b) Agency plans and programs for agency employee incentive and recognition shall be prepared and submitted to the commissioner of citywide administrative services for approval in accordance with the regulations or as otherwise prescribed by the commissioner of citywide administrative services.

7.6.2. Employee Training and Development.

Employee training and development programs shall be conducted on a citywide basis by the department of citywide administrative services and on an individual agency basis by agencies.

7.6.3. Employee Safety.

Employee safety programs shall be administered on a citywide basis by the department of citywide administrative services and on an individual agency basis by agencies.

7.6.4. General Provisions.

(a) Standards for the personnel programs described in this section shall be as prescribed by the commissioner of citywide administrative services.

(b) Personnel programs which are of a citywide nature or which are such that administration by separate agencies would be impracticable and uneconomical shall be administered by the commissioner of citywide administrative services.

SECTION VII --EQUAL EMPLOYMENT OPPORTUNITY

7.7.1. Equal Employment Opportunity.

Equal employment opportunity programs administered by the department of citywide administrative services and by agencies shall ensure and promote equal opportunity in employment.

RULE VIII - APPEALS

SECTION I --DEPARTMENT OF CITYWIDE ADMINISTRATIVE SERVICES ACTIONS

8.1.1. Procedures for Claim of Manifest Error or Mistake--Examinations.

(a) Except as otherwise provided by resolution or regulation of the commissioner of citywide administrative services, whenever a claim of manifest error or mistake is made, such claim shall be referred to a committee on manifest errors. This committee shall consist of three qualified persons designated as members thereof by the commissioner of citywide administrative services, which committee shall either have as a member or consult with an expert in the subject matter with which such claim is concerned. A claim of manifest error or mistake shall open for review the candidate's answers to all the questions in the examination. Such review may result in a higher or lower final rating.

(b) Such committee shall inquire into the merits of each claim and shall submit the signed determination of each member as to whether or not there has been a manifest error or mistake together with such correction or remedy, if any, as may be recommended.

(c) Except as hereafter provided, such claim of manifest error or mistake must be made in writing by the candidate within one month from the date of notice to the candidate of the results of such examination, tests, subjects or parts thereof.

(d) Whenever a claim of manifest error or mistake is made in connection with the rejection of a candidate because the candidate has failed to meet the preliminary requirements of such examination, such claim must be made in writing by the candidate within two weeks following the date upon which notice was transmitted to the candidate of such rejection.

(e) Whenever a claim of manifest error or mistake is made by a person on an eligible list who has been rejected after investigation because such person has failed to meet the preliminary requirements of such examination, such claim must be made in writing by the person within two weeks following the date upon which notice was transmitted to the person of such rejection.

(f) Any correction of manifest error or mistake shall be without prejudice to the status of any person previously appointed from the eligible list resulting from such examination. However, if, as a result

of any correction of manifest error or mistake, an eligible on a list or any person appointed from such list is found to have failed the examination, any such eligibility or appointment shall be cancelled and revoked forthwith, and notice of such action shall be sent to the eligible or appointee. The right to cancel and revoke for the reasons set forth herein shall not apply where an appointee has served satisfactorily for a period of at least one year after appointment to such position.

SECTION II--AGENCY ACTIONS - APPEALS TO THE COMMISSIONER OF CITYWIDE ADMINISTRATIVE SERVICES

8.2.1. General Provisions.

A person aggrieved by the following agency actions or determinations may submit an appeal to the commissioner of citywide administrative services:

- (1) the allocation of an individual position to an existing civil service title with respect to whether the duties and responsibilities of the individual position so allocated are in conformance with the duties and responsibilities of such title;
- (2) the administration and certification of eligible lists for classes of positions unique to the agency by a certifying agency;
- (3) except as otherwise provided in paragraph 8.2.3 of this section, the scheduling and conduct of non-written promotion examinations by an examining agency.

8.2.2. General Procedures.

(a) An appeal to the commissioner of citywide administrative services pursuant to the provisions of paragraph 8.2.1 shall be made in writing within thirty calendar days of the final agency action or determination.

(b) Where a candidate has been disqualified by an examining agency on the grounds that the candidate was found to lack any of the established requirements for admission to the examination, such appeal must be made in writing within two weeks after the date of notification of such agency action.

8.2.3. Claims of Manifest Error or Mistake.

The procedures set forth in section 8.1.1 of these rules shall apply to claims of manifest error or mistake on non-written promotion examinations conducted by an examining agency.

SECTION III--CITY PERSONNEL DIRECTOR OR AGENCY ACTIONS-APPEALS TO THE CITY CIVIL SERVICE COMMISSION

(Deleted 10/30/81)

8.3.1. (Deleted 10/30/81)

8.3.2. (Deleted 10/30/81)

8.3.3. (Deleted 10/30/81)

8.3.4. (Deleted 10/30/81)

RULE IX - AUDITS AND INVESTIGATION

SECTION I--AUDITS

9.1.1. Audit Function.

The commissioner of citywide administrative services shall audit the performance by agencies of their personnel management functions, and may reverse or rescind any agency personnel action or decision taken pursuant to an assignment or delegation of authority under chapter 35 of the New York City charter, upon a finding of abuse, after notification to the agency and an opportunity to be heard.

9.1.2. General Audit Procedures.

Such audits shall be conducted in accordance with the provisions of this section and the regulations of the commissioner of citywide administrative services.

(a) The agency personnel and budget officer or the designated representative of such officer shall coordinate the agency preparation for department of citywide administrative services audits and assist the auditors during the period of the audit.

(b) The audit report and recommendations shall be transmitted to the agency head who, within two weeks of receipt thereof, shall make a response to the commissioner of citywide administrative services.

9.1.3. Reports.

The commissioner of citywide administrative services shall report to the mayor on the performance by agencies of their personnel management functions.

SECTION II--INVESTIGATION

9.2.1. Investigation Function.

The commissioner of citywide administrative services shall have the power to make investigations concerning all matters touching the enforcement and effect of the provisions of civil service law pursuant to and in the manner provided by law.

RULE X - CLASSIFICATION OF POSITIONS NOT INCLUDED IN THE CAREER AND SALARY PLAN OR IN THE NEW YORK CITY HOUSING AUTHORITY CLASSIFICATION PLAN

SECTION I--POSITIONS IN THE EXEMPT CLASS

10.1.1. Number of Positions.

Not more than one appointment shall be made to or under the title of any office or position in the exempt class unless a different number is specifically prescribed hereafter.

10.1.2. Classification and Compensation Schedule E.

The titles and number of positions authorized for each title in the exempt class subject to this rule are set forth in the "classification and compensation schedules of the classified service," schedule E.

SECTION II--POSITIONS IN THE NON-COMPETITIVE CLASS

10.2.1. Number of Positions.

Unless a different or an unlimited number is specifically prescribed hereafter, only one appointment may be made to or under the title of any offices or positions in the non-competitive class listed under this rule.

10.2.2. Classification and Compensation Schedule N.

(a) The titles, part numbers, number of positions authorized, and limitations on tenure, if any, for each title in the non-competitive class subject to this rule are set forth in the "classification and compensation schedules of the classified service," schedule N, under their respective departments, under the caption positions subject to rule X.

(b) The maximum salaries appearing in this schedule are not part of this rule, but are part of the classification of the classified service of the City of New York.

SECTION III--POSITIONS IN THE LABOR CLASS

10.3.1. Classification and Compensation Schedule L-10.

(a) The titles and grades, if graded, of positions in the class subject to this rule shall not be deemed to form part of these rules. The titles and positions subject to this rule are set forth in the "classification and compensation schedules of the classified service," schedule L-10.

(b) No part of this schedule is part of this rule. The schedule is, however, part of the classification of the classified service of the City of New York.

SECTION IV--POSITIONS IN THE COMPETITIVE CLASS

10.4.1. Classification and Compensation Schedule C-10.

The services, titles and grades, if graded, of positions in the competitive class subject to this rule shall not be deemed to form part of these rules. The titles and positions subject to this rule are set forth in the "classification and compensation schedules of the classified service," schedule C-10.

RULE XI - CLASSIFICATION AND COMPENSATION OF CAREER AND SALARY PLAN POSITIONS

SECTION I--SALARY GRADES

11.1.1. Career and Salary Plan.

The salary grade for positions which are now or may hereafter be made subject to the career and salary plan hereinafter provided, is as follows:

Salary Grade Salary Grade Minimum Salary Grade Maximum

SECTION II--CLASSIFICATION OF POSITIONS

11.2.1. Commissioner of Citywide Administrative Services.

The commissioner of citywide administrative services shall, in the manner provided by law, duly classify and reclassify positions which are now or which may hereafter be made subject to the classification and compensation plan.

SECTION III--IMPLEMENTATION OF THE CAREER AND SALARY PLAN

11.3.1. Functions and Procedures.

In order to implement the career and salary plan, each position or class of positions subject thereto shall be classified under a standard title and allocated to an appropriate salary grade as soon as practicable following the adoption of this rule, and, upon such position classification and salary grade allocation, the commissioner of citywide administrative services shall establish schedules of equivalent titles indicating in each case the former title of each position and the standard title and salary grade to which such position is classified and allocated. Such original position classifications and salary grade allocations shall be made, in the case of each position or class of positions, on the basis of the duties, responsibilities and examination qualifications naturally and properly pertaining to the present title of such position or class of positions, without regard to out-of-title work performed by any incumbent thereof. Thereafter, the reclassification and salary grade reallocation of positions shall be made on the basis of the actual duties and responsibilities thereof and the examination requirements based on such duties and responsibilities as determined by the department of citywide administrative services.

SECTION IV--EFFECTIVE DATE OF POSITION CLASSIFICATION AND POSITION RECLASSIFICATION

11.4.1. Prior to July 1, 1955. Any position classification or position reclassification made hereunder prior to July 1, 1955 shall become effective as of July 1, 1954.

SECTION V--CREATION OF NEW POSITIONS

11.5.1. Requirements.

A new position or class of positions shall be established hereunder only under the title and salary grade determined therefor in accordance with this rule, the provisions of the New York City charter and the provisions of the resolution of the board of estimate adopted July 9, 1954, calendar no. 1, establishing the pay plan not inconsistent with such charter.

SECTION VI--RIGHTS AND STATUS OF NEW INCUMBENTS AND ELIGIBLES ON LISTS

11.6.1. Existing Rights and Status.

The rights and status of the permanent incumbent of any position subject to the career and salary plan, including rights and status of employees provided for under the provisions of previous resolutions of classification or reclassification, shall not be adversely affected or impaired by the

provisions of this rule or any position classification, position reclassification, salary grade allocation, or salary grade reallocation adopted in accordance therewith.

Any permanent employee entitled to an unlimited salary grade prior to the classification or reclassification of such employee's position pursuant to the provisions of this rule shall continue to have such right and shall not be subject to a maximum salary, notwithstanding the fact that the position held by such employee may be classified or allocated to a salary grade having a maximum.

11.6.2. Eligible List Status.

The status of any person whose name appears upon an eligible list in existence on July first, nineteen hundred and fifty-four, or whose name appears on an eligible list established as a result of an examination in process on such date, shall not be adversely affected or impaired by the provisions of this rule or any position classification, position reclassification, salary grade allocation, or salary grade reallocation adopted in accordance therewith.

SECTION VII--RATES OF COMPENSATION OF POSITIONS NOT COMPENSABLE ON AN ANNUAL BASIS

11.7.1. Commissioner of Citywide Administrative Services; Procedures.

In order to effectuate the allocation or reallocation of positions paid at other than a per annum rate, the commissioner of citywide administrative services shall duly establish, in the manner provided by law, formulae for the purpose of computing the salaries of such positions on a per annum basis.

SECTION VIII--REGULATIONS AND PROCEDURES

11.8.1. Commissioner of Citywide Administrative Services.

The commissioner of citywide administrative services may prescribe such regulations and procedures as the commissioner of citywide administrative services may deem necessary or advisable to carry out the provisions of this rule.

SECTION IX--APPLICABILITY

11.9.1. Applicability and Effect of Rule XI.

The provisions of this rule shall be applicable only to positions covered by the career and salary plan and shall supersede any provisions of other rules and regulations of the commissioner of citywide administrative services inconsistent therewith.

SECTION X--POSITIONS IN THE NON-COMPETITIVE CLASS

11.10.1. Number of Positions.

Unless a different or unlimited number is specifically prescribed hereafter, only one appointment may be made to or under the title of any offices or positions in the non-competitive class listed under this rule.

11.10.2. Classification and Compensation Schedule N.

(a) The titles, part numbers, number of positions authorized, and limitations on tenure, if any, for each title in the non-competitive class subject to this rule are set forth in the "classification and compensation schedules of the classified service," schedule N, under their respective agencies, under the caption "positions subject to rule XI".

(b) The salary grades or maximum salaries appearing in this schedule are not part of this rule, but are part of the classification of the classified service of the City of New York.

SECTION XI--POSITIONS IN THE LABOR CLASS

11.11.1. Classification and Compensation Schedule L-11.

(a) The titles and salary grades or grades of positions in the labor class subject to this rule shall not be deemed to form part of these rules. The titles and positions subject to this rule are set forth in the "classification and compensation schedules of the classified service," schedule L-11.

(b) The salary grades appearing in this schedule are not part of this rule, but are part of the classification of the classified service of the City of New York.

SECTION XII--POSITIONS IN THE COMPETITIVE CLASS

11.12.1. Classification and Compensation Schedule C-11.

(a) The occupational groups, titles, and salary grades or grades of positions in the competitive class subject to this rule shall not be deemed to form part of these rules. The titles and positions subject to this rule are set forth in the "classification and compensation schedules of the classified service," schedule C-11.

(b) No part of this schedule is part of this rule. The schedule is, however, part of the classification of the classified service of the City of New York.

