



Department of
Civil Service

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Governor

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Commissioner

Effectiveness of CSL 55-b and 55-c Programs



2024 ANNUAL REPORT

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Dear Colleagues,

Under Governor Kathy Hochul's leadership, New York State continues to lead the country in making diversity our State's greatest strength. As many of you are aware, Civil Service Law Sections 55-b and 55-c contain mechanisms, often called the 55-b/c program, through which New York State can accomplish the goal of creating State employment opportunities for individuals with disabilities and veterans with disabilities. These Civil Service Law sections permit the NYS Civil Service Commission to designate positions normally filled through competitive examination to be filled through the noncompetitive appointment of qualified persons with disabilities (55-b) and qualified veterans with disabilities (55-c), for up to 1700 and 500 positions at one time, respectively. The 55-b/c program is administered by the Department of Civil Service (the Department).

This year has been an exciting one, with the roll-out of the expanded New York Hiring for Emergency Limited Placement Statewide (NY HELPS) program, our Centers for Careers in Government, and our statewide paid marketing campaign. We remain committed to the 55-b/c program and the opportunities it creates for current and prospective New Yorkers.

This annual report reviews key performance measures related to 55-b/c program utilization for calendar year 2023, a review of other State programs with the mission to increase employment of individuals with disabilities, and updates and recommendations since the last annual report.

I look forward to your feedback and support in our current and future efforts. Should you have questions or comments regarding this report, please email the Department's Public Information Office at PIO@cs.ny.gov.

Timothy R. Hogue
Commissioner

Introduction

New York State Civil Service Law (CSL) § 59-C charges the New York State Department of Civil Service with annual reporting to include:

- (a) the number of persons with a letter of eligibility under sections fifty-five-b and fifty-five-c of this title that have received a civil service appointment;
- (b) the number of persons at the time of the report who have received a letter of eligibility from the department certifying they are eligible to be appointed in accordance with sections fifty-five-b and fifty-five-c of this title;
- (c) the number of persons with a physical or mental disability appointed in accordance with sections fifty-five-b and fifty-five-c of this title that have taken a promotional examination including the number of such persons that have taken a promotional examination within the last five years;
- (d) a determination as to whether the state is underutilizing the provisions of such sections based on such findings from the report;
- (e) an assessment of whether the state offers any additional programs run by the state with the mission to increase the employment of people with disabilities, including, but not limited to: Adult Career and Continuing Ed Services (ACCES-VR) within the education department and the office for people with developmental disabilities' supported employment services programs; and
- (f) recommendations based on the findings from the report as to whether the state can take additional action to market or inform the public of state job opportunities for persons and veterans with disabilities and if so, what specific actions should be taken.

Applicable parts of the legislation are noted in each section of the report.

55-B/C Letters of Eligibility, Appointments, and Program Utilization

This section is responsive to applicable parts of 59-C paragraphs (a), (b), and (d).

The 55-b/c program is a mechanism by which qualified individuals and veterans with disabilities can bypass the requirement to take a written civil service examination for open-competitive positions. 55-b/c program participants must still meet all other requirements to be appointed to a position, including meeting the posted minimum qualifications for the position and successfully interviewing for the job with the hiring agency. The 55-b/c program does not guarantee employment. The 55-b/c program provides no direct benefit to individuals applying to positions in the labor, exempt, and noncompetitive jurisdictional classes, as those positions do not require a written civil service examination.

Utilization of the 55-b/c program can be tracked through the letters of eligibility awarded along with the number of appointments made under 55-b/c.

Letters of Eligibility

The maximum pool of candidates who may immediately be eligible for an appointment under 55-b/c are represented by the number of individuals holding active letters of eligibility (as long as other

variables such as vacant/posted/budgeted 55-b/c eligible positions are available, and the candidate meets all of the minimum qualifications and successfully interviews for the job). It should be noted that appointment to a 55-b/c position does not have an effect on an individual's letter of eligibility—it remains valid for the duration of its issuance.

Letters of eligibility are valid for three (3) years from the date of issuance and in many cases can be renewed near the expiration date via email without additional medical documentation required.

Individuals interested in seeking employment opportunities through the 55-b/c program must first submit their application to Civil Service and provide documentation of their disability in order for the Employee Health Service team to review and confirm program eligibility. In calendar year 2023, DCS issued 1,062 letters of eligibility for the 55-b/c programs, including 796 55-b eligibility letters and 238 55-c eligibility letters. In the past seven years, an average of 871 and 225 letters have been issued each year for 55-b and 55-c eligibility, respectively.

