New York State's Civil Service Examination Process and Its Impact on Diversity in the Public Sector
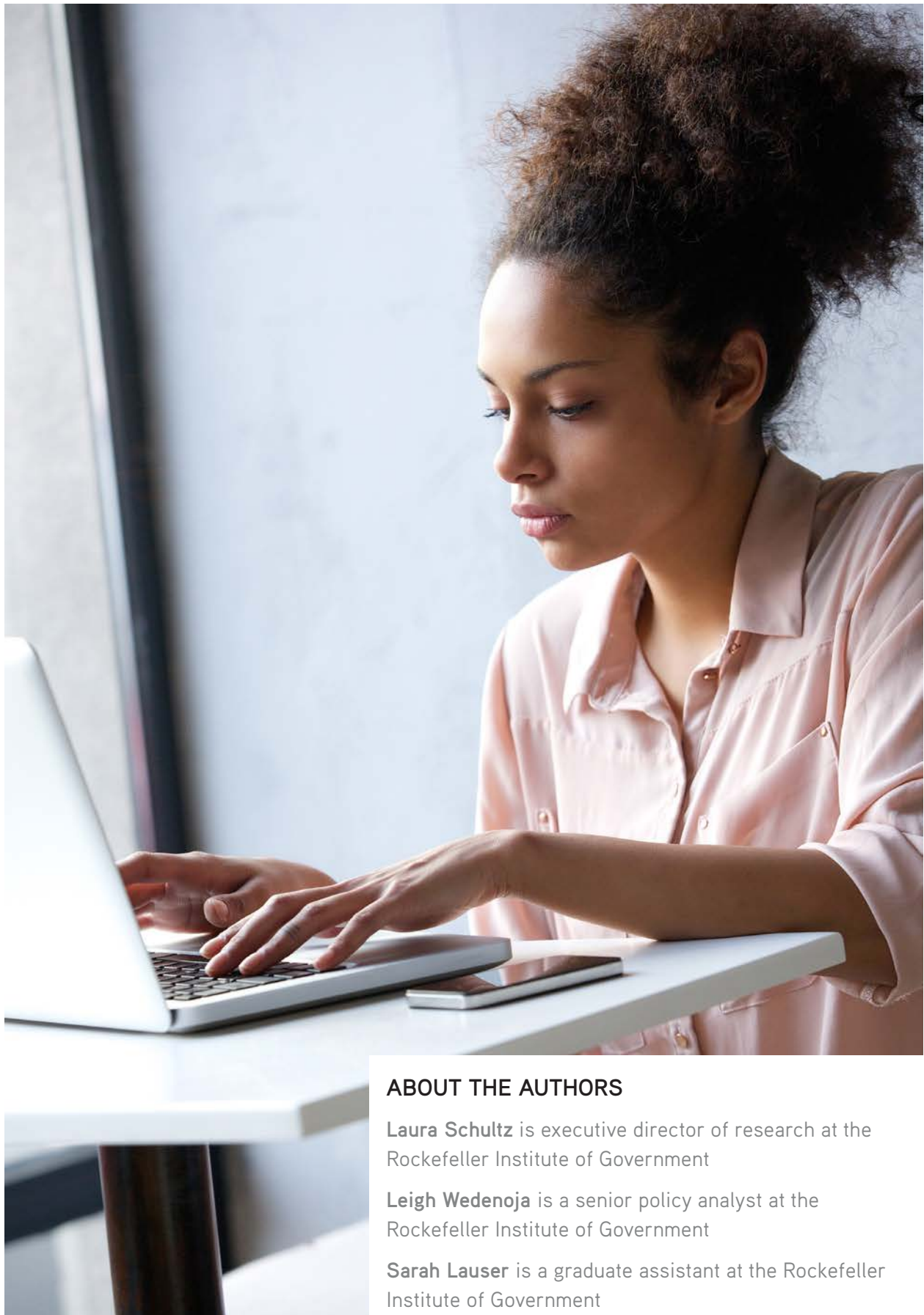
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NEW YORK STATE OF OPPORTUNITY. | **Department of Civil Service**

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Dear Colleagues,

New York State is proud to continuously implement policies and regulations that support one of our State's greatest strengths – diversity. Governor Kathy Hochul highlighted that part of the State's comprehensive plan to strengthen New York's workforce includes expanding efforts to ensure that Civil Service exams are maintaining the highest standards of integrity and equity.

In 2021, Governor Hochul signed Senate Bill S3070 (Chapter 624 of the 2021 Chapter Laws) furthering her plan to fortify the New York State Workforce. Under this bill, the president of the State Civil Service Commission was directed to conduct a study on the current civil service examination process with an aim to improve employment opportunities for qualified minorities in the New York State Civil Service system.

The New York State's Civil Service Examination Process and its Impact on Diversity in the Public Sector report has been developed together with the Nelson A. Rockefeller Institute of Government of the State University of New York. The goal of this report is to (a) identify existing resources and provide recommendations on how to improve current methodologies used regarding the examination process to ensure diversity in the recruitment and hiring in the public sector; (b) review the various needs of applicants based on age, race, creed, color, national origin, native language, sexual orientation, gender identity or expression, sex, disability or marital status; and (c) review available resources to ensure that each of the needs of applicants are sufficiently met to ensure that there are no undue barriers that could limit opportunities and prevent a diverse public sector workforce.

I look forward to your collective feedback in these efforts to support Governor Hochul in strengthening the New York State workforce. Should you have questions or comments regarding this report, please email the Department's Public Information Office at PIO@cs.ny.gov.

Timothy R. Hogues
Commissioner

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New York State's Civil Service Examination Process and Its Impact on Diversity in the Public Sector

1. Introduction

In recent years, there has been great attention paid to promoting diversity in public sector employment.[1, 2] There is evidence demonstrating the value and importance of "bureaucratic representation" or building a public sector workforce representative of the constituents they serve.[3] On one hand, social equity is further advanced by expressly welcoming marginalized groups into employment opportunities, which increases applications from these groups.[4] State and local government jobs provide good pay, retirement and health benefits, and opportunities for career advancement. The stability afforded by public sector employment has been long viewed as a pathway to long-term economic security. On the other hand, a workforce that is representative of the diverse backgrounds and experiences of the constituents being served can also lead to more effective programs and policies, higher quality services, improved and more equitable outcomes, and increased trust in government agencies.[5, 6, 7] A diverse workforce means that more voices participate in public decision-making and develop programs and policies that benefit all communities.

Legacy public sector employment systems have been built on key principles such as efficiency, neutrality, and impartiality. Yet these ideals may fail to recognize differences in needs across a range of communities and protected groups. As a result, new and existing policies can inadvertently perpetuate inequitable outcomes for marginalized communities.

Employers in the public sector, as well as the private sector, have increasingly recognized the value of a diverse workforce, and put policies and practices in place to better ensure their workforce includes the representation of traditionally marginalized groups. In recent years, New York State has made a concerted effort to expand the

participation of underrepresented groups in the public workforce. These initiatives include data collection efforts to better understand representation among the state workforce, development of strategies related to diversity, equity and inclusion at civil service and agency levels, targeted outreach to underrepresented communities to make them aware of public service careers, and initiatives that lower the barriers to careers in civil service.

Recent New York Civil Service Diversity Initiatives

In 2016, New York State established the Advisory Council on Diversity and Inclusion to study the challenges and opportunities for recruiting and retaining a skilled New York State workforce. The Department of Civil Service (DCS) implemented a set of recommendations put forth by the council, including the creation of the Office of Diversity and Inclusion Management (ODIM). This new office collaborates with state agencies to develop and implement diversity and inclusion plans, policies, and programs. ODIM offers training and cultural events to support the goal of building a more inclusive and welcoming workforce. In the years since then, DCS has authored a Workforce Diversity and Inclusion Strategic Plan, a Framework and Implementation Plan, and published its first State Workforce Diversity Report.[8]

In 2021, the New York State (NYS) bill S3070/A2004 was signed into law as Chapter 624, directing the president of the State Civil Service Commission to study the current civil service examination process. The stated goal of this study was to improve recruitment and hiring processes to ensure diversity in the public sector workforce.

Beyond fulfilling this statutory requirement and goal, the study presented here provides important information that can be used to address New York State's workforce challenges. In the 2023 State of the State[9] and New York State Fiscal Year 2024 Executive Budget,[10] Governor Hochul announced a series of reforms designed to modernize the state workforce and eliminate barriers to entry into state and local civil service for qualified candidates. New initiatives will address a modernization of the civil service examination process. Many exams will be moved online and the state will establish 12 computer-based testing centers to host in-person exams. Together, these changes will increase the frequency of exams and offer test takers greater flexibility. The state has also announced it will waive civil service exam fees for a trial period from July 2023 through December 2025 eliminating a potential financial barrier for individuals seeking state employment. In addition, DCS will expand outreach efforts to underrepresented populations in an effort to raise awareness of career opportunities. This initiative includes the creation of "Centers for Careers in Government" across the state and a marketing campaign.

Barriers to Employment and Public Service

The 2021 bill specifically called for a review of the various needs of applicants based on age, race, creed, color, national origin, native language, sexual orientation, gender identify or expression, sex, disability, or marital status.

Historically, members of a range of protected classes have faced multiple barriers to employment in both the public and private sectors. To better understand these

barriers to employment in the public sector, we explore the challenges identified in the literature for protected classes. The barriers identified here are broadly representative of those faced by protected classes and other traditionally marginalized groups and are not unique to New York State. A more detailed discussion of the demographic profile of New York State and its public sector workforce is presented in Chapter 3.

Race/Ethnicity/Color

Recent years have seen advancements in the representation for people of color employed in the public sector workforce at the federal, state, and local levels. These advancements correspond to the increased emphasis on promoting diversity in public sector workforces through expanded recruitment efforts directed towards underrepresented racial and ethnic groups, as well as training and advancement opportunities designed to retain these workers. Data collected by the Equal Employment Opportunity Commission (EEOC) from New York's state and local government agencies suggests that diversity has increased over the last decade. The share of employees identified as white has declined from 57.6 percent to 54.1 percent. There have been gains in representation for Asian employees (5.7 percent in 2011 to 7.8 percent in 2021) and Hispanic employees (10.8 percent to 13.9 percent). The share of the state and local workforce identified as Black has remained constant at 25.6 percent in 2011 and 25.8 percent in 2021.[11]

However, barriers still exist for underrepresented racial and ethnical groups when entering the public sector. While merit systems and civil service exams were created to identify the "most qualified" workers for government jobs, substantial research has found that traditional written exams, across a number of disciplines, adversely impact applicants of color.[12, 13, 14] Many exams have been criticized for being culturally biased and not predictive of job performance.[15] In 1979, five civil rights groups brought a lawsuit against the federal government charging that the federal civil service exam adversely impacted groups of minorities. The statistics presented at the time showed that the passing rates of white test takers was 42 percent, but only 5 percent for Black and 13 percent for Hispanic test takers. The federal Office of Personnel Management (OPM) signed a consent decree and agreed to discontinue the use of the written "general mental ability test."[16, 17]

While the federal government shifted away from mental ability tests, the use of exams continues at the state and local levels. Merit-system exams are also the basis of promotion decisions, which suggests that the same barriers that may hinder entry into civil service for marginalized groups may also prevent their promotion once hired. In response, many jurisdictions have redesigned their merit assessment processes with the intent to reduce or eliminate bias. In some local public safety organizations, the federal government has stepped in to oversee recruitment and retention efforts in order ensure fair assessment of all applicants.[18]

Beyond the examinations, lack of awareness of career opportunities and the application process may prevent individuals from pursuing employment. Other barriers include residency restrictions and the length, complexity, and cost of the application process.

Sex

Women have achieved parity with men in the total number of people participating in the public sector workforce. In 2021, 47 percent of New York's state and local employees were female and 53 percent male. This breakdown has been largely the same since data was first collected in 2005. Women slightly outnumber men in state-level positions (53 percent) and at the county level (52 percent), but represent only 32 percent of city employees across the state.[19]

Greater disparities occur however when exploring the gender distribution by job function. Women are more prevalent in financial administration (61 percent), hospitals (73 percent), public welfare (79 percent), and health-related professions (73 percent). Men represent the majority of workers in protective service (79 percent) utilities and transportation (74 percent), corrections (59 percent), fire protection (90 percent), and sanitation (83 percent).

Even though women have been successful in entering in the workforce, greater attention needs to be paid to the "sticky floors" and "glass ceilings" that leave them under represented in higher-paid and leadership positions. According to 2021 data from the EEOC, 62 percent of the workers in the highest pay category ($70,000 and above) are male. Women make up 60 percent of the individuals earning $43,000 or less.[20]

Women are also more likely to face barriers to employment created by the care needs of family members, particularly childcare. Women are more likely to organize their careers around family life compared to men.[21] Women are still the primary caregivers for children, older adults, and family members with a disability. As a result, they may be less likely to take on more lucrative public sector positions if they have unpredictable or non-standard hours including police and fire positions or direct care positions with mandatory or encouraged overtime.[22]

Age

The median age of the public sector workforce is generally older than that of private workers. Factors that contribute to this include the higher levels of education required for some public sector employment and the longer than average tenure in public sector jobs. Despite the higher median age, the share of public sector employees who are 65 or older is smaller than other parts of the workforce because public pension plans generally allow public sector employees to retire by age 62.

Education and experience requirements can be barriers to younger employees entering public service. While those earlier in the careers may meet the minimum education requirements, they may not have the advanced degrees and professional experiences necessary to compete with more senior people applying for the same role. Younger applicants also may not be aware of opportunities in state and local governments, or lack understanding of the application process.

Chapter 4 of this report discusses the long hiring process and timeline associated with the open-competitive examination and list canvasing process used to fill over 80 percent of positions with New York State agencies. This time intensive process

may be a particular barrier to early career entrants seeking employment (see Chapter 4). Younger applicants with less work experience who are currently unemployed or looking for first-time jobs are unlikely to have savings that would allow them to weather a longer hiring process. They also have no access to unemployment insurance benefits without prior work experience. Further, recent college graduates are more likely than older graduates to have substantial student loan debt. Over the course of their job seeking, they will frequently secure a job with another employer in the time required to complete the civil service application process.

Older applicants tend to face alternative challenges to securing employment.[23] The application and hiring process in all sectors is becoming increasingly digitized. Applications must be submitted online, and interviews occur via videoconferencing software like Zoom. Older Americans are most likely to be on the disadvantaged side of this digital divide driven by both access to and familiarity with technology. While digital literacy is on the rise for older adults, one-third of adults over 65 say that they never use the internet. Their probability of owning a smart phone is 42 percentage points lower than adults under 65.[24] These barriers can be addressed though training programs and application centers that provide access to necessary technology and support.[25] In addition to practical challenges, older adults also face discrimination and age-based stereotypes in hiring.[26]

Creed/Religion

An employment candidate or employee's religious faith is not known and cannot be considered in hiring or promotional decisions. At the time of this study, no data was available to assess the religious diversity of the state or local government workforce. Still, building a workforce that is representative of the range of faiths in the community it serves will help decision-makers develop policies and programs that meet the needs of all constituents. New York is a religiously diverse state with 31 percent of New Yorkers identifying as Catholic, 29 percent as Protestant or other Christian, 7 percent as Jewish, 2 percent as Muslim, and 27 percent as unaffiliated with the remaining 4 percent identifying as other religions including Buddhism, Hinduism, and Sikhism.[27] Many local government hiring managers have worked with local religious organizations to promote employment opportunities to a broad range of faiths.

A workplace that welcoming and accommodating to employees of all faiths will encourage diversity. Best practices include being sensitive to dietary restrictions, religious dress, holy days, Sabbath keeping, and prayer practices.[28] These workplace practices can be extended to the civil service application process as well. Traditionally, the civil service exam schedule has permitted holy day and Sabbath keeping allowing test takers to request religious accommodations if there are conflicts on scheduled exam dates. Further increasing the flexibility of exams through tools like online-administered examinations will allow candidates to complete the application process at a time that meets their needs. It can accommodate individuals who are fasting and allow them the latitude to honor their prayer practices, holy days, and Sabbaths.

Explicit inclusion and welcome for people of diverse faiths beyond federally required accommodations is crucial for building and retaining a religiously diverse workforce.

This can mean recognition of a wide variety of religious holidays, making sure that uniforms and dress codes accommodate religious dress requirements, and creating social events that are welcoming to all by being mindful of things like alcohol prohibitions, different religious stances on celebrations, and dietary restrictions.

National Origin

It is unlawful to discriminate against an employee because they come from a particular country or region, because of ethnicity or accents, or appear to be of an ethnic background.[29] Because an applicant's real or perceived national origin leads to assumptions about their race/ethnicity/color and their creed/religion, and vice versa, barriers to public sector employment based on national origin mirror those previously discussed in each of these respective areas. There is currently no data available on the national origin of state employees. The New York State Department of Civil Service recently launched the DPM-100 in early 2023 to collect demographic information. The survey includes questions from employees about the individual's race/ethnicity and primary language spoken at home both of which can provide insights into the national origin of the state workforce.

Related to national origin are barriers based on an individual's citizenship or immigration status. Foreign-born individuals are less likely to be employed in the public sector than the private sector.[30] One barrier may be the varying patchwork of citizenship requirements for public employment. For example, the federal government requires candidates for employment through open-competitive service to be US citizens or nationals.[31] Individuals without citizenship can only be considered for federal employment if no qualified citizens are available. New York State is more permissive, only requiring that employees have an immigration status that authorizes them to work. As of December 2022, New York prohibits employment discrimination of applicants and employees based on citizenship or immigration status as long as they are authorized to work.

The variations across jurisdictions outside of New York, especially the federal preference for US citizens, may prevent foreign-born candidates from realizing they are eligible for state and local employment. They may also be unfamiliar with the civil service and merit and fitness employment practices in the state. Outreach to these communities through government agencies that work with foreign-born residents and through nonprofits that assist in integration could help identify qualified candidates and provide them with the information required to apply.

Native Language

Native language is related to national origin and racial and ethnic heritage, which suggests the barriers discussed above may also impact many individuals for whom English is not a primary language. Survey data is not available regarding New York's public sector workforce representation in this area at the time of this analysis. The Department's new survey DCM 100 questionnaire has added the question, "What is the primary language spoken in your home?," which may support future analysis of the impact native language has on test takers' performance. According to the Census Bureau's 2021 American Community Survey (ACS), 24 percent of New York's adult residents live in a home where English is not the primary language.

While not directly related to New York's civil service hiring, there is evidence that test takers whose primary language is not English are disadvantaged on educational and professional exams. Those exams, like those held by civil service, are conducted on designated dates and are often taken under time restrictions. A recent report analyzing performance on clinical exams for social work licensure found native English speakers had higher pass rates compared to those with an alternative primary language across all exams.[32] Studies have found that medical professionals taking licensure exams in their non-native language required more time to comprehend the questions and formulate answers resulting in lower scores.[33] A study of exams for teachers found that test takers with Spanish as a first language had scores that were much more impacted by their reading ability than those who had English as a first language, resulting in a full standard deviation deficit in exam scores compared to their native English-speaking peers.[34]

Currently, all New York State civil service exams, test guides, and related resources are available only in English. Some positions where employees frequently communicate with non-English speakers have supplemental language exams to assess applicant proficiency in an alternative language. However, the applicant must still complete the primary test in English before taking a supplemental section to assess proficiency in the secondary language.