RULE XII - CLASSIFICATION OF POSITIONS IN THE NEW YORK CITY HOUSING AUTHORITY CLASSIFIED PURSUANT TO AND SUBJECT TO RULE XI PRIOR TO JULY 1, 1958

SECTION I--GENERAL PROVISIONS

12.1.1. Deletion from Rule XI .

Effective July 1, 1958, the positions and classes of positions in the New York City housing authority heretofore classified under and subject to rule XI and the resolutions of classification and reclassification adopted pursuant thereto are hereby deleted from rule XI.

12.1.2. Coverage Under Rule XII .

All such positions and classes of positions are hereby made subject to the provisions of rule XII as herein set forth.

12.1.3. Continuity and Preservation.

All occupational groups, titles, classes of positions, salary grades, tables of equivalencies, rights, status, and privileges accorded heretofore under rule XI and the classifications and reclassifications

adopted pursuant thereto, and in respect to classifications and reclassifications hereafter adopted pursuant to rule XII are hereby continued undiminished and unimpaired with respect to incumbents, eligibles, positions, and classes of positions in the New York City housing authority and shall not be adversely affected by reason of the adoption of this rule XII or by reason of the adoption of any classification, reclassification, allocation or reallocation hereafter adopted.

12.1.4. Applicability of Rule XII.

The provisions of this rule shall be applicable only to positions in the New York City housing authority subject to rule XI prior to July 1, 1958 and such other classes of positions as may be hereafter established in the New York City housing authority pursuant to the provisions of this rule, any other rule or classification to the contrary notwithstanding.

SECTION II--POSITIONS IN THE NON-COMPETITIVE CLASS

12.2.1. Number of Positions.

Unless a different or unlimited number is specifically prescribed hereafter, only one appointment may be made to or under the title of any offices or positions in the non-competitive class listed under this rule.

12.2.2. Classification and Compensation Schedule N.

(a) The titles, part numbers, number of positions authorized, and limitations on tenure, if any, for each title in the non-competitive class subject to this rule are set forth in the "classification and compensation schedules of the classified service," schedule N, under the heading "New York City housing authority" and under the caption "positions subject to rule XII".

(b) The salary grade appearing in this schedule is not part of this rule, but is part of the classification of the classified service of the City of New York.

SECTION III--POSITIONS IN THE LABOR CLASS

12.3.1. Classification and Compensation Schedule L-12.

(a) The titles and salary grades or grades of positions in the labor class subject to this rule shall not be deemed to form part of these rules. The titles and positions subject to this rule are set forth in the "classification and compensation schedules of the classified service," schedule L-12.

(b) No part of this schedule L-12 is part of this rule. The schedule is, however, part of the classification of the classified service of the City of New York.

SECTION IV--POSITIONS IN THE COMPETITIVE CLASS

12.4.1. Classification and Compensation Schedule C-12.

(a) The titles and salary grades or grades of positions in the competitive class subject to this rule shall not be deemed to form part of these rules. The titles and positions subject to this rule are set forth in the "classification and compensation schedules of the classified service," schedule C-12.

(b) No part of this schedule C-12 is part of this rule. The schedule is, however, part of the classification of the classified service of the City of New York.

EXPLANATION

The following basic resolution is included as part of the history of this Department's rules.

Whereas, By virtue of the provisions of Chapter 35 of the revised New York City Charter as adopted by the electors of The City of New York on November 4, 1975, certain changes in personnel administration were adopted and the related rule making power and certain other powers of the New York City Civil Service Commission were vested in the personnel director of the New York City Department of Personnel; and

Whereas, By virtue of the provisions of Section 1142 of such revised Charter, such powers and duties heretofore exercised by the New York City Civil Service Commission have been exercised by the Personnel Director of the New York City Department of Personnel in continuation of their exercise by such Commission, and the provisions of the rules and regulations of such Commission have been applicable to such Personnel Director insofar as not inconsistent with such Chapter and Charter; now, therefore, be it

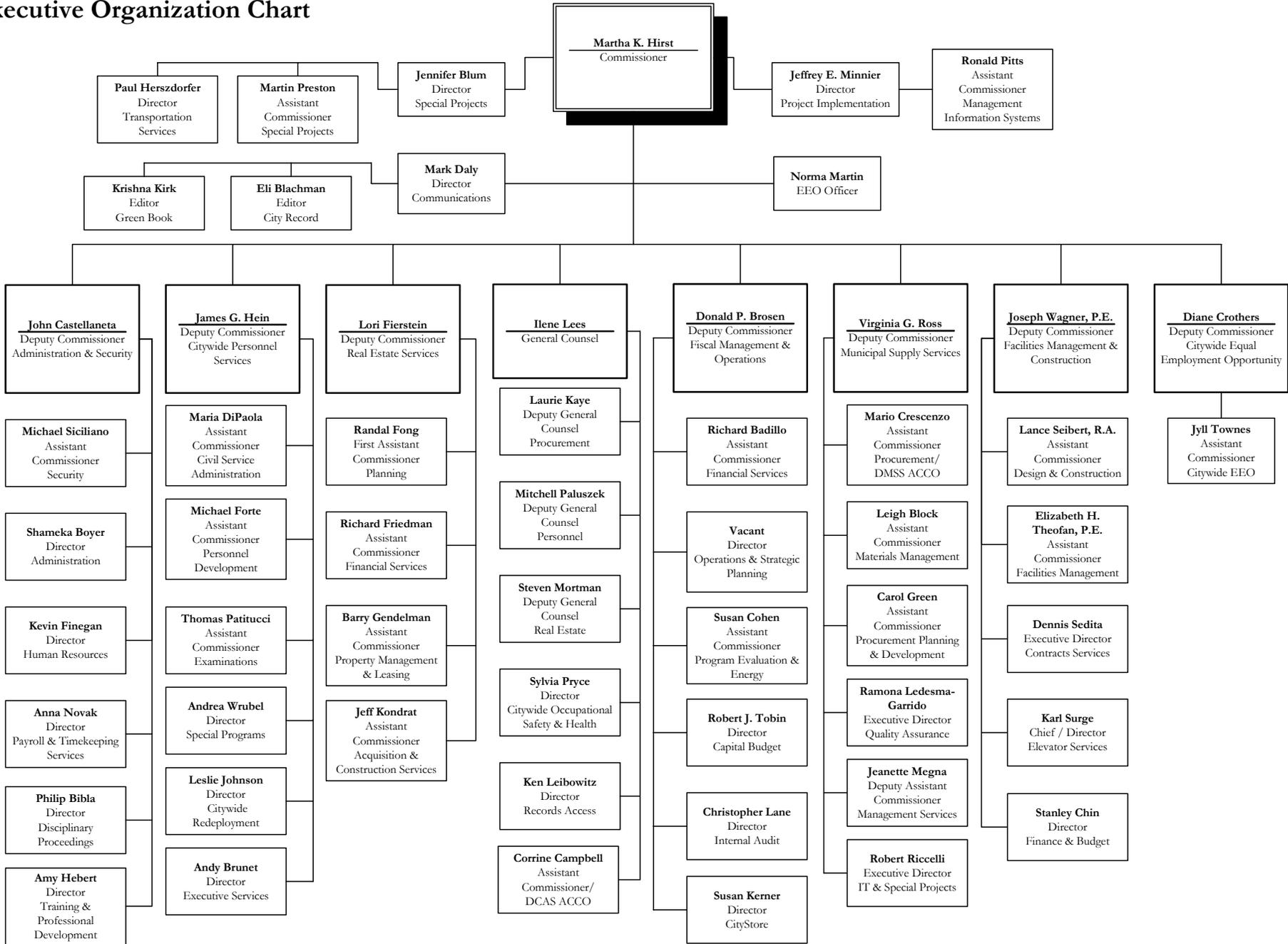
Resolved, Effective January 1, 1977, in order to conform with the provisions of such Chapter and Charter, all rules of the New York City Civil Service Commission in force and effect on December 31, 1976 be and the same are hereby declared to be the rules of the Personnel Director of the New York City Department of Personnel insofar as such rules are not in conflict with such Chapter or Charter; and be it further

Resolved, In order to conform with certain of the provisions of such Chapter and Charter, the rules of the Personnel Director of the New York City Department of Personnel so declared be and the same are hereby amended at this time in the manner and form as hereinafter set forth; and be it further

Resolved, Effective January 1, 1977, in order to conform with the provisions of such Chapter and Charter, all regulations of the New York City Civil Service Commission in force and effect on December 31, 1976 be and the same are hereby declared to be the regulations of the Personnel Director of the New York City Department of Personnel insofar as such regulations are not in conflict with such Chapter or Charter or the rules are hereby amended, pending a general revision of such regulations.

Appendix II: DCAS Organizational Chart

Executive Organization Chart



Appendix III: Consolidation of Titles

Consolidations of titles

3.1.2.001

Blacksmith titles:

The titles of Blacksmith's Helper, Blacksmith and Supervisor Blacksmith will be consolidated into Blacksmith - Assignment Levels I, II, and III. This reclassification will convert two step-up provisional Blacksmiths into permanent Blacksmiths-Assignment Level II and will reduce the number of required exams by two.

3.1.2.002

Boilermaker titles:

The titles of Boilermaker's Helper, Boilermaker and Supervisor Boilermaker will be consolidated into Boilermaker - Assignment Levels I, II, and III. This reclassification will convert one step-up provisional Supervisor Boilermaker into a permanent Boilermaker-Assignment Level III and will reduce the number of required exams by two.

3.1.2.003

Accountant titles:

The titles of Accountant and Associate Accountant will be consolidated into Accountant - Assignment Levels I and II. This reclassification will convert 89 step-up provisional Associate Accountants into permanent Accountants - Assignment Level II and will reduce the number of required exams by one.

3.1.2.004

Real Estate Appraiser titles:

The titles of Appraiser (Real Estate), Senior Appraiser (Real Estate), Supervising Appraiser (Real Estate) and Principal Appraiser (Real Estate) will be consolidated into Appraiser (Real Estate) - Assignment Levels I, II, III and IV. This reclassification will convert five step-up provisionals in these titles into permanent Appraisers (Real Estate) at Assignment Level II, III or IV and will reduce the number of required exams by four.

3.1.2.005

Chemist titles:

The titles of Assistant Chemist and Associate Chemist will be consolidated into Chemist - Assignment Levels I, II, and III. This reclassification will convert 48 step-up provisional Assistant Chemists into permanent Chemists - Assignment Level II or III and will reduce the number of required exams by one.

3.1.2.006

Bookkeeper titles:

The titles of Bookkeeper and Associate Bookkeeper will be consolidated into Bookkeeper - Assignment Levels I and II. This reclassification will convert 43 step-up provisional Associate Bookkeepers into permanent Bookkeepers - Assignment Level II. Bookkeeper titles will reduce the number of required exams by one.

- 3.1.2.007 City Planner titles:**
The titles of City Planner and Associate City Planner will be consolidated into City Planner - Assignment Levels I, II, III and IV. This reclassification will convert 49 step-up provisional Associate City Planners into permanent City Planners - Assignment Level III or IV and will reduce the number of required exams by one.
- 3.1.2.008 Clock Repairer titles:**
The titles of Clock Repairer and Supervisor Clock Repairer will be consolidated into Clock Repairer - Assignment Levels I and II. This reclassification will reduce the number of required examinations by one.
- 3.1.2.009 Demolition Inspector titles:**
The titles of Demolition Inspector, Senior Demolition Inspector and Supervising Demolition Inspector will be consolidated into Demolition Inspector - Assignment Levels I, II, and III. This reclassification will reduce the number of required exams by two.
- 3.1.2.010 Department Librarian titles:**
The titles of Department Librarian, Department Senior Librarian, Department Supervising Librarian and Department Principal Librarian will be consolidated into Department Librarian – Assignment Levels I, II, III and IV. This reclassification will reduce the number of required exams by three.
- 3.1.2.011 Economist titles:**
The titles of Assistant Economist, Economist, Senior Economist and Supervising Economist will be consolidated into Economist - Assignment Levels I, II, III and IV. This reclassification will convert three step-up provisional Senior Economists into permanent Economists Assignment Level III and will reduce the number of required exams by three.
- 3.1.2.012 Estimator (Electrical) titles:**
The titles of Estimator (Electrical) and Senior Estimator (Electrical) will be consolidated into Estimator (Electrical) – Assignment Levels I and II. This reclassification will convert two step-up provisional Senior Estimators (Electrical) into permanent Estimators (Electrical) - Assignment Level II and will reduce the number of required exams by one.
- 3.1.2.013 Estimator (General Construction) titles:**
The titles of Estimator (General Construction) and Senior Estimator (General Construction) will be consolidated into Estimator (General Construction) – Assignment Levels I and II. This reclassification will convert 15 step-up provisional Senior Estimators (General Construction)

into permanent Estimators (General Construction)-Assignment Level II and will reduce the number of required exams by one.

3.1.2.014 Estimator (Mechanical) titles:

The titles of Estimator (Mechanical) and Senior Estimator (Mechanical) will be consolidated into Estimator (Mechanical) –Assignment Levels I and II. This reclassification will convert two step-up provisional Senior Estimators (Mechanical) into permanent Estimators (Mechanical) – Assignment Level II and will reduce the number of required exams by one.

3.1.2.015 Furniture Maintainer titles:

The titles of Furniture Maintainer’s Helper, Furniture Maintainer, Furniture Maintainer (Finisher), Furniture Maintainer (Woodwork) and Supervisor Furniture Maintainer will be consolidated into Furniture Maintainer - Assignment Levels I, II, and III. This reclassification will reduce the number of required exams by three.

3.1.2.016 Gardener titles:

The titles of Gardener and Assistant Gardener will be consolidated into Gardener - Assignment Levels I and II. This reclassification will reduce the number of required exams by one.

3.1.2.017 Geologist titles:

The titles of Geologist, Geologist Trainee, Assistant Geologist and Senior Geologist will be consolidated into Geologist - Assignment Levels I, II, III and IV. This reclassification will reduce the number of required exams by three.

