
NYS Dept. of Civil Service

Glossary of Civil Service Terms

Div. of Staffing Services
10/96

ACCEPTOR

an individual whose name appears on an eligible list and who is willing to accept an appointment.

A.C.T. (AFFIRMATIVE ACTION CURRICULUM AND TRAINING)

a training curriculum for State agencies to use in providing required affirmative action training to all agency staff. The ACT program was developed by the Department of Civil Service with assistance from the Governor's Office of Employee Relations, the Affirmative Action Advisory Council, the Personnel Council, the Training Council and the Employee Relations Advisory Committee.

ACTIVITY

a segment of work (usually consisting of several tasks) performed by a person.

ADVERSE IMPACT

the disproportionate affect of the results of a selection procedure on any race, gender or ethnic group. The Federal Uniform Guidelines on Employee Selection Procedures adopt the "4/5ths" or "80 percent" Rule for determining adverse impact. A selection rate for any race, gender, or ethnic group less than 4/5ths or 80% of the rate for the group with the highest rate is generally regarded as evidence of adverse impact.

AFFIRMATIVE ACTION

any action that is intended to correct effects of past discrimination against protected classes, to eliminate present discrimination, or to provide equal employment opportunities.

AFFIRMATIVE ACTION PLAN

a written document establishing numerical goals, timetables and initiatives for the hiring or promotion of members of a designated group. An affirmative action plan is designed to correct conspicuous under representation in traditionally segregated jobs.

AGE DISCRIMINATION IN EMPLOYMENT ACT OF 1967, as amended (ADEA)

a federal statute protecting people 40 years of age or older from discrimination—on account of age—in hiring, discharge, compensation, or other terms, conditions or privileges of employment, unless such discrimination is based upon a bona fide occupational qualification.

ALLOCATE

to assign a salary grade in the salary schedule to a class of positions based on an evaluation of the relative worth of the work performed. To reallocate is to change the existing allocation of a class to a different salary grade in the schedule.

ALTERNATIVE WORK SCHEDULE

work schedules which are other than the standard 5 day, 7 ½ or 8 hour day, 37 ½ or 40 hour week; such schedules are authorized by the Governor's Executive Order #68 and include such options as flextime, staggered hours, compressed workweek, and shared or part-time jobs.

AMERICAN INDIAN (Native American)/ALASKAN NATIVE

a person having origins in any of the original peoples of North America and who maintains tribal affiliation or community recognition (see Protected Class).

AMERICANS WITH DISABILITIES ACT of 1990 (ADA)

a federal statute prohibiting discrimination—in employment, public services and transportation, public accommodations, and telecommunication services—against individuals with disabilities.

ANNUAL SALARY

the salary for a particular person expressed as a set amount per year; an employee receives a portion of his or her annual salary each payroll period.

ANSWER KEY

a list of correct answers to which a candidate's test answers are compared.

ANTICIPATED ELIGIBILITY

the practice of permitting candidates to participate in an examination based on qualifying experience and/or education less than that required for appointment; candidates so admitted are restricted from appointment until completion of the required experience and/or education. The terms and conditions of anticipated eligibility are specified on an examination announcement. [Also]

under the Attendance Rules and specific negotiated agreements, certain hourly or per diem employees who are expected to work a qualifying schedule for nine continuous months may be granted eligibility for certain leave benefits in anticipation of their continued employment and prior to completion of the 19 pay periods normally required.

APPEAL

an action against the Department of Civil Service or a challenge to a Department determination brought before the Civil Service Commission. Civil Service Commission decisions may be appealed in court under Article 78 of the Civil Practice Law and Rules.

APPLICANT FLOW

the number of applicants applying for a particular job over a given period of time, analyzed according to protected class characteristics.

APPLICANT POOL

all individuals who have applied for a particular position or group of positions (or who have applications on file).

APPLICANT ROSTER

a document prepared at the end of the examination process which lists all people who have submitted applications for the examination.

APPOINTING AUTHORITY

an officer, commission or body having the power to select and appoint applicants for employment.

APPOINTMENT

the act of naming a person to fill a position or office.

ASIAN OR PACIFIC ISLANDER

a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent or the Pacific Islands (see Protected Class).

ATTENDANCE RULES

the rules established by the Civil Service Commission pertaining to sick leave, vacation, time allowances and other conditions in employment, codified as the "Attendance Rules for Employees in New York State Departments and Institutions." Agreements negotiated pursuant to the Taylor Law may also contain leave provisions.

AUTOMATED POSITION/PERSONNEL SYSTEM (APPS)

a computerized data base of position, payroll and employee information for the New York State Executive branch.

AVAILABILITY POOL

the people in the labor force who meet the minimum qualifications for a particular position and are assumed to be available for employment in that position.

BARGAINING UNIT (also collective bargaining unit, negotiating unit)

employees grouped by the similarities or community of interest of the classes of positions in which they serve (e.g. security services; professional, scientific and technical, institutional

services, etc.). Employees in a collective bargaining unit may be represented by an employee organization (union) recognized by the employer and the Public Employment Relations Board which shall negotiate with the public employer on the terms and conditions of employment.

BASE SALARY

an employee's annual salary before adjustments by the addition of inconvenience pay, geographic differential, etc.