To address the barriers test takers with alternative native languages face, some jurisdictions of the Association of Social Work Boards offer accommodations including additional time and the allowance of dictionaries. Alternative testing structures allowing additional time and greater flexibility to individuals for whom English is not a primary language could lower the barriers they face when pursuing civil service employment.

LGBTQ+/Sexual Orientation/Gender Identity or Expression

In 2020, the Supreme Court issued the *Bostock vs Clayton County* decision, which banned employment discrimination based on sexual orientation or gender identity. As with religion, survey data is not collected on state and local employees' sexual orientation or gender identity or expression. Data on employment among the LGBTQ+ workforce in all sectors is limited. While DCS' efforts to collect relevant information began in 2023, there was no data available at the time this study was conducted. Despite the *Bostock* decision, a 2021 survey found that nearly half of LGBTQ+ employees reported facing discrimination at work during their lifetime and 9 percent reported discrimination in the previous year.[35]

Outreach to LGBTQ+ communities can be critical to attracting their members into local and state service. For those serving in competitive service, several employment policies can signal an inclusive environment. These include LGBTQ+ liaisons on staff, inclusivity training opportunities for all employees, and offering inclusive employee health and family leave benefits. Data collection efforts can also reflect an employer's acceptance and can be used to direct continued efforts. For example, including a range of gender identities when collecting applicant demographic information not only helps the employer understand their workforce's needs, but signals acceptance of

individuals identifying as LGBTQ+. Similarly, encouraging staff to include pronouns in email signatures and incorporating gender-neutral language in materials can reflect a welcoming workplace.

Disability

Individuals with disabilities are underrepresented in the New York's workforce with only a 37.7 percent labor force participation rate compared to 80.0 percent of New Yorkers without a disability. In New York, 17.1 percent of employed workers with a disability have a position with the federal, state, or local government.[36]

The barriers to employment vary by the nature and degree of the disability. Assessments are required to identify the specific needs of employees with disabilities, which could include physical or technology adaptations, flexible work arrangements, and additional training. When applying for a position, individuals with disabilities face barriers in access to technology. They are less likely to have access to a computer, smartphone, or cellular data. Transportation to exams and interviews may be a further barrier to participating in the application process.

New Yorkers with disabilities have two pathways into competitive employment in New York State. Those wishing to apply for open-competitive positions may apply to take the exam and subsequently apply for positions like other candidates. The exam application does encourage applicants to request any necessary accommodations. DCS and local governments take these into account and all testing locations are accessible for individuals with physical disabilities.

An additional program aimed to improve the public sector employment opportunities for individuals and veterans with disabilities in New York is the 55- b/c program. New York State Civil Service Law authorizes the New York State Civil Service Commission to designate up to 1,700 positions normally filled through competitive examination to be filled through the appointment of qualified persons with disabilities (55-b) and qualified veterans with disabilities (55-c). The 55-b/c designation makes an applicant eligible to fill entry-level competitive class positions as long as they meet the minimum qualifications and exempts them from the required exam. New York State localities also offer a companion program called 55-a. Once a 55-b/c candidate has a letter of eligibility, they may submit applications and be considered for entry-level positions for which they meet the educational and professional qualifications. Examples of these entry-level jobs commonly filled by 55-b/c eligible candidates are office assistant, taxpayer services assistant, program aide, and HR specialist. 55-b/c candidates also frequently enter as trainees. The Rockefeller Institute of Government published a report in 2022 assessing the effectiveness of the 55-b and 55-c programs.[37]

Marital Status/Familial Status

The COVID-19 pandemic greatly disrupted the balance many parents previously had between work and home obligations. Women were more negatively impacted by this disruption, leaving the labor force at higher rates than men.[38] This was further exacerbated for Hispanic and Black women, those with lower levels of educational attainment, and women with children in the home. The disruptions to schools, childcare,

and eldercare supports in particular made it challenging or even impossible for some women to maintain employment. As discussed above, women are still responsible for the majority of care within families.

The timing of exams can be particularly difficult for parents of young children who must secure childcare. This burden will be felt even more by single parents or parents living away from their partners who do not have another caregiver in the home. Exams are usually offered on Saturdays and Sundays, when formal childcare options like school and daycare are less likely to be available, which may be an insurmountable burden for some parents. Parents who cannot sit for exams on specific days may face negative stereotypes that they are less committed to their careers compared to people without children.

Parents, and many other employees, are increasingly seeking flexibility when pursuing employment opportunities including flexible schedules and the option for remote or telework. Offering flexibility in the scheduling and timing of examinations not only provides accommodations, but signals the workforce will be accommodating to people in all family situations.

Methodology for This Report

The Department of Civil Service commissioned the Rockefeller Institute of Government to conduct this assessment of New York's current civil service examination process and an assessment of its impact on building a workforce representative of the state's diversity. New York State (NYS) bill S3070/A2004 called for a "review [of] the various needs of applicants based on age, race, creed, color, national origin, native language, sexual orientation, gender identity or expression, sex, disability or marital status." This report is a quantitative and qualitative study of the current civil service examination process and its impact on diversity in recruitment and hiring.

To conduct this analysis, the Rockefeller Institute used DCS-supplied data on exam applications and results over the period of 2017–22. The quantitative analysis presented in this report is restricted by the availability of demographic data self-reported by test takers. Over the study period, data was collected from test takers on five categories of Ethnicity (White, Black, Hispanic, Asian/Pacific Islander, and American Indian/Alaskan Native) and two categories of Gender (Male/Female). Data on age and disability was limited and could not be used for this study. Diversity identification data was collected after test takers had completed the exam and several candidates did not report race/ethnicity or gender. We cannot determine whether an individual who does not disclose their gender or race does so because they do not wish to disclose, they do not feel represented by the gender or race options, or if they simply did not see or forgot to fill out the short demographic questionnaire. At the time of this study, no data was being collected regarding creed, national origin, native language, sexual orientation, or marital status so a quantitative analysis of the impact of the exams on these protected classes could not be conducted at this time.

A quantitative analysis was supplemented with interviews with those familiar with the recruitment, examination, and hiring processes at the state and local levels. The Rockefeller Institute also spoke with key stakeholders at civil service agencies, local governments, and community organizations to identify the barriers to individuals when pursuing a career in state or local government. The goal of these discussions was to identify the impact the examination process has on traditionally underrepresented groups and the barriers these individuals encounter when pursuing public service employment.

Report Structure

Chapter 2 provides an overview of the Civil Service application process for open-competitive positions and Chapter 3 reviews New York State's current workforce demographics. Chapters 4 and 5 present data on state and local civil service test-taking, performance, and diversity. A statistical analysis is conducted to assess the likelihood of achieving a high enough passing score on exams to attain employment by gender and race/ethnicity. Chapter 6 presents findings from interviews with stakeholders that identified the barriers to attracting a representative workforce.

The remainder of the report focuses on the evolution of civil service exams in New York and other jurisdictions. Chapter 7 presents information on and data from several promising new programs being implemented in New York State and at the local level that have the potential to address disparities in recruitment and hiring. To provide context on recent advancements in merit and fitness evaluations, Chapter 8 reviews changes that have been made in the federal merit-based civil service programs. The report concludes with recommendations that DCS and other policymakers should consider as they look to modernize and expand access to civil service employment.

2. Overview of the Civil Service Open-Competitive Application Process

Since 1895, the New York State Constitution has included a provision that civil service appointments and promotions "shall be made according to merit and fitness to be ascertained, so far as practicable, by examinations, which, so far as practicable, shall be competitive." By the early 1940s, the New York State Legislature affirmed that this provision applies to all state municipalities (counties, towns, villages, etc.) as well.

Today, nearly 80 percent of state employees in New York have obtained their jobs through a process that relies on a competitive examination as the primary assessment tool of the candidate's merit and fitness. The New York State Department of Civil Service and more than 90 local civil service agencies administer these processes to provide public employers with lists of candidates deemed eligible to be hired.

A person seeking to enter the public workforce generally starts their journey by responding to an examination announcement relevant to the position they are interested in. Examination announcements include details on the date of the test, examination fees, salary and salary grade of the position, minimum qualifications for the position, and duties associated with the position. These announcements are published on state and municipal websites. In addition, DCS and most jurisdictions maintain email lists used to notify interested parties of upcoming exams.

Civil service examinations are offered on a rolling basis, with exams given more frequently for larger job titles with greater hiring needs and as infrequently as once every four years for less in-demand job titles. However, some job titles with the highest hiring needs are offered as "continuous recruitment" examinations, where applications are always accepted—there is no application deadline.

For a growing set of job titles, candidates do not need to take a written multiple-choice test and instead fill out questionnaires providing details on their training and experience that take the place of written exams. Nearly all of these Training and Experience (T&E) exams have transitioned to online formats. For these online T&E exams, the application process and timeline differ from the standard path described below. Applications to take the exam are open for four weeks. After completing the application, individuals can immediately log on to the portal and begin the examination. They can save and return to the exam as much as they like before submitting. Because the examination period runs concurrently with the application period, these exams must be completed by two weeks after the application deadline. The candidates then wait for establishment of an eligible list, which is described in detail below.

Announcement > Qualifications > Examination > Eligible List

Once an exam is announced, candidates generally have 30 days to submit an application. This application is only to allow the individual to take the test and not for a specific job. The application form collects information relevant to processing the nonrefundable examination fee (if applicable), the applicant's education, professional licenses or certificates, professional experience, military service, and any requests for testing accommodations.[39] While paper forms may still be used in some areas, most civil service agencies do allow individuals to submit online applications instead.

Applications are due 45 days before the exam date to allow time for the appropriate state or local civil service agency to ensure the applicant meets the minimum qualifications to sit for the exam. These minimum qualifications are posted as part of the exam announcement and are set by the civil service agency in consultation with the hiring department based on the needs of each job. The requirements can range from appropriate qualifying experience and a high school diploma/GED to specific advanced postsecondary degrees or licensure. Positions may also have residency requirements for applicants and/or employees to live in the hiring municipality. When reviewing applications to take a test, the civil service agency is only confirming that

the self-reported information meets the minimum qualifications. The review does not confirm credentials with educational institutions, licensing boards, or consult references; those checks are performed by hiring managers and HR departments much later in the hiring process.

Announcement > Qualifications > **Examination** > Eligible List

Written examinations are multiple-choice based. They cover a variety of general topics, and potentially some highly specialized topics (depending on the exam). Questions can range from simple clerical tasks like name and number checking—verifying whether three sets of data contain the same information—to complex scientific topics like "basic principles and computations of electrical and electronic circuits."

Some of the most frequently-tested areas include:

Subject	Description
Preparing written material	These questions test for the ability to present information clearly and accurately, and to organize paragraphs logically and comprehensibly.
Supervision	These questions test for knowledge of the principles and practices employed in planning, organizing, and controlling the activities of a work unit toward predetermined objectives.
Understanding and interpreting tabular material	These questions test your ability to understand, analyze, and use the internal logic of data presented in tabular form. You may be asked to perform tasks such as completing tables, drawing conclusions from them, analyzing data trends or interrelationships, and revising or combining data sets.

SOURCE: *A Guide to the Written Test for the Higher Level Account Clerical Series* (Albany: New York State Department of Civil Service, updated 2020), https://www.cs.ny.gov/testing/test_guides/Account_ Clerical_HigherLevel_TestGuide.pdf.

Most written tests are held on Saturdays but for exams with larger candidate pools, test takers may be assigned to either Saturday or Sunday. Approximately one week before the exam, approved candidates receive admission notices notifying them of their assigned date, time, and location.

The amount of time allotted for a candidate to complete their exam varies, but candidates taking multiple exams on the same day or exams covering more topics may be granted up to 8 hours to complete their tests.

Announcement > Qualifications > Examination > **Eligible List**

After all candidates have completed the exam, the civil service agency may begin the scoring process and work to establish an eligible list. Once the eligible list is established, hiring managers can reach out to individuals who passed with a high enough score, referred to as "canvassing the list." If potential candidates confirm they are interested in an available position, they often must submit further application materials such as a cover letter and resume to the agency. Hiring managers within the agency must then interview the candidates who submitted application materials.

The interview process is yet another assessment tool used to determine the goodness of fit of the individual for the position. Only at this point can an employment offer be extended to the candidate.

Provisional Appointments and Civil Service Examinations

If there is no current list of eligible candidates who have taken the relevant examinations, public employers can hire through a provisional appointment. Instead of exams, the employer assesses the applicant's suitability for the position using tools such as review of resume and application materials, structured interviews, and reference checks. Provisional employees may stay in their position until the next appropriate exam is offered. In order to keep their position, the provisional employee must take the exam and place among the top scorers.

The Timeline of the Process

From the time of the announcement to the exam, candidates have 30 days to submit an application. There is a 45-day gap between the application deadline and the date of the test. The amount of time between an examination date and the establishment of its eligible list varies. In 2018, the average required to calculate results and generate lists was 78 days or 2.6 months. In recent years, the length of time needed has grown. In 2022, the average wait time between exams and lists was 125 days or 4.2 months (Figure 1) with some test takers waiting considerably longer.

The list is not the end of the hiring process. On average, candidates will not be eligible to apply for an opening until 200 days after the announcement of the exam. The creation of specific vacancies, recruitment, and subsequent application processes are managed by state agencies and localities. Agencies and localities may reach out to candidates on the list, conduct interviews, check references, and offer positions. This phase can require another two to three months. This means that realistically a person taking an exam would not be able to join civil service for at least nine months when the process is operating optimally. In recent years, there have been significant COVID-19-related delays that stretched the wait for results to four to seven months, meaning it can be more than a year between signing up to take an exam and receiving a job offer for even the highest-scoring candidates.

FIGURE 1. **Average Number of Days between Exam and List Establishment**
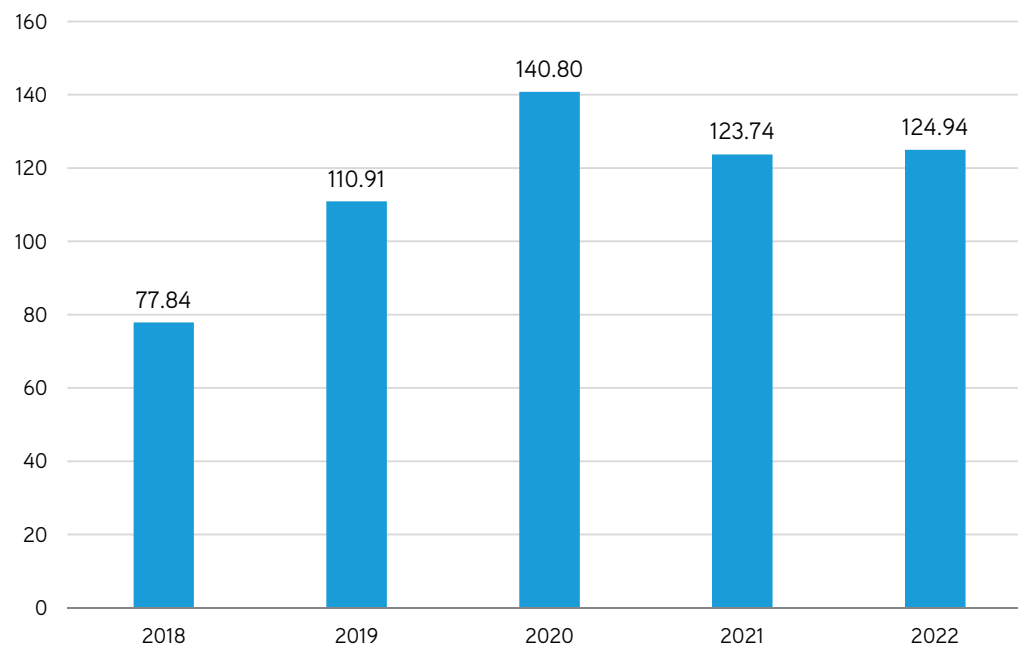
SOURCE: ELMS (Eligible List Management System, DCS).

3. Current Workforce Demographics

According to the 2022 State Workforce Management Report, the New York State government employed 139,243 individuals in 2022 in the classified service. This includes executive branch employees in the civil service, including employees of certain authorities and corporations. It does not include legislative officers and employees, Office of Court Administration employees, and the teachers and professional staff at the State University of New York. This count represents 1.4 percent of individuals employed statewide that year. Since 2012, the size of the state's government workforce has contracted by 8.9 percent. There were 13,589 fewer state employees in 2022 than in 2012.

Racial and Ethnic Diversity

The racial and ethnic makeup of the state workforce has gotten more representative over the past decade (Figure 2). For the years studied, employees were presented with five categories from which to self-identify: White, Black, Hispanic, Asian/Pacific Islander (AAPI), and American Indian/Alaskan Native (AIAN). The share of workers who reported an ethnicity identified as white was 74.9 in 2012 and 72.4 in 2022. The share of workers who identified as people of color increased from 25.1 to 27.6 percent. Despite the overall 8.9 percent decline in the size of the workforce, the number of Hispanic and AAPI employees grew by 94 individuals or 1.3 percent and 264 individuals 4.9 percent respectively. The number of Black employees fell by 3,322 or 13.7 percent, but the share of Black employees grew from 16.4 percent to 16.9 percent.

The number of employees with an unknown race/ethnicity grew from 4,779 to 15,532. These individuals represented 11.1 percent of the workforce in 2022, up from 3.1 percent in 2012.[40] This expanding category is problematic to understanding representation in the workforce.

FIGURE 2. **New York State Government Workforce by Race/Ethnicity**
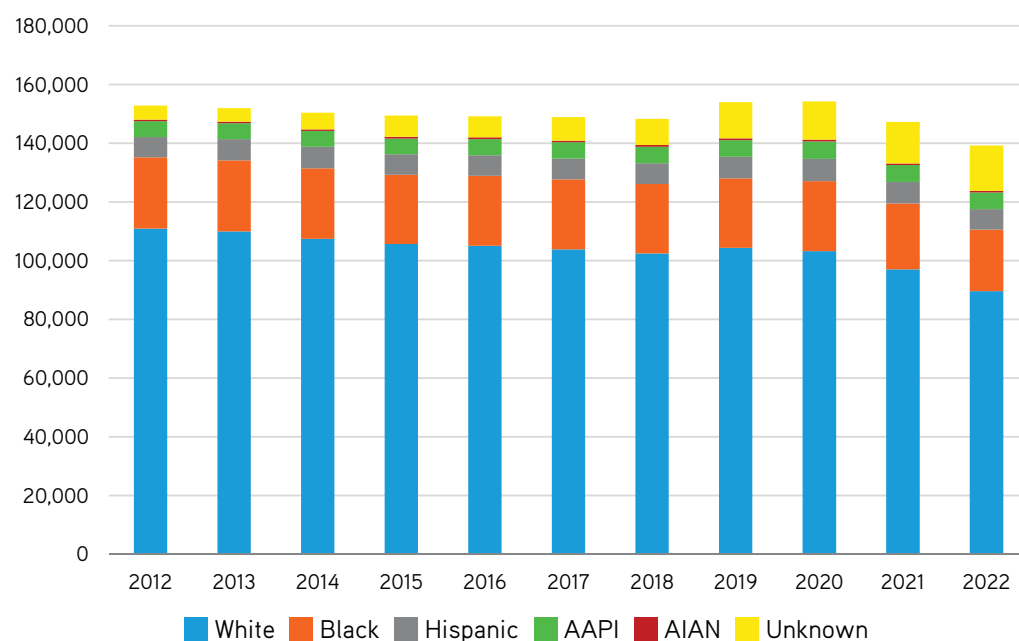
To assess whether the New York State government workforce is representative of the state's population we can compare it with the civilian labor force and the broader state population (Table 1). In 2022, 54.9 percent of New York's civilian workforce identified as white. This population was overrepresented in the state government workforce with a 73.0 percent share. Black individuals represented 16.7 percent in the civilian labor force and 16.9 percent of the state government workforce. While Asian and Hispanic representation in the state workforce has increased in the past decade, both groups remain underrepresented compared to New York's civilian labor force and its population as a whole.