3.1.2.018 Highway Repairer titles:

The titles of Highway Repairer and Supervisor Highway Repairer will be consolidated into Highway Repairer - Assignment Levels I and II. This reclassification will convert 17 step-up provisional Supervisor Highway Repairers into permanent Highway Repairers Assignment Level II and will reduce the number of required exams by one.

3.1.2.019 Hull and Machinery Inspector titles:

The titles of Hull and Machinery Inspector, Senior Hull and Machinery Inspector and Supervising Hull and Machinery Inspector will be consolidated into Hull and Machinery Inspector - Assignment Levels I, II, and III. This reclassification will reduce the number of required exams by two.

3.1.2.020

Locksmith titles:

The titles of Locksmith and Supervisor Locksmith will be consolidated into Locksmith - Assignment Levels I, and II. This reclassification will reduce the number of required exams by one.

3.1.2.021

Medical Record Librarian titles:

The titles of Medical Record Librarian and Senior Medical Record Librarian will be consolidated into Medical Record Librarian - Assignment Levels I, and II. This reclassification will convert one step-up provisional Senior Medical Record Librarian into a permanent Medical Record Librarian Assignment Level II and will reduce the number of required exams by one.

3.1.2.022

Mortuary titles:

The title of Mortuary Technician will be reclassified to the Labor Class and the titles of Senior Mortuary Technician, Principal Mortuary Technician, Assistant Coordinator of Mortuary Services and Coordinator of Mortuaries will be consolidated into Forensic Mortuary Technician - Assignment Levels I, II, and III. This reclassification will convert step-up provisional Principal Mortuary Technicians into permanent Forensic Mortuary Technicians - Assignment Level II and will reduce the number of exams required by four.

3.1.2.023

Motor Vehicle Supervisory titles:

The titles of Motor Vehicle Supervisor, Senior Motor Vehicle Supervisor and Supervisor of Motor Transport will be consolidated into Motor Vehicle Supervisor - Assignment Levels I, II and III. This reclassification will convert eight step-up provisional Senior Motor Vehicle Supervisors into permanent Motor Vehicle Supervisors – Assignment Level II and four step-up provisional Supervisors of Motor Transport into permanent Motor Vehicle Supervisors - Assignment Level III and will reduce the number of required exams by two.

3.1.2.024

Nutritionist titles:

The titles of Nutritionist, Nutrition Consultant, Supervising Nutritionist and Principal Nutritionist will be consolidated into Nutritionist - Assignment Levels I, II, III and IV. This reclassification will convert one step-up provisional Nutrition Consultant into permanent Nutritionist - Assignment Level II and will reduce the number of required exams by three.

3.1.2.025

Painting Inspector titles:

The titles of Painting Inspector and Senior Painting Inspector will be consolidated into Painting Inspector- Assignment Levels I and II. This reclassification will reduce the number of required exams by one.

- 3.1.2.026 Physicist titles:**
The titles of Physicist Trainee, Assistant Physicist, Physicist, Senior Physicist and Principal Physicist will be consolidated into Physicist-Assignment Levels I, II, III and IV. This reclassification will convert one step-up provisional Senior Physicist into permanent Physicist - Assignment Level III and will reduce the number of required exams by 3.
- 3.1.2.027 Physicist (Electronics) titles:**
The titles of Assistant Physicist (Electronics), Physicist (Electronics) and Senior Physicist (Electronics) will be consolidated into Physicist (Electronics) - Assignment Levels I, II and III. This reclassification will reduce the number of required exams by two.
- 3.1.2.028 Physicist (Isotopes) titles:**
The titles of Assistant Physicist (Isotopes), Physicist (Isotopes) and Senior Physicist (Isotopes) will be consolidated into Physicist (Isotopes) - Assignment Levels I, II and III. This reclassification will reduce the number of required exams by two.
- 3.1.2.029 Physicist (Radiation) titles:**
The titles of Assistant Physicist (Radiation), Physicist (Radiation) and Senior Physicist (Radiation) will be consolidated into Physicist (Radiation) - Assignment Levels I, II and III. This reclassification will reduce the number of required exams by two.
- 3.1.2.030 Printing Press Operator titles:**
The titles of Assistant Printing Press Operator and Printing Press Operator will be consolidated into Printing Press Operator – Assignment Levels I and II. This reclassification will convert 2 step-up provisional Printing Press Operators into permanent Printing Press Operator – Assignment Level II and will reduce the number of required exams by one.
- 3.1.2.031 Program Officer (DFTA) titles:**
The titles of Program Officer (DFTA) and Associate Program Officer (DFTA) will be consolidated into Program Officer (DFTA) – Assignment Levels I and II. This reclassification will convert 8 step-up provisional Associate Program Officers (DFTA) into permanent Program Officer (DFTA) – Assignment Level II and will reduce the number of required exams by one.
- 3.1.2.032 Investment Analyst titles:**
The titles of Senior Investment Analyst and Supervising Investment Analyst will be consolidated into a new title of Investment Analyst - Assignment Levels I and II. This reclassification will reduce the number of required exams by one.

- 3.1.2.033 Sewage Treatment Worker titles:**
The titles of Sewage Treatment Worker and Senior Sewage Treatment Worker will be consolidated into Sewage Treatment Worker - Assignment Levels I and II. This reclassification will convert 56 step-up provisional Senior Sewage Treatment Workers into permanent Sewage Treatment Workers - Assignment Level II and will reduce the number of required exams by one.
- 3.1.2.034 Statistician titles:**
The titles of Assistant Statistician, Statistician, Senior Statistician and Principal Statistician will be consolidated into Statistician - Assignment Levels I, II, III and IV. This reclassification will reduce the number of required exams by three.
- 3.1.2.035 Superintendent of Construction and Repair titles:**
The titles of Superintendent of Construction and Repair and General Superintendent of Construction and Repair will be consolidated into Superintendent of Construction and Repair - Assignment Levels I and II. This reclassification will convert one step-up provisional General Superintendent of Construction and Repair into permanent Superintendent of Construction and Repair - Assignment Level II and will reduce the number of required exams by one.
- 3.1.2.036 Waterfront Construction Inspector titles:**
The titles of Waterfront Construction Inspector and Senior Waterfront Construction Inspector will be consolidated into Waterfront Construction Inspector - Assignment Levels I and II. This reclassification will reduce the number of required exams by one.
- 3.1.2.037 Sludge Boat titles:**
The titles of Mariner, Second Mate, Marine Oiler, Chief Mate, First Assistant Marine Engineer (Diesel), Chief Marine Engineer (Diesel) and Captain (Sludge Boat) will be consolidated into two titles with Assignment Levels based on license requirements. This reclassification will reduce the number of required exams by five.
- 3.1.2.038 Dockbuilder titles:**
The titles of Dockbuilder, Supervisor Dockbuilder and General Supervisor Dockbuilder will be consolidated into Dockbuilder - Assignment Levels I, II and III. This reclassification will reduce the number of required exams by two.
- 3.1.2.039 Communication Electrician titles:**
The titles of Communication Electrician's Helper, Communication Electrician, Supervisor Communication Electrician and Senior Supervisor Communication Electrician will be consolidated into Communication

Electrician- Assignment Levels I, II, III and IV. This reclassification will convert six step-up provisional Communication Electricians into permanent Communication Electrician - Assignment Level II, five step-up provisional Supervisor Communication Electricians into permanent Communication Electrician – Assignment Level III and one step-up provisional Senior Supervisor Communication Electrician into Communication Electrician – Assignment Level IV and will reduce the number of required exams by three.

3.1.2.040 Electrician titles:

The titles of Electrician and Supervisor Electrician will be consolidated into Electrician - Assignment Levels I and II. This reclassification will convert 10 step-up provisional Supervisor Electricians into permanent Electrician – Assignment Level II and will reduce the number of required exams by one

3.1.2.041 Inspector (Electrical) titles:

The titles of Inspector (Electrical) and Associate Inspector (Electrical) will be consolidated into Inspector (Electrical) - Assignment Levels I, II and III. This reclassification will convert 16 step-up provisional Associate Inspectors (Electrical) into permanent Inspectors (Electrical) - Assignment Level II and III and will reduce the number of required exams by one.

3.1.2.042 Inspector of Fire Alarm Boxes titles:

The titles of Inspector of Fire Alarm Boxes and Senior Inspector of Fire Alarm Boxes will be consolidated into Inspector of Fire Alarm Boxes - Assignment Levels I and II. This reclassification will reduce the number of required exams by one.

3.1.2.043 Stationary Engineer (Electric) titles:

The titles of Stationary Engineer (Electric) and Senior Stationary Engineer (Electric) will be consolidated into Stationary Engineer (Electric) Assignment Levels I and II. This reclassification will convert 24 step-up provisional Senior Stationary Engineers (Electric) into permanent Stationary Engineers (Electric) – Assignment Level II and will reduce the number of required exams by one.

3.1.2.044 Painter titles:

The titles of Painter and Supervisor Painter will be consolidated into Painter - Assignment Levels I and II. This reclassification will convert 16 step-up provisional Painters into permanent Painter – Assignment Level I and will convert five step-up provisional Supervisor Painters into Painter - Assignment Level II and will reduce the number of required exams by one.

- 3.1.2.045 Bricklayer titles:**
The titles of Bricklayer and Supervisor Bricklayer will be consolidated into Bricklayer- Assignment Levels I and II. This reclassification will convert three step-up provisional Supervisor Bricklayers into permanent Bricklayers - Assignment Level II and will reduce the number of required exams by one.
- 3.1.2.046 Blasting Inspector titles:**
The titles of Blasting Inspector, Senior Blasting Inspector and Supervising Blasting Inspector will be consolidated into Blasting Inspector - Assignment Levels I, II and III. This reclassification will reduce the number of required exams by two.
- 3.1.2.047 Bridge Operator titles:**
The titles of Bridge Operator, Bridge Operator-In-Charge and Supervisor of Bridge Operations will be consolidated into Bridge Operator - Assignment Levels I, II and III. This reclassification will convert 11 step-up provisional Bridge Operators-In-Charge into permanent Bridge Operators - Assignment Level II and will reduce the number of required exams by two.
- 3.1.2.048 Elevator Mechanic titles:**
The titles of Elevator Mechanic's Helper, Elevator Mechanic's Helper-OMIT, Elevator Mechanic and Supervisor Elevator Mechanic will be consolidated into Elevator Mechanic - Assignment Levels I, II and III. This reclassification will convert 22 step-up provisional Elevator Mechanics into permanent Elevator Mechanic – Assignment Level II and 18 step-up Supervisor Elevator Mechanics into permanent Elevator Mechanics - Assignment Level III and will reduce the number of required exams by three.
- 3.1.2.049 Housekeeper titles:**
The titles of Housekeeper, Senior Housekeeper and Supervising Housekeeper will be consolidated into Housekeeper - Assignment Levels I, II and II. This reclassification will reduce the number of required exams by two.
- 3.1.2.050 Pipe Laying Inspector titles:**
The titles of Pipe Laying Inspector and Senior Pipe Laying Inspector will be consolidated into Pipe Laying Inspector- Assignment Levels I and II. This reclassification will reduce the number of required exams by one.
- 3.1.2.051 Plasterer titles:**
The titles of Plasterer and Supervisor Plasterer will be consolidated into Plasterer- Assignment Levels I and II. This reclassification will convert

one step-up provisional Supervisor Plasterer into Plasterer - Assignment Level II and will reduce the number of required exams by one.

3.1.2.052 Roofer titles:

The titles of Roofer and Supervisor Roofer will be consolidated into Roofer - Assignment Levels I and II. This reclassification will convert two step-up provisional Supervisor Roofers into permanent Roofer - Assignment Level II and will reduce the number of required exams by one.

3.1.2.053 Special Officer titles:

The titles of Senior Special Officer, Supervising Special Officer and Principal Special Officer will be consolidated into Associate Special Officer- Assignment Levels I, II and III. This reclassification will convert 14 step-up Supervising Special Officers into permanent Associate Special Officers – Assignment Level II and nine Principal Special Officers into permanent Associate Special Officers - Assignment Level III and will reduce the number of required exams by two.

3.1.2.054 Water Use Inspector titles:

The titles of Water Use Inspector Trainee, Water Use Inspector, Associate Water Use Inspector and Chief Water Use Inspector will be consolidated into Water Use Inspector – Assignment Levels I, II and III. This reclassification will reduce the number of required exams by three.

3.1.2.055 Bridge Repairer and Riveter titles:

The titles of Bridge Repairer and Riveter and Supervisor will be consolidated into Bridge Repairer and Riveter - Assignment Levels I and II. This reclassification will convert three step-up provisional Supervisor Bridge Repairer and Riveters into permanent Bridge Repairer and Riveters - Assignment Level II and will reduce the number of required exams by one.

3.1.2.056 Crane Operator (AMPES) titles:

The titles of Crane Operator (AMPES) and Supervisor (AMPES) will be consolidated into Crane Operator- Assignment Levels I and II. This reclassification will reduce the number of required exams by one.

3.1.2.057 Inspector (Boilers) titles:

The titles of Inspector (Boilers) and Associate Inspector (Boilers) will be consolidated into Inspector (Boilers) - Assignment Levels I, II and III. This reclassification will convert one step-up provisional Associate Inspector (Boilers) into permanent Inspector (Boilers) - Assignment Level II and will reduce the number of required exams by one.

3.1.2.058**Inspector (Construction) titles:**

The titles of Inspector (Construction) and Associate Inspector (Construction) will be consolidated into Inspector (Construction) - Assignment Levels I, II and III. This reclassification will convert 49 step-up provisional Associate Inspector (Construction) into permanent Inspector (Construction) - Assignment Level II and will reduce the number of required exams by one.

3.1.2.059**Inspector (Elevator) titles:**

The titles of Inspector (Elevator) and Associate Inspector (Elevator) will be consolidated into Inspector (Elevator) - Assignment Levels I, II and III. This reclassification will convert 11 step-up provisional Associate Inspectors (Elevator) into permanent Inspector (Elevator) - Assignment Level II and will reduce the number of required exams by one.

