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DIRECTOR, COMMISSION OPERATIONS
& MUNICIPAL ASSISTANCE

October 19, 2009

Ms. Martha K. Hirst
Commissioner
New York City Department of Citywide
Administrative Services
Room 2100 South
One Centre Street
New York, New York 10007

Dear Commissioner Hirst:

Please be advised that the New York State Civil Service Commission (Commission), at its meeting of September 16, 2009, reviewed the July 15, 2009 progress report submitted by DCAS describing the actions taken to implement the Provisional Reduction Plan approved by the Commission with recommended changes on September 22, 2008.

The Commission recognized that DCAS continues to make progress implementing the Provisional Reduction Plan, but noted that the progress report indicated 4,335 provisional appointees continue to serve in the face of mandatory eligible lists for the positions they occupy. While the progress report does provide examples of these provisionally-filled titles, and general explanations why provisional appointees continue to serve in certain classes of titles in the face of mandatory eligible lists (e.g.: public safety titles), the report lacks a detailed listing of the titles in which the provisionals serve, or specific explanations regarding why the eligible lists for each of the titles has not been fully used.

The Commission also noted, with special concern, the apparent reluctance of the Transit Authority to comply with the Provisional Reduction Plan, as indicated by the slower than expected rate of progress to reduce provisional appointments in Transit Authority titles.

The Commission determined that a separate, detailed list of all titles filled on a provisional basis for which a mandatory eligible list exists be provided along with the next regularly scheduled progress report, due no later than January 15, 2010. Further, please be advised that if the progress made by the Transit Authority in reducing provisional appointments continues to be slower than expected without a satisfactory explanation for the lack of progress provided, the Commission will consider use of the enforcement options provided in section 65(5) of the Civil Service Law.

Martha K. Hirst
October 19, 2009
Page 2

As previously noted, the Commission recognizes the progress made, to date, by DCAS in implementing the Provisional Reduction Plan and the recommended changes upon which approval of the Plan is conditioned, and would like to thank you and DCAS staff for your cooperation.

Sincerely,

A handwritten signature in dark ink, appearing to read "Richard J. Ciprioni". The signature is fluid and cursive, with a large initial "R" and "C".

Richard J. Ciprioni
Director, Commission Operations
& Municipal Assistance

cc: James Hein, Deputy Commissioner
NYC Department of Citywide Administrative Services