TABLE 1. **Racial/Ethnic Composition New York Labor Force and Population, 2020**

	State Government Workforce	State Government Self-Reported Workforce	Civilian Labor Force	State Population
White	73.0%	79.7%	54.9%	55.2%
Black or African American	16.9%	18.4%	16.7%	14.8%
Hispanic	5.4%	10.3%	18.7%	19.5%
Asian/Pacific Islander	4.2%	4.6%	10.1%	9.6%
American Indian and Alaska Native	0.4%	0.4%	1.8%	0.7%
Unknown	8.4%			

NOTE: State government known workforce shares are calculated based on the total number of individuals who reported their race/ethnicity.

A key factor in the disparity between the state's civilian labor force and the government workforce is geography. At the end of 2022, 42.7 percent of the New Yorkers who reported labor force participation were located in New York City. In contrast, only 13.4 of the state's workforce is stationed in New York City. Over a quarter of state workers (27.6 percent) were located in the Capital District. Figure 3 presents the racial/ethnic composition of the New York City and rest of the state's civilian labor force. New York State's government workforce has a composition similar to the rest of the state (outside of New York City), where 86.6 percent of employees work.

FIGURE 3. **Race/Ethnicity of New York's Civilian Labor Force by Geography**
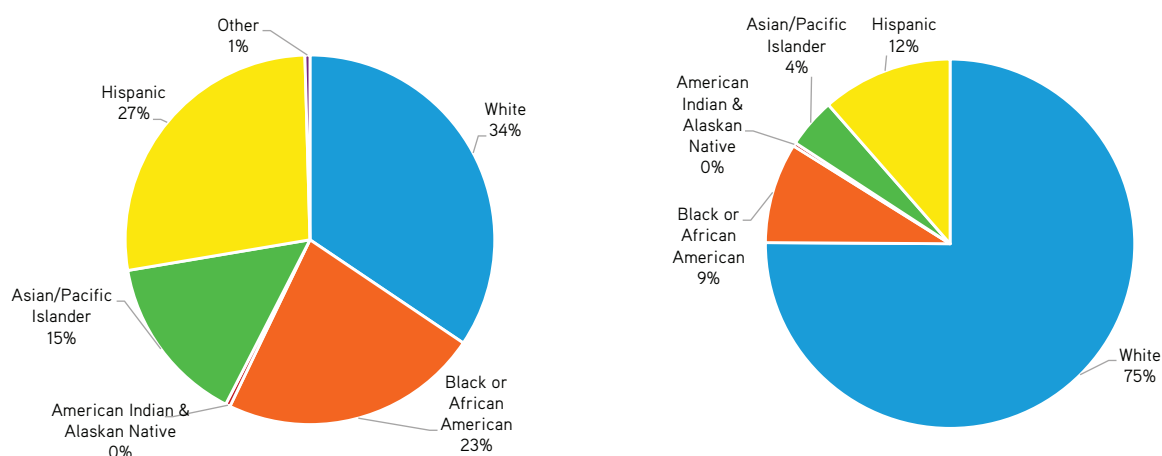
SOURCE: American Community Survey, 2021.

Gender Diversity

In 2022, 48.8 percent of the New York State government workforce was female and 50.8 percent were male (Figure 4). Women make up slightly more of the New York State government workforce than the New York civilian and national labor forces, where they represent 48.6 and 47.2 percent respectively.[41] While higher than the state civilian and national shares, the 2022 value represents the lowest share of female participation over the past decade. Between 2016 and 2018, more women were employed than men. Since 2012, the state workforce has lost 8.9 percent of its employees. The decline among women has been 10.8 percent compared to 7.6 percent in men. If this trend continues over the next decade, the gender gap will widen from 2.0 percentage points more men in 2022 to 3.8 percentage points more men in 2032.

FIGURE 4. **New York State Government Workforce by Gender**

Legend: Female / Male / Unknown
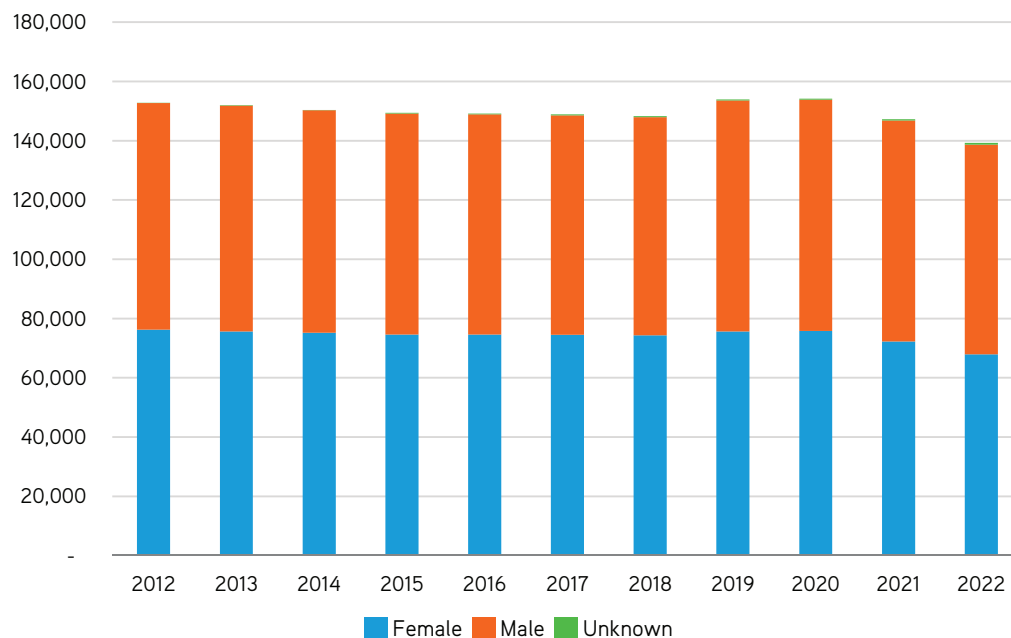
Average Age

The average age of the workforce increased significantly in the 1990s through 2010 where it climbed from 41 to 48 (Figure 5). Over the past decade the average age has stabilized in the range of 46 to 48. As of 2022, 26.1 percent of the workforce were 55 or older. In New York State as a whole, 24.9 percent of the civilian labor force is 55 years or older. The New York State government workforce is older than the national average of the civilian labor force, which is 41.7.

FIGURE 5. **Average Age of the New York State Government Workforce, 1990-2022**
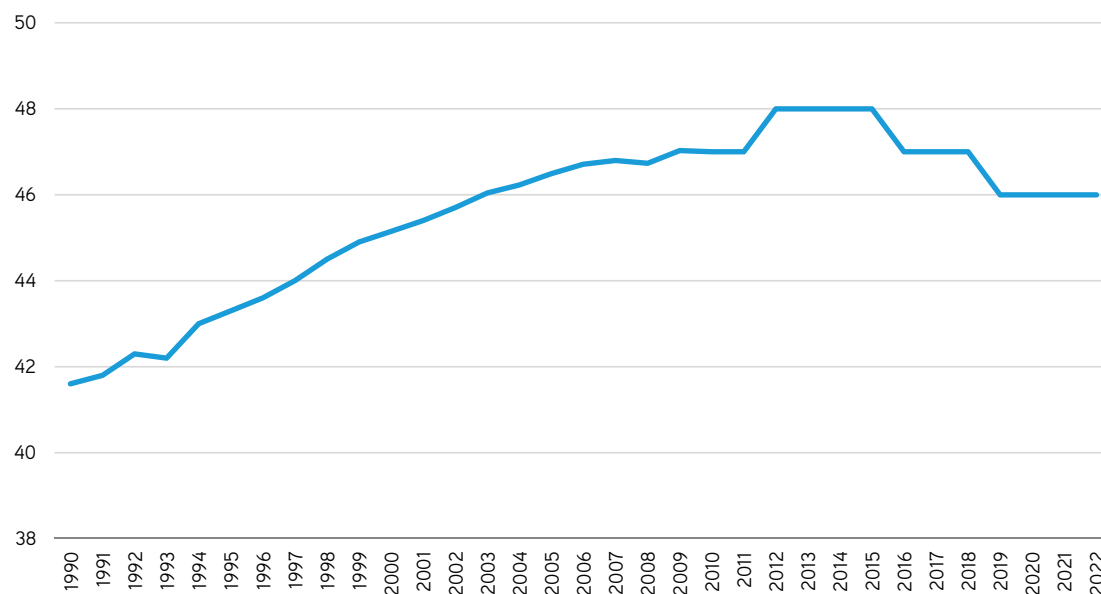
Understanding the demographics of the state workforce is critical to New York State's goal of building a workforce representative of the communities they service. In recent years, self-reporting of biographical data has become less common as can be seen in the increasing number of workers of unknown race/ethnicity and gender. This could be driven by the limited number of categories that make it challenging for people to identify or collection methods.

In 2023, the Department of Civil Service launched a new demographic data collection initiative. The new form/webapp included expanded options for gender and ethnicity/ race. Respondents can now choose multiple races and ethnicities instead of just one, and more detailed choices for Hispanic, Asian, and Native Hawaiian/Pacific Islander origins may allow more granular reporting. It also asks employees to self-report on language, LGBTQ+ identification, disability, and veteran status. This information collection initiative is critical to understanding the demographic representation of the state government workforce in the future.

4. State Civil Service Examinations and Diversity: A Quantitative Assessment

In order to understand the role civil service examinations play in creating barriers to civil service employment, we reviewed examination data provided by the Department of Civil Service focusing on a five year period (2017–22). The data included open-competitive and promotional examinations offered for state employment and examinations developed and scored by DCS for local jurisdictions. The goal of this analysis is to examine the testing pipeline.

Testing Pipeline

- **Applicants:** Individuals who apply to take an exam.

- **Test Takers:** Individuals who have met the minimum qualifications and who complete the exam.

- **Passers/Candidates:** Individuals who earned a score of at least 70 and are now eligible job candidates.

- **High Passers:** Candidates who scored at least a 90 on the exam. This is a score level that is likely required to be included in canvassing.

This section presents descriptive statistics of the pipeline for state and local exams. Then it explores racial and ethnic disparities in state exam performance. It concludes with a close look at a handful of specific exams.

Data Source and Overview

The primary data for this report were provided by DCS and included all exams—open-competitive, promotional, and other—administered by DCS both at the state and local levels.[42] The data provided is at the exam applicant (or candidate) level of granularity and includes information on the test taker's race, ethnicity, gender, age, disability status, and exam score. The data set also contains information on the exams themselves, including the date and format of the exam. Analysis of the state and local exams is done separately as there are differences in the reporting and coverage between the two.

Each individual in the data is identified by a unique number that remains consistent over time, which allows us to determine whether someone has taken a test previously. The initial data covered all exam applicants and takers in the years 2017 through 2021 and subsequent data from 2022 was added to include the Motor Vehicle Representative and Professional Career Opportunities exams. These exams were added because they were given in 2022 as Training and Experience (T&E) dashboard exams for the first time meaning that they were completed through an online portal as described in Chapter 2.

Data was provided on 1,498 unique exam titles and they were grouped into 307 exam categories to provide more clarity on which types of exams are the most popular.[43] First, exams that were the same but had different abbreviations depending on the year were grouped together. For example, "PCO" and "Prof Career Op" were grouped into a single category. Exams with identical titles but different numeric levels, exams that had diversity or language components in their titles, and exams that had trainee or not in the title were also grouped into the same category.

Overview of State Testing

Overall, the data included 228,604 unique individuals who applied to take at least one state exam, and 185,283 individuals (81.0 percent of applicants) ended up taking at least one exam. Drop-offs occur between application and test-taking when individuals do not meet the minimum qualifications or choose not to sit for the exam. Nearly three-quarters of individuals, 171,127, passed at least one exam to become a candidate (Figure 6).

Many individuals applied for or took multiple exams over the study period for a total of 590,839 applications. This could include individuals who took the same exam over multiple years or those who took more than one test. On average, each applicant took 2.6 exams over the study period. Out of all applications received, there were a total of 444,671 (75.2 percent) tests taken and 390,909 (66.2 percent) candidacies. Overall, 75 percent of unique individuals who apply to take a state exam will pass at least one exam but only 66 percent of total exams are passed.

A test taker earns a high passing score of 90 or above at a rate of 29.8 percent, with 37.9 percent of test takers earning a final score of at least 90 on at least one of the exams they took. The discrepancy between the high pass rates when calculated by test taker across multiple exams (37.9 percent) and by test takers on any single exam

(29.8 percent) suggests that some test takers need to take more than one exam to achieve a high pass score.

FIGURE 6. State Testing Pipeline, 2017–22
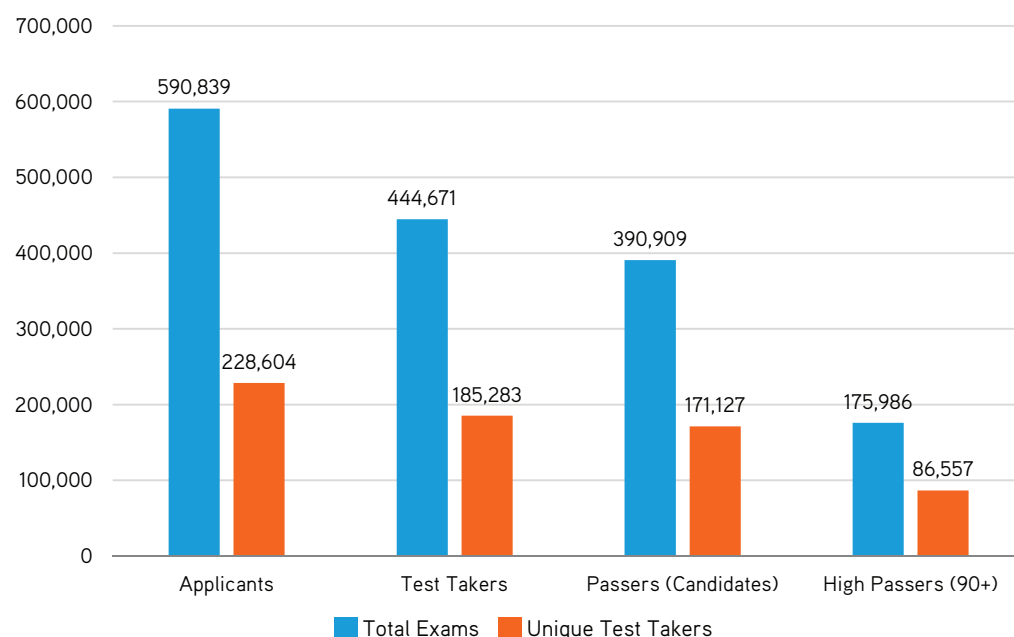
SOURCE: Rockefeller Institute analysis of Department of Civil Service data.

The five most common state exam categories are the Professional Career Opportunities (PCO) exam, which accounts for 28 percent of all candidates, followed by the Licensed Master of Social Work (LMSW) exam (all levels), the Correction Officer Trainee exam, Information Technology Specialist (all levels), and Motor Vehicle Representative (both upstate and downstate). Candidates from the 10 largest exams represent nearly two-thirds (62.0 percent) of all test passers (Table 2).

TABLE 2. Popular State Exams (Open-Competitive and Promotional)

Exam Group	Candidates	Share of Total Candidates
Professional Career Opportunities	108,836	27.8%
Licensed Master of Social Work	32,722	8.4%
Correction Officer Trainee	31,630	8.1%
Information Technology Specialist	24,294	6.2%
Motor Vehicle Representative	16,383	4.2%
Child Protective Services Specialist	8,149	2.1%
Beginning Office Assistant	7,647	2.0%
Investigative Officer	4,353	1.1%
Office Assistant	4,345	1.1%
Park Police Officer	4,155	1.1%

SOURCE: Rockefeller Institute analysis of Department of Civil Service data.

Due to the COVID-19 pandemic, there was a substantial decline in the number of exam candidates in the years 2020 and 2021. Figure 7 includes the total number of exam applicants and candidates (passers) in each year of the study for open-competitive exams. The years 2017 and 2019 had the greatest number of candidates at 97,079 and 87,772 respectively which fell to 23,315 in 2020 and 16,226 in 2021 due to limited availability of testing in response to public health measures in place to address the COVID-19 pandemic.

FIGURE 7. **Testing Pipeline Open-Competitive State Exams, 2017–21**
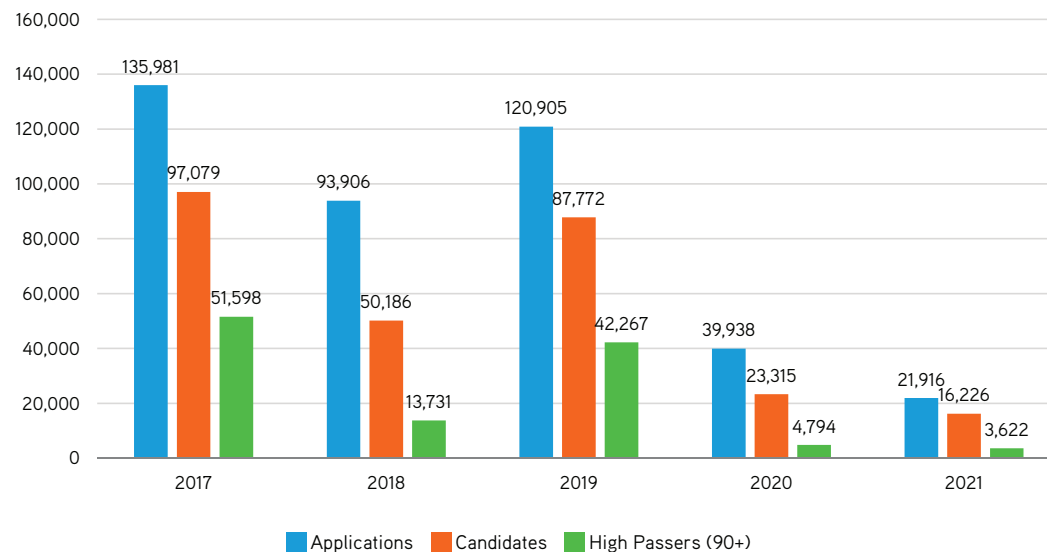
SOURCE: Rockefeller Institute analysis of Department of Civil Service data.

Exam Modality

Prior to the pandemic, the majority of exams were written, in-person, multiple-choice exams. Between 2017 and 2019, 235,037 candidates passed an open-competitive state exam and nearly three-quarters of these exams were written exams.