BASIC WORKWEEK

under the Civil Service Law, the basic workweek is 40 hours. However, where a shorter workweek would not interfere with the proper performance of government functions, an appointing authority, subject to rules and regulations set forth by the Director of the Budget, may establish a basic workweek of not less than 37 ½ hours.

BLACK

a person, not of Hispanic origin, who has origins in any of the black racial groups of the original peoples of Africa; an African American. (see Protected Class).

BONA FIDE OCCUPATIONAL QUALIFICATION (BFOQ)

a minimum qualification which would otherwise be unlawful because of its discriminatory impact based on one's gender, religion, or national origin, physical abilities, etc. For example, an acting company might require that a woman portray a female character; an institution employing a chaplain for a particular religious group might require that candidates belong to that particular religion. The legal application of BFOQs is interpreted very narrowly by both the EEOC and the federal courts. Age may be a BFOQ under the Age Discrimination Employment Act of 1967. Race is never a BFOQ.

BUDGET DIRECTOR'S APPROVAL (BDA)

a form confirming approval by the Director of the Division of the Budget to fill exempt and certain non-competitive and competitive positions.

BUMP (also vertical bump, vertical displacement)

in a layoff or Reduction In Force, the displacement of an employee by another employee who has been laid off and who has greater retention standing and is serving in the next higher level direct line title. [See Retreat.]

BUSINESS NECESSITY

a business purpose justifying an employment practice as valid and necessary to the organization's objectives and the safe and efficient operation of the business. A discriminatory employment practice is lawful if proved to have a legitimate business purpose.

CANVASS

an inquiry to learn whether people whose names appear on an eligible list would be interested in appointment to a particular position, title, and/or location if offered employment.

CAREER LADDER

a hierarchy of jobs having related and increasingly responsible or complex duties through which employees may advance by examination, experience and/or in-service training.

CERTIFICATION

the names of people certified by the Civil Service Department as eligible for appointment to a specific position; a certification is normally valid for 60 days. Certifications differ from eligible lists. While an eligible list records the names of all candidates who qualify for appointment to the title class, a certification includes the names of people interested or eligible for a appointment to specific positions in the title class.

CERTIFICATION OF PAYROLL

the Civil Service Department's certification that all employees in the classified service are employed in accordance with law and rules; employees may not be paid without such certification.

CIVIL SERVICE COMMISSION

the three member administrative panel, appointed by the Governor, that is responsible for establishing and promulgating rules, hearing appeals, and conducting investigations concerning employment in the classified service of the state and its civil divisions. The President of the Commission also serves as the head of the Department of Civil Service.

CLASS ACTION

a lawsuit or grievance initiated by one or more persons on behalf of all persons similarly aggrieved.

CLASS (also CLASS OF POSITIONS)

a group of positions sufficiently similar in duties and responsibilities so that the same title may be used to identify each position in the group; the same salary may be equitably applied to each position; the same qualifications required for each position; and the same examination used to select qualified employees for appointment.

CLASSIFICATION

the process of defining and describing the duties, responsibilities, minimum qualifications and compensation for a position.

CLASSIFICATION STANDARD/CLASS SPECIFICATION

a written description of a position or class which includes information on the duties and responsibilities of incumbents, minimum qualifications for appointment and other distinguishing features.

CLASSIFIED SERVICE

all offices and positions in the civil service not included in the unclassified service; the classified service is divided into four jurisdictional classes: competitive, non-competitive, labor and exempt.

CLASSIFY

to group positions according to similarity of their duties and responsibilities and assign a class title; to determine the appropriate classification of a new position.

COLLATERAL LINE

titles which are not in a direct line to a promotion title but which are sufficiently similar in duties and salary grades so that incumbents may be allowed to compete in a promotion examination.

COMPARABLE WORTH

the assertion that employees in an organization who hold dissimilar jobs that have demonstrably comparable value to an the organization should be compensated comparably. Also, the legal strategy of 1) proving that differences in compensation result from a systemic discrimination against one or more definable groups, and not differences in the value of the jobs themselves, and 2) winning equivalence in pay for employees serving in the under-valued job.

COMPETITIVE CLASS

the jurisdictional class comprised of positions for which it is practicable to determine the merit and fitness of applicants through examinations which rank the applicants. All jobs in the classified service are competitive unless designated or approved otherwise by the State Civil Service Commission with approval from the Governor. (see Jurisdictional Classification).

COMPRESSED WORKWEEK

full-time work schedules with fewer than five workdays in a workweek.

COMPUTATIONAL REVIEW

part of the examination review process which provides candidates with their answer papers, the approved answer key, the raw score and seniority formula(e) for conversion to the final score (as appropriate) so that the candidates may compute the accuracy of their final ratings.

CONTENT VALIDATION

demonstration that a selection procedure is job-related in that it tests a representative sampling of the critical or important job functions or the underlying knowledge, skills and abilities necessary to perform those job functions.

CONTINGENT PERMANENT APPOINTMENT

a permanent appointment or promotion to a position left temporarily vacant by the leave of absence of the permanent incumbent of the position; such appointees have the same rights as permanent appointees; a contingent permanent employee may be displaced by the return of the permanent incumbent. (The term contingent permanent is not used in the Civil Service Law or Rules; rather, Rule 4.11 refers to "permanent appointments to encumbered positions.")