Due to the rolling dates of issuance/three-year expiration for letters of eligibility, there were a maximum of 3,465 letters of eligibility that could have been used for an appointment during calendar year 2023 (note that letters awarded in 2020 would have at least partial validity during 2023). Removing the 2020 letters that would have expired sometime in 2023, there were 2,755 letters that could have been used for an appointment in 2023.

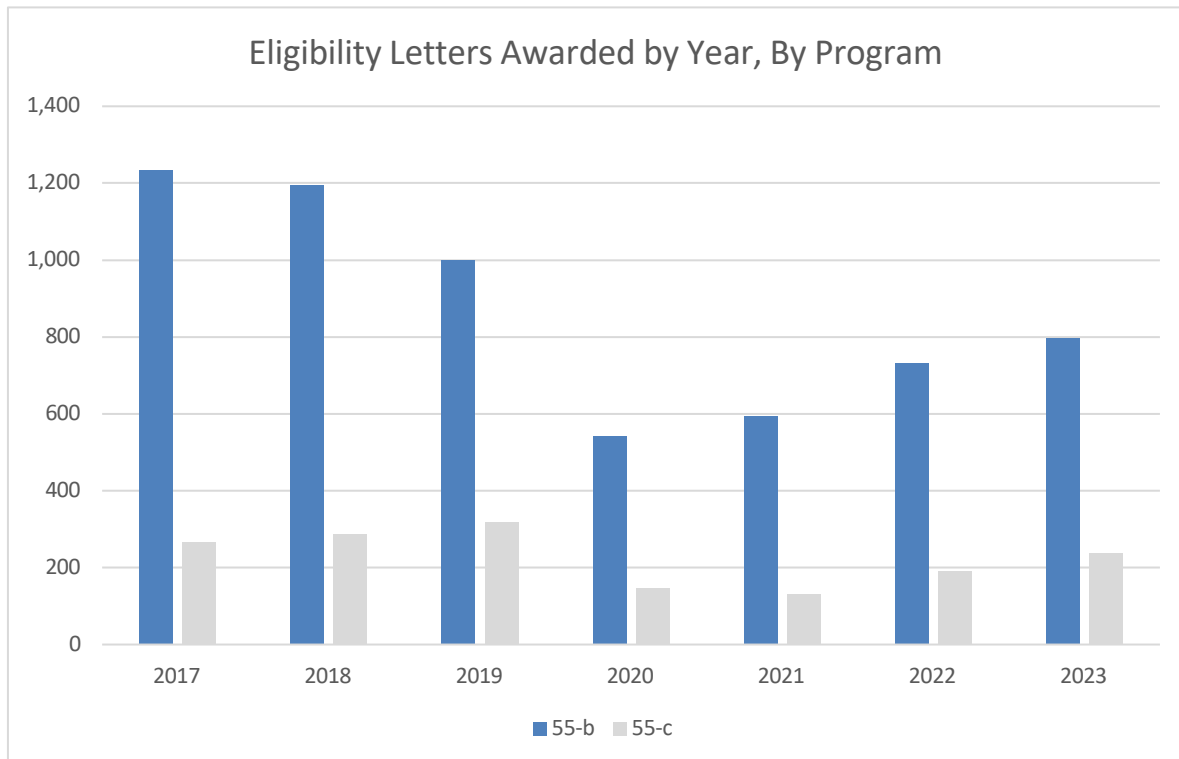


Table 1 Letters of Eligibility Awarded by Year, by Program (2017-23)

CALENDAR YEAR	55-b	55-c	UNKNOWN	TOTAL
2017	1,234	267	15	1,516
2018	1,195	287	22	1,504
2019	1,001	318	52	1,371
2020	541	147	22	710
2021	595	130	6	731
2022	733	191	38	962
2023	796	238	28	1,062
Totals	6,095	1,578	183	7,856

Source: NYSDCS: IT - Workforce Analytics Database – ODIM Data Analysis 2024

Appointments

There were 323 appointments under 55-b/c with an effective date in CY 2023. More than half of these 55-b/c appointments (169) were from just four entities: Department of Taxation and Finance (90 appointments, which constituted 28% of the Statewide total of 323), State Education Department (36; 11%), Office of General Services (25; 8%), and Office of Children and Family Services (18; 6%).

Of the 323 appointments, 29 were to the 55-c program in calendar year 2023. The agencies with the most appointments were Department of Veterans' Services (6 appointments, or 20% of the Statewide total) and Department of Environmental Conservation (4; 14%). Each of the following had 2 appointments (or 7% each): Department of Civil Service, State Education Department, Office of General Services, Department of Health, and Department of Labor.