3.1.2.060**Inspector (Hoists and Rigging) titles:**

The titles of Inspector (Hoists and Rigging) and Associate Inspector (Hoists and Rigging) will be consolidated into Inspector (Hoists and Rigging) - Assignment Levels I, II and III. This reclassification will convert one step-up provisional Associate Inspector (Hoists and Rigging) into a permanent Inspector (Hoists and Rigging) - Assignment Level II or III and will reduce the number of required exams by one.

3.1.2.061**Inspector (Plastering) titles:**

The titles of Inspector (Plastering) and Associate Inspector (Plastering) will be consolidated into Inspector (Plastering) - Assignment Levels I, II and III. This reclassification will reduce the number of required exams by one.

3.1.2.062**Inspector (Plumbing) titles:**

The titles of Inspector (Plumbing) and Associate Inspector (Plumbing) will be consolidated into Inspector (Plumbing) - Assignment Levels I, II and III. This reclassification will convert nine step-up provisional Associate Inspectors (Plumbing) into permanent Inspector (Plumbing) - Assignment Level II or III and will reduce the number of required exams by one.

3.1.2.063**Inspector (Steel Construction) titles:**

The titles of Inspector (Steel Construction) and Associate Inspector (Steel Construction) will be consolidated into Inspector (Steel Construction) - Assignment Levels I, II and III. This reclassification will reduce the number of required exams by one.

3.1.2.064**Multiple Dwelling Specialist (Buildings) titles:**

The titles of Multiple Dwelling Specialist (Buildings) and Principal Multiple Dwelling Specialist (Buildings) will be consolidated into

Multiple Dwelling Specialist (Buildings) - Assignment Levels I and II. This reclassification will convert one step-up provisional Principal Multiple Dwelling Specialist (Buildings) into permanent Multiple Dwelling Specialist - Assignment Level II and will reduce the number of required exams by one.

3.1.2.065 Rehabilitation Specialist (HPD) titles:

The titles of Rehabilitation Specialist (HPD) and Associate Rehabilitation Specialist (HPD) will be consolidated into Rehabilitation Specialist - Assignment Levels I and II. This reclassification will convert one step-up provisional Associate Rehabilitation Specialist (HPD) into a permanent Rehabilitation Specialist - Assignment Level II and will reduce the number of required exams by one.

3.1.2.066 Dockmaster titles:

The titles of Dockmaster, Supervising Dockmaster and Chief Dockmaster will be consolidated into Dockmaster - Assignment Levels I, II and III. This reclassification will reduce the number of required exams by two.

3.1.2.067 Ferry titles:

The titles of Mate (Ferry), Marine Engineer, Chief Marine Engineer, Assistant Captain and Captain (Ferry) will be consolidated into two new titles with Assignment Levels based on license requirements and will reduce the number of required exams by three.

3.1.2.068 Chief Marine Engineer titles:

The titles of Marine Engineer (Dept. of Correction) and Chief Marine Engineer (Dept. of Correction) will be consolidated into Marine Engineer - Assignment Levels I and II. This reclassification will reduce the number of required exams by one.

3.1.2.069 Comprehensive Health Coordinator titles:

The titles of Comprehensive Health Coordinator, Assistant Comprehensive Health Coordinator and Senior Comprehensive Health Coordinator will be consolidated into Comprehensive Health Coordinator - Assignment Levels I, II and III. This reclassification will reduce the number of required exams by 2.

3.1.2.070 Plumber titles:

The titles of Plumber's Helper, Plumber and Supervisor Plumber will be consolidated into Plumber - Assignment Levels I, II and III. This reclassification will convert 30 step-up provisional Plumbers to permanent Plumber - Assignment Level II and three step-up provisional Supervisor Plumbers into Plumber - Assignment Level III and will reduce the number of required exams by two.

- 3.1.2.071 Thermostat Repairer titles:**
The titles of Thermostat Repairer, Tapper and Supervisor Thermostat Repairer will be consolidated into Thermostat Repairer- Assignment Levels I and II. This reclassification will convert one step-up provisional Supervisor Thermostat Repairer into a permanent Thermostat Repairer - Assignment Level II and will reduce the number of required exams by two.
- 3.1.2.072 Highways and Sewers Inspector titles:**
The titles of Highways and Sewers Inspector and Associate Inspector (Highway and Sewers) will be consolidated into Highways and Sewers Inspector - Assignment Levels I and II. This reclassification will convert 8 step-up provisional Associate Inspector (Highways and Sewers) into permanent Highways and Sewers Inspectors - Assignment Level II and will reduce the number of required exams by one.
- 3.1.2.073 Bridge Painter titles:**
The titles of Bridge Painter and Supervisor Bridge Painter will be consolidated into Bridge Painter - Assignment Levels I and II. This reclassification will convert three step-up provisional Supervisor Bridge Painters into permanent Bridge Painters - Assignment Level II and will reduce the number of required exams by one.
- 3.1.2.074 Door Check Repairer titles:**
The titles of Door Check Repairer, Door Stop Maintainer, Supervisor Door Check Repairer and Supervisor Door Stop Maintainer will be consolidated into Door Stop Maintainer - Assignment Levels I and II. This reclassification will convert one step-up provisional Supervisor Door Stop Maintainer into a permanent Door Stop Maintainer - Assignment Level II and will reduce the number of required exams by three.
- 3.1.2.075 Fingerprint Technician titles:**
The titles of Fingerprint Technician Trainee, Associate Fingerprint Technician and Principal Fingerprint Technician will be consolidated into new title of Fingerprint Technician – Assignment Levels I, II and III and will reduce the number of required exams by two.
- 3.1.2.076 Glazier titles:**
The titles of Glazier and Supervisor Glazier will be consolidated into Glazier - Assignment Levels I and II. This reclassification will convert three step-up provisional Glaziers into permanent Glaziers - Assignment Level I and 2 step-up provisional Glazier – Assignment Level II and will reduce the number of required exams by one.

- 3.1.2.077 Pharmacist titles:**
The titles of Pharmacist Trainee, Pharmacist, Senior Pharmacist, Supervising Pharmacist, Principal Pharmacist and Chief Pharmacist will be consolidated into Pharmacist - Assignment Levels I, II, III and IV. This reclassification will reduce the number of required exams by five.
- 3.1.2.078 Sheet Metal Worker titles:**
The titles of Sheet Metal Worker and Supervisor Sheet Metal Worker will be consolidated into Sheet Metal Worker - Assignment Levels I and II. This reclassification will convert four step-up provisional Supervisor Sheet Metal Workers into permanent Sheet Metal Workers - Assignment Level II and will reduce the number of required exams by one.
- 3.1.2.079 Tractor Operator titles:**
The titles of Tractor Operator and Motor Grader Operator will be consolidated into a new title. This classification will reduce the number of required exams by one.
- 3.1.2.080 Ship Caulker titles:**
The titles of Ship Caulker, Ship Carpenter and Supervisor Ship Carpenter will be consolidated into Ship Carpenter – Assignment Levels I and II. This reclassification will convert one step-up Supervisor Ship Carpenter into a permanent Ship Carpenter – Assignment Level II and will reduce the number of required exams by two.
- 3.1.2.081 Assistant Program Specialist (Correction) titles:**
The titles of Assistant Program Specialist (Correction), Program Specialist (Correction) and Senior Program Specialist (Correction) will be consolidated into Program Specialist - Assignment Levels I, II and III. This reclassification will convert 11 step-up provisional Program Specialists (Correction) into permanent Program Specialists (Correction) - Assignment Level II and 25 step-up provisional Senior Program Specialists (Correction) into permanent Program Specialists (Correction) – Assignment Level III and will reduce the number of required exams by two.
- 3.1.2.082 Home Economist titles:**
The titles of Home Economist Trainee, Home Economist, Supervising Home Economist and Principal Home Economist will be consolidated into Home Economist - Assignment Levels I, II, III and IV. This reclassification will reduce the number of required exams by three
- 3.1.2.083 Human Rights Specialist titles:**
The titles of Human Rights Specialist and Associate Human Rights Specialist will be consolidated into Human Rights Specialist - Assignment Levels I, II and III. This reclassification will convert two step-up

provisional Associate Human Rights Specialists into permanent Human Rights Specialist - Assignment Level II or III and will reduce the number of required exams by one.

3.1.2.084

Steam Fitter titles:

The titles of Steam Fitter's Helper, Steam Fitter and Supervisor Steam Fitter will be consolidated into Steam Fitter- Assignment Levels I, II and III. This reclassification will convert eight step-up provisional Steam Fitters into permanent Steam Fitters – Assignment Level II and nine step-up provisional Supervisor Steam Fitters into permanent Steam Fitters - Assignment Level III and will reduce the number of required exams by two.

3.1.2.085

Carpenter titles:

The titles of Carpenter and Supervisor Carpenter will be consolidated into Carpenter - Assignment Levels I and II. This reclassification will convert eight step-up Supervisor Carpenters into permanent Carpenters - Assignment Level II and will reduce the number of required exams by one.

Appendix IV: Broadbanding of Titles

Broadbanding of titles

3.32.2.01 Architect titles:

The titles of Architect and Architect (Materials Research Specifications) will be combined and reduce the number of required exams by one.

3.32.2.02 Civil Engineer related titles:

The titles of Civil Engineer (Building Construction), Civil Engineer (Highway Traffic), Civil Engineer (Sanitary), Civil Engineer (Structural), Civil Engineer (Water Supply) and *Senior Civil Engineer (* no new hires permitted) all encompass civil engineering work and require a professional engineering license and experience in civil engineering. We will reclassify incumbent from these titles to the title of Civil Engineer, which has three assignment levels encompassing specialized civil engineering work. This reclassification will reduce the number of required exams by five.

3.32.2.03 Electrical Engineer related titles:

The titles of Electrical Engineer (Electronics), Electrical Engineer (Railroad Signals) and Electrical Engineer (Radio and Television) all encompass electrical engineering work and require a professional engineering license and experience in electrical engineering. We will reclassify incumbent from these titles to the title of Electrical Engineer, which has three assignment levels encompassing specialized electrical engineering work. This reclassification will reduce the number of required exams by three.

3.32.2.04 Mechanical Engineer related titles:

The titles of Mechanical Engineer (Cars), Mechanical Engineer (Salvage) and Mechanical Engineer (Air Conditioning) all encompass mechanical engineering work and require a professional engineering license and experience in mechanical engineering. We will reclassify incumbent from these titles to the title of Mechanical Engineer, which has three assignment levels encompassing specialized mechanical engineering work. This reclassification will reduce the number of required exams by three.

3.32.2.05 Pest Control supervision titles:

The competitive title of Regional Director (Bureau of Pest Control) will be broadbanded into the non-competitive title of Supervisor (Pest Control) as a new assignment level III.

This reclassification will reduce the number of provisionals by three and the number of required exams by one.

3.32.2.06 Supervisors of Installations and Maintenance titles:

The competitive titles of Supervisor of Mechanical Installations and Maintenance and Supervisors of Electrical Installations and Maintenance

require similar knowledge skills and abilities and will be broadbanded into a new title of Supervisor of Installations and Maintenance. This will reduce the number of required exams by one.

3.32.2.07

Service Inspector titles:

The titles of Service Inspector (BOE), Service Inspector (DOT), Senior Service inspector (BOE) and Senior Service Inspector (DOT) will be broadbanded and consolidated into one title of Service Inspector with two Assignment Levels. Incumbents will be reclassified into the corresponding levels of the new title. This will reduce the number of required exams by three.

Appendix V: Reclassifying Competitive Titles to Non-Competitive Status

Reclassifying competitive titles to non-competitive status where State has Non-Competitive Titles Performing Comparable Work

3.3.3.2.01 Customer Service titles:

The titles of Call Center Representative, Associate Call Center Representative and Customer Information Representative would be reclassified to the state Non-Competitive titles of Customer Service Representative and Customer Service Program Specialist with an unlimited number of positions authorized for use by all City Agencies. These two titles exist in the Non-Competitive Class for State agencies. Non-Competitive reclassification would eliminate the need for three competitive examinations.

3.3.3.2.02 Community titles:

The titles of Assistant Community Liaison Worker, Community Liaison Worker, Senior Community Liaison Worker and Principal Community Liaison Worker would be reclassified to the existing City Non-Competitive titles of Community Assistant, Community Associate and Community Coordinator, which are authorized for use by all City Agencies. This reclassification would result in the elimination of four competitive examinations.

3.3.3.2.03 Counseling/Human Services titles:

The titles of Child Protective Specialist and Child Protective Specialist Supervisor would be reclassified to the state Non-Competitive title of Child Abuse Specialist with an unlimited number of positions for use only by the Administration for Children's Services. The title of Counselor (Addiction Treatment) would be reclassified to the state Non-Competitive titles of Addictions Community Worker or Addiction Counselor Assistant. The titles of Juvenile Counselor and Associate Juvenile Counselor would be reclassified to the state Non-Competitive titles of Youth Facility Assistant and Youth Facility Director. The titles of Mental Health Worker, Senior Mental Health Worker and Supervising Metal Health Worker would be reclassified to the state Non-Competitive title of Assisted Outpatient Treatment Compliance Specialist. The titles Human Rights Specialist and Associate Human Rights Specialist would be reclassified to the state Non-Competitive titles of Human Rights Specialist and Human Rights Regional Director. These Non-Competitive titles exist for State Agencies because the human services abilities they require cannot be rated competitively. Non-Competitive reclassification would eliminate the need for ten competitive examinations.

3.3.3.2.04 Marine titles:

The titles of Captain (Ferry) and Captain (Sludge Boat) would be reclassified to a new city Non-Competitive title comparable to the state non-competitive title of Tug Captain. The titles of Marine Engineer,

Marine Engineer (DC) and Marine Engineer (Diesel) would be reclassified to the state Non-Competitive title of Marine Engineer. The title of Marine Engineer (Uniformed-Fire Dept.) would be reclassified to the state Non-Competitive title of Marine Fireman. These Non-Competitive titles exist for State Agencies because the employees are all tested and qualified through marine licensure examinations. Non-Competitive reclassification would eliminate the need for six competitive examinations.