CONTINUOUS RECRUITMENT

a type of examination for which applications are accepted continuously, and the test itself is administered periodically; successful candidates are added to the eligible list for a specified period of time and in rank order without regard to the date of the addition of their names.

CONTRACT

(also collective bargaining agreement) a written agreement between a public employer (for instance, New York State) and an employee organization, setting terms and conditions of employment on behalf of a specified group of employees for a period defined within the agreement. (see Bargaining Unit)

CONVERSION FORMULA

a formula used to convert raw scores to a scale from 0 to 100. The passing score cannot be set higher than a raw score of 70%.

COVER IN

an action taken by the Civil Service Commission conferring permanent status on employees without examination, generally in connection with the jurisdictional reclassification of a position to the competitive class.

CREDITABLE EXPERIENCE

experience possessed by an applicant which is appropriate for meeting minimum qualifications and/or for credit on certain examinations (see Training and Experience Evaluation).

CUT OFF POINT

see "Pass Point."

DECENTRALIZED EXAMINATION

a competitive examination for which all or part of the development, administration and scoring has been decentralized to the appointing authority that will make use of the resulting eligible list. The Department of Civil Service maintains authority and oversight over decentralized examinations held for positions in the State civil service.

DEMOTION

the voluntary or involuntary placement of an employee in a position allocated to a lower salary grade.

DEPARTMENT OF CIVIL SERVICE

New York State's primary personnel management agency, responsible for the development and maintenance of statewide agency personnel systems; the classification and allocation of

State positions; and the recruitment and administration of selection procedures for State employment. The head of the Department is the President of the Civil Service Commission.

DEPARTMENTAL EXAMINATION

a promotion examination open only to employees of the department or agency in which the positions to be filled exist.

DEROGATORY INFORMATION

responses to questions on an examination application (or information from other sources) that may require further investigation of an applicant's background. Such information might be a record of criminal conviction, dishonorable military discharge or dismissal from employment for reasons other than lack of work or funds.

DESK AUDIT (also WORK AUDIT, JOB AUDIT)

an interview of an incumbent conducted at the incumbent's desk or other regular work place to obtain information about duties and responsibilities.

DISABILITY

with respect to an individual--(1) a physical or mental impairment that substantially limits one or more of the major life activities of such individual; (2) a record of such an impairment; or (3) being regarded as having such an impairment. (As defined by the Americans with Disabilities Act.)

DISABLED PERSON

any person who (1) has a physical or mental impairment that substantially limits one or more major life activities; (2) has a record of such impairment; or (3) is regarded as having such an impairment (see Protected Class; Qualified Individual with a Disability).

DISABLED VETERAN

a veteran who is certified by the United States Veterans' Administration or a military department as entitled to receive disability payments for a disability incurred in the time of war and in existence at the time of application for appointment, promotion or retention.

DISCIPLINARY PROCEEDINGS

due process procedures for the removal of or other disciplinary action against an employee charged with incompetence or misconduct as set forth in Civil Service Law, other State law or in a negotiated agreement.

DISCRIMINATION (Employment)

intentional or unintentional unlawful treatment of people (on the basis of race, color, religion, national origin, gender, sexual orientation, disability, marital status, age, arrest record, or criminal conviction) which adversely affects their employment or promotion opportunities or the terms, conditions, or privileges of their employment.

DISPARATE EFFECT OR DISPARATE IMPACT

the result of an employment policy, practice, or procedure that, in partial application, has less favorable consequences for a protected class than for the dominant group.

DUTY

see ACTIVITY

EARMARK

a term used when a position has been designated for restudy when vacant; positions may be earmarked by the Division of Classification and Compensation, the Division of the Budget, or the Civil Service Commission. Earmarked positions may not be refilled until the earmark is removed.

EEO-4 REPORT

the report that state and local government employers must file every other year with the federal Equal Employment Opportunity Commission identifying the gender and minority status of their work forces by job category and salary intervals. In New York State, individual agencies do not file this form. It is compiled by the Department of Civil Service based on information supplied by agencies.

ELIGIBLE

a candidate who has passed an examination, whose name is on an eligible list, and who may be appointed if reachable.

ELIGIBLE LIST

a list from which candidates for a competitive class position, ranked in order of their respective final examination ratings, may be appointed. (See REACHABLE, RULE OF THREE)

EMPLOYEE ORGANIZATION

generally, a union representing public employees which has as its primary purpose collective bargaining for the terms and conditions of their employment. (See COLLECTIVE BARGAINING UNIT)

EQUAL PAY

to provide equal pay for men and women performing the same or substantially similar jobs in the same establishment. (As required by the Equal Pay Act of 1963 for employers subject to the Fair Labor Standards Act.)

ETHNIC GROUP

a group identified on the basis of national origin or race (e.g., White, Black, Hispanic, American Indian).

ESSENTIAL JOB FUNCTIONS

the fundamental job duties of the employment position that the individual with a disability holds or desires. (As defined by the Americans With Disabilities Act of 1990.) Essential job functions do not include marginal functions of the position.

EQUAL EMPLOYMENT OPPORTUNITY

the basing of all employment decisions solely on the merit and fitness of applicants without regard to race, color, religion, gender, etc., and the assurance of equal treatment of all.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC)

the federal government agency empowered to administer the provisions of Title VII of the Civil Rights Act of 1964, as amended, the ADEA, as amended, and Title I of the ADA.