Just over one-third of 55-b/c appointments (113, or 35% of Statewide appointments) were into non-statutory (NS) salary grade (SG) positions, which means that the salary is not fixed by statute. NS positions include those designated as trainee positions. For graded positions, the most common were SG-6 (73; 23%), SG-11 (64; 20%), and SG-18 (33; 10%). The highest salary grade to receive an appointment under the 55-b/c program in 2023 was SG-26.

The most common job title groups for 55-b/c appointments in 2023 were Office Assistant (76; 24%) and Taxpayer Services (61; 19%). The top 3 most common individual titles were Office Assistant 1 (46; 14%), Taxpayer Services Representative 1 (37; 11%), and Office Assistant 1 Keyboarding (21; 7%).

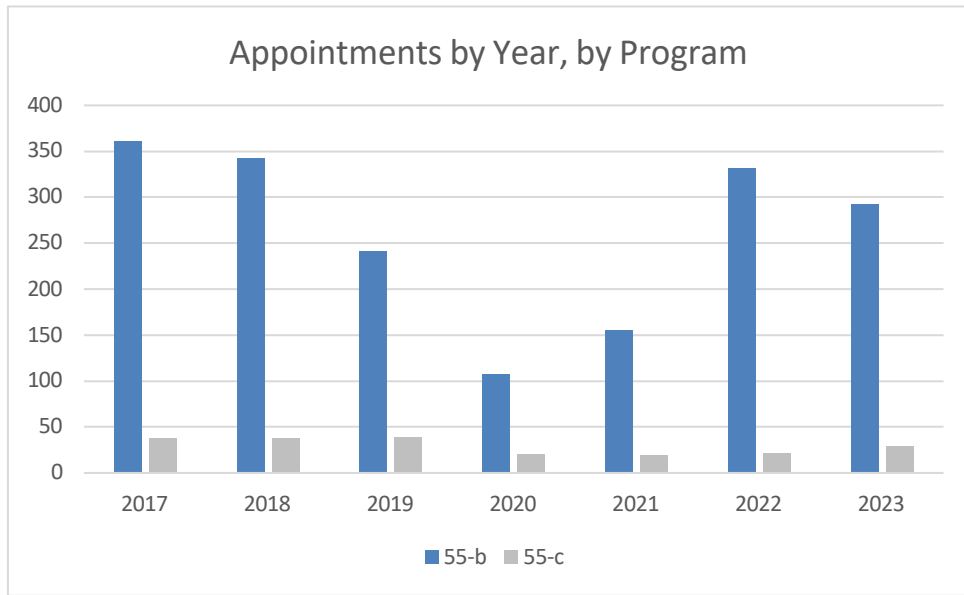


Table 2 Appointments by Year, by Program (2017-23)

CALENDAR YEAR	55-b	55-c	UNKNOWN	TOTAL
2017	360	37	3	400
2018	342	37	2	381
2019	241	39	15	295
2020	107	20	3	130
2021	155	19	0	174
2022	331	21	4	356
2023	293	29	1	323
Totals	1,829	202	28	2,059

Source: NYSDCS: IT - Workforce Analytics Database – ODIM Data Analysis 2024

Program Utilization

The New York State Civil Service Commission is currently authorized to designate up to:

- 1,700 positions for persons with disabilities under the 55-b program, and
- 500 positions for veterans with disabilities under the 55-c program.

At the end of 2023, there were 1,196 employees in 55-b positions (70% of available) and 106 employees in 55-c positions (21% of available). This follows the expected decline in 55-b utilization percentage due the 55-b threshold increase from 1,200 to 1,700. 55-c utilization remained steady from 2022 to 2023 (21%).

In 2022, the Rockefeller Institute issued “A Study of the Effectiveness of the Sections 55-b and 55-c of the Civil Service Law”, which made several recommendations regarding data collection to help understand 55-b/c program usage. Although the Department does not have the capacity to conduct an analysis of subsequent promotions for individuals initially appointed through the 55-b/c programs, the Department will continue to work with Information Technology Services to explore opportunities to begin capturing and reporting on that data.

Note that not everyone holding a letter of eligibility is actively seeking State employment and some letter-holders are already employed with the State.

There were 3,465 valid letters of eligibility and 323 appointments during calendar year 2023, or roughly there was one 55-b/c appointment for every 10 valid letters of eligibility (a minimum 9% appointment rate). Removing the letters issued in 2020 that would have only been partially valid during this report year, there were 2,755 valid letters of eligibility for the 323 appointments in 2023, or roughly 1 appointment for every 8 valid letters of eligibility.