3.3.3.2.05 Medical titles:

The title of Dental Assistant would be reclassified to the state Non-Competitive title of Dental Assistant. The title of Dental Hygienist would be reclassified to the state Non-Competitive title of Dental Technician. The titles of Dietitian Technician and Dietitian would be reclassified to the state Non-Competitive title of Dietitian. The title of Health Services Manager would be reclassified to the state Non-Competitive title of Health Program Director. These Non-Competitive titles exist for State Agencies because they require professional certifications and unique health service backgrounds. Non-Competitive reclassification would eliminate the need for five competitive examinations.

3.3.3.2.06 Skilled Trades and Blue Collar titles:

The titles of Auto Body Worker would be reclassified to the state Non-Competitive title of Automotive Body Mechanic with an unlimited number of positions for use by all City Agencies. The titles of Bridge Painter and Supervisor Bridge Painter would be reclassified to the state Non-Competitive title of Bridge Painter. The titles of Bridge Repairer and Riveter and Supervisor Bridge Repairer and Riveter would be reclassified to the state Non-Competitive titles of Bridge Repair Assistant and Bridge Repair Mechanic. The titles of Carpenter and Supervisor Carpenter would be reclassified to the state Non-Competitive title of Carpenter. The titles of Construction Laborer, Crane Operator, Supervising Crane Operator, Tractor Operator and Supervisor of Tractor Operators would be reclassified to the state Non-Competitive titles of Construction Equipment Operator, Construction Equipment Operator-Light, Construction Equipment Operator-Heavy and Crane and Shovel Operator. The titles of Electrician and Supervisor Electrician would be reclassified to the state Non-Competitive titles of Electrician and Supervising Electrician. The titles of Highway Repairer and Supervisor Highway Repairer would be reclassified to the state Non-Competitive titles of Highway Equipment Operator and Highway Maintenance Worker. The title of Letterer and Sign Painter would be reclassified to the state Non-Competitive titles of Sign Painter and Sign Shop Supervisor. The titles of Locksmith and Supervisor Locksmith would be reclassified to the state Non-Competitive title of Locksmith. The titles of Machinist and Machinist Helper would be reclassified to the state Non-Competitive title of Machinist. The titles of Maintenance Worker and Supervisor would be reclassified to the state

Non-Competitive title of General Mechanic. The titles of Exterminator and Supervisor (Exterminators) would be reclassified to the state Non-Competitive title of Exterminator. The titles of Painter and Supervisor Painter would be reclassified to the state Non-Competitive titles of Painter, Maintenance Assistant Painter and Supervising Painter. The titles of Plasterer and Supervisor Plasterer would be reclassified to the state Non-Competitive titles of Plasterer, Maintenance Assistant Mason and Mason and Plasterer. The titles of Plumber and Supervisor Plumber would be reclassified to the state Non-Competitive titles of Plumber and Steamfitter, Maintenance Assistant Plumber and Supervising Plumber and Steamfitter. The title of Printing Press Operator would be reclassified to the state Non-Competitive titles of Printer, Printing Shop Supervisor and Printing Shop Superintendent. The title of Rigger would be reclassified to a new city non-competitive title comparable to the state Non-Competitive title of Bridge Rigger. The titles of Sheet Metal Worker and Supervisor Sheet Metal Worker would be reclassified to the state Non-Competitive title of Sheet Metal Worker. The titles of Stock Worker and Supervisor of Stock Workers would be reclassified to the state Non-Competitive title of Warehouse Equipment Operator. The titles of Welder and Supervisor Welder would be reclassified to the state Non-Competitive title of Welder. The title of Maintenance Worker would be reclassified to the state Non-Competitive title of Maintenance Supervisor. The titles of Bookbinder and Supervisor Bookbinder would be reclassified to the state Non-Competitive title of Bookbinder. These Non-Competitive titles exist for State Agencies and it is impracticable to test competitively for them. Non-Competitive reclassification would eliminate the need for forty-one competitive examinations.

3.3.3.2.07 Environmental and Preservation titles:

The titles of Asbestos Handler, Asbestos Handler Supervisor and Asbestos Hazard Investigator would be reclassified to the state Non-Competitive titles of Asbestos Control Coordinator and Asbestos Control Supervisor. The titles of Environmental Engineer and Assistant Environmental Engineer would be reclassified to a new City non-competitive title of Environmental Engineering Specialist comparable to the state Non-Competitive title of Soil and Water Engineering Specialist. The titles of Landmarks Preservationist and Associate Landmarks Preservationist would be reclassified to the state Non-Competitive title of Building Restoration Specialist. The titles of Sewage Treatment Worker, Senior Sewage Treatment Worker and Water Plant Operator would be reclassified to the state Non-Competitive titles of Wastewater Treatment Plant Operator, Water Treatment Plant Operator and Filter Plant Operator. The titles of Watershed Maintainer and Supervisor (Watershed Maintenance) would be reclassified to the state Non-Competitive titles of Maintenance Supervisor and Conservation Operations Supervisor. These Non-Competitive titles exist for State Agencies and are impracticable to

test for competitively. Non-Competitive reclassification would eliminate the need for thirteen competitive examinations.

3.3.3.2.08 Parks titles:

The title of Administrative Park and Recreation Manager would be reclassified to the state Non-Competitive title of Recreation Complex Manager. The title of Associate Park Service Worker would be reclassified to the state Non-Competitive title of Head Grounds Supervisor. These Non-Competitive titles exist for State Agencies. Non-Competitive reclassification would eliminate the need for two competitive examinations.

3.3.3.2.09 Business and Commerce titles:

The temporary, proposed Non-Competitive titles of Budget Analyst (OMB), Budget Analyst (Independent Budget Office), Budget Analyst (Comptroller), Assistant Budget Analyst (Independent Budget Office) and Assistant Budget Analyst (Comptroller) would be classified as Non-Competitive for each of these agencies. The State currently has the comparable titles of Budget Fellow and Chief Budget Examiner classified as Non-Competitive. The titles of Business Promotion Coordinator and Associate Business Promotion Coordinator would be reclassified to the state Non-Competitive title of Business Development Specialist. The titles of Fraud Investigator and Associate Fraud Investigator would be reclassified to the Non-Competitive title of Revenue Crimes Specialist. These Non-Competitive titles exist for State Agencies because it is impracticable to test competitively for them. Non-Competitive reclassification would eliminate the need for nine competitive examinations.

3.3.3.2.10 Artistic titles:

The title of Graphic Artist would be reclassified to the state Non-Competitive title of Artist Designer. This Non-Competitive title exists for State Agencies. Non-Competitive reclassification would eliminate the need for one competitive examination.

3.3.3.2.11 Housing Development titles:

The titles of Housing Development Specialist and Associate Housing Development Specialist would be reclassified to the state Non-Competitive titles of Director of Community Development and Director of Community Reinvestment Monitoring. These Non-Competitive titles exist for State Agencies. Non-Competitive reclassification would eliminate the need for two competitive examinations.

3.3.3.2.12 Communication and Emergency Dispatcher titles:

The titles of Police Communications Technician, Supervising Police Communications Technician, Principal Police Communications

Technician, Fire Alarm Dispatcher and Associate Fire Alarm Dispatcher would be reclassified as Non-Competitive. The Non-Competitive title of State Police Communication Technician currently exists for the State. Classifying the City titles as Non-Competitive would eliminate the need for five competitive examinations.

3.3.3.2.13 Traffic and Motor Vehicle titles:

The titles of Motor Vehicle Operator, Motor Vehicle Supervisor and Senior Motor Vehicle Supervisor would be reclassified to the state Non-Competitive title of Chauffeur/Motor Vehicle Operator. The titles of Traffic Device Maintainer and Supervisor of Traffic Device Maintainers would be reclassified to the state Non-Competitive titles of Assistant Traffic Signal Mechanic, Traffic Signal Helper, Traffic Signal Mechanic and Supervising Traffic Signal Mechanic. These Non-Competitive titles exist for State Agencies. Non-Competitive reclassification would eliminate the need for five competitive examinations.

3.3.3.2.14 Institutional Instructional titles:

The titles of Institutional Trades Instructor (Carpentry), Institutional Trades Instructor (Tailoring), Principal Institutional Instructor, Senior Institutional Trades Instructor and Senior Institutional Trades Instructor (Tailoring) would be reclassified as Non-Competitive. The State classifies its institutional and instructional titles (jobs that perform work within the jails and schools) as Non-Competitive. Classifying the City titles as Non-Competitive would eliminate the need for five competitive examinations.

3.3.3.2.15 Trainee, Intern, Apprentice and Helper titles:

The State classifies many of its trainee level titles as Non-Competitive. Classifying the City trainee titles, including Chemist Trainee, Computer Programmer Analyst Trainee, Education Analyst Trainee, Housing Development Specialist Trainee, Instrumentation Specialist Trainee, Labor Relations Analyst Trainee, Management Auditor Trainee, Public Health Education Trainee and Staff Analyst Trainee, would reduce the number of pure provisionals by approximately 150. These trainees could take the open competitive examinations for the full level titles as promotion examinations to become competitive class employees in the full level titles. Since competitive examinations are already required for the full level titles, classifying trainee, apprentice and helper titles as non-competitive city titles would eliminate the need for more than 10 competitive examinations.

**Appendix VI: Titles with 20 or Fewer
Employees Serving**

Titles with 1 to 20 Incumbents

** Excludes TA and TBTA*

<i>Title</i>	<i># Total Incumbents</i>	<i># Total Provisionals</i>	<i>Agency</i>	<i># Incumbents</i>
<i>10003 Administrative Graphic Artist</i>	<i>7</i>	<i>7</i>		
			009 NYC Employees Retirement System	1
			012 Borough President - Brooklyn	1
			015 Office of the Comptroller	1
			836 Department of Finance	1
			841 Department of Transportation	1
			850 Department of Design and Construction	2
<i>10005 Administrative Assessor</i>	<i>8</i>	<i>7</i>		
			021 Tax Commission	1
			836 Department of Finance	7
<i>10007 Administrative Borough Superintendent</i>	<i>16</i>	<i>16</i>		
			810 Department of Buildings	16
<i>10009 Administrative Business Promotion Coordinator</i>	<i>14</i>	<i>14</i>		
			801 Department of Small Business Service	11
			827 Department of Sanitation	1
			996 NYC Housing Authority	2
<i>10014 Administrative Consultant (Early Childhood Education)</i>	<i>3</i>	<i>2</i>		
			067 Administration for Children Services	3
<i>10016 Administrative Director of Residential Child Care</i>	<i>5</i>	<i>5</i>		
			067 Administration for Children Services	5

<i>Title</i>	<i># Total Incumbents</i>	<i># Total Provisionals</i>	<i>Agency</i>	<i># Incumbents</i>
<i>10023 Administrative Landscape Architect</i>	9	9		
			846 Department of Parks & Recreation	2
			850 Department of Design and Construction	2
			996 NYC Housing Authority	5
<i>10024 Administrative Fire Protection Inspector</i>	6	3		
			057 Fire Department	6
<i>10034 Administrative Landmarks Preservationist</i>	7	6		
			136 Landmarks Preservation Commission	6
			846 Department of Parks & Recreation	1
<i>10037 Administrative Space Analyst</i>	18	18		
			069 Department of Social Services	1
			740 Department of Education (Non-Pedago	8
			816 Department of Health and Mental Hygie	1
			836 Department of Finance	1
			841 Department of Transportation	1
			996 NYC Housing Authority	6
<i>10038 Administrative Storekeeper</i>	15	14		
			069 Department of Social Services	2
			072 Department of Correction	1
			740 Department of Education (Non-Pedago	2
			826 Department of Environmental Protectio	1
			836 Department of Finance	1
			868 Department of Citywide Administrative	2

<i>Title</i>	<i># Total Incumbents</i>	<i># Total Provisionals</i>	<i>Agency</i>	<i># Incumbents</i>
			996 NYC Housing Authority	6
<i>10039 Administrative Superintendent of Highway Operations</i>	6	5		
			841 Department of Transportation	6
<i>10041 Administrative Public Records Officer</i>	5	5		
			810 Department of Buildings	1
			860 Department of Record and Information	3
			996 NYC Housing Authority	1
<i>10042 Administrative Traffic Enforcement Agent</i>	17	7		
			056 Police Department	17
<i>10047 Administrative Real Property Manager</i>	10	7		
			067 Administration for Children Services	1
			806 Housing Preservation and Developmen	8
			868 Department of Citywide Administrative	1
<i>10054 Administrative Blasting Inspector</i>	1	1		
			057 Fire Department	1
<i>10055 Administrative Director of Laboratory (Water Quality)</i>	15	11		
			826 Department of Environmental Protectio	15
<i>10060 Administrative Sheriff</i>	2	0		
			836 Department of Finance	2
<i>10061 Administrative Transportation Coordinator</i>	11	4		
			841 Department of Transportation	11
<i>10064 Administrative Tests and Measurement Specialist</i>	2	2		

<i>Title</i>	<i># Total Incumbents</i>	<i># Total Provisionals</i>	<i>Agency</i>	<i># Incumbents</i>
			868 Department of Citywide Administrative	2
<i>10071 Administrative Horticulturist</i>	6	6		
			846 Department of Parks & Recreation	6
<i>10076 Supervisor of Elevator Maintenance (Housing Authority)</i>	13	11		
			996 NYC Housing Authority	13
<i>10077 Administrative Inspector (Electrical)</i>	16	15		
			057 Fire Department	1
			810 Department of Buildings	5
			841 Department of Transportation	8
			868 Department of Citywide Administrative	2
<i>10079 Administrative Taxi and Limousine Inspector</i>	7	6		
			156 Taxi & Limousine Commission	7
<i>10080 Administrative Quality Assurance Specialist</i>	14	12		
			740 Department of Education (Non-Pedago	12
			868 Department of Citywide Administrative	1
			996 NYC Housing Authority	1
<i>10084 Administrative Program Officer (Dept. for the Aging)</i>	16	13		
			125 Department for the Aging	16
<i>10096 Administrative Printing Services Manager</i>	5	4		
			056 Police Department	3
			057 Fire Department	1
			996 NYC Housing Authority	1
<i>10217 Stenographic Specialist</i>	3	2		