EXAMINATION

a formal selection process which includes minimum qualifications, tests, employment interviews and probationary periods; used to evaluate the qualifications and suitability of candidates for public employment. An examination for a competitive class position ranks candidates against each other. An examination for a non-competitive class position constitutes the assessment of a candidate's background and credentials against the established minimum qualifications.

EXAMINATION ANNOUNCEMENT

a document issued to inform potential applicants of an upcoming competitive examination; the announcement contains but is not limited to the following information: the number and title of the examination, the date of the examination, filing information, minimum qualifications, type and scope of test(s), and salary or salary grade; it may also contain vacancy information and a duties description.

EXAMINERS

subject matter expert whose evaluations and opinions are used in rating candidates competing in an examination.

EXECUTIVE ORDER NO. 6

an order signed by the Governor on February 18, 1983 requiring, among other things, the preparation of annual affirmative action plans and statewide goals and timetables for the employment of minorities, women, disabled persons and Vietnam-Era veterans. Executive Order No 6 is administered by the President of the Civil Service Commission.

EXEMPT CLASS

one of the four jurisdictional classes in the classified service; positions placed in the exempt class include titles such as Deputy Commissioner and Special Assistant. The Civil Service Commission must designate positions exempt, with the Governor's approval. Exempt class positions generally have duties that influence policy, have sensitive program responsibilities, or require such a confidential relationship with the appointing officer that the officer must have maximum discretion to hire and fire the incumbents.

FACE VALIDITY

the extent to which a selection device appears to be logically related to the job.

FEDERAL OCCUPATIONAL CATEGORY (FOC)

categories specified by the federal government used to describe and group job titles for work force analysis and reporting. The eight FOCs are Official and Administrators, Professionals, Technicians, Protective Service Workers, Paraprofessionals, Administrative Support, Skilled Craft Workers, and Service Maintenance.

FIELD OF COMPETITION

all applicants who meet the minimum qualifications for an examination.

55-b and 55-c

Sections of the Civil Service Law that permit the permanent appointment, without regard to eligible list standing, of a person determined by the Department of Civil Service to be a qualified disabled person. Vacant competitive class positions which would otherwise be filled by appointment from an open competitive eligible list can be jurisdictionally reclassified to the non-competitive class to permit appointment under S55-b or 55-c. There is a statutory limit to the number of positions that may be filled under these provisions.

FILING PERIOD

the last date applications for an examination will be accepted.

FLEXTIME

a type of alternative work schedule that allows employees to vary the starting and ending times of the workday within prescribed limits.

FULL TIME EQUIVALENT (FTE)

a term used to equate the service of an employee or the total number of employees to a full time position; (e.g., an employee who works 50% of the time would be counted as ½ FTE position; two part-time employees who each work 50% time would be counted as 1 FTE position).

GEOGRAPHIC DIFFERENTIAL

a specified salary increase granted to employees assigned to work in particular locations or areas of the State. Geographic pay differentials are authorized by the Division of Classification and Compensation and approved by The Division of the Budget; pay differentials are subject to collective bargaining.

GOALS

good faith, quantitative employment objectives which employers voluntarily set for a certain time period to correct underutilization of protected classes in their work force, through outreach, recruitment, validation of selection instruments, creation of trainee positions, establishment of career ladders, etc.

GOALS AND TIMETABLES

employment objectives set by a utilization analysis which compares the composition of the current agency work force to the composition of the available labor force for each Federal Occupational Category (FOC) as reported by the US Census. Whenever underutilization of a protected class exists, a placement rate is specified as a guide to achieving the long-range goal necessary to bring the current number of employees into parity with the available labor force. A timetable for every protected class group for which a goal is set is determined by the degree of underutilization, the placement rate specified, and the agency turnover rate. The timetable is the projected time to achieve goals based on the number of appointments reasonably expected annually.

GRIEVANCE PROCEDURES

step by step procedures provided by law, collective bargaining agreements, and affirmative action plans for the resolution of employees' complaints against an employer.

HALO EFFECT

an interviewer or expert examiner's allowing one positive or negative factor about a candidate to unduly influence the candidate's overall rating or evaluation.

HANDICAPPED INDIVIDUAL

see DISABLED INDIVIDUAL

HIRING RATE

the entry level salary for a specific salary grade as established by Section 130 of the Civil Service Law; the rate at which an employee is paid upon appointment.

HISPANIC

generally, a person of Mexican, Puerto Rican, Cuban, Central, South American, or other Spanish culture, regardless of race (see protected class). Not all persons from Central and South American Countries are included in the Hispanic category..

HOLIDAY PAY

additional compensation for time worked by an employee during regularly scheduled work hours on a date observed as a holiday by the State.

HUMAN RIGHTS DISPENSATION

NYS Executive Law, Article 15 Section 296.12 provides that an employer may make extraordinary efforts to increase the employment numbers of those minority group members which have a disproportionately high unemployment rate. Implementation of this provision is subject to approval by the Division of Human Rights.

INCONVENIENCE PAY

a negotiated addition to the basic annual salary of other than part-time or seasonal employees who regularly work four or more hours between the hours of 6:00 p.m. and 6:00 a.m.— exclusive of any hours for which overtime compensation is paid. Managerial/ Confidential employees are also eligible for this pay.