More recently DCS has introduced a number of Training & Experience (T&E) exams in place of traditional written exams for exams such as the PCO, Corrections Officer, and Motor Vehicle Representatives. As noted previously, a T&E exam is one where test takers fill out an online questionnaire with information about their educational background and professional experience. The questions are designed to collect information relevant to the position the individual is seeking. All T&E test takers who meet the minimum qualifications required for the position receive a passing score on the exam. Candidates receive higher scores if they have additional training or relevant experience. Responses are scored based on the amount and relevance of experience. The transition to T&E is discussed in greater detail in Chapter 7.

Overall, 58 percent of exams included in the data provided to the Rockefeller Institute were written and 42 percent are some form of a T&E exam. There has also been variation in exam types over the years of the study depending both on the exams that were given in each year and the exams that were easiest to administer under

COVID-19 public health guidelines. As seen in Table 3, only 16 percent of exams in 2017 were T&E compared to 82 percent in 2020 and 96 percent in 2021 because online T&E exams were far more practical during the height of the COVID-19 pandemic compared to in-person exams.

TABLE 3. **Exam Type by Year, 2017–22**

Year	Percent T&E	Total Candidates
2017	15.5%	97,079
2018	53.1%	50,186
2019	23.2%	87,772
2020 (COVID)	81.8%	23,315
2021		16,226
2022		31,850

NOTE: The only exams added to the study for 2021 and 2022 were T&E exams to draw comparisons with the previous written exams.

Demographics

New York is a diverse state and, as such, has a diverse group of exam candidates. Demographic information on candidates in the data includes race, ethnicity, gender, and age. However, very few candidates fill in the age information, which makes it unreliable and as such it is not reported here. The rate of missing information for the race and gender of candidates is much lower. Overall 12 percent of state exam candidates do not report their race. Of those who do report their race, 64 percent of candidates are white, 18 percent are Black, 10 percent are Hispanic, and 8 percent are Asian or Pacific Islander. This is largely consistent with the demographics of New York's overall workforce although both Black and white candidates are overrepresented and Hispanic candidates are underrepresented relative to the overall New York workforce. However, white candidates are heavily overrepresented in promotional exams making up 78 percent of candidates compared to 60 percent of the workforce.

TABLE 4. **Race/Ethnicity of Open Competitive State Exam Candidates/Passers**

	Open-Competitive			
	Count	Percent	Percent of Known	Percent of New York Workforce
American Indian/Alaskan Native	1,372	0.4%	0.5%	1.06%
Asian/Pacific Islander	22,477	7.3%	8.6%	10.25%
Black	53,114	17.3%	20.4%	16.68%
Hispanic	28,718	9.4%	11.0%	16.94%
Unknown	45,774	14.9%		
White	154,973	50.6%	59.5%	59.54%
Total	306,428			

SOURCE: Rockefeller Institute analysis of Department of Civil Service data and 2021 ACS one-year estimates.

Candidates are more likely to be women. Of the 85 percent of unique candidates that reported their gender, 55 percent were women and 45 percent were men.[44] Unlike the differences in racial composition between the open-competitive and promotional exams, there is a much smaller difference in the gender balance. Women account for 53 percent of promotional exam candidates whose gender is known and men 47 percent.

Each individual exam has its own minimum requirements to take the exam and one of those is often education level. All state exams require a high school diploma as a minimum education level although high school diplomas are not listed as a "highest degree" in the dataset. There is, however, an education unknown category, which includes all candidates with a high school diploma as well as those who choose not to disclose their college degree or that they attended "some college." We believe that the vast majority of candidates with education listed as "unknown" hold a high school diploma and no postsecondary study. Overall, 31 percent of candidates have a high school diploma, 36 percent have a bachelor's degree, and 17 percent have a master's degree or higher. These numbers are on par with the general working age population in New York.

TABLE 5. **Distribution of State Exam Candidates by Educational Attainment (%)**

Highest Degree	All Exams	Open-Competitive	Promotional	New York State (Population 25 and Older)
Unknown (High School Diploma)	30.8%	29.2%	31.0%	24.4% (HS)
Some College	6.7%	6.5%	6.8%	14.9%
Associate's Degree	9.3%	8.2%	13.0%	8.9%
Bachelor's Degree	36.5%	38.6%	31.3%	22.2%
Master's Degree	15.5%	16.2%	15.9%	17.7%
Doctorate	1.4%	1.3%	2.0%	

SOURCE: Rockefeller Institute analysis of Department of Civil Service data and 2021 ACS one-year estimates.

Demographic Disparities in State Exam Performance

To quantify racial and ethnic disparities in state exam performance we asked the research question: **How likely are candidates of different racial/ethnic identities to receive a high pass (90+) relative to white candidates? How likely are women to pass the exam with a score of 90 or above are compared to men?** White and male candidates were chosen as the control group because they represent the largest portion of test takers. A high passing score of 90 is commonly required for a candidate to be considered for civil service employment. For a detailed discussion of the methodology, consult the methodological appendix.

Candidates identifying as Black, Hispanic, Asian, and American Indian are statistically significantly less likely to have a high pass compared to candidates who identify as white. Black and AAPI candidates are 18 percentage points less likely to be awarded a score of 90 or above than white candidates. Hispanic candidates are 13 percentage

points less likely and American Indian candidates are 9 percentage points less likely to achieve high pass scores. These estimates control for education level, year, and exam. Women are 1 percentage point less likely than men to have a 90 or higher pass, which is very small but still statistically significant.

FIGURE 8. **High Pass (90+) Score Disparities by Demographic Group and Type of Exams**
(Regression estimates of percentage point differences)
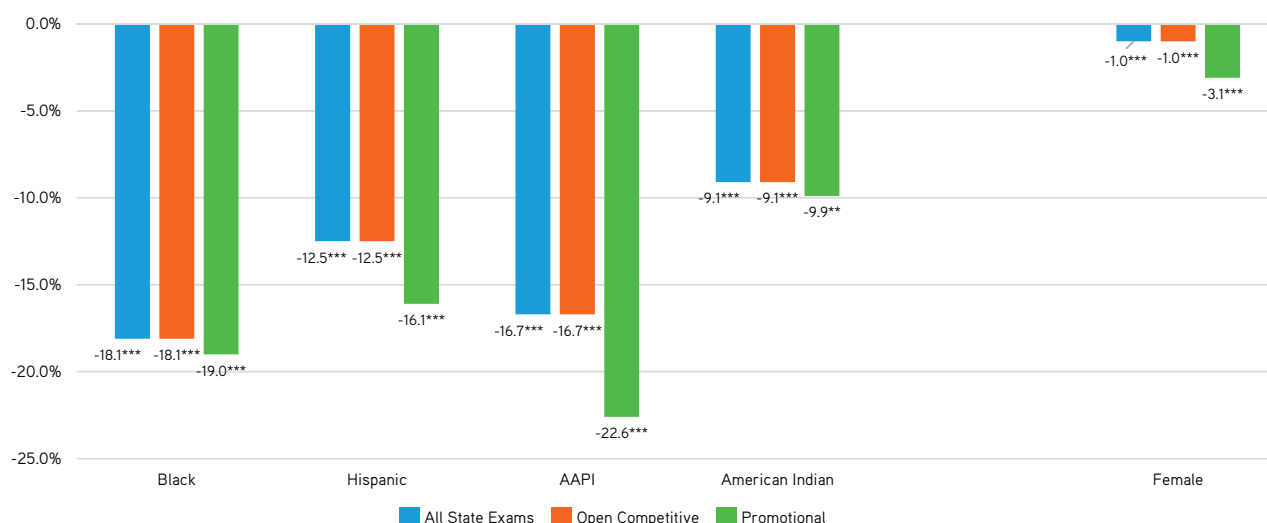
NOTES: The omitted category for race/ethnicity is white. The omitted category for gender is male. The regression includes controls for educational attainment and exam number.

Asterisks indicate statistical significance (p-value less than 0.1 (*), less than 0.05 (**), less than 0.01(***)).

See Table A2 for detailed regression results.

SOURCE: Rockefeller Institute of Government.

Patterns for promotional and open-competitive exams are similar when controlling for exam and education level. Much like in the raw data, promotional exams have slightly larger racial and gender disparities even with controls. Again, individuals who do not identify as white are less likely to receive a 90 or higher compared to white candidates, with the gap ranging from 10 percentage points for American Indians to 23 percentage points for AAPI candidates. The gender gap for women increases from 1 percentage point for open-competitive exams to 3 percentage points for promotional exams.

Analysis of Select State Exams

In order to understand some of the dynamics that underpin the disparities in exam achievement between racial and ethnic groups as discussed above, we highlight three high-volume open-competitive exams: the Professional Career Opportunities (PCO) exam, Motor Vehicles Representative (MVR) exam, and Corrections Officer Trainee (CO) exam. Together, these three exams account for 51 percent of the total open-competitive exam candidates over the study period. In addition, all three exams were given as both a traditional written exam and a one training and experience (T&E) exam over the study period. Observing this transition allows us to directly compare score

distribution across the two test types. In addition to the high frequency of the three exams, they also attract different candidates and have different minimal requirements.

The PCO is the largest of the three exams accounting for more than one-third (36 percent) of all open-competitive exam candidates. The exam was administered three times over the study period—twice as a written exam in April of 2017 and 2019 and once as an online T&E exam in fall of 2022. The PCO minimally requires a bachelor's degree (BA) and 66 percent of candidates have bachelor's degree while 31 percent have a master's degree or higher. The remaining 3 percent have likely taken the exam in anticipation of completing their undergraduate degree within the required time frame. In contrast, the MVR and CO exams only minimally require a high school degree with nearly two-thirds (64 percent) of MVR and CO candidates not reporting a college degree. A significant minority (17 percent and 13 percent respectively) of MVR and CO candidates do report a BA or higher and 8 percent and 11 percent report an associate's degree.

TABLE 6. **Demographics and Educational Attainment by Exam (%)**

	PCO		MVR		CO	
	Share of Total	Share of Known	Share of Total	Share of Known	Share of Total	Share of Known
No Degree Reported (High School Diploma)	1.3%	1.3%	64.4%	64.4%	64.2%	64.2%
Associate's Degree	0.4%	0.4%	9.1%	9.1%	10.8%	10.8%
Bachelor's Degree	66.2%	66.2%	14.0%	14.0%	12.0%	12.0%
Doctorate	2.1%	2.1%	0.2%	0.2%	0.1%	0.1%
Master's Degree	29.1%	29.1%	3.2%	3.2%	1.8%	1.8%
Some College	0.9%	0.9%	9.1%	9.1%	11.1%	11.1%
American Indian/Alaskan Native	0.4%	0.4%	0.4%	0.6%	0.6%	0.7%
Asian/Pacific Islander	8.5%	9.4%	7.4%	11.4%	2.7%	3.4%
Black	16.5%	18.3%	27.5%	42.1%	21.8%	27.9%
Hispanic	8.3%	9.2%	14.0%	21.4%	14.1%	18.0%
Unknown	10.0%		34.7%		21.7%	
White	55.3%	61.4%	16.0%	24.5%	39.1%	49.9%
Women	59.1%	65.4%	51.0%	75.2%	24.9%	31.4%
Men	31.3%	34.6%	16.8%	24.8%	54.3%	68.6%
Unknown	9.7%		32.3%		20.8%	

SOURCE: Rockefeller Institute of Government analysis of Civil Service data.

The exams also differ in terms of the candidates that they attract (Table 6). Both PCO and MVR candidates are majority women. Of the candidates who report their gender, 65 percent of PCO candidates and 75 percent of MVR candidates are women.[45] In contrast, only 31 percent of CO candidates are women. The exams also have different racial/ethnic breakdowns of candidates. All three exams have significant missing race data but even among candidates who report their race/ethnicity, differences arise. The PCO is majority white with 61 percent of PCO candidates who report race reporting

white. Half of CO candidates who report race report white, while white candidates are a minority for the MVR exam with only 25 percent of reporting candidates reporting white.

All three exams also demonstrate significant racial disparities in candidate exam performance. These disparities are significantly reduced after a shift from a written exam to a T&E exam. Pooling the 2017 and 2019 written PCO exams, we find that all individuals who did not identify as white perform worse than white candidates in terms of the probability of receiving a 90 or higher. Black candidates are 25 percentage points less likely to have a high pass, Hispanic candidates 21 percent less likely, and AAPI candidates 24 percent less likely. Additionally, women were 1 percentage point less likely to receive a high pass than men, a small but statistically significant difference. These racial and gender differences in high pass rates are robust to controlling for education and testing date.

FIGURE 9. **High Pass (90+) Score Disparities by Demographic Group for Professional Career Opportunities Exam**
(Regression estimates of percentage point differences)
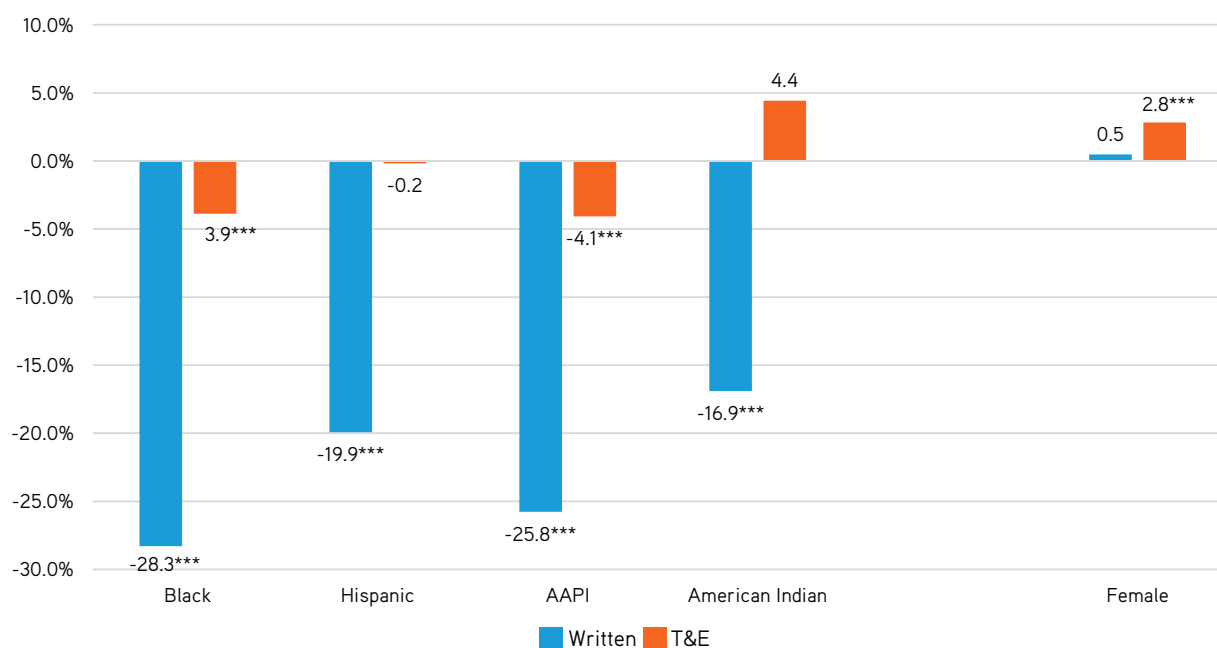
NOTES: The omitted category for race/ethnicity is white. The omitted category for gender is male. The regression includes controls for educational attainment and exam number.

Asterisks indicate statistical significance (p-value less than 0.1 (*), less than 0.05 (**), less than 0.01(***)).

See Table A3 for detailed regression results.

SOURCE: Rockefeller Institute of Government.

The shift to a T&E PCO exam significantly reduced, but did not eliminate, these racial disparities in high pass rates (Figure 9). Overall, fewer candidates of any race received a high pass on the T&E PCO compared to the written PCO. On the written exam, 50 percent of candidates earned a 90 or higher compared to only 36 percent of T&E candidates. On the T&E PCO, Black candidates still performed worse than white candidates but the gap was reduced from 28.9 percentage points to 3.9 percentage points. Asian candidates saw the gap decrease from 25.8 percentage points on written exams to 4.1 percentage points on the T&E (Figure 9). Hispanic and American Indian test takers were 21.2 and 17.2 percentage points less likely to receive a high passing score than white candidates on the written exams. For the T&E, there is no statistically significant difference between these two groups and white candidates. These results are robust to the inclusion of education controls. For the PCO, women performed better than men did on the written exams. For the T&E PCO, the gender disparity increases slightly with women 3 percentage points more likely to receive a high pass on the T&E exam compared to 1 percentage point on the written.

FIGURE 10. **High Pass (90+) Score Disparities by Demographic Group for Motor Vehicle Representative Exam**
(Regression estimates of percentage point differences)

NOTES: The omitted category for race/ethnicity is white. The omitted category for gender is male. The regression includes controls for educational attainment and exam number.

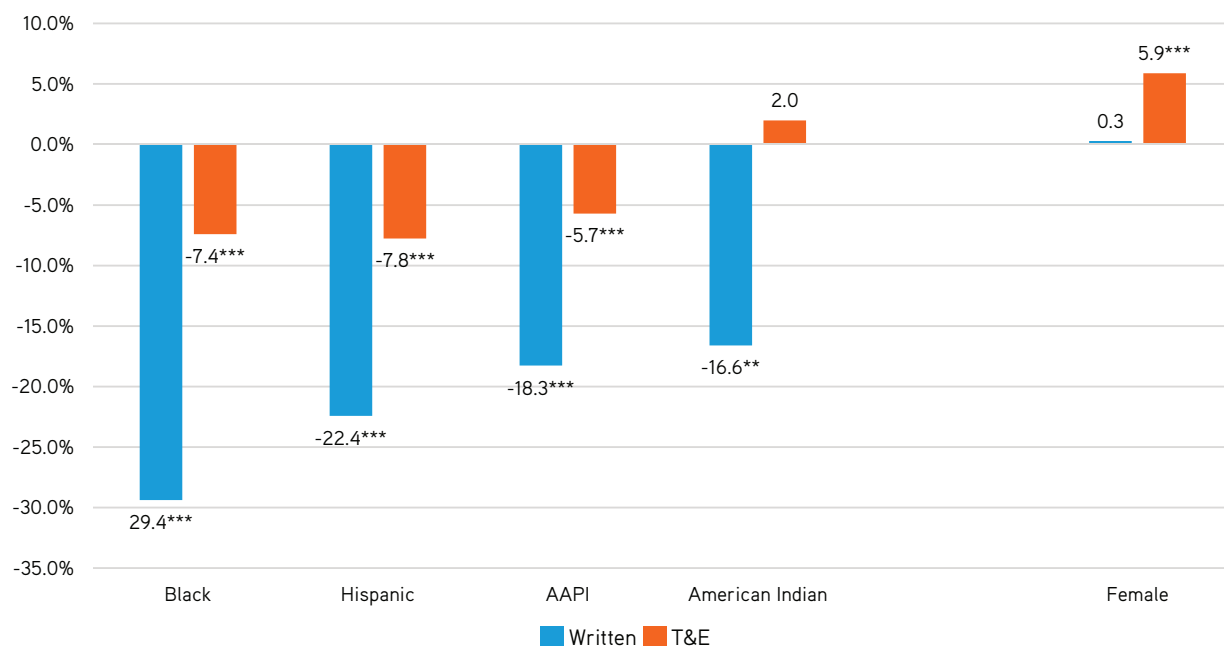Asterisks indicate statistical significance (p-value less than 0.1 (*), less than 0.05 (**), less than 0.01(***)).