<i>Title</i>	<i># Total Incumbents</i>	<i># Total Provisionals</i>	<i>Agency</i>	<i># Incumbents</i>
			056 Police Department	2
			868 Department of Citywide Administrative	1
<i>10229 Legal Secretarial Assistant</i>	12	8		
			025 Law Department	9
			312 Conflicts of Interest Board	1
			836 Department of Finance	1
			996 NYC Housing Authority	1
<i>12176 Senior Salvage Appraiser</i>	2	1		
			868 Department of Citywide Administrative	2
<i>12633 Education Officer</i>	6	5		
			740 Department of Education (Non-Pedago	6
<i>12634 Associate Education Officer</i>	15	15		
			740 Department of Education (Non-Pedago	15
<i>12704 Tests and Measurement Specialist</i>	20	15		
			214 Office of Labor Relations	1
			868 Department of Citywide Administrative	19
<i>13353 Hearing Examiner (Housing Authority)</i>	3	2		
			996 NYC Housing Authority	3
<i>13368 Labor Relations Analyst</i>	7	6		
			069 Department of Social Services	1
			214 Office of Labor Relations	3
			996 NYC Housing Authority	3
<i>13369 Associate Labor Relations Analyst</i>	9	9		

<i>Title</i>	<i># Total Incumbents</i>	<i># Total Provisionals</i>	<i>Agency</i>	<i># Incumbents</i>
			069 Department of Social Services	6
			836 Department of Finance	1
			841 Department of Transportation	1
			858 Department of Information Technology	1
<i>13642 Certified IT Administrator (WAN)</i>	<i>18</i>	<i>18</i>		
			017 Office of Emergency Management	1
			025 Law Department	1
			056 Police Department	1
			057 Fire Department	3
			127 Financial Information Services Agency	1
			740 Department of Education (Non-Pedago	2
			816 Department of Health and Mental Hygie	1
			841 Department of Transportation	3
			858 Department of Information Technology	4
			902 District Attorney Bronx	1
<i>13644 Certified IT Administrator (Database)</i>	<i>6</i>	<i>6</i>		
			056 Police Department	1
			261 Department of Youth and Community D	1
			816 Department of Health and Mental Hygie	2
			826 Department of Environmental Protectio	1
			858 Department of Information Technology	1
<i>20130 Automotive Specialist</i>	<i>1</i>	<i>1</i>		
			868 Department of Citywide Administrative	1

<i>Title</i>	<i># Total Incumbents</i>	<i># Total Provisionals</i>	<i>Agency</i>	<i># Incumbents</i>
20131 Senior Automotive Specialist	1	1	827 Department of Sanitation	1
20202 Civil Engineering Intern	11	10	740 Department of Education (Non-Pedago	1
			826 Department of Environmental Protectio	4
			841 Department of Transportation	1
			850 Department of Design and Construction	5
20247 Telecommunications Associate (Voice)	14	7	041 Teachers Retirement System	1
			056 Police Department	2
			740 Department of Education (Non-Pedago	1
			816 Department of Health and Mental Hygie	4
			846 Department of Parks & Recreation	2
			996 NYC Housing Authority	4
20271 Operations Communications Specialist	20	8	056 Police Department	5
			156 Taxi & Limousine Commission	5
			841 Department of Transportation	10
20272 Associate Operations Communications Specialist	8	8	056 Police Department	1
			841 Department of Transportation	6
			996 NYC Housing Authority	1
20302 Electrical Engineering Intern	6	4		

<i>Title</i>	<i># Total Incumbents</i>	<i># Total Provisionals</i>	<i>Agency</i>	<i># Incumbents</i>
			826 Department of Environmental Protectio	5
			841 Department of Transportation	1
20403 <i>Mechanical Engineering Intern</i>	10	9		
			826 Department of Environmental Protectio	8
			841 Department of Transportation	2
20503 <i>Chemical Engineering Intern</i>	9	9		
			826 Department of Environmental Protectio	8
			841 Department of Transportation	1
20515 <i>Chemical Engineer</i>	18	8		
			057 Fire Department	2
			826 Department of Environmental Protectio	16
20616 <i>Environmental Engineering Intern</i>	13	13		
			826 Department of Environmental Protectio	13
20919 <i>Engineer - Assessor (Utility)</i>	2	0		
			836 Department of Finance	2
21006 <i>Tax Map Cartographer</i>	15	15		
			836 Department of Finance	15
21131 <i>Deputy Director of Standards and Appeals</i>	1	1		
			868 Department of Citywide Administrative	1
21205 <i>Architectural Intern</i>	6	5		
			806 Housing Preservation and Developmen	2
			846 Department of Parks & Recreation	4

<i>Title</i>	<i># Total Incumbents</i>	<i># Total Provisionals</i>	<i>Agency</i>	<i># Incumbents</i>
21306	Landscape Architectural Intern	19	19	
			846 Department of Parks & Recreation	19
21511	Assistant Scientist (Radiation Control)	8	7	
			816 Department of Health and Mental Hygie	8
21516	Scientist (Radiation Control)	5	4	
			806 Housing Preservation and Developmen	1
			816 Department of Health and Mental Hygie	4
21526	Senior Scientist (Radiation Control)	2	2	
			816 Department of Health and Mental Hygie	2
21562	Bio-Medical Equipment Technician	1	1	
			057 Fire Department	1
21563	Senior Bio-Medical Equipment Technician	1	1	
			057 Fire Department	1
22092	Assistant Urban Designer	12	11	
			017 Office of Emergency Management	3
			030 Department of City Planning	9
22124	Associate Urban Designer	12	9	
			030 Department of City Planning	12
22126	Senior Community Organization Specialist (Urban Rene	1	1	
			806 Housing Preservation and Developmen	1
22305	Assistant Highway Transportation Specialist	5	5	
			841 Department of Transportation	5

<i>Title</i>	<i># Total Incumbents</i>	<i># Total Provisionals</i>	<i>Agency</i>	<i># Incumbents</i>
22410	19	15		
			810 Department of Buildings	19
22425	8	0		
			826 Department of Environmental Protectio	8
30315	11	0		
			836 Department of Finance	11
30505	3	3		
			836 Department of Finance	3
30805	3	3		
			069 Department of Social Services	1
			836 Department of Finance	1
			841 Department of Transportation	1
30810	1	1		
			025 Law Department	1
30820	6	6		
			025 Law Department	5
			850 Department of Design and Construction	1
30825	10	9		
			901 District Attorney Manhattan	10
30827	6	4		
			905 District Attorney Richmond County	6
30828	1	1		

<i>Title</i>	<i># Total Incumbents</i>	<i># Total Provisionals</i>	<i>Agency</i>	<i># Incumbents</i>
			905 District Attorney Richmond County	1
<i>31013 Interpreter (Spanish)</i>	13	12		
			781 Department of Probation	3
			902 District Attorney Bronx	7
			996 NYC Housing Authority	3
<i>31310 Safety Specialist</i>	1	1		
			069 Department of Social Services	1
<i>31316 Associate Air Pollution Inspector</i>	13	9		
			826 Department of Environmental Protectio	13
<i>31455 Supervising Institutional Inspector</i>	1	1		
			067 Administration for Children Services	1
<i>31671 Inspector (Low Pressure Boilers)</i>	6	5		
			810 Department of Buildings	6
<i>31690 Inspector (Housing Construction)</i>	7	5		
			996 NYC Housing Authority	7
<i>33972 Market Agent</i>	15	0		
			831 Business Integrity Commission	15
<i>33973 Associate Market Agent</i>	4	0		
			831 Business Integrity Commission	4
<i>33996 Associate Inspector (Consumer Affairs)</i>	17	7		
			866 Consumer Affairs	17
<i>34170 Quality Assurance Specialist Trainee</i>	3	2		

<i>Title</i>	<i># Total Incumbents</i>	<i># Total Provisionals</i>	<i>Agency</i>	<i># Incumbents</i>
			740 Department of Education (Non-Pedago	1
			806 Housing Preservation and Developmen	2
34171 <i>Quality Assurance Specialist</i>	17	4		
			740 Department of Education (Non-Pedago	4
			841 Department of Transportation	1
			868 Department of Citywide Administrative	7
			996 NYC Housing Authority	5
34176 <i>Quality Assurance Specialist (Foods)</i>	12	5		
			740 Department of Education (Non-Pedago	9
			868 Department of Citywide Administrative	3
34177 <i>Quality Assurance Specialist (Fuel)</i>	6	1		
			868 Department of Citywide Administrative	6
34183 <i>Quality Assurance Specialist (Pupil Transportation)</i>	14	11		
			740 Department of Education (Non-Pedago	14
34192 <i>Associate Quality Assurance Specialist (Foods)</i>	13	9		
			740 Department of Education (Non-Pedago	11
			868 Department of Citywide Administrative	2
34193 <i>Associate Quality Assurance Specialist (Fuel)</i>	3	1		
			868 Department of Citywide Administrative	3
34195 <i>Associate Quality Assurance Specialist (Metals)</i>	1	0		
			826 Department of Environmental Protectio	1
34196 <i>Associate Quality Assurance Specialist (Pupil Transporta</i>	10	6		
			740 Department of Education (Non-Pedago	10

<i>Title</i>	<i># Total Incumbents</i>	<i># Total Provisionals</i>	<i>Agency</i>	<i># Incumbents</i>
<i>34201 Construction Project Manager Intern</i>	5	5		
			846 Department of Parks & Recreation	4
			996 NYC Housing Authority	1
<i>35115 Transportation Inspector</i>	1	0		
			740 Department of Education (Non-Pedago	1
<i>40235 Insurance Adviser</i>	1	1		
			868 Department of Citywide Administrative	1
<i>40236 Insurance Adviser (Health)</i>	3	3		
			214 Office of Labor Relations	3
<i>40563 Contract Reviewer (Office of Labor Services)</i>	15	10		
			801 Department of Small Business Service	15
<i>40925 Investment Analyst</i>	16	16		
			015 Office of the Comptroller	12
			041 Teachers Retirement System	1
			740 Department of Education (Non-Pedago	3
<i>41122 Associate Parking Control Specialist</i>	15	15		
			056 Police Department	15
<i>50837 Supervising Medical Record Librarian</i>	1	1		
			057 Fire Department	1
<i>51014 Consultant Public Health Nurse (Communicable Disease</i>	7	6		
			816 Department of Health and Mental Hygie	7
<i>51210 Occupational Therapist</i>	9	0		

<i>Title</i>	<i># Total Incumbents</i>	<i># Total Provisionals</i>	<i>Agency</i>	<i># Incumbents</i>
			740 Department of Education (Non-Pedago	9
<i>51211 Physical Therapist</i>	1	0		
			740 Department of Education (Non-Pedago	1
<i>51213 Rehabilitation Counselor</i>	1	1		
			827 Department of Sanitation	1
<i>51216 Senior Counselor (Addiction Treatment)</i>	8	1		
			071 Department of Homeless	3
			072 Department of Correction	3
			816 Department of Health and Mental Hygie	2
<i>51217 Supervising Counselor (Addiction Treatment)</i>	2	2		
			781 Department of Probation	2
<i>51225 Fitness Instructor</i>	11	11		
			056 Police Department	11
<i>51235 Senior Occupational Therapist</i>	2	0		
			740 Department of Education (Non-Pedago	2
<i>51240 Supervising Audiologist</i>	2	1		
			816 Department of Health and Mental Hygie	2
<i>51241 Supervising Therapist</i>	2	2		
			740 Department of Education (Non-Pedago	2
<i>51273 Correctional Counselor</i>	2	0		
			072 Department of Correction	2
<i>51274 Associate Correctional Counselor</i>	18	6		

<i>Title</i>	<i># Total Incumbents</i>	<i># Total Provisionals</i>	<i>Agency</i>	<i># Incumbents</i>
			072 Department of Correction	18
51310 X-Ray Technician	14	12		
			816 Department of Health and Mental Hygie	14
51380 Environmental Health Technician	11	10		
			816 Department of Health and Mental Hygie	11
51444 Supervisor of Youth Services	1	0		
			846 Department of Parks & Recreation	1
51613 Consultant (Public Health Social Work)	8	8		
			816 Department of Health and Mental Hygie	8
51638 Senior Consultant (Public Health Social Work)	10	10		
			069 Department of Social Services	10
51800 Probation Assistant	1	1		
			781 Department of Probation	1
52085 Assistant Coordinator of Mortuary Services	3	3		
			816 Department of Health and Mental Hygie	3
52090 Coordinator of Mortuary Services	1	1		
			816 Department of Health and Mental Hygie	1
52279 Superintendent of Adult Institutions	17	1		
			069 Department of Social Services	1
			071 Department of Homeless	16
52315 Supervisor of Child Care	12	11		
			067 Administration for Children Services	12

<i>Title</i>	<i># Total Incumbents</i>	<i># Total Provisionals</i>	<i>Agency</i>	<i># Incumbents</i>
<i>54910 Commissary Manager</i>	8	8		
			072 Department of Correction	8
<i>55015 Senior Intergroup Relations Officer</i>	2	2		
			806 Housing Preservation and Developmen	2
<i>56091 Community Liaison Trainee</i>	1	0		
			831 Business Integrity Commission	1
<i>60216 Public Records Officer</i>	5	5		
			826 Department of Environmental Protectio	1
			860 Department of Record and Information	4
<i>60217 Associate Public Records Officer</i>	8	5		
			017 Office of Emergency Management	1
			860 Department of Record and Information	6
			996 NYC Housing Authority	1
<i>60414 Puppeteer</i>	3	3		
			846 Department of Parks & Recreation	3
<i>60580 Chief of Housing Community Activities</i>	1	1		
			996 NYC Housing Authority	1
<i>60621 Program Producer</i>	8	7		
			012 Borough President - Brooklyn	1
			057 Fire Department	1
			067 Administration for Children Services	1
			740 Department of Education (Non-Pedago	2
			858 Department of Information Technology	2