INCREASED MINIMUM

increased hiring rate salary used to recruit personnel for hard to fill positions or when the training and experience of an appointee substantially exceeds the minimum qualifications.

INCUMBENT

a permanent employee currently serving in or on leave from a position; a permanent employee on leave from a position is said to encumber a position.

INTERDEPARTMENTAL EXAMINATION

a promotion examination open to qualified employees of all agencies. (See DEPARTMENTAL EXAMINATION.)

INVESTIGATION

the evaluation to determine whether candidates who have admitted derogatory information should be disqualified for employment; also, the verification of credentials submitted by candidates for employment.

JOB ANALYSIS

the systematic study of a job to provide information which will enable examinations planners to determine the knowledge, skills and abilities required for successful performance on the job; a detailed statement of work behaviors and other information relevant to the job.

JOB AUDIT

(See DESK AUDIT)

JOB CATEGORY

a grouping of job classifications for analysis or official reporting (e.g., Officials and Administrators, Clerical/Secretarial, etc.).

JOB CLASS

(See CLASS or CLASS OF POSITIONS)

JOB DESCRIPTION

a written summary of the tasks, duties and responsibilities of an individual job.

JOB RATE

established by Section 130 of the Civil Service Law as the highest salary paid for a specific salary grade; an employee advances from the hiring rate to the job rate based on time in title and performance.

JOB RELATEDNESS

the extent to which the knowledge, skills, and abilities (KSAs) measured by a selection device are demonstrably related to the KSAs required on the job.

JOB SHARING

dividing a full-time position so that two or more incumbents' combined hours equal a maximum of one full-time equivalent position.

JOB SPECIFICATION

(See CLASSIFICATION STANDARD)

JURISDICTIONAL CLASSIFICATION

designation by the Civil Service Commission of positions in the classified service in either the non-competitive, labor or exempt class; positions not so designated by the Commission are competitive class. Positions in the exempt or non-competitive classes must be specifically named in the Rules, which, in the State service, are subject to the approval of the Governor.

KNOWLEDGE, SKILLS AND ABILITIES (KSAs) -ENTRY LEVEL

the knowledge, skills and abilities an employee must possess on entry to the job.

KNOWLEDGE, SKILLS AND ABILITIES (KSAs) -FULL PERFORMANCE LEVEL

the knowledge, skills and abilities an employee must possess to perform satisfactorily in all aspects of the job.

LABOR CLASS

the jurisdictional classification comprised of unskilled or manual labor positions for which there are no minimum qualifications established; before they are hired, applicants may be required to demonstrate their ability to do the job.

LAYOFF UNIT

separate units designated by the President of the Civil Service Commission, within which occurs the suspension or demotion of employees upon the abolition of positions; these units may represent an entire agency, separate institutions or facilities, geographic areas, etc.

LEAVE OF ABSENCE

a consideration granted employees which provides them the right to return to a position in their former title within a specified period of time; leaves are granted for such things as probationary service upon promotion or transfer, military service, jury duty, and pregnancy, childbirth, and child care; depending upon specific circumstances, leave may be mandatory or optional and may be either paid or unpaid.

LOCATION PAY

pay added to basic annual salary of employees whose principal place of employment or whose official station is located in the City of New York or the counties of Nassau, Rockland, Suffolk, or Westchester. This is a negotiated benefit which also applies to M/C employees. (See also Geographic Pay Differential)

MANAGEMENT OR CONFIDENTIAL (Also Managerial/Confidential)

a designation of positions by the Public Employment Relations Board (PERB); such positions are excluded from membership in any may not be represented by employee organizations for the purposes of collective bargaining.

MANIFEST ERROR

an error or group of errors occurring during the development, administration or scoring of a test which can be demonstrated to have resulted in the unfair or inequitable treatment of a candidate or group of candidates.

MERIT AND FITNESS

phrase summarizing the requirement in the State Constitution that appointments and promotions shall be made according to merit and fitness to be ascertained, as far as practicable, by competitive examination; Civil Service is, hence, called a "merit system."

MILITARY LEAVE

a leave of absence granted for ordered military service; military leave is defined and mandated by Section 242 or 243 of the State Military Law and various provisions of Federal Military Law.

MINIMUM COMPETENCE

the demonstration of knowledge, skills and/or abilities that an individual must minimally possess in order to perform a job satisfactorily.

MINIMUM QUALIFICATIONS

education and/or experience requirements denoting the minimum standards that all candidates are required to possess before examination or appointment.

MINORITY

refers to ethnic groups which are present in the population in smaller numbers than the majority group. (See protected class.)

MODEL PROCEDURES (INTERNAL AGENCY AUDITING AND REPORTING SYSTEMS)

procedures designed for adoption or as minimum standards that incorporate affirmative action into routine agency personnel operations. Eight model procedures have been developed by

the Department of Civil Service with advice from the Affirmative Action Advisory Council, the Personnel Council, the Training Council and the Employee Relations Advisory Committee.