An approximately 10% decrease occurred in the number of 55-b/c appointments from 2022 to 2023. This may be attributable to the Civil Service HELP program, which launched in April 2023 and afforded jobseekers the ability to achieve a competitive appointment in critical health and safety titles. The original HELP and expanded NY HELPS programs are further discussed in Updates and Recommendations.

Other State Programs

This section is responsive to applicable parts of 59-C paragraph (e).

In calendar year 2023, there were no significant changes to programs run by the State whose missions were to increase employment of people with disabilities. The Department continues to work with key stakeholders including the New York State Chief Disability Officer, the Office of Adult Career and Continuing Education Services-Vocational Rehabilitation (ACCES-VR), the New York State Commission for the Blind (NYSCB), and the New York Employment Services System (NYESS) to identify and establish partnerships that focus on promoting and advancing the 55-b/c program as a pathway to increase employment of individuals with disabilities in New York State government.

The Department of Civil Service maintained its partnership with the Office of the Chief Disability Officer and continued in its role as a key stakeholder in support of Executive Order 31, seeking to increasing the participation of people with disabilities in State service and ensuring equal access to opportunities. Civil Service participated in Disability Rights and Employment Awareness Month (DREAM) workshops in Albany and coordinated the DREAM Celebration at the New York State Museum.

Updates and Recommendations¹

This section is responsive to applicable parts of 59-C paragraph (f).

The Department of Civil Service first launched the Hiring for Emergency Limited Placement (HELP) program in April 2023 to address the workforce shortage in critical health and safety titles. The original HELP program included about 150 titles and addressed emergency staffing situations by allowing State agencies to more swiftly hire candidates that met the minimum qualifications for those positions. To help more New York State agencies hire talented candidates, Civil Service implemented an expanded

¹ While the data in this report is from the last full calendar year (2023), our progress in 2024 on implementing recommendations from the 2023 report is included. The data reflecting the impact of the implementation will be included in the report covering calendar year 2024.

program in early 2024, called the New York Hiring for Emergency Limited Placement Statewide (NY HELPS) program. Through NY HELPS, all State agencies are temporarily authorized to make appointments to nearly any position typically filled on an open-competitive basis. This program was modeled after the Federal Direct Hire Program and is expected to help replenish the State workforce with talented and diverse candidates. NY HELPS temporarily waives civil service examination requirements for positions that are open to the public. Similar to the 55-b/c program, in order to be appointed to a job under NY HELPS, the candidate must meet all of the other requirements of the position, including meeting the position's minimum qualifications and successfully interviewing with the hiring agency. Civil Service has been including information on NY HELPS when presenting the 55-b/c program to ensure candidates are aware of the various appointment mechanisms available to them. Since NY HELPS does not have a special application/eligibility requirement in order to receive a competitive appointment, it was expected that the number of noncompetitive appointments under 55-b/c would decrease while NY HELPS was active.

For the first time ever, the Department of Civil Service conducted a paid statewide marketing campaign to promote the thousands of open jobs and the breadth of career opportunities available to all. The multi-faceted marketing and public awareness campaign, which ran from May through September 2024, included ads across digital and out-of-home channels in both English and Spanish. The campaign highlighted the value of public service, the benefits, and diverse opportunities available across state government. The campaign delivered more than 237 million impressions and is estimated to have reached approximately 93 percent of New Yorkers aged 18+. In addition, the media placements reached over 72 percent of Spanish-speaking New Yorkers. The next phase of the marketing campaign, which will kick off in 2025, will include promoting difficult to recruit jobs, as well as a campaign in partnership with the Chief Disability Office, that highlights career opportunities for individuals with disabilities.

In April of 2024, the Department began onboarding staff for its 10 regional Centers for Careers in Government (CCGs), with coverage from Long Island to Plattsburgh to Buffalo and all points inclusive. These staff are sited at New York State Department of Labor Career Centers and are currently available to assist jobseekers with the information needed to obtain meaningful and rewarding careers in public service. These staff are dedicated to providing comprehensive support and to assisting New York State jobseekers. The aim of the CCGs is to develop a proactive community outreach and strategic recruitment effort to attract and cultivate diverse candidates from communities throughout New York, including by promoting and enhancing the hiring of individuals and veterans with disabilities. The CCGs will continue to refine their data collection processes to ensure accurate assessment of our strategic recruitment efforts.

It is the policy of the New York State Department of Civil Service to provide reasonable accommodation to ensure effective communication of information to individuals with disabilities.

If you need an auxiliary aid or service to make this information available to you, please contact the New York State Department of Civil Service Public Information Office at (518) 457-9375.

Visit the New York State Department of Civil Service web site:

www.cs.ny.gov

New York State Department of Civil Service

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