<i>Title</i>	<i># Total Incumbents</i>	<i># Total Provisionals</i>	<i>Agency</i>	<i># Incumbents</i>
			905 District Attorney Richmond County	1
60666 <i>Director (Television)</i>	9	9		
			858 Department of Information Technology	9
60810 <i>Public Relations Assistant</i>	6	7		
			025 Law Department	1
			069 Department of Social Services	1
			846 Department of Parks & Recreation	2
			868 Department of Citywide Administrative	1
			996 NYC Housing Authority	1
70312 <i>Pilot</i>	14	0		
			057 Fire Department	14
70314 <i>Wiper (Uniformed)</i>	10	10		
			057 Fire Department	10
70400 <i>Correction Administrative Aide</i>	7	7		
			072 Department of Correction	7
71685 <i>Sanitation Compliance Agent</i>	12	2		
			827 Department of Sanitation	12
80102 <i>Real Property Assistant</i>	3	0		
			806 Housing Preservation and Developmen	3
80810 <i>Assistant Laundry Supervisor</i>	2	2		
			072 Department of Correction	2
81560 <i>Ferry Terminal Supervisor</i>	10	8		

<i>Title</i>	<i># Total Incumbents</i>	<i># Total Provisionals</i>	<i>Agency</i>	<i># Incumbents</i>
			841 Department of Transportation	10
82104 <i>Laboratory Helper (Competitive)</i>	12	12		
			781 Department of Probation	12
82980 <i>Administrative Psychologist</i>	4	3		
			056 Police Department	1
			072 Department of Correction	2
			816 Department of Health and Mental Hygiene	1
82982 <i>Administrative Sanitation Enforcement Agent</i>	1	1		
			827 Department of Sanitation	1
82984 <i>Telecommunications Manager</i>	18	17		
			057 Fire Department	1
			069 Department of Social Services	2
			740 Department of Education (Non-Pedago	4
			858 Department of Information Technology	10
			996 NYC Housing Authority	1
82985 <i>Administrative Actuary</i>	10	9		
			008 Office of the Actuary	10
82987 <i>Manager of Radio Repair Operations</i>	4	4		
			056 Police Department	2
			057 Fire Department	2
82988 <i>Administrative Deputy Register</i>	3	3		
			836 Department of Finance	3
82989 <i>Administrative Public Health Sanitarian</i>	14	14		

<i>Title</i>	<i># Total Incumbents</i>	<i># Total Provisionals</i>	<i>Agency</i>	<i># Incumbents</i>
			072 Department of Correction	1
			816 Department of Health and Mental Hygie	9
			826 Department of Environmental Protectio	4
82994 <i>Administrative Labor Relations Analyst</i>	10	10		
			056 Police Department	2
			057 Fire Department	2
			214 Office of Labor Relations	1
			313 Office of Collective Bargaining	1
			816 Department of Health and Mental Hygie	2
			836 Department of Finance	1
			996 NYC Housing Authority	1
82998 <i>Administrative Superintendent of Bridge Operations</i>	1	1		
			841 Department of Transportation	1
90238 <i>Food Service Supervisor</i>	2	2		
			067 Administration for Children Services	2
90311 <i>Television Equipment Operator</i>	14	12		
			858 Department of Information Technology	14
90313 <i>Film Manager</i>	4	3		
			858 Department of Information Technology	4
90411 <i>Radio and Television Operator</i>	11	9		
			858 Department of Information Technology	9
			868 Department of Citywide Administrative	2
90436 <i>Supervisor of Radio and Television Operations</i>	10	10		

<i>Title</i>	<i># Total Incumbents</i>	<i># Total Provisionals</i>	<i>Agency</i>	<i># Incumbents</i>
			858 Department of Information Technology	8
			868 Department of Citywide Administrative	2
90536 <i>Supervisor of Housing Exterminators</i>	9	7		
			996 NYC Housing Authority	9
90571 <i>Repair Crew Worker (HDA)</i>	1	0		
			806 Housing Preservation and Developmen	1
90573 <i>Repair Crew Chief (HDA)</i>	1	1		
			806 Housing Preservation and Developmen	1
90574 <i>Senior Repair Crew Chief (HDA)</i>	4	4		
			806 Housing Preservation and Developmen	4
90621 <i>Assistant Media Services Technician</i>	1	0		
			740 Department of Education (Non-Pedago	1
90706 <i>Carriage Upholsterer</i>	1	0		
			827 Department of Sanitation	1
90737 <i>School Equipment Maintainer</i>	1	1		
			740 Department of Education (Non-Pedago	1
90760 <i>Supervisor of Radio Repair Operations</i>	10	8		
			056 Police Department	4
			057 Fire Department	3
			740 Department of Education (Non-Pedago	1
			841 Department of Transportation	1
			858 Department of Information Technology	1

<i>Title</i>	<i># Total Incumbents</i>	<i># Total Provisionals</i>	<i>Agency</i>	<i># Incumbents</i>
90836	1	1	056 Police Department	1
91350	16	13	841 Department of Transportation	16
91548	3	3	072 Department of Correction	3
91555	1	0	072 Department of Correction	1
91631	1	0	841 Department of Transportation	1
91632	1	1	841 Department of Transportation	1
91697	15	13	740 Department of Education (Non-Pedago	15
91910	1	1	826 Department of Environmental Protectio	1
92073	1	1	841 Department of Transportation	1
92110	3	3	056 Police Department	3
92248	2	1	136 Landmarks Preservation Commission	2

<i>Title</i>	<i># Total Incumbents</i>	<i># Total Provisionals</i>	<i>Agency</i>	<i># Incumbents</i>
92320 <i>Horseshoer</i>	3	1	056 Police Department	3
92376 <i>Supervisor of Ironwork</i>	4	4	057 Fire Department	1
			827 Department of Sanitation	3
92587 <i>Marine Maintenance Mechanic</i>	5	5	056 Police Department	2
			057 Fire Department	3
92590 <i>Telephone Service Technician</i>	10	9	056 Police Department	3
			072 Department of Correction	3
			846 Department of Parks & Recreation	4
92706 <i>Furniture Maintainer (Finisher)</i>	1	1	740 Department of Education (Non-Pedago	1

**Appendix VII: Classifying New Titles or
Reclassifying Current Competitive Titles
to the Exempt Class where State has
Exempt Class titles Performing
Comparable Work**

Classifying New Titles or Reclassifying Current Competitive Titles to the Exempt Class where State has Exempt Class titles Performing Comparable Work]

2.3.4.01 Public Information positions:

DCAS will seek approval to classify in the Exempt Class a position of Director of Public Information and Assistant Director of Public Information for each agency. More Assistant positions may be requested for larger agencies.

2.3.4.02 Legislative Coordinator positions:

DCAS will seek approval to classify in the Exempt Class a position of Director of Legislative and Assistant Director of Legislative for use by each City agency. More Assistant positions may be requested for larger agencies.

2.3.4.03 Intergovernmental Affairs positions

DCAS will seek approval to classify in the Exempt Class a position of Director of Intergovernmental Affairs and Assistant Director of Intergovernmental Affairs for each agency. More Assistant positions may be requested for larger agencies.

2.3.4.04 Equal Employment Opportunity program positions

DCAS will seek approval to classify in the Exempt Class a position of Director of Equal Employment Opportunity and Assistant Director of Equal Employment Opportunity for each agency. More Assistant positions may be requested for larger agencies.

2.3.4.05 Budget and Fiscal Affairs positions

DCAS will seek approval to classify in the Exempt Class a position of Director of Budget and Fiscal Affairs and Assistant Director of Budget and Fiscal Affairs for each agency. More Assistant positions may be requested for larger agencies.

2.3.4.06 Human Resources positions

DCAS will seek approval to classify in the Exempt Class a position of Director of Human Resources and Assistant Director of Human Resources for each agency. More Assistant positions may be requested for larger agencies.

2.3.4.07 Labor Relation positions

DCAS will seek approval to classify in the Exempt Class a position of Director of Labor Relations and Assistant Director of Labor Relations for each agency. More Assistant positions may be requested for larger agencies.

2.3.4.08 Community Relations positions

DCAS will seek approval to classify in the Exempt Class a position of Director of Community Relations and Assistant Director of Community Relations for each agency. More Assistant positions may be requested for larger agencies.

2.3.4.09 Technology positions

DCAS will seek approval to classify in the Exempt Class a position of Director of Technology and Assistant Director of Technology for each agency. More Assistant positions may be requested for larger agencies.

2.3.4.10 Communications positions

DCAS will seek approval to classify in the Exempt Class a position of Director of Communications and Assistant Director of Communications for each agency. More Assistant positions may be requested for larger agencies.

2.3.4.11 Security positions

DCAS will seek approval to classify in the Exempt Class a position of Director of Security and Assistant Director of Security for each agency. More Assistant positions may be requested for larger agencies.

2.3.4.12 Chief of Staff positions

DCAS will seek approval to classify in the Exempt Class a position of Chief of Staff and Assistant Chief of Staff for each agency. More Assistant positions may be requested for larger agencies.

2.3.4.13 Employee Assistance Counselors:

DCAS will seek approval to classify positions of Employee Assistance Counselors in the Exempt Class. [Number of positions to be determined.]

Appendix VIII: Temporary Titles with Provisionals Serving

Title Code	Title Description
06456	?ASSOCIATE GENERAL COUNSEL(TBTA)
06198	?COUNSEL(BOARD OF EDUCATION RETIREMENT SYSTEM)
06566	?EXAMINING ATTORNEY(BOARD OF EDUCATION)
06603	ADMINISTRATIVE ASSISTANT (CAMPAIGN FINANCE BOARD)
06699	ADMINISTRATOR OF MEDICAL AFFAIRS (FD)
05439	ADMINISTRATOR OF SLUDGE VESSEL OPERATIONS
06774	AGENCY SECURITY DIRECTOR
06601	ANALYST (CAMPAIGN FINANCE BOARD)
0660A	ANALYST (CAMPAIGN FINANCE BOARD)(LEVELS II AND III ONLY)
06168	ASSISTANT ADMINISTRATOR (OFFICE OF THE CITY CLERK)
05351	ASSISTANT ADVOCATE (POLICE DEPT.)
06710	ASSISTANT BUDGET ANALYST (COMPTROLLER)
06712	ASSISTANT BUDGET ANALYST (IBO)
05487	ASSISTANT COMMISSIONER (ADMINISTRATIVE SERVICES-DORIS)
06384	ASSISTANT COMMISSIONER (LABOR RELATIONS AND PERSONNEL) (HMH)
06759	ASSISTANT COMMISSIONER (SUPPORT SERVICES - SANITATION)
06108	ASSISTANT COUNSEL (POLICE DEPARTMENT)
05455	ASSISTANT DIRECTOR OF INTERGOV. REL. FOR THE WASH. OFC. (MA)
05453	ASSISTANT DIRECTOR OF INTERGOV. RELATIONS FOR CITY COUNSEL
05454	ASSISTANT DIRECTOR OF INTRGVRN RELATIONS FOR THE ALBANY OFF
09990	ASSISTANT HOUSEKEEPER (OFFICE OF THE MAYOR)
06144	ASSISTANT LEGISLATIVE REPRESENTATIVE (MA)
06008	ASSISTANT PROJECT PLANNER (MA)
06022	ASSISTANT PROJECT PLANNER (OFFICE OF THE BOROUGH PRES. S.I.)
05278	ASSISTANT TO THE DEPUTY MAYOR (OFFICE OF THE MAYOR)
06508	ASSISTANT TO THE MAYOR
09959	ASSISTANT TO THE PRESIDENT (BROOKLYN BOROUGH PRESIDENT)
06651	ASSOCIATE ARTS PROGRAMS SPECIALIST (BD OF EDUCATION)
06684	ASSOCIATE CHIEF RACKETS INVESTIGATOR (SNC)
05130	ASSOCIATE DIRECTOR - OPERATIONAL SERVICES (SANITATION)
06604	ATTORNEY (CAMPAIGN FINANCE BOARD)
06392	AUDITOR (OFFICE OF THE MAYOR)
06362	BOROUGH DIRECTOR OF RECREATION
06711	BUDGET ANALYST (COMPTROLLER)
06713	BUDGET ANALYST (IBO)
0671A	BUDGET ANALYST (IBO) (MANAGERIAL ASSIGNMENTS)