NEGOTIATING UNIT

(See BARGAINING UNIT)

NON-COMPETITIVE CLASS (NC)

one of the four jurisdictional classes of the classified service. The Civil Service Commission may designate a position non-competitive (with the Governor's approval) upon determining that a competitive examination is impracticable for filling the job. However, non-competitive class positions must be filled through non-competitive examination or by appointment of candidates who meet the established minimum qualifications for the position. Positions designated 55-b or 55-c are deemed to be in the non-competitive class.

NON-COMPETITIVE/OPEN COMPETITIVE EXAM (NCOC) also 4.2(b) EXAM

an examination administered when the open-competitive eligible list has been depleted, a new list has not been established, and there is a vacancy to be filled; qualified people who have not failed the last examination may be nominated by an appointing authority, and, upon passing an appropriate examination, receive permanent appointment.

NON-COMPETITIVE PROMOTION (NCP)

an examination administered when the number of employees qualified for and interested in promotion does not exceed the number of vacancies by more than two; the employee(s) may be nominated by an the appointing authority, and, if successful on an appropriate examination, receive permanent appointment.

NON-COMPETITIVE QUALIFYING (NCQ)

see TRANSFER, NON-COMPETITIVE, QUALIFYING

NON-STATUTORY (NS)

designates a salary not fixed by statute; such salaries are established by the Director of the Budget.

OPEN-COMPETITIVE EXAMINATION

an examination open to all qualified individuals both in and outside State service.

OPEN-END EXAMINATION

a type of open-competitive examination normally used to fill specialty titles, where the candidate field is small. An open-end exam is held a number of times to provide enough eligibles to fill existing vacancies; names of successful candidates are interfiled in score order on the eligible list.

ORAL TEST

a formal portion of an examination in which, typically, candidates are asked to respond orally to hypothetical problems presented by examiners; the examiners evaluate the candidates responses against an established set of objective standards.

OTHER STATUTORY (OS)

designates a salary which is established by a statute other than the Civil Service Law.

OUT-OF-TITLE WORK

duties performed by an incumbent of a position which are not appropriate to the position class.

PARENTHETIC

a descriptive designation in parentheses following a common base title assigned to distinguish a specialty within a given field, e.g., Head Clerk (Personnel; a parenthetic may also designate a language requirement or that a position is filled by an employee appointed under S 55-b CSL.

PARITY

the proportional equivalence between the gender and ethnic composition of an organization's work force and that of the available relevant work force; parity is the ultimate goal of Affirmative Action.

PART-TIME

the employment of individuals on a less than full-time basis.

PASS-FAIL TEST

(also QUALIFYING TEST) a test with only two possible results for the candidate: passing or failing; passing scores are not used to determine candidates' rank on an eligible list. (see weighted test)

PASS-POINT

(also CUT-OFF POINT) the minimum passing score on a test. Generally, the pass-point may not be set higher than a raw score of 70%.

PAYROLL PERIOD

a two-week work period, beginning on a Thursday and ending on a Wednesday, for which a State employee is paid for services. (There are two payroll cycles - the Administrative and the Institutional.

PAYROLL AND PERSONNEL TRANSACTION FORM (PR-75)

the form used by State appointing authorities to effect such actions as appointments, separations, salary transactions, etc.; these forms are forwarded to the Department of Civil Service for approval and recording of transactions and then to the Department of Audit and Control for payroll processing.

PERFORMANCE ASSESSMENT

a weighted test in a promotion examination in which the employee's performance in his/her current job is rated.

PERFORMANCE EVALUATION

a process in which supervisors assess employees' job performance on the basis of agreed upon performance objectives of the job.

PERFORMANCE TEST

a test which requires candidates to demonstrate the skill to be measured (e.g., operation of a machine, typing, taking dictation, repairing an engine or assembling objects) under standardized conditions which permit the rating of candidates on a scale.

PERMANENT APPOINTMENT

an appointment made to a position in accordance with applicable laws, rules and regulations; a permanent appointment may provide rights and privileges, such as due process for dismissal, eligibility for promotion examinations, transfers, and future reinstatement and certain protections in the event of abolition of positions.

PHYSICAL/MEDICAL STANDARDS

standards that a successful candidate on an examination must meet prior to being appointed to the position he or she is eligible to fill. These standards are part of the examination and selection process and must be job related.

PLACEMENT ROSTER

a list of employees scheduled to be affected by layoff; a placement roster must be used to fill vacancies before promotion or open-competitive eligible lists; employees are not ranked on a placement roster and all are equally reachable for appointment.

POLICY INFLUENCING (Managerial/Confidential)

a term used in the Taylor Law as descriptive of Managerial/Confidential employees; applies to employees who formulate policy, assist the employer directly in preparing for or conducting collective negotiations or play a major role (involving independent judgment) in administering labor agreements.

POSITION

an individual job. In the classified service, positions are formally classified by the Division of Classification and Compensation.

PR-50

a term derived from an obsolete payroll transaction form and now used to describe a process by which, under certain conditions, a budgeted position may be filled at a lower level in the same occupational field; currently most frequently used to establish "trainee" positions.

PREFERRED LIST

an eligible list established as a result of a reduction in force, or where otherwise provided by law, which consists of the names of displaced employees ranked by seniority; a preferred list must be used before any other means of filling a position (except certain special military lists); the top acceptor on a preferred list must be appointed or the position left vacant ("Rule of One").