See Table A4 for detailed regression results.

SOURCE: Rockefeller Institute of Government.

The MVR (Figure 10) and CO (Figure 11) exams also saw a decrease in score disparities by race upon the introduction of a T&E exam. Unlike the PCO, the switch to T&E increased the number of high passers for the MVR exam with the percent of candidates achieving a 90 or higher jumping from 51 percent to 78 percent. The CO exam, in contrast, saw virtually no overall change in the rate of high passers, decreasing slightly from 24 percent to 23 percent. This difference is very small but statistically significant at the 5 percent level.

FIGURE 11. **High Pass (90+) Score Disparities by Demographic Group for Corrections Officer Exam**
(Regression estimates of percentage point differences)

NOTES: The omitted category for race/ethnicity is white. The omitted category for gender is male. The regression includes controls for educational attainment and exam number.
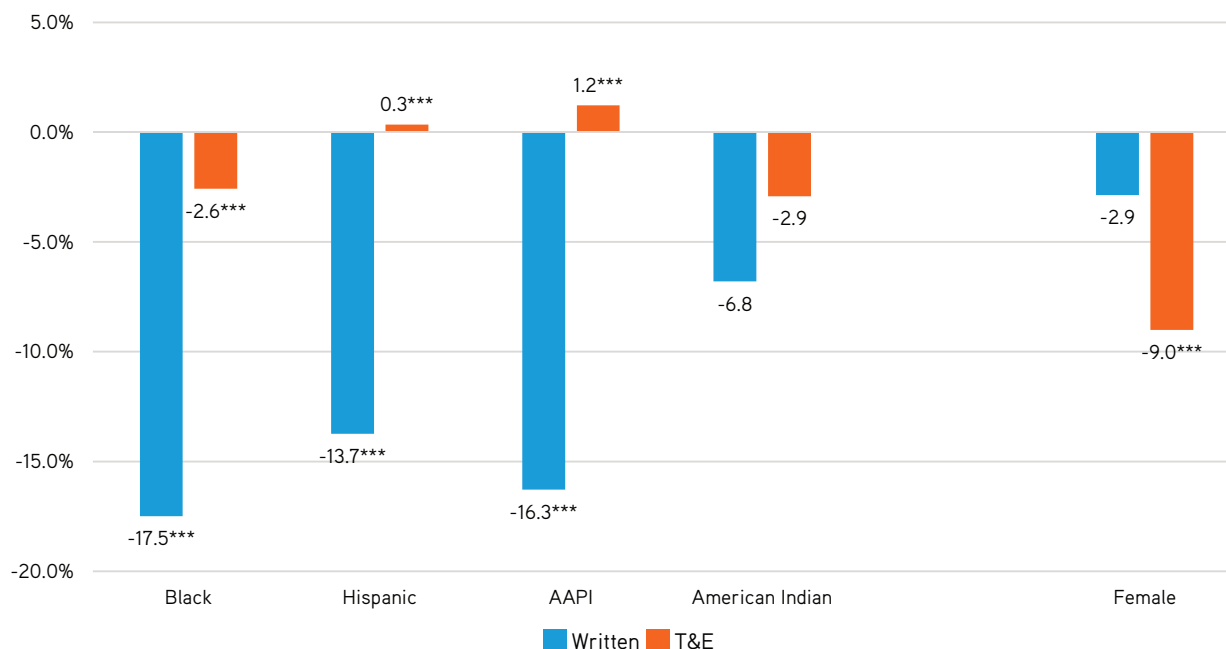
Asterisks indicate statistical significance (p-value less than 0.1 (*), less than 0.05 (**), less than 0.01(***)).

See Table A5 for detailed regression results.

SOURCE: Rockefeller Institute of Government.

In the written exams, Black candidates were 29.4 percent less likely to receive at least a 90 on the MVR exam and 17.5 percent less likely for the CO exam. The numbers for Hispanic candidates are similar at 22.4 percent and 13.7 percent respectively. There were no significant gender differences in the written MVR exam and only small differences in the written CO exam. Women were 2.9 percent less likely to receive a 90 or higher on the written CO exam.

Racial disparities are substantially lower on T&E exam dates for both these exams. Black candidates were only 7.4 percent less likely than white candidates to receive a 90 or higher on the MVR T&E and only 2.6 percentage points less likely on the CO T&E. Hispanic and AAPI candidates look similar to Black candidates for the MVR T&E with Hispanic candidates 7.8 percentage points less likely to have a high pass and AAPI candidates 5.7 percentage points less likely. There is no statistically significant

difference between Hispanic and white candidates for the CO T&E but AAPI candidates are 1 percent more likely to earn a 90 or higher.[46]

The switch to T&E increased the gender disparity for the MVR exam with women 5.9 percentage points more likely to receive a 90 or higher compared to men. There was no statistical difference in performance across genders on the written exams. These disparities are robust to controlling for education. **The gender disparity also increased for CO exams in the shift to T&E.** On the written exam, women were 2 to 3 percentage points less likely to receive a 90 and that jumped to 7 to 9 percentage points on the T&E exam.

5. Local Civil Service Examinations and Diversity: A Quantitative Assessment

Data on local civil service exams is more limited than the data for state civil service exams, which is why much of the empirical focus of this report is on state-level exams. There are two factors that limited the examination of local exams. First, some local governments independently administer their own examinations instead of using DCS exams. In these cases, there is limited information on some of these decentralized exams and the candidates who take them, but there is no information on their scores.

Secondly, DCS does have unique identifiers for everyone who takes a local exam, meaning that the analysis of unique exam applicants and candidates conducted for state exams could not be replicated for individuals taking local exams. The local data is missing personal identification numbers for a significant minority of the data. Overall, 22 percent of local exam candidacies are missing a uniquely identifying person ID number but unique IDs are available for all candidacies from 2020 on.

The data provided by DCS consists of 244,529 local exam applications of which 213,263 become candidacies. The data covers 2017 through 2021 (Table 7). There is a significant decline in both applications and candidacies in 2020 due to the COVID-19 pandemic's effect on testing

In 2020 and 2021, when it is possible to identify unique test takers, there were 69,920 exam applications corresponding to 49,451 unique applicants, which implies that many applicants applied for more than one exam over the two year period. These applications resulted in 58,479 passed exams and 42,440 unique individuals with a passing score on at least one exam during that period meaning that 86 percent of those who applied to an exam in the two year period passed at least one. The rate of high passes (a score of 90 or higher) was much lower with only 11,456 individuals (23 percent) who apply for an exam earning a 90 or higher on at least one.

TABLE 7. **Applications and Candidates for Local Exams, 2017-21**

	Applications by Year for Local Exams		
Year	Open-Competitive	Promotional	Total
2017	46,307	8,526	54,833
2018	44,249	9,909	54,158
2019	56,090	9,528	65,618
2020	17,176	3,563	20,739
2021	38,970	10,211	49,181
Total	202,792	41,737	244,529
	Candidates by Year for Local Exams		
Year	Open-Competitive	Promotional	Total
2017	41,154	7,617	48,771
2018	38,588	8,893	47,481
2019	50,008	8,524	58,532
2020	14,511	3,207	17,718
2021	31,805	8,956	40,761
Total	176,066	37,197	213,263

The majority of local exam candidacies are for public safety positions including police officer, corrections officer, and firefighter (Table 8). The remaining high volume application exams include administrative roles, social services roles, and janitorial staff. The vast majority of local exam candidacies (83 percent) were for open competitive exams. Police make up the single largest exam group with police officer candidates making up 25 percent of all open-competitive local exam candidates.

Local exams also have a different demographic breakdown than state exams. The local exam candidates included in this study only include local governments that use Department of Civil Service exams, all of which are located outside of New York City. It is important to remember that some of the difference in demographics between local and state exams is driven by the fact that New York City runs their own civil service exams and has a larger percentage of people of color compared to the rest of the state.

TABLE 8. **Popular Local Exams (Open and Promotional)**

Exam Title	Candidates
Police Officer/Deputy Sheriff/Patrol Officer	43,455
Corrections Officer/Deputy Sheriff-Jailor	11,287
Firefighter	8,899
Police Sergeant	2,693
Social Welfare Examiner	2,445
Fire Lieutenant	2,104
Senior Account Clerk	1,696
Public Safety Dispatcher	1,588
Administrative Assistant	1,530
Probation Officer Trainee	1,460
Head Custodian	1,435
Police Lieutenant	1,361
Senior Caseworker	1,191

Demographic information is not complete and race is unknown for 11 percent of candidacies (Table 9). Local exam candidates are more likely to be white than state exam candidates with 77 percent of open-competitive exam candidates and 86 percent of promotional exam candidates with known race reporting white. Black candidates account for 9 percent of candidates and Hispanic candidates 10 percent. Candidates are also more likely to be men with 55 percent of candidates who report gender reporting male compared to 47 percent of state exam candidates.

TABLE 9. **Local Candidates by Race and Ethnicity**

Race/Ethnicity	All Local		Local Open		Local Promotional	
	Count	Percent of Known	Count	Percent of Known	Count	Percent of Known
American Indian/ Alaskan Native	910	0.5%	747	0.5%	163	0.5%
Asian/Pacific Islander	3,947	2.1%	3,428	2.2%	519	1.5%
Black	16,925	9.0%	14,714	9.6%	2,211	6.2%
Hispanic	17,991	9.5%	15,828	10.3%	2,163	6.1%
Unknown	24,189		22,539		1,650	
White	149,301	79.0%	118,810	77.4%	30,491	85.8%

There are also significant differences in the education distribution between state and local exam candidates driven almost entirely by the types of exams that are given at the local level. Local exams are more likely to require a high school diploma—rather than a college degree—as the minimum educational qualification than state exams. The largest exam at the state level is the PCO, which requires a bachelor's degree or higher and there is no local equivalent. Overall, 73 percent of local candidates do not report a college degree or some college experience, 12 percent report a bachelor's degree and only 4 percent report a master's degree or higher.

There are also significant differences in exam performance across demographic groups on local exams. Controlling for education and exam, Black and Hispanic candidates are 16 percentage points and 10 percentage points less likely to receive a score of 90 or higher compared to white candidates, which make up the largest group of test takers. Women are 1.5 percentage points less likely to receive a 90 or higher. These disparities are similar for both open-competitive and promotional exams. The racial disparities are slightly lower for promotional exams but the gender disparities are larger but still small.

Individual Local Exams

For the local exams the analysis focused on four individual exams—three in public safety and one in social services. The public safety exams are corrections officer, police officer/deputy sheriff, and firefighter. The additional exam is social welfare examiner, which is the largest nonpublic safety exam. All four exams are open-competitive and are given regularly. Police officer/deputy sheriff is the largest exam and accounts for 25 percent of all local competitive exams administered by DCS. Much like the state exams, exams with similar titles were grouped together; for example, including both police officer and police officer/deputy sheriff as police officer exams. Exams with similar titles but within different exam holdings were excluded, including "Deputy Sheriff – civil" and "Airport Firefighter." Overall, 44,707 police officer exams, 10,026 firefighter exams, 12,529 corrections officer exams, and 2,736 social welfare officer exams were included in the analysis. For a complete list of included exam titles and exam dates see Appendix B.

During the study period, there were changes made to the police officer and firefighter exams. The current exam was implemented in 2019, so results from 2017 and 2018 pertain to police and firefighter exams that are no longer in use. Despite the fact that the new exam was first fielded in test dates in 2019, some jurisdictions were still required to use the old exam based on consent decrees. First, results are pooled across both the 2017–18 and 2019–21 exams for police officer and firefighter. This allows for a direct comparison between the corrections and social welfare exams that were unchanged over the period. The subsequent section explores the changes made to the police officer and firefighter exams and the impact on demographic disparities in exam performance.

All four of the exams are given every year with some change in the number of applicants and candidates each year. Due to testing difficulties during the COVID-19 pandemic, there was a substantial drop-off in both applications and candidates for all four exams during 2020. The total number of candidates across the four exams fell from 17,318 in 2017 to only 7,421 in 2020. In addition to the pandemic change, the date of the police officer exam was moved from December to September in 2018, which resulted in fewer applications than normal in that year. Although they are treated as single "exams" and "exam dates," the exams are administered individually in their local jurisdictions.

In general, the demographics for local exam candidates are substantially less diverse than for the state exam in part because New York City manages a separate civil service testing process and is not included in the analysis. Among candidates whose race is known, 77 percent of candidates for the four exams are white. Firefighters are the most likely to be white at 81 percent followed by social welfare officers at 78 percent, police officers at 75 percent, and corrections officers at 74 percent. Men make up the majority of public safety candidates, although women are a significant minority of PO and CO candidates at 20 percent and 24 percent, respectively, although they are only 7 percent of firefighter candidates. The social welfare officer exam in contrast is dominated by women at 84 percent. These numbers are consistent with private sector careers.

TABLE 10. **Demographics of Select Local Exams**

|	All Open		Police Officer		Fire		Correction Officers		SWE	
Race	Count	Percent Known	Count	Percent Known	Count	Percent Known	Count	Percent Known	Count	Percent Known
American Indian/Alaskan Native	747	0.50%	159	0.40%	32	0.38%	73	0.70%	7	0.30%
Asian/Pacific Islander	3,428	2.20%	765	2.10%	116	1.37%	147	1.40%	41	1.70%
Black	14,714	9.60%	3,047	8.20%	776	9.16%	1,481	13.60%	283	12.10%
Hispanic	15,828	10.30%	5,423	14.70%	718	8.47%	1,178	10.80%	175	7.50%
Unknown	22,539	—	7,766	—	1,552	—	1,651	—	392	—
White	118,810	77.40%	27,547	74.60%	6,832	80.62%	7,999	73.50%	1,838	78.40%
Female	71,552	46.50%	7,513	20.20%	610	7.20%	2,712	24.80%	1,966	83.70%
Male	82,352	53.50%	29,607	79.80%	7,910	92.80%	8,207	75.20%	383	16.30%
Unknown	22,162	—	7,587	—	1,506	—	1,610	—	387	—

The exams also differ in the educational attainment of their candidates and the distribution of scores. Social welfare officer candidates are the most educated with 20 percent reporting a Bachelor's degree or higher, with police officers in second at 16 percent. Corrections officer and firefighter candidates report the lowest levels of educational attainment at 11 and 9 percent, respectively. None of these exams require beyond a high school diploma in order to apply. Police officers are the least likely to receive a 90 or higher at only 14 percent, while firefighters are the most likely at 67 percent. Thirty-two percent of CO candidates and 23 percent of social welfare officer candidates receive 90 or higher.

Much like the state exams, there are significant disparities in exam performance across demographic groups. Across all four exams, candidates of color were less likely to receive a 90 or higher compared to their white peers, although the estimates of that difference vary based on exam and racial/ethnic group. The firefighter exam held prior to 2019 had the largest measured racial disparities in scores. When controlling for education, Black candidates on the firefighter exam were 35 percentage points less likely to score a 90 or higher than white candidates and Hispanic candidates, 18 percentage points less likely. There were no statistically significant differences for AAPI candidates but the point estimates were negative.

Racial disparities for the remaining three exams are similar in pattern to the firefighter exam but lower. The police officer exam has the lowest measured racial differences in scores. Black candidates are 10 percentage points less likely to receive a 90 or higher; Hispanic candidates, 7 percentage points; and AAPI candidates, 8 percentage points. These numbers are very similar to the corrections officer and social worker examiner exams. For the corrections exam, the measured disparity is 19 percentage points for Black candidates and 10 percentage points for Hispanic candidates. For the social welfare exam those disparities are 17 and 11 percentage points respectively.

Measured gender score disparities are substantially lower than those for race/ethnicity. Although women are a minority of public safety candidates, they are more likely to score a 90 or higher on the police officer and firefighter exams compared to their male peers. Women are 6 percentage points more likely to have a high score on the firefighter exam and 1 percentage point more likely on the police officer exam. There are no significant gender differences in score on the corrections officer exam or social welfare examiner exam.
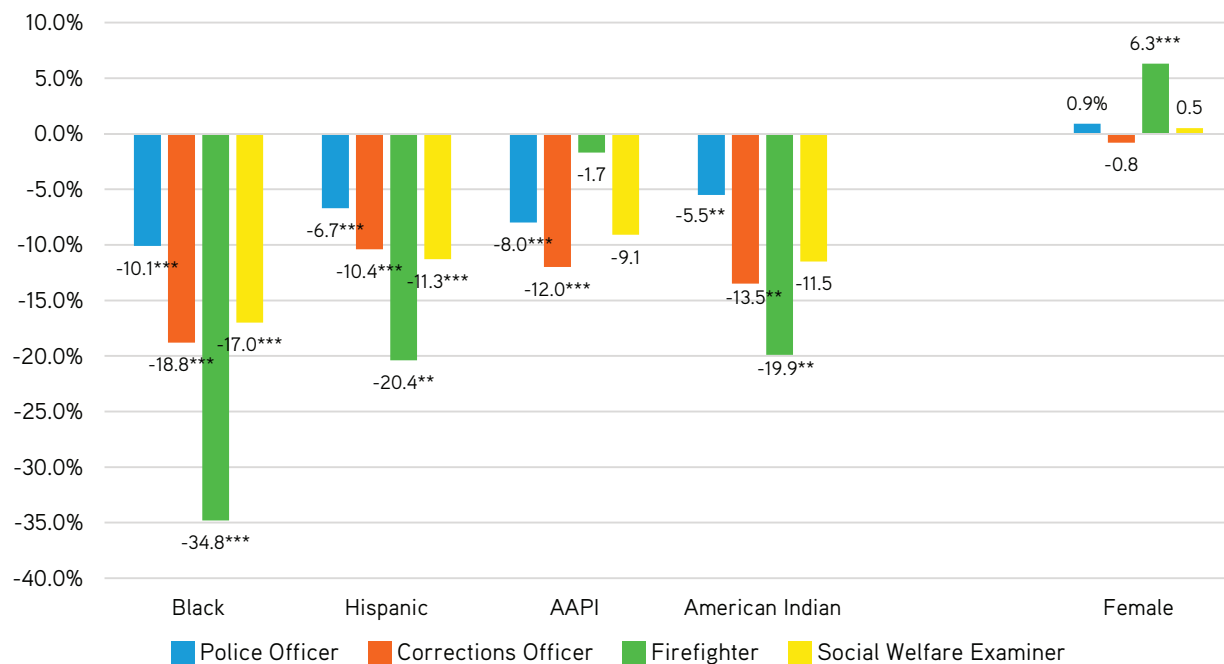
NOTES: The omitted category for race/ethnicity is white. The omitted category for gender is male. The regression includes controls for educational attainment and exam number.

Asterisks indicate statistical significance (p-value less than 0.1 (*), less than 0.05 (**), less than 0.01(***)).

See Table A6 for detailed regression results.

SOURCE: Rockefeller Institute of Government.

Changes in the Police Officer and Firefighter Exams

DCS implemented a new police officer and firefighter exam during the study period. The new exam was first administered in 2019. The 2017–18 and 2019–21 exams were analyzed separately. DCS determined that the job analyses the pre-2019 exams were based on was outdated and contracted with external firms in order to do a new job analyses and develop and validate exams linked to those analyses. The validation and scoring methodology process also sought to reduce adverse impact and analyzed subgroup performance on individual exam questions using pilot study data. The new entry-level law enforcement (police officer) exam was first administered on the September 2019 test date and the firefighter exam on the April 2019 test date. Due to a consent decree, one local jurisdiction used the previous exam in May 2019 and that test date has been excluded from the comparative analysis because the date is an outlier.