06088	BUDGET ANALYST (OMB)
0608A	BUDGET ANALYST (OMB) (MANAGERIAL ASSIGNMENTS)
06240	CASE MANAGEMENT NURSE (CORRECTION)
09968	CASE MANAGEMENT NURSE (DS)
06145	CHAUFFEUR-ATTENDANT (BOROUGH PRESIDENT - MANHATTAN)
06666	CHAUFFEUR-ATTENDANT (DCAS)
05168	CHAUFFEUR-ATTENDANT (PB)
05234	CHAUFFEUR-ATTENDANT (PQ)
06623	CHIEF MAINTENANCE OFFICER (TBTA)
06671	CHIEF OF CITY SHERIFF OPERATIONS (DF)
06599	CHIEF OF SECURITY (TBTA)
06692	CHIEF OF STAFF (OFFICE OF THE CITY CLERK)
06709	CHIEF REVIEW ASSESSOR (FINANCE)
06516	CONFIDENTIAL AIDE TO THE AUDITOR GENERAL (MA)
06024	CONFIDENTIAL ASSISTANT TO THE BOROUGH PRESIDENT (PR)
06547	CONFIDENTIAL INVESTIGATOR (EB)
05262	CONFIDENTIAL SECRETARY (BT)
06734	CONFIDENTIAL SECRETARY (OFF.OF THE SPECIAL NARCOTICS PROSE)
05040	COORDINATOR OF CRIMINAL JUSTICE (MA)
06353	COORDINATOR OF VETERANS AFFAIRS (MA)
06140	CORRECTIONAL STANDARDS REVIEW SPECIALIST
09743	COUNSEL (OFFICE FOR CRIMINAL JUSTICE)
06665	DECEDENT PROPERTY AGENT (QUEENS COUNTY)
06361	DEPUTY ASSISTANT COUNSEL (OLR)
05466	DEPUTY ASSISTANT DIRECTOR (CIVILIAN COMPLAINT REVIEW BOARD)
06228	DEPUTY AUDITOR GENERAL (BOARD OF EDUCATION)
05387	DEPUTY BOROUGH COMMISSIONER (DPR)
06364	DEPUTY CHIEF OF OPERATIONS (DPR)
06733	DEPUTY CHIEF RACKETS INVESTIGATOR (BRONX DA)
06742	DEPUTY CITY CLERK (STATEN ISLAND)
06756	DEPUTY COMMISSIONER (BIC)
06764	DEPUTY COMMISSIONER (OEM)
05364	DEPUTY COMMISSIONER (TLC)
06490	DEPUTY COMMISSIONER FOR COMMUNITY RELATIONS (CCHR)
06489	DEPUTY COMMISSIONER FOR LAW ENFORCEMENT (CCHR)
06761	DEPUTY COMMISSIONER, COUNTERTERRORISM (PD)
06762	DEPUTY COMMISSIONER, INTELLIGENCE (PD)
06428	DEPUTY COUNSEL INTERNE (HA)
06659	DEPUTY DIR. OF OPERATIONS ANALYSIS & QUALITY CONTROL (PD)
05259	DEPUTY DIRECTOR (CIVILIANIZATION) (PD)
09774	DEPUTY DIRECTOR (FINANCE)
06402	DEPUTY DIRECTOR OF ADMINISTRATION (LD)
06462	DEPUTY DIRECTOR OF ADMINISTRATION (WRKRS COMP BENEFITS) LAW

06435	DEPUTY DIRECTOR OF AUDIT AND PROGRAM ANALYSIS (HA) (PT I)
06442	DEPUTY DIRECTOR OF METHODS AND ANALYSIS (HA) (PT. I)
05400	DEPUTY DIRECTOR OF PERSONNEL AND LABOR RELATIONS (HA)
06185	DEPUTY DIRECTOR OF PROBATION (OPERATIONS)
05411	DEPUTY DIRECTOR OF VOLUNTEER COORD COUNCIL (MA)
06251	DEPUTY DIRECTOR, ENVIRONMENTAL CONTROL BOARD (DEP)
06458	DEPUTY EXECUTIVE DIRECTOR (CFB)
06586	DEPUTY EXECUTIVE DIRECTOR (HA)
06452	DEPUTY INSPECTOR GENERAL (HA) PT I
05224	DEPUTY OPERATION SUPPORT MANAGER (LD)
06505	DIRECTOR (DEFERRED COMPENSATION PROGRAM) (OMLR)
06317	DIRECTOR (DISCIPLINE) (CW)
06570	DIRECTOR (ENGINEERING AND CONSTRUCTION) (TBTA)
06403	DIRECTOR (OFFICE OF CONTRACTS) (MA)
05103	DIRECTOR (PLANT OPERATION SERVICES) (BOARD OF ED.)
06401	DIRECTOR OF ADMINISTRATION (LD)
05492	DIRECTOR OF ADMINISTRATION (WORKERS COMP BENEFITS) (LD)
06523	DIRECTOR OF ARTWORKS (PUBLIC SCHOOLS)
05357	DIRECTOR OF BUILDING MANAGEMENT (DS)
06676	DIRECTOR OF INTERGOVERNMENTAL & PUBLIC AFFAIRS (CCRB)
05026	DIRECTOR OF INTERGOVERNMENTAL RELATIONS
06200	DIRECTOR OF MANAGEMENT INFORMATION SERVICES (DEP)
06447	DIRECTOR OF MATERIALS MANAGEMENT (HA) PT. I
06520	DIRECTOR OF OPERATIONS (BOARD OF EDUCATION)
06632	DIRECTOR OF PHOTOGRAPHIC SERVICES (POLICE DEPARTMENT)
05303	DIRECTOR OF PUBLIC INFORMATION (DK)
05146	DIRECTOR OF REGIONAL JOINT INTEREST PARK
06649	DIRECTOR OF SCHEDULING (OFFICE OF THE MAYOR)
06600	DIRECTOR OF SPECIAL INVESTIGATIONS (TBTA)
06250	DIRECTOR, ASBESTOS EMISSIONS CONTROL PROGRAM (DEP)
05350	DIRECTOR, DATA PROCESSING COORDINATION (BOARD OF EDUCATION)
06409	DIRECTOR, EMPLOYEE ASSISTANCE PROGRAM (ONLY 1 IN ANY 1 AGCY)
06615	DIRECTOR, LABOR RELATIONS (TBTA)
06017	DIRECTOR, NEW YORK CITY LOFT BOARD (MA)
06030	DIRECTOR, NYC ART COMMISSION (MA)
05423	DIRECTOR, OFFICE OF OPERATIONS (OFFICE OF THE MAYOR)
06732	ELECTRONIC SPECIALIST (TRANSIT AUTHORITY)

06765	EMERGENCY PREPAREDNESS MANAGER (OEM)
06766	EMERGENCY PREPAREDNESS SPECIALIST (OEM)
06408	EMPLOYEE ASSISTANCE PROGRAM SPECIALIST
05346	EMPLOYEE HEALTH BENEFITS PROGRAM DIRECTOR (OMLR)
06773	EQUAL RIGHTS COMPLIANCE SPECIALIST (DOE)
05395	EXECUTIVE ADMINISTRATOR OF GRACIE MANSION (MA)
05418	EXECUTIVE ASSISTANT TO THE CITY CLERK
09963	EXECUTIVE ASSISTANT TO THE COMMISSIONER (SANIT.)
09840	EXECUTIVE ASSISTANT TO THE COORD. OF CRIM. JUST. (MA)
06242	EXECUTIVE ASSISTANT TO THE FIRST DEPUTY CITY CLERK
09989	EXECUTIVE COOK (OFFICE OF THE MAYOR)
06670	EXECUTIVE DEPUTY CITY SHERIFF (DF)
06743	EXECUTIVE DEPUTY COMMISSIONER FOR MENTAL HYGIENE
06683	EXECUTIVE DIRECTOR (POLICE COMMISSION-DOI)
05085	EXECUTIVE DIRECTOR OF ADMINISTRATION (DEPT. OF PROBATION)
06407	EXECUTIVE DIRECTOR OF FOOD SERVICES (CORRECTION)
06574	EXECUTIVE INSPECTOR (FD)
06426	FIELD INVESTIGATION SPECIALIST
06366	FISCAL RESPONSIBILITY OFFICER (MA)
06593	FOOD SERVICE ADMINISTRATOR (DC)
05058	FOOD SERVICE MANAGER
06624	GENERAL MANAGER (TBTA)
06124	HEAD NURSE (DS)
06432	HIGH SCHOOL STUDENT AIDE (CW)
06314	INCINERATOR FACILITY MANAGER (DS)
06750	INTELLIGENCE RESEARCH SPECIALIST (POLICE DEPARTMENT)
0675A	INTELLIGENCE RESEARCH SPECIALIST (POLICE DEPARTMENT)
06313	INTERPRETER (PART-TIME - BOARD OF EDUCATION)
06754	INTERPRETER/TRANSLATOR (DOE)
06316	INVESTIGATOR (DISCIPLINE) (ALL MAYORAL AGENCIES)
06688	INVESTIGATOR (EMPLOYEE DISCIPLINE) MAYORAL AGENCIES ONLY
05383	LEGISLATIVE AIDE (OFFICE OF THE MAYOR)
05483	MANAGEMENT CONSULTANT (FIRE PREVENTION)
06753	MARINE ELECTRONICS TECHNICIAN
06405	MAYORAL OFFICE ASSISTANT (MA)
06423	MAYORAL PROGRAM COORDINATOR (MA)
06591	MEDICOLEGAL ANALYST (LAW DEPARTMENT)
06611	NURSE PRACTITIONER (DH)
06752	NYCAPS PROCESS ANALYST
0675B	NYCAPS PROCESS ANALYST (DCAS CONFIDENTIAL)
06760	NYCAPS PROCESS ANALYST MANAGER
06216	OCCUPATIONAL THERAPIST (BOARD OF EDUCATION)

05306	PARK BOROUGH COMMISSIONER (DPR)
06218	PHYSICAL THERAPIST (BOARD OF EDUCATION)
06664	PLAYGROUND ASSOCIATE
06663	POISON INFORMATION SPECIALIST (DOH)
06772	PORT MARINE ENGINEER (DOT)
05421	PRESS AND SPEECH AIDE (MA)
05481	PROJECT PLANNER (MA)
06023	PROJECT PLANNER (PR)
06771	PROTECTION AGENT (ACS)
06421	PUBLISHING ASSOCIATE (MA)
06070	RECREATION SPECIALIST (DPR)
09909	RESEARCH & LIAISON COORDINATOR (PB)
05144	RESEARCH AND LIAISON COORDINATOR (PX)
05145	RESEARCH LIAISON AND GOVERNMENTAL COORDINATOR (PX)
05277	RESEARCH PROJECTS COORDINATOR (MA)
0527A	RESEARCH PROJECTS COORDINATOR (MA) (MANAGERIAL ASSIGNMENTS)
06745	SCHOOL BUSINESS MANAGER
05384	SECRETARY (MA)
06021	SECRETARY (PR)
09910	SECRETARY TO ASSISTANT TO THE PRESIDENT (PB)
05107	SECRETARY TO ASSISTANT TO THE PRESIDENT (PX)
06680	SECRETARY TO COUNSEL (HA)
06679	SECRETARY TO DEPUTY EXECUTIVE DIRECTOR (HA)
06678	SECRETARY TO EXECUTIVE DIRECTOR (HA)
06429	SECRETARY TO PUBLIC ADMINISTRATOR (RICHMOND COUNTY)
06757	SECRETARY TO THE CHAIR (BIC)
09880	SECRETARY TO THE CHANCELLOR
06770	SECRETARY TO THE CHIEF ACTUARY
06694	SECRETARY TO THE COMMISSIONER (AFCS)
06767	SECRETARY TO THE COMMISSIONER (OEM)
06715	SECRETARY TO THE COUNSEL TO THE CHANCELLOR
06655	SECRETARY TO THE DEPUTY CHANCELLOR (BOARD OF EDUCATION)
06596	SECRETARY TO THE DEPUTY COMMISSIONER (FD)
05108	SECRETARY TO THE EXECUTIVE ASSISTANT (BRONX BOROUGH PRES.)
06463	SECRETARY TO THE EXECUTIVE DIRECTOR (CFB)
06738	SECRETARY TO THE FIRST DEPUTY COMMISSIONER (OLR)
06612	SECRETARY TO THE SPECIAL COMMISSIONER OF INVEST. NYC SCHOOL{
06716	SENIOR ACCOUNTANT INVESTIGATOR (RACKETS) (DX)
06217	SENIOR OCCUPATIONAL THERAPIST (BOARD OF EDUCATION)
06219	SENIOR PHYSICAL THERAPIST (BOARD OF EDUCATION)
05482	SENIOR PROJECT PLANNER (MA)
05322	SENIOR RACKETS INVESTIGATOR (BRONX COUNTY D.A.)
06583	SENIOR RACKETS INVESTIGATOR (SNC)

09709	SENIOR SERVICE INSPECTOR (PROJECT SCORECARD)
06517	SENIOR STUDENT LEGAL SPECIALIST (LAW DEPARTMENT)
09708	SERVICE INSPECTOR (PROJECT SCORECARD)
06581	SIGN LANGUAGE INTERPRETER (BOARD OF EDUCATION)
0668A	SPECIAL ASSISTANT (MA) (MANAGERIAL ASSIGNMENTS)
06689	SPECIAL ASSISTANT (OFFICE OF THE MAYOR)
03647	SPECIAL ASSISTANT TO THE BOROUGH PRESIDENT (BRONX)
06431	SPECIAL ASSISTANT TO THE BOROUGH PRESIDENT (BROOKLYN)
09273	SPECIAL ASSISTANT TO THE BOROUGH PRESIDENT (QUEENS)
09879	SPECIAL ASSISTANT TO THE CHANCELLOR
05450	SPECIAL ASSISTANT TO THE DISTRICT ATTORNEY (NY COUNTY)
06472	SPECIAL ASSISTANT TO THE EXECUTIVE DIRECTOR (HA)
06550	SPECIAL COMMISSIONER OF INVESTIGATION FOR THE NYC SCHOOLDIS
06658	SPECIAL INVESTIGATOR (TBTA)
06393	STAFF ASSISTANT (OFFICE OF THE AUDITOR GENERAL- MA)
05363	STATISTICAL SECRETARY (OMB)
05072	STUDENT LEGAL SPECIALIST (LD)
06719	SUPERVISING ACCOUNTANT INVESTIGATOR (RACKETS- QUEENS DA)
05323	SUPERVISING RACKETS INVESTIGATOR (DX)
06165	SUPERVISOR OF NURSES (BOARD OF EDUCATION)
06602	SYSTEMS ADMINISTRATOR (CAMPAIGN FINANCE BOARD)
06253	THIRD ASSISTANT MARINE ENGINEER (DIESEL) (DEP)
06252	THIRD MATE (DEP)
06569	VICE PRESIDENT (ENGINEERING AND CONSTRUCTION)(TBTA)
06617	VICE PRESIDENT, OPERATIONS (TBTA)