PRE-RATING REVIEW

part of the examination review process which provides candidates with an opportunity to make objections to tentative answer keys and to challenge the validity of the answers before the final rating key is developed; if a key answer is successfully challenged by a candidate, the scoring key will be changed for everyone; candidates are provided the test questions and tentative key answers but not their own answers.

PRETEST

administration of a test to a selected group prior to its general use as a selection device; the purpose is to evaluate and refine the test.

PROBATIONARY PERIOD

the period of time commencing upon a permanent appointment during which an employee's performance on the job is assessed; the final step in the selection process.

PROMOTION

generally, in the competitive class, an appointment from a promotion eligible list to a higher level position; in the non-competitive class, the appointment of an employee to a higher grade position without competitive examination.

PROMOTION EXAMINATION

an examination for a higher level position open only to permanent State employees who are currently serving in or who have served in qualifying titles for periods of time specified in the minimum qualifications.

PROMOTION FIELD

the employees who meet the minimum qualifications to compete in a promotion examination.

PROMOTION UNIT

subdivisions in State service designated and/or approved by the Department of Civil Service for the purpose of determining the order of certification of promotion eligible lists; generally promotion unit lists are certified before departmental lists which are certified before the general portion of interdepartmental lists; normally, each agency is a separate promotion unit; however, an agency may have more than one promotion unit.

PRORATE

for examination competition purposes, to factor qualifying training and/or experience, which was not on a full-time basis, by an appropriate percentage of full-time; (e.g., if a person worked for two years on a half-time basis, the equivalent amount of full-time qualifying experience would be one year).

for Attendance Rules purposes, to factor the amount of certain leave benefits to be earned by an employee who was not working on a full-time basis by the appropriate percentage of full-time.

PROTECTED CLASS

groups, identified as victims of past unlawful discrimination on the basis of race, color, gender disability, religion or national origin, who are therefore targeted for affirmative action initiatives to address their under representation in the work force. In New York, protected classes include Blacks, Hispanics, American Indians, Alaskan Natives, Asian or Pacific Islanders, women disabled individuals and Vietnam era veterans.

PROVISIONAL APPOINTMENT

a non-permanent appointment to a competitive class position which may be made when there is no appropriate or viable eligible list.

PUBLIC EMPLOYMENT RELATIONS BOARD (PERB)

established by the Taylor Law, functions to enforce the Law by resolving disputes concerning the representation status of unions and resolving disputes between unions and public employers.

QUALIFIED INDIVIDUAL WITH DISABILITY

Under the ADA, a qualified individual with a disability means an individual with a disability who satisfies the requisite skill, experience, education and other job-related requirements of the employment position such individual holds or desires, and who, with or without reasonable accommodation, can perform the essential functions of such position.

QUALIFYING TEST

(see PASS-FAIL TEST)

QUOTAS

court-ordered or -approved hiring or promotion of specified numbers or ratios of protected class members to positions from which they have been excluded through unlawful discrimination. Quotas are not the same as goals and timetables.

RANK

n. a candidate's relative standing an examination or eligible list as compared to other candidates; *v.* to determine the relative standing of a candidate as compared to other candidates.

RATING

the process of comparing a candidate's answers on a test to the approved answer key or scoring standard to determine the candidate's score.

RAW SCORE

the score obtained by adding up the number of questions answered correctly or the number of points earned on a test (see also Conversion Formula).

REACHABLE

the status of a person on an eligible list who ranks high enough to be legally appointed (i.e., one of the top three scoring candidates willing to accept the appointment). (see RULE OF THREE)

REALLOCATE

to change the salary grade of a class with no change in title or status of incumbents.

REASONABLE ACCOMMODATION

any change in the work environment or in the ways things are customarily done to enable work schedule or position requirements a qualified disabled applicant or employee to enjoy equal employment opportunities. Additionally, includes accommodations to an employee's or applicants religious observance..

REASSIGNMENT

a change, without further examination, of an employee from one position to a position in the same title under the jurisdiction of the same appointing authority.

REGENCY FACTOR

sometimes applied in training and experience evaluations, a recency factor affords more or additional credit to relevant training and/or experience gained after a specified date.

RECLASSIFY

to change the title of an existing position to reflect a documented change in duties.

RECRUITMENT

the process of attracting applicants who are qualified and available to fill positions; may also refer to efforts which go beyond the general publication and distribution of examination announcements.

REDUCTION IN FORCE (RIF)

actions necessitated by budgetary restraints which result in the abolition of positions and layoff of employees.

REEMPLOYMENT ROSTERS

eligible lists, consisting of the names of laid-off employees, which are established for titles to which the employees were eligible for transfer (competitive class) or eligible for appointment (non-competitive or labor class); employees are not ranked on a reemployment roster and all are equally eligible for appointment; used after preferred lists but before open-competitive and promotional lists. (See RULE OF THE LIST)

REINSTATEMENT

based on his or her former status, the return of an employee following a leave without pay or the reappointment of an employee following layoff, termination because of a physical or mental disability, or resignation. Reinstatement after resignation is at the discretion of the appointing authority if effected within one year of separation; such a reinstatement following a separation of greater than one year requires Civil Service Commission approval.

RELATED LINE

see "Collateral Line"

RELATIVE WEIGHT

the proportion of a candidate's final score on an examination which is based on a single test comprising part of the examination; (e.g., if an examination consists of a written test and an oral test both contributing equally to the final score, the relative weight of each test is one).