Racial disparities in scores decreased for both police officer and firefighter candidates following the implementation of the new exams. Controlling for education, Black candidates who took the police exam prior to 2019 were 14 percentage points less likely to receive a 90 or higher compared to their white peers and Hispanic candidates 11 percentage points less likely. Black candidates who took the new exam in 2019 or

later were only 7 percentage points less likely to receive a high score and Hispanic candidates, 4 percentage points less likely. The high-score disparity was more than cut in half. The firefighter exam had much larger score disparities than the police officer exam for candidates who took the exam in 2017 and 2018. Black candidates were 45 percentage points less likely to have a high pass and Hispanic candidates, 36 percentage points less likely. Those numbers shrunk to 17 percentage points for Black candidates in 2019 and later and 7 percentage points for Hispanic candidates.

TABLE 11. Demographic Disparities in Receiving a 90+ for Police and Firefighter Exams Pre- and Post-2019 Exam Change

	Police Officer Exams			Firefighter Exams		
	All Dates	2017-18 Exams	2019-21 Exams	All Dates	2017-18 Exams	2019-21 Exams
American Indian	-0.055**	-0.068	-0.047	-0.199**	-0.022	-0.302***
	(0.028)	(0.052)	(0.031)	(0.084)	(0.135)	(0.094)
AAPI	-0.08***	-0.099***	-0.064***	-0.017	-0.031	-0.009
	(0.013)	(0.023)	(0.014)	(0.044)	(0.077)	(0.046)
Black	-0.101***	-0.143***	-0.069***	-0.348***	-0.453***	-0.17***
	(0.007)	(0.012)	(0.008)	(0.018)	(0.027)	(0.021)
Hispanic	-0.067***	-0.108***	-0.04***	-0.204***	-0.357***	-0.071***
	(0.005)	(0.009)	(0.006)	(0.019)	(0.030)	(0.021)
Unknown	-0.054**	-0.126**	0.006	0.003	0.062	-0.056**
	(0.021)	(0.054)	(0.020)	(0.055)	(0.108)	(0.055)
Female	0.009**	-0.015*	0.028***	0.063***	0.021	0.041
	(0.005)	(0.008)	(0.005)	(0.019)	(0.035)	(0.020)
N	44,707	17,307	27,400	10,026	3,369	6,253
Education	X	X	X	X	X	X

NOTES: The omitted category for race/ethnicity is white. The omitted category for gender is male. The regression includes controls for educational attainment and exam number.

Asterisks indicate statistical significance (p-value less than 0.1 (*), less than 0.05 (**), less than 0.01(***)).

SOURCE: Rockefeller Institute of Government.

6. Barriers to Diversity in Civil Service: Qualitative Evidence

To better understand the barriers to the development of a representative workforce, we conducted a series of interviews with several individuals engaged with New York's merit and fitness process. These interviews included:

- Nine professionals from six different offices within the Department of Civil Service. These individuals provided information on the development of tests, test day procedures, scoring and creation of lists, and outreach and promotion of exams and opportunities.

- Five individuals from four state agencies in their respective Offices of Human Resources or Inclusion. These individuals provided perspectives on what agencies are doing to promote employment to traditionally underrepresented communities and what barriers they identified for hiring a diverse workforce.

- Thirteen individuals responsible for testing or hiring at the county or municipal level. They discussed the challenges they faced hiring at the local level in general and specific challenges faced in recruiting diverse candidates.

- To better understand the perspective of test takers, we have spoken with 10 individuals who work with them. We reached out to campus career offices, unions that represent civil service employees, Educational Opportunity Centers, and community organizations that work with job seekers. They shared the perspectives of the people they work with and shared the barriers perceived by test takers.

The people we spoke with identified barriers at all stages of the pipeline.

Preengagement Barriers

Several obstacles prevent people from even considering a career in civil service. In our discussions with those who attempt to recruit applicants and those that work with job seekers, the following were identified.

Lack of Understanding of Civil Service

Multiple people we spoke with noted a lack of awareness of civil service employment opportunities and the process required to pursue employment within state and local governments. Job seekers can easily identify opportunities with private employers through the organizations' websites and job posting aggregator platforms such as Indeed. These postings include information about the specific opportunity and clear instructions for applying. While private sector hiring processes may have multiple rounds of interviews or other steps, starting the process is generally simple–most likely through the submission of an application form or resume and cover letter.

> "Unless they have a family member who is already a civil servant, this concept is foreign to so many people."
> County Civil Service Commissioner

The administrative burden faced by job seekers pursuing positions in the public sector is significantly higher. Individuals must have an awareness of which specific job titles lead to careers they are interested in, then find the open-competitive examination opportunities that will lead them to those jobs. They must join the multiple mailing lists of state and local civil service commissions to be made aware of exam announcements or alternatively regularly monitor a series of state and local websites.

Job seekers must then understand the expectations of test takers and which subjects they need to study to score well on the exam. They must also understand the role the exam plays in the process; performing well on the exam does not guarantee

employment. There are still significant steps and tasks required between receiving an exam score and securing an appointment.

Numerous people we spoke with said that the process is not straightforward. To someone unfamiliar with the civil service system, the process appears complicated and the timeline is uncertain. Individuals who have friends, family, and colleagues who can help them demystify the process will be more successful. A leader of a campus career center referred to these connections as the "social capital" required to work in civil service. This insider information helps job seekers set clear expectations of the process. In addition, this mentoring or coaching (formal or informal) allows job seekers to better prepare for exams and navigate the application process. This social capital can be harder to access for communities of color and other groups, who have historically been underrepresented in public service.

Fees and Expenses

Applying for civil service positions involves direct and indirect expenses. Applicants must pay a fee to sit for a civil service exam for both state and local positions. Fees range from $20 to $125 for open competitive exams. Fee waivers have become more common and applicants can request a financial-based fee waiver that is subject to verification. People we spoke with suggested in practice these waivers are generally being granted without challenge. DCS has also eliminated fees for certain exams that lead to positions that are hard to fill such as entry-level Information Technology Specialists. Some localities have also waived fees for a period of time to encourage applications. Fees are likely to be higher barriers to younger workers entering the labor market for the first time who have limited savings or lack current employment.

> "In today's labor market, job seekers are unwilling to pay to apply for a job and are often warned that application fees are a scam."
> County Director of Personnel

There are also indirect costs incurred by test takers. Applicants may need to meet specific residency requirements, like living in a certain town or county for at least a year. Exams may be geographically limited, requiring significant travel by test takers. Some test takers need to find lodgings the night before the exam. The schedule of exams is inflexible, meaning that some test takers may need to forgo pay from their job or obtain childcare in order to sit for exams, which are usually held on Saturday mornings. Parents with childcare responsibilities, most of whom are women, as discussed in Chapter 1, may be particularly affected by these indirect costs with even higher costs for single parents when exams are given outside of traditional childcare hours.

While not formally required to sit for the exam, some test takers seek out preparation courses and materials to assist in preparing for exams. One third-party provider offers police exam prep courses for $429. As with other test preparation services, these courses provide study material, instruction on study skills, and test-taking strategies. Such courses provide attendees with the "social capital" which can yield positive impacts on exam performance. A 2010 New Jersey study showed that a two-day,

16-hour preparatory program resulted in an average score 7.13 points higher than the general population of test takers for the exam.[47] While that may not seem like much, it means that candidates who took the prep course landed in a higher eligibility band and were eligible to be hired sooner than those who did not.

Even candidates who do not purchase third-party preparation tools benefit if they have family and/or social support to spend time studying for the exam. Black households are four times more likely to be single-parent than white households, and Hispanic households are 3.5 times more likely to be single-parent than white households.[48] People in these single-parent households will typically find it harder to spend time studying or taking prep classes.

The costs associated with civil service exams are not negligible. Even if the application fees are waived, the indirect expenses of travel and lost wages may represent a significant barrier to applicants. The existence of the third-market test preparation products can lead potential test takers to believe that without this expense, they will not score well enough to be hired.

Lack of People of Color Gives a Signal

Interviews reflected that people of color cannot envision themselves in these jobs because they rarely see Black people holding them. They noted that this results in an internalized message that "Black people don't get hired for that job," and the perception that the exam process is biased. That bias is associated with the failure to qualify for employment. There are broad negative perceptions of the process with respect to race, which keeps people from applying. There is substantial research that "symbolic representation" or merely the presence of people of color (or any other marginalized group) sends a signal to that group that they are welcome in government and members of that group are also more likely to cooperate with government.[49]

Civil Service Employment Is Unattractive

Many of the perceived benefits of civil service have eroded. Multiple people had noted declines in the generosity of the public pension program and salaries that have failed to keep up with trends in the private sector. Others noted that due to staffing shortages, more jobs require significant overtime and can no longer guarantee attractive hours or reliable work/life balance. This means that the quality of life offered by public employers has diminished.

People who work with individuals seeking employment noted that work in the public sector is deemed unattractive compared to the private sector. One personnel professional with private sector experience noted that there are "so many barriers to employment it's hard to even list them."

Availability of Testing Information is Inconsistent

Exam announcements are issued by state and local civil service agencies in many formats, and the outreach and promotion activities are also broadly varied. Some

municipal civil service organizations stated their promotion of their exams was limited to websites and any additional promotional efforts were the responsibility of agencies or offices. Other civil service organizations publicized exams through paid and earned local media (television, radio, and newspapers), from video advertisements and posts on social media platforms, to flyers on pizza boxes and outreach at community organizations. Agencies also supplemented awareness campaigns through participation in job fairs and career expos.

Thousands of potential applicants learn about upcoming examination opportunities via the email lists offered by the New York State Department of Civil Service (DCS) and many local civil service agencies. However, not every area offers these lists and interested parties need to subscribe with each agency individually—the state-level exam announcement lists, for example, will not notify job seekers about opportunities in county or city governments.

Because DCS coordinates most local exams, it should be feasible to centralize the email lists for most exams, linking to local websites or providing other contact information for local agencies in the email notices.

Frequency of Exams

Multiple HR professionals cited the infrequency of exams as a barrier to recruitment. For some positions, it has been multiple years since an exam has been offered and a list of candidates created. If there is not a viable list of eligible candidates for a position that normally requires examination, state agencies and local governments can offer provisional appointments. These jobs allow people to apply based on minimum qualifications alone. However, the job is not permanent. Whenever the exam for that job is next offered, the provisional appointee must take that exam and be among the top scorers in order to remain in the job. Many local governments rely on provisional appointments to fill positions because it is not practical to continuously hold exams and keep current eligible lists available for all potential jobs in the municipality when positions may not become available for years.

At this point, local governments can only offer provisional appointments for many positions while they wait for Civil Service to schedule exams and certify eligible lists. One county noted a current backlog of approximately 60 people in provisional titles waiting for an exam. It is hard to convince people to accept a position that could be terminated after mediocre performance on an exam.

> "People can't take the risk on a provisional job because their job is sacred; they are often working two/three jobs to make ends meet as it is."
> County Personnel Officer

> "No matter how good a job you do, we may not be able to keep you if you can't score in the top three of a test that has nothing to do with your job." County Civil Service Commissioner

Timeline between Testing and Canvass

HR professionals noted the growing lag between the test and the creation of the list. Many reported waiting more than six months to receive a list of candidates for canvassing purposes. This means that an individual who sat for an exam may have to wait over half a year—26 weeks—before applying for an actual open job in a civil service position. In the current job market, over that timeframe, job seekers are likely to accept alternative employment. To put this timeline in perspective, according to the Bureau of Labor Statistics in March 2023, the average unemployed job seeker in the US finds employment in 19.5 weeks. Over half of job seekers have found employment in less than 8.1 weeks.[50] The result of this extended lag in test results is that by the time HR officers begin canvassing from the list, many of the most qualified employees have accepted other positions.

> "Candidates can be hired the same day they apply at [private businesses] for $20 an hour, but applicants for a Civil Service exam must wait two months for the exam and another four months for scores before they can even begin the interview process."
> Recruitment Professional

Score Bands Create Challenges and Disincentives

The score an individual receives on the exam determines if they will be hired. Potential employers must first reach out to people among the three highest-scoring applicants on the exam to fill any position. Only after the top of the list is exhausted can individuals with lower scores be considered. From the HR perspective, this can be limiting. People in the top three may have performed well, but due to the generalized nature of the exam subjects, they may not be an appropriate fit for the specific duties of the position to be filled. As a result, people who have performed well on a multiple-choice test must be chosen rather than people with experience in the position. Consequently, the lists can get populated with people who are not appropriate fits for the positions being considered.

For test takers, the bands can be a frustrating experience. Those that meet the minimum qualification for the position and sit for an exam and receive a midrange passing score may not be considered for employment. People who work with test takers noted that receiving a midrange score creates frustration with the system. These individuals are qualified for the job but did not score well enough to be considered for appointment. Many may be unwilling to attempt to retry when the exam becomes available again.

Federally, the Merit Systems Protection Board recommends category rating[51] instead of numeric scores (e.g. "Best-Qualified, Well-Qualified, Qualified" or "Highly-Qualified, Qualified")[52] to balance the need for managerial discretion with the requirements of Merit & Fitness.

Public officers in New York are generally required to live in the municipalities they are serving due to the State's Public Officers Law (PBO §3). Although not all public employees are considered "officers," civil service laws enacted at county and local levels vary regarding residency requirements for government employees. Exceptions often exist for specific "hard-to-recruit" job titles, especially those requiring higher education, but the confusing quagmire of residency rules imposes yet another barrier to those considering public service careers.

Additionally, the residency requirements can be unsustainable for people without generational wealth or resources to establish a foothold in the area. In one county where the average rent exceeds $2,000 per month, government jobs are only available to people who have lived in the county for at least one year, including entry-level positions paying as little as $28,417 per year. By excluding people who live in more affordable neighboring areas, that county is missing out on qualified local applicants who simply cannot afford to invest in establishing residency for such a long period of time. In contrast, other municipalities, like New York City, only require employees to move to the area within 90 days after starting employment. This more lenient rule makes employment more accessible to those who have experienced housing instability.

7. Emerging Trends in New York

To address the need for employees at the state and local level, the Department of Civil Service has piloted a number of programs designed to lower the barriers to careers in civil service. In this section, we highlight these programs and preliminary evidence of their effectiveness.

Shift to Training and Experience Exams

A training and experience examination, or T&E exam, is one where test takers fill out an online questionnaire with information about their educational background and professional experience. The questions are designed to collect information relevant to the position the individual will be qualified for. All T&E test takers who meet the minimum qualifications required for the position receive a passing score on the exam and are considered eligible for employment. Candidates receive higher scores if they have additional training or relevant experience. Responses are scored based on the relevance of experience.

Good potential exams to be transitioned to the T&E format are those for titles that require independent licensure or certification. For example, individuals who have successfully passed the licensure examinations in healthcare fields have already demonstrated to a professional organization they possess the knowledge, skills, and abilities required for the relevant position. Sitting for a written multiple-choice examination would be redundant and may dissuade applicants from applying to positions in local and state service.

DCS has also worked to develop T&E examinations for some of the larger titles in 2022. The transition to the online format eliminates some of the logistical barriers to administrators offering the exam and test takers. The flexibility of the online format could allow for the exams to be offered on a more frequent basis. As lists of exam candidates are exhausted, the exams can be offered and lists replenished.

In a promising pilot program, the Department of Civil Service worked with the Department of Corrections and Community Services (DOCCS) to develop a T&E examination for the Correction Officer Trainee title. A written T&E was first offered in October 2019 and eventually transitioned to an exam administered from an online dashboard in July 2020. After the initial rollout of the CO exam, DCS has worked to create T&E exams and online dashboards for other high volume exams including Motor Vehicles Representative (MVR) and Professional Career Opportunities (PCO). Exams for MVR and PCO were conducted through the online dashboard in August 2022 and December 2022, respectively.

The transition away from multiple choice examinations to an inventory of education and experience combined with the reduction of cost and logistical barriers has the potential to meaningfully expand access for candidates of color.

Preliminary data from the first sets of results from the T&E exams for Corrections Officer Trainee, Motor Vehicle Representative, and Professional Career Opportunities presented in Chapter 4 suggests that the change in format results in a more equitable distribution of scores. Together these three exams affect 40.1 percent of all candidates in the state. While moving to T&E exams did not completely eliminate the disparities in performance across racial and ethnic groups, the early evidence of closing the gaps in performance is promising. For example, the analysis shows that on the written PCO exams, Black candidates were 28.3 percent less likely to pass than white candidates. When the exam shifted to an online T&E exam, the gap decreased to 3.9 percent (Table 12).

TABLE 12. **High Pass (90+) Score Disparities by Demographic Group for Written and T&E Exams**

	Professional Career Opportunities		Motor Vehicle Representative		Corrections Officers	
	Written	T&E	Written	T&E	Written	T&E
Black	-28.3***	-3.9***	-29.4***	-7.4***	-17.5***	-2.6***
	(0.004)	(0.011)	(0.019)	(0.015)	(0.009)	(0.009)
Hispanic	-19.9***	-0.2	-22.4***	-7.8***	-13.7***	0.3
	(0.006)	(0.015)	(0.022)	(0.018)	(0.011)	(0.010)
Unknown	-11.5***	-10.2***	-25.9***	-8.2***	-13.1***	-9.8***
	(0.007)	(0.009)	(0.029)	(0.015)	(0.014)	(0.008)
AAPI	-25.8***	-4.1***	-18.3***	-5.7***	-16.3***	1.2
	(0.006)	(0.014)	(0.027)	(0.020)	(0.028)	(0.017)
American Indian	-16.9***	4.4	-16.6**	2.0	-6.8	-2.9
	(0.022)	(0.060)	(0.081)	(0.012)	(0.043)	(0.044)

NOTES: The omitted category for race/ethnicity is white. The omitted category for gender is male. The regression includes controls for educational attainment and exam number.

Asterisks indicate statistical significance (p-value less than 0.1 (*), less than 0.05 (**), less than 0.01(***)).

SOURCE: Rockefeller Institute of Government.

Future of T&E

As DCS moves forward with the rollout of additional T&E exams, it will require ongoing adjustments in the tools used to assess applicants and onboard new employees. While T&E generates a more diverse pool of applicants, one recent report published by the US Merit Systems Protection Board highlighted the limitations of the approach:

> "T&E assessments often look at the quantity—rather than the quality—of training or experience that an applicant possesses. They also tend to rely on self-reported information to determine applicants' level of expertise." MSPB, 2022 [53]

The nature and structure of the questions are critical for an assessment's ability to predict future job performance.[54, 55] T&E assessments often collect information and score applicants based on metrics, which are not great predictors of future job performance such as years of job experience, number of training classes attended, and grade point average. They also focus on the past, which can be difficult for people to recall and remember. This unreliability can be exacerbated by bad actors who are deliberately careless or dishonest in their self-reported answers.

T&E's, based on the behavioral consistency method however, are far more useful. Guidelines on effective assessment recommend developing a T&E questionnaire in a way that distinguishes different levels of proficiency.[56] Examples of well-crafted scales were included in the PCO exam recently offered by DCS. Rather than just asking if the candidate had experience with a task, the questions ask the test taker to describe their experiences with the task in more detail by collecting information about the experience, frequency, and independence. These answers can then be

systemically scored. These assessments can be time consuming for the test takers, but have validity scores that nearly match structured interviews and the mental ability tests currently used by DCS.

Overall, agencies and local civil service professionals were supportive of the transition to T&E. Some expressed concerns about their ability to confirm the identity of test takers and the accuracy of their answers through an online portal. This is why any T&E assessment should be paired with other assessments that have a higher validity—like structured interviews and reference checks. Together, these tools can be part of a systematic evaluation that can validly assess the qualifications and more accurately predict success of performance on the job.

It should be acknowledged that T&E exams will likely expand the pool of potential candidates. This increase paired with the additional assessments that will need to be conducted by hiring managers, suggests that additional resources may be required in the offices responsible for screening candidates. Given that many hiring professionals we have spoken with have noted challenges associated with too few candidates in recent years, however, this may be a challenge they welcome.

Hiring for Emergency Limited Placement (HELP) Program

New York State agencies and local governments are facing worker shortages in positions critical for public health and safety. This includes the individuals who provide direct care to patients and the general public. If these positions remain unfilled, the basic health, safety, and daily needs of residents will be unmet.

To address this immediate crisis the Department of Civil Service submitted a request to the Civil Service Commission to temporarily place certain titles and a limited number of positions into a noncompetitive class for 12 months. This will allow these positions to be filled outside of the normal competitive examination process as long as employees meet the minimum qualifications for the title. The Hiring for Emergency Limited Placement (HELP) program took effect on March 28, 2023 and will run through March 31, 2024. Agencies identified which titles could be filled through the HELP Program. The targeted titles needed to meet three criteria:

1. Titles are deemed to be critical, direct care, health and safety titles. Employees serving in these titles provide services or care directly to clients, consumers, patients, or the public.

2. A severe shortage of candidates exists, evidenced by the inability to attract sufficient qualified candidates to fill vacancies despite extensive and exhaustive recruitment efforts.

3. Titles are filled via open-competitive examination only. Titles are excluded from this program if they can be filled via promotion examination.

Individuals employed over the 12 months of the HELP program will be hired on a permanent rather than provisional basis. They will eventually be eligible to participate in promotion in a competitive process.

When created, the HELP Program was designed as a "temporary stop-gap measure while DCS continues to work on implementing enhancements to the selection and recruitment process including long-term innovative and creative testing solutions for the future."[57] While the program is not intended to be a permanent solution, it can provide valuable insights into how hiring and onboarding patterns change when examination requirements are eliminated. DCS has identified clear metrics they are watching to assess the success of the pilot program. These include:

- Timeline of the end-to-end hiring process

- Number of filled positions

- Candidate drop-off rates—the number of candidates who complete application, interview, and onboarding process

- Number of people from underrepresented populations placed in the titles

Upon completion of the year, DCS should conduct an evaluation to determine if the elimination of exams has been effective in lifting barriers to employment. In particular, they should explore if the individuals hired through the HELP program have a different demographic profile than the individuals hired through the open-competitive exam process.

Fee Waivers

The fees associated with examinations have been identified as a barrier to people entering the civil service systems. The state and local jurisdictions offer fee waivers for those experiencing financial hardships. To qualify for need-based waivers, individuals must show that they meet one of the following qualifications:[58]

- Unemployed and primarily responsible for the support of a household

- Determined eligible for Medicaid

- Receiving Supplemental Social Security payments or Public Assistance (Temporary Assistance for Needy Families/Family Assistance or Safety Net Assistance)

- Are certified Job Training Partnership Act/Workforce Investment Act eligible through a state or local social service agency

New York State also offers fee waivers for veterans discharged under honorable conditions. CSEA (Civil Service Employees Association)-represented employees do not receive a waiver, but the union will pay exam fees for member employees in some negotiating units. PEF (Public Employees Federation) members can apply for reimbursement of exam fees via a membership benefits program but will only receive reimbursement if they pass the exam.

There are also a number of in-demand positions for which DCS recruits on a continuous basis for which there are no fees. This includes correction officer trainees, direct support assistant, and information technology specialists.[59]

In an effort to increase applications, some local jurisdictions have recently waived fees for all exams. Suffolk County reported they waived fees for the period of July through December 2022 and Schenectady County waived fees for 2023. Suffolk County reported that the waivers did result in an increased number of applications, but cautioned that the overall quality of applications may have been sacrificed. They noted that some individuals applied for tests for all positions regardless of whether they met the minimum qualifications. The fee waiver resulted in a greater administrative effort to identify unqualified applicants. This could be addressed through a screening process during the test application phase that clearly states the qualifications for each exam.

AnalyzeNY

New York State recently launched a statewide workforce data warehouse that integrates data from multiple workforce systems including the New York Personnel System, payroll records, and the Leave & Accrual tracking system. AnalyzeNY enables agencies, HR professionals, and DCS to generate reports on topics such as workforce demographics, employee history, and retirement plans. In May 2023, AnalyzeNY introduced tools that allow for the analysis of employee movement as well. This will enable HR and agency staff to follow employee hires, rehires, transfers, leaves, and separations.

The tools available through AnalyzeNY will allow for the tracking of employee movements over the course of their civil service careers. This includes understanding the titles they are employed in, movements across agencies, and promotions over time. This information can help identify the career ladders employees follow and the barriers some may face in promotion and advancement.

8. Advancements in Federal Merit Based Civil Service and Other States

The use of assessments of Merit & Fitness (M&F) as a gateway for employment is well established. These systems were developed in the 1800s as an alternative to patronage in awarding federal state and local employment. At least 32 other states use an evaluation to a candidate's M&F as a basis for staffing the state workforce. In addition, several professions including attorneys, medical professionals, and social workers use exams to assess fitness of candidates when awarding licenses to practice.

Many of these M&F systems have made significant changes in recent years that integrate technological advancements and adjust to the changing labor market. These changes have been designed to lower barriers faced by applicants, ease the administrative burden of public sector employers, and attract a more diverse pool of qualified applicants. In this section we review the changes made by the federal government's merit system and other states to provide context of broader trends.

The largest system of merit-based employment is operated by the federal government and is well documented by the Merit Systems Protection Board, the federal agency

that services as the guardian of federal merit systems. While the concept of selecting employees on a competitive basis based on their merit and fitness for the position is common, the methods through which this is administered varies widely. These variations represent evolutions over time, adoption of new technologies, and the needs of the public sector employers. In this section, we explore how the federal and several governments' approaches to competitive hiring have changed in recent decades.

The federal government has used short-answer examinations to evaluate potential candidates for employment since the 1920s. In 1974, the Federal Civil Service Commission introduced the Professional and Administrative Career Examination (PACE) designed to assess the knowledge, skills, and abilities needed for promotional and administrative positions. The exam was used to assess candidate merit for over 127 positions across a wide range of duties including labor relations, park rangers, economist, budget analyst, and tax law specialist. When PACE was created, the commission completed substantial validation studies to ensure the exam was predictive of job performance.

In the 1970s, there was also significant debate and legal evaluation regarding exams as selection methods that effectively discriminate on the basis of race. The Uniform Guidelines on Employee Selection Procedures published by multiple agencies in 1978 established a metric to assess whether a test has an "adverse impact" on any group: the four-fifths rule. "If the selection rate of any race, sex, or ethnic group is less than 80 percent of the rate for the group with the highest selection rate, then the test has an adverse impact."[60] Based on this rule, a group of five civil rights groups brought a lawsuit in 1979 that charged that the PACE exam adversely impacted groups of minorities. The statistics presented at the time showed that the passing rates of white test takers was 42 percent, but only 5 percent for Black and 13 percent for Hispanic test takers. The percent of job applicants who achieved a score of 90 or higher was 8.5 percent of white candidates and only 0.3 and 1.5 for Black and Hispanic candidates, respectively. The federal Office of Personnel Management (OPM) signed a consent decree and agreed to discontinue the use of the written general mental ability test.[61]

Eventually, the Office of Personnel Management introduced the Administrative Careers With America (ACWA) examination system as a competitive examining tool in 1990.[62] When introduced, the ACWA rating schedule was calculated based on a 157-item multiple-choice, self-rating form. All candidates received a passing score as long as they met the minimum qualifications for the job. Candidates received additional points based on their life and work experiences that allowed for distinctions among the qualified applicants, much like the T&E exams being used by New York State DCS. After candidates complete the self-rating form, a standardized rating schedule can be used to identify distinctions among qualified applicants. While the exam was relatively easy to administer and grade, it presented challenges in distinguishing among a large pool of applicants with similar qualifications, such as recent college graduates. There was also an ACWA written test introduced in 1990. The test included a multiple choice of cognitive ability that used bio data to address demographic disparities. The written

test was abandoned due to a decline in hiring and agency preference for decentralized exams.

In the 2000s, federal agencies turned toward technology and automated hiring systems with the goal of speeding up the hiring process, reducing the workload of agency staff, and expanding the quantity and quality of the applicant pool. A review of the systems, published in 2004, noted dramatically improved timeliness of the hiring process.[63] The easier application resulted in increased applications for jobs. While they did acknowledge the increase in applications that did not meet qualifications, hiring managers noted it was easier to reach and encourage potential applicants who might not have been willing to face the barriers of paper hiring. The system also made it easier to execute T&E assessments through the targeted collection of relevant competencies and the ability to sort them quickly. Such systems also make it easier for candidates to accurately complete T&E assessments. At home, they have the flexibility to check records and confirm dates and contact information necessary to provide the precision required as part of T&E assessment.

While incremental improvements had been made in hiring since the 1979 consent decree, executive action from President Obama called for a redesign of federal hiring. A Presidential Memorandum in 2010 challenged agency heads and OPM with the task of "Improving the Federal and Recruitment Hiring Process."[64] The call to action was built on two decades of reforms that decentralized exams and automated federal hiring, to improve flexibility for agencies and applicants. The 2010 reforms were designed to address critiques of the current system, including the long hiring timeline, confusing and complicated application process, and ineffective recruitment. The memorandum directed agencies to adopt hiring procedures that maintained consistency with merit system principles but 1) eliminated the requirement for essay-style questions at the time of initial application, 2) allowed individuals to submit resumes and cover letters or plain language applications that would be used to assess applicants using valid and reliable tools, and 3) used a category rating approach rather than the "rule of 3," which required the individuals with the three highest scores must be considered. The memorandum also demanded more transparency by allowing applicants to track their application status through the online portal, USAJOBS.

In response to the 2010 hiring reform initiative, the federal government created USA Hire, a set of assessments that can review applicants applying for 120 different positions.[65] Most of these assessments are delivered online in an unproctored environment. These assessments are assigned to the applicant after they have submitted materials for an available position posted on USAJOBS. The automated hiring system evaluates materials to confirm eligibility and that minimum qualifications are met. Applicants are then sent an email instructing them to complete an assessment battery through the USAHire website. The applicant then completes supplemental questionnaires specific to the employment opportunity. HR managers are sent applicant scores and are then responsible for placing candidates into quality categories based on these scores and other initial assessments. Once applicants are verified, the hiring manager develops a certificate (or list) of eligible candidates to be considered. The hiring manager then uses additional assessments like interviews to select candidates.

Trends in the States

The federal government's transition away from cognitive ability tests in the 1980s toward T&E and other evidence-based assessment methods has laid a pathway that many other states have followed with their merit and fitness systems. In 2020, DCS completed a comprehensive review of the assessment methods used by agencies in other state governments. The review confirmed that many states have moved away from cognitive exams, which candidates must sit for prior to applying for vacancies, and moved toward integrating assessment of Merit & Fitness into the application process. These post application assessments could include readiness evaluations, T&E, supplemental skills assessments tests, and structured interviews targeted to assess the candidate's M&F for the specific job. Beyond New York, only Alabama, Louisiana, and New Jersey still require examinations prior to applying for a vacancy. These states are also moving toward T&E assessment for selective titles. A handful of states do require in-person written exams for selective positions such as police officer or firefighter. It should also be noted that New Jersey and New York are the only states that require an examination fee from test takers, though a small segment of states and cities collect fees from candidates for positions, such as firefighters, police officers, and corrections officers citing the costs associated with intensive physical fitness assessments.

Pennsylvania[66]—Job postings are for employment opportunities currently available with information on location, position description, and required qualifications. Applicants complete an online questionnaire similar to a T&E examination for the posting. There may also be supplemental questions specific to the position. Responses submitted for the posting are scored and applicants are ranked.

California[67]—The state maintains a list of current job openings with a job description, minimum requirements, and position details. If a candidate is interested in a position, they must complete the examination associated with the job vacancy. Most exams are offered online on a continuous basis. Many are T&E assessments but some may include additional questionnaires. Once the individual completes the assessment and receives a passing score, they may now apply to the vacancy they were originally interested in or any vacancy with the corresponding title.

Ohio[68]—Job seekers review current vacancies and identify a position to apply for. The online application collects information on work experience, education, and licenses/ certifications. Applicants must also complete a job-related questionnaire that asks about experience specifically relevant to the position.

9. Recommendations

Attract New, Diverse Talent Through Expanded Outreach

Civil Service employment offers stable work, good benefits, workplace protections, and opportunities for advancement. Despite its advantages, many New Yorkers choose not to pursue careers with the state or local governments. Many applicants find the pathway to civil service employment complicated and unwelcoming. New York should make efforts to promote public service careers, in particular to groups who are currently underrepresented in the public workforce. The ultimate goal of these efforts should be to identify and advance a pipeline of new talent.

1. Reorganize Websites to Present Information More Clearly For Jobseekers

The current organization of information on many civil service websites reflects the highly bureaucratic environment surrounding public sector employment. Unfortunately, this makes it difficult for jobseekers to find the information they need. Website design should be approached from the point-of-view of the site's visitor and landing pages should focus on what most people need to know while still linking to detailed data and more in-depth coverage of topics.

For example, a person looking for a job with New York City may start at the city's homepage, nyc.gov. They can see a "Jobs" link right on the top menu bar, and clicking it will take them to a landing page where they can learn about the civil service system and search for specific jobs to get more information. In contrast, clicking the prominent "Find a Job" link on New York State's homepage (ny.gov) leads to the New York State Department of Labor's JobZone, with no mention of how to work *for* New York State, but rather just how to work in New York.

2. Build On Community Partnerships to Reach Potential Employees

DCS and local civil service offices should partner with organizations that work with the diverse candidates they ultimately want to attract. The emerging partnership of DCS with the Albany Chapter of the NAACP is a model worthy of investment and potential replication across the state. The NAACP is an organization dedicated to the advancement of Black and African American people and the organization's leaders see state and local government employment as a pathway to economic security and advancement. The NAACP works directly with the individuals DCS is working to attract and is familiar with the barriers these individuals face in pursuing public sector employment. The information that the NAACP can offer DCS, as it works to expand outreach, is invaluable in understanding those existing barriers and how to address them can help attract candidates. Through its membership and network in the community, NAACP and similar organizations can offer DCS a platform to promote civil service and develop training programs that will effectively recruit new applicants.

Outreach programs with local organizations such as pride centers, immigrant resettlement nonprofits, and disability service providers can help DCS connect with potential employees in other underrepresented groups.

3. Education Partnerships Can Be Critical For Bringing In Emerging Talent

The average age of the New York State workforce is 46, several years older than that of the civilian labor force. One target for improved diversity is to recruit younger workers into state and local employment. Educational institutions such as BOCES, the State University of New York (SUNY), and the City University of New York (CUNY) are ideal partners in promoting public service employment.

Outreach could be conducted through the creation of formal pipelines that prepare students for careers in public service. One local civil service commissioner is working to address the shortage of corrections officer candidates through the development of coursework at the local high school. Students can enroll in a one-year course of study that would prepare them to work as corrections officer trainees. The program would include coursework on administrative and legal issues critical for COs, physical fitness training that would prepare them for the academy, and a paid internship with the county over the summer. It would also prepare the students to take the civil service exam at the end of the program. While the goal is to promote corrections as a career, it may also promote greater awareness of civil service careers to the larger student body. The program demystifies the application process and can provide information on other pathways to careers in civil service beyond corrections.

Programs, like the *New* New York Leaders Student Internship Program,[69] help to provide college students with exposure to government jobs, while also building their "social capital" within the public sector. While the internship job postings page could benefit from salary transparency, the searchable consolidation of many agencies' opportunities in one place sets a laudable example for centralized administration and makes it much easier for interested students to find opportunities and apply.

Approximately a third of New York's civilian labor force has a degree from SUNY.[70] New York's public higher education systems have hundreds of academic programs training thousands of students annually who could further assist in meeting the state's greatest workforce needs. Building a pipeline from SUNY and CUNY could help attract young, well-trained professionals into the state and local workforce. All campuses have career centers that are a source of information for students seeking employment. As DCS implements updates to their testing and application procedures, they should train the career office staff so that they can inform students. DCS should also consider outreach to faculty and departments that train students for in-demand careers. DCS could partner with instructors to develop information that informs students about public sector employment opportunities.

4. Regional Career Centers

Governor Hochul's 2023 State of the State proposals called for the creation of "Centers for Careers in Government." These regional centers would be staffed by civil service specialists who will facilitate outreach and recruitment on behalf of New York State agencies and DCS. The staff would work with local educational institutions and community organizations to reach jobseekers. The goal would be to help them navigate civil service and find employment opportunities. Such centers could be bases for the outreach efforts recommended above.

5. Look For Opportunities For Cross Promotion At the State and Local Levels

While there are many similarities between the hiring and recruitment needs at the state and local levels, there seems to be minimal coordination. Interviews with local civil service offices revealed widely differing approaches to recruitment in particular to outreach towards underrepresented groups. Some civil service commissioners did active outreach to local schools, community organizations, and workforce development boards in order to better understand the needs of the local workforce and identify the best pipelines for public services. Other commissioners thought any outreach efforts would be inappropriate because it would be showing favor to targeted groups and did not see a place for recruitment beyond publicly announcing the exams being offered on their websites.

Efforts to identify best practices for promotion of civil service and disseminate that information to agencies and local offices could be valuable. A public information system that cross-promotes relevant civil service exam opportunities at the state and local levels should also be considered. For example, an individual that has expressed interest in the corrections officer title with the state may also be interested in learning how to apply for the same position in the surrounding region.

Further integration could be achieved through a consolidated application system. This system would allow individuals to maintain a central application portfolio, identify jobs at the state, county, and local levels, and submit applications through a central system without having to reenter information or look in myriad of places for exam announcements and job postings.

Addressing the Barriers in the Testing Process

6. Eliminate Fees

While there are costs associated with evaluating candidates for a position, the private sector and most public sector employers absorb these expenses. New York and New Jersey are the only states to charge applicants to take exams. A handful of states require fees for applicants for police officer, firefighter, or corrections officer to recover the costs associated with the physical tests.

The 2024 New York State budget eliminated all state examination fees on a trial basis for the period of July 1, 2023 through December 31, 2025. Some New York counties are also running a trial period. Data should be collected from the trial period to assess the impact the fee waiver had on applications and subsequent "no-shows" for in-person examinations.

7. Expand Access to Testing

Infrequent exams and inflexible scheduling were identified as a barrier to many qualified individuals. Civil service should move away from the model of written tests delivered at a specific time and place. Exams that can be moved online should be transferred to that format. Completing a T&E examination can be a time-intensive process that requires extensive detailed information about the candidates' education

and professional experience. Online testing allows the test takers the resources required to ensure the veracity of the information they are providing.

While online examinations can enable flexibility for test takers, it can create challenges for individuals who do not have access to computers or broadband—in particular older applicants and individuals with disabilities. To address concerns about online access, partnerships can be made with local libraries, educational institutions, and community centers to provide access and assistance to potential applicants. DCS and agencies could also consider setting up exam stations at job fairs where representatives can assist individuals in setting up accounts and completing their exams.

In the circumstances where proctored, in-person examination is necessary, consider the usage of testing centers with flexible hours. Applicants could then schedule appointments to take examinations at the time and place that offers them the greatest flexibility.

The 2024 budget included funding for the establishment of state-administered test sites that will expand access across New York.

8. Shorten Timelines Associated With Testing

There are two major timeline related challenges associated with testing. The first is frequency at which tests are offered. Movement toward more continuous recruitment would generate lists of eligible employees and result in less reliance on provisional employment. Potential applicants would have a shorter wait to begin the application process.

The lag in test grading also needs to be addressed to shorten the time required by DCS to process results. DCS may need additional staff and tools to facilitate the grading of assessments and the creation of lists of eligible candidates for hiring.

Additional Research is Necessary

9. Continue to Evaluate the Outcomes of New Assessments

T&E examination appears to be a promising advancement in addressing many of these barriers. Analysis of the preliminary results suggest there may be much lower differences in scores across racial and ethnic groups that create barriers for candidates of color. In addition, online exams reduce many logistical barriers to participation. As DCS continues to transition away from cognitive ability tests to T&E evaluations, a number of metrics should be observed. Similar questions should also be used to assess the impact of the HELP program.

- Are the lowered score disparities across racial/ethnic groups sustained over time as the assessment is introduced for additional titles?

- Have these new developments resulted in an increase in the number of people applying for the exams or a shift of the demographic profile?

- Does the transition to online create new barriers for other individuals that need to be addressed?

- Now that barriers at the examination level have been reduced, is there a change in the profile of individuals being hired?

- How successful are these new assessments in predicting performance on the job?

- How have these new programs changed or shifted the costs and burdens of hiring?

10. Other Aspects of Civil Service Careers Must Be Examined

The exam is just the first step in pursuing employment. This study was focused on understanding the role exams play in creating barriers to competitive civil service employment for underrepresented groups. Additional research must be done to assess what barriers exist once employed. Analysis of promotional exams also reflects subgroup differences with minority candidates less likely to score highly. Promotional exams and their impacts on the goals of diversity and inclusion should be studied. If not all members of the workforce feel that career advancement is available to them, it will negatively impact retention.

The state's noncompetitive workforce should also be evaluated. These individuals represent the leadership and policymakers in the state. A lack of diversity in this group could have consequences on the creation and management of important state policy and programs.

Appendix A. Empirical Methodology and Detailed Regression Results

The primary empirical strategy we use to analyze racial and ethnic disparities in exam performance is simple and multiple linear regression. In our regression model, the main explanatory variables of interest are the candidate's race/ethnicity and gender and the main control variables are indicators for highest degree. Additional control variables, depending on the specific analysis, include date of the exam if the exam has been given on multiple dates over the study period and the exam number if we analyze a group of multiple exams. The main outcome of interest is the probability of passing the exam with a final score of 90 or higher. The sample for the regressions is candidates—those who pass the exam—because not all exams have data on those who fail, so we endeavor to keep individual exam analysis directly comparable.

Despite the high quality of the data and extensive information on applicants and tests themselves, it is missing one key control variable: candidate work experience. In datasets that do not directly include experience, age is often used as a proxy variable. However age is missing for 47 percent of candidates, which makes it too unreliable to include as a control. Experience is also likely to contribute differently to written and T&E exams. While the right experience would likely improve a candidate's score on the written exam, certain types of experience contribute points directly to the T&E exam score. The same is also true for education, which likely improves performance on a written exam but a relevant degree may directly add points in a T&E exam. For this reason, we always include regression analysis with and without the education control variables.

Without controlling for any other contributing factors including education or specific exam, candidates who did not identify as white are less likely to pass with a 90 or higher compared to white candidates and the difference is statistically significant. Black candidates fare the worst and are 17 percentage points less likely to have a high pass whereas American Indian and Alaska Native candidates are only 9 percentage points less likely to receive a 90+. These raw disparities depend on the type of exam given. For open-competitive T&E exams, all other groups still perform worse than white candidates but the differences in performance are much smaller. Asian and Pacific Islander (AAPI) candidates are 10 percentage points less likely to receive a high pass, Black candidates 7 percentage points less likely, and Hispanic candidates only 4 percentage points less likely. When restricting only to written exams, there is not a statistically significant difference between relative performance on open-competitive exams compared to promotional exams.

TABLE A1. **High Pass (90+) Score Disparities by Demographic Group and Type of Exams**

	All State Exams	Training and Experience	Open T&E	Open Written	Promotion Written
Black	-0.174***	-0.066***	-0.067***	-0.232***	-0.21***
	(0.002)	(0.004)	(0.004)	(0.003)	(0.005)
Hispanic	-0.142***	-0.039***	-0.039***	-0.196***	-0.192***
	(0.003)	(0.005)	(0.005)	(0.004)	(0.008)
Unknown	-0.154***	-0.062***	-0.061***	-0.119***	0
	(0.003)	(0.003)	(0.003)	(0.005)	(0.019)
AAPI	-0.148***	-0.098***	-0.098***	-0.171***	-0.15***
	(0.003)	(0.005)	(0.005)	(0.004)	(0.007)
American Indian	-0.089***	-0.048**	-0.049**	-0.122***	-0.087***
	(0.012)	(0.022)	(0.022)	(0.016)	(0.029)
N	390,909	128,714	128,521	177,907	84,288

NOTES: The omitted category for race/ethnicity is white. The omitted category for gender is male. The regression includes controls for educational attainment and exam number.

Asterisks indicate statistical significance (p-value less than 0.1 (*), less than 0.05 (**), less than 0.01(***)).

SOURCE: Rockefeller Institute of Government.

It is possible that these raw differences in exam scores between racial and ethnic groups could be driven entirely in differences in the education of these groups or differences in the exams that they take. Sixty-four percent of white candidates have a bachelor's degree or higher, which is roughly equal to the 63 percent of Black candidates and 61 percent of Hispanic candidates who hold them. However, 85 percent of AAPI candidates have a bachelor's degree or higher. The racial and ethnic composition of candidates also varies by exam. Of the exams that have at least 1,000 candidates, the percentage of Black candidates ranges from a high of 45 percent for mental health therapy aide to a low of 2 percent for director of facilities. In contrast, the highest percentage of white candidates is for director of facilities (92 percent) and lowest is for motor vehicles representative (16 percent).

TABLE A2. **High Pass (90+) Score Disparities by Demographic Group and Type of Exams ([Figure 8](#))**

	All State Exams	Open-Competitive Exams	Promotional Exams
Black	-0.181***	-0.181***	-0.19***
	(0.002)	(0.002)	(0.005)
Hispanic	-0.125***	-0.125***	-0.161***
	(0.003)	(0.003)	(0.008)
Unknown	-0.12***	-0.12***	-0.005
	(0.003)	(0.003)	(0.018)
AAPI	-0.167***	-0.167***	-0.226***
	(0.00)	(0.00)	(0.01)
American Indian	-0.091***	-0.091***	-0.099***
	(0.011)	(0.011)	(0.028)
Female	-0.01***	-0.01***	-0.031***
	(0.002)	(0.002)	(0.004)
N	306,428	221,947	84,481

NOTES: The omitted category for race/ethnicity is white. The omitted category for gender is male. The regression includes controls for educational attainment and exam number.

Asterisks indicate statistical significance (p-value less than 0.1 (*), less than 0.05 (**), less than 0.01(***)).

SOURCE: Rockefeller Institute of Government.

TABLE A3. **High Pass (90+) Score Disparities by Demographic Group for Professional Career Opportunities Exam ([Figure 9](#))**

	Raw Differences	Controls	Raw Written	Controls Written	Raw T&E	Controls T&E
Black	-0.255***	-0.249***	-0.289***	-0.283***	-0.036***	-0.039***
	(0.004)	(0.004)	(0.004)	(0.004)	(0.011)	(0.011)
Hispanic	-0.188***	-0.173***	-0.212***	-0.199***	-0.006	-0.002
	(0.005)	(0.005)	(0.005)	(0.006)	(0.015)	(0.015)
Unknown	-0.141***	-0.143***	-0.124***	-0.115***	-0.100***	-0.102***
	(0.005)	(0.005)	(0.007)	(0.007)	(0.009)	(0.009)
AAPI	-0.216***	-0.225***	-0.247***	-0.258***	-0.031	-0.041***
	(0.005)	(0.005)	(0.005)	(0.006)	(0.014)	(0.014)
American Indian	-0.143***	-0.139***	-0.172***	-0.169***	0.045	0.044
	(0.021)	(0.021)	(0.023)	(0.022)	(0.060)	(0.060)
Female	0.011***	0.009***	0.007**	0.005	0.032***	0.028***
	(0.003)	(0.003)	(0.003)	(0.003)	(0.008)	(0.008)
N	108,836	108,836	88,002	88,002	20,834	20,834

NOTES: The omitted category for race/ethnicity is white. The omitted category for gender is male. The regression includes controls for educational attainment and exam number.

Asterisks indicate statistical significance (p-value less than 0.1 (*), less than 0.05 (**), less than 0.01(***)).

SOURCE: Rockefeller Institute of Government.

TABLE A4. **High Pass (90+) Score Disparities by Demographic Group for Motor Vehicles Representative Exam (Figure 10)**

	Raw Differences	Controls	Raw Written	Controls Written	Raw T&E	Controls T&E
Black	-0.218***	-0.172***	-0.333***	-0.294***	-0.072***	-0.074***
	(0.011)	(0.012)	(0.017)	(0.019)	(0.015)	(0.015)
Hispanic	-0.182***	-0.135***	-0.272***	-0.224***	-0.070***	-0.078***
	(0.013)	(0.014)	(0.019)	(0.022)	(0.017)	(0.018)
Unknown	-0.069***	-0.150***	-0.302***	-0.259***	-0.086***	-0.082***
	(0.013)	(0.013)	(0.029)	(0.029)	(0.015)	(0.015)
AAPI	-0.088***	-0.105***	-0.141***	-0.183***	-0.050**	-0.057***
	(0.016)	(0.016)	(0.025)	(0.027)	(0.020)	(0.020)
American Indian	-0.098*	-0.068	-0.179**	-0.166**	0.024	0.020
	(0.058)	(0.056)	(0.082)	(0.081)	(0.079)	(0.079)
Female	0.021**	0.033***	0.001	0.003	0.058***	0.059***
	(0.010)	(0.009)	(0.015)	(0.015)	(0.012)	(0.012)
N	16,383	16,383	5,881	5,881	10,502	10,502

NOTES: The omitted category for race/ethnicity is white. The omitted category for gender is male.
The regression includes controls for educational attainment and exam number.

Asterisks indicate statistical significance (p-value less than 0.1 (*), less than 0.05 (**), less than 0.01(***)).

SOURCE: Rockefeller Institute of Government.

TABLE A5. **High Pass (90+) Score Disparities by Demographic Group for Corrections Officer Exam (Figure 11)**

	Raw Differences	Controls	Raw Written	Controls Written	Raw TE	Controls TE
Black	-0.107***	-0.102***	-0.182***	-0.175***	-0.037***	-0.026***
	(0.006)	(0.006)	(0.009)	(0.009)	(0.009)	(0.009)
Hispanic	-0.072***	-0.069***	-0.147***	-0.137***	0.001	0.003
	(0.007)	(0.008)	(0.010)	(0.011)	(0.010)	(0.010)
Unknown	-0.158***	-0.135***	-0.151***	-0.131***	-0.148***	-0.098***
	(0.006)	(0.007)	(0.014)	(0.014)	(0.008)	(0.008)
AAPI	0.038**	-0.041***	-0.129***	-0.163***	0.110***	0.012
	(0.015)	(0.014)	(0.028)	(0.028)	(0.018)	(0.017)
American Indian	-0.066**	-0.048	-0.080*	-0.068	-0.046	-0.029
	(0.031)	(0.031)	(0.043)	(0.043)	(0.046)	(0.044)
Female	-0.044***	-0.064***	-0.016*	-0.029***	-0.072***	-0.090***
	(0.006)	(0.006)	(0.008)	(0.008)	(0.008)	(0.008)
N	31,806	31,806	14,029	14,029	17,777	17,777

NOTES: The omitted category for race/ethnicity is white. The omitted category for gender is male.
The regression includes controls for educational attainment and exam number.

Asterisks indicate statistical significance (p-value less than 0.1 (*), less than 0.05 (**), less than 0.01(***)).

SOURCE: Rockefeller Institute of Government.

TABLE A6. **High Pass (90+) Score Disparities by Demographic Group for Selected Local Exams (Figure 12)**

	All Local Exams	Police Officer	Firefighter	Corrections Officer	Social Welfare Examiner
Black	-0.156***	-0.101***	-0.348***	-0.188***	-0.17***
	(0.004)	(0.007)	(0.018)	(0.013)	(0.027)
Hispanic	-0.1***	-0.067***	-0.204***	-0.104***	-0.113***
	(0.004)	(0.005)	(0.019)	(0.014)	(0.034)
Unknown	-0.026*	-0.054**	0.003	0.021	-0.055
	(0.014)	(0.021)	(0.055)	(0.052)	(0.141)
AAPI	-0.095***	-0.08***	-0.017	-0.12***	-0.091
	(0.007)	(0.013)	(0.044)	(0.038)	(0.067)
American Indian	-0.092***	-0.055**	-0.199**	-0.135**	-0.115
	(0.014)	(0.028)	(0.084)	(0.055)	(0.159)
Female	-0.015***	0.009**	0.063***	-0.008	0.005
	(0.003)	(0.005)	(0.019)	(0.010)	(0.024)
N	213,263	44,707	10,026	12,529	2,736
Education	X	X	X	X	X
Exam Number	X				

NOTES: The omitted category for race/ethnicity is white. The omitted category for gender is male. The regression includes controls for educational attainment and exam number.

Asterisks indicate statistical significance (p-value less than 0.1 (*), less than 0.05 (**), less than 0.01(***)).

SOURCE: Rockefeller Institute of Government.

Appendix B. Exam Titles Included in the Analysis

The following exam titles were included in the analysis of state exams.

TABLE B1. **State Exam Titles Included In the Analysis**

PCO Exam Titles EXAMTITLE	MVR Exam Titles EXAMTITLE	CO Exam Titles EXAMTITLE
PCO	Motor Veh Dwnst (CrL)	Correction Offcr Trainee
PCO - CHINESE	Motor Veh Rep Dwnst (CL)	Correction Officer Tr (SL
PCO - CHINESE DIVERSITY	Motor Veh Rep Dwnst (IL)	Correction Officer Tr SL
PCO - CREOLE	Motor Veh Rep Dwnst (KL)	Correction Officer Traine
PCO - CREOLE DIVERSITY	Motor Veh Rep Dwnst (MC)	Correction Officr Tr (SL)
PCO - DIVERSITY	Motor Veh Rep Dwnst (RL)	Correction Offr Tr (SL)
PCO - FARSI	Motor Veh Rep Upste (CL)	Crrctn Offcr Trainee (SL)
PCO - FARSI DIVERSITY	Motor Veh Rep Upste (CrL)	
PCO - FRENCH	Motor Veh Rep Upste (IL)	
PCO - FRENCH DIVERSITY	Motor Veh Rep Upste (KL)	
PCO - ITALIAN	Motor Veh Rep Upste (MC)	
PCO - ITALIAN DIVERSITY	Motor Veh Rep Upste (RL)	
PCO - KOREAN	Motor Veh Rep-Dwst (SL)	
PCO - KOREAN DIVERSITY	Motor Veh Rep-Ups (SL)	
PCO - MANUAL CO DIVERSITY	Motor Vehicle Rep	
PCO - MANUAL COMMUNICATIO	Motor Vehicle Rep (CL)	
PCO - POLISH	Motor Vehicle Rep (CrL)	
PCO - POLISH DIVERSITY	Motor Vehicle Rep (IL)	
PCO - Prof Car Opp	Motor Vehicle Rep (KL)	
PCO - RUSSIAN	Motor Vehicle Rep (MC)	
PCO - RUSSIAN DIVERSITY	Motor Vehicle Rep (RL)	
PCO - SELECT TITLES	Motor Vehicle Rep (SL)	
PCO - SPANISH	Motor Vehicle Rep-Dnst	
PCO - SPANISH DIVERSITY	Motor Vehicle Rep-Upstate	
Professional Career Oppor		

The following exam titles were included in the analysis of local exams.

TABLE B2. Local Exam Titles Included In the Analysis

PO Exams		Firefighter Exams		CO Exams		SWO Exams	
bilingual police officer	38	bilingual firefighter (sp	4	correction office	18	social welfare examiner	2,244
county police officer	309	fire driver - firefighter	29	correction officer	9,530	social welfare examiner (	25
county police officer (de	169	fire fighter	1,524	correction officer (spani	15	social welfare examiner i	176
county police officer (sp	7	firefighter	7,374	correction officer / depu	1,135	social welfare examiner s	7
county police officer / p	134	firefighter (emt)	338	correction officer/deputy	866	social welfare examiner t	275
deputy sheriff	3,205	firefighter (spanish spea	7	correctional officer	222	social welfare examiner-s	9
deputy sheriff (police-sp	3	firefighter (village of g	30	corrections officer	743		
deputy sheriff (road patr	271	firefighter - paramedic	24				
deputy sheriff - police o	97	firefighter / emt	98				
deputy sheriff and/or pol	305	firefighter / fire driver	58				
deputy sheriff patrol/pol	667	firefighter emt-b/firefig	56				
deputy sheriff road patro	2,499	firefighter-emt	182				
deputy sheriff-criminal	1,104	firefighter-paramedic	80				
deputy sheriff/ police of	92	firefighter/paramedic	222				
deputy sheriff/correction	76						
deputy sheriff/police off	3,798						
patrol officer/police off	180						
police off/dep sh (ss)	19						
police officer	24,159						
police officer (city of c	138						
police officer (spanish s	474						
police officer (ss)	72						
police officer (towns and	285						
police officer and deputy	185						
police officer bilingual	1						
police officer(spanish sp	14						
police officer, county po	72						
police officer-deputy she	61						
police officer/deputy she	4,588						
police officer/patrol off	1,685						

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42   Open-competitive exams are open to all qualified individuals who meet the minimum qualifications for the job. Promotional exams are only open to qualified individuals already employed by New York State. There are a small number of transfer and special case exams.

43   See Appendix B for the full list of state exams.

44   There is no information available for nonbinary or gender nonconforming candidates. They may be included in the candidates who chose not to disclose their gender. DCS's new demographic data collection form launched in early 2023 allows candidates to identify as "X (Inclusive of, but not limited to gender categories such as Non-Binary, Intersex, Genderfluid, and Genderqueer.)" for the first time.

45   Thirty-two percent of MVR candidates do not have a gender listed so this may be inaccurate to the real balance.

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