RELIABLE

a term used to characterize a test on which candidates would receive approximately the same scores if they took that test more than once.

RELEVANT WORKFORCE

all individuals in the labor market of a particular area who are qualified to perform a particular job.

RESTRICTION

an action taken to prevent the certification and/or appointment of an individual who has passed an examination but is not fully eligible for appointment pending completion of an

investigation or acquisition of necessary credentials or because of a medical limitation; a code is used on eligible lists and application rosters to denote the nature of the restriction.

RETREAT

in a layoff situation, the displacement of the least senior employee in a lower level title that the displacing employee last held on a permanent basis.

RULE OF ONE

the legal provision that appointments must be made from a preferred list certification in strict seniority order. (See Certification)

RULE OF THREE

the legal provision that appointments must be made from among the three highest ranking candidates on an open-competitive or promotion eligible list who are willing to accept the position. (See Reachable; certification)

RULE OF THE LIST

the provision that appointments may be made from any of the candidates on a reemployment roster. (See Certification)

SALARY SURVEY

a study of salaries paid by other employers for work comparable to that of selected classes in State service.

SCOPE

the subjects to be covered by a test.

SCOPE CONFERENCE

a meeting at which State agency and Civil Service Department staff decide the scope of subjects to be covered in a test as well as other factors that are part of the examination and selection process (e.g., physical/medical standards, licenses, etc.).

SCORING KEY

see "Answer Key."

SEASONAL POSITION

a position where the service is not needed throughout the year, but recurs at the same time in each succeeding year. A position must be specifically designated as seasonal upon classification.

SEASONAL REEMPLOYMENT LIST

an eligible list established at the end of the employment season for the filling of seasonal positions in subsequent employment seasons; the list is maintained by the appointing authority and records the names of seasonal employees in the order of the date of their original seasonal appointments (most senior first).

SELECTION DEVICE

any type of examination, test, or process used for determining individuals' suitability for employment.

SELECTION PROCESS

any measure, combination of measures or procedures used as a basis for a hiring or promotion decision; commonly, minimum qualifications, tests(s) interviews and probationary periods make up a merit system selection process.

SELECTIVE CERTIFICATION

the identification and certification of people from an eligible list who possess qualifications necessary to satisfy a bona fide occupational qualification. For example, only women might be certified for certain jobs involving the direct care or supervision of young female clients.

SENIORITY

generally, the time of an employee's permanent classified service. Seniority is used to determine order of layoff and ranking on preferred lists. Negotiated agreements between the State and employee organizations also contain various definitions of seniority which are used to determine job assignments, vacation scheduling, etc.; such definitions should not be confused with seniority as defined above, or with the recording of vacation or personal leave anniversary dates pursuant to the Attendance Rules.

SENIORITY CREDITS

points added to test scores based on seniority granted to successful candidates on promotion examinations.

SEXUAL HARASSMENT

unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, when:

1. Submission to the conduct is either an explicit or implicit term or condition of employment; or
2. Submission to or rejection of the conduct is used as a basis for an employment decisions affecting the person rejecting or submitting to the conduct; or
3. The conduct has the purpose or effect of unreasonably interfering with an affected person's work performance, or creates an intimidating, hostile, or offensive work environment.

Sexual harassment is considered to be sex discrimination under the Civil Rights Act of 1964.

SHARED JOB

see "Job Sharing."

SHIFT DIFFERENTIAL

payment of additional salary to employees in a given occupation who are regularly assigned to work on a shift other than the normal day shift.

SPECIFICATION

see "Class Specification."

SPOILS SYSTEM

(from the phrase "to the victors belong the spoils of the enemy") A term coined in 1832 by New York Senator William L. Marcy to describe the practice by political parties of rewarding the party faithful with public jobs; party loyalty rather than job competence was the criterion for appointment. The civil service reform movement of the late 1800's led to adoption of the merit system of selection for public sector employment.

SPOT EXAMINATION

an examination held to fill vacancies in a specific geographical area, rather than on a statewide basis.

STATUS

the basis on which an employee holds his or her position (e.g., permanent, contingent permanent, provisional, temporary, etc.).

STATUS REPORTS

(Affirmative Action Goals and Timetables Status Reports) Computer-generated reports that compare agencies' current work force representation to the work force representation at the beginning of the reporting period (usually six months prior). These reports are used to evaluate agencies' progress toward meeting hiring goals.

SUBJECT MATTER EXPERT (SME)

a person who has particular knowledge of a job or subject area; SME's may assist in analyzing jobs, preparing test questions, examining candidates, etc.

TARGETED RECRUITMENT

the recruitment of qualified exam applicants from a defined segment of the general labor market population. Targeted recruitment may be employed to meet affirmative action goals.

TASK

an identifiable work activity that constitutes one of the parts or steps in the performance of a job or assignment; often viewed as having a single outcome or result.

TAYLOR LAW

the Public Employees' Fair Employment Act, Article 14 of the Civil Service Law, enacted in 1967 to recognize the rights of public employees to representation by unions and to have organizations collectively bargain on the employees' behalf; obligates public employers to negotiate with recognized employee organizations on the terms and conditions of employment.

TEMPORARY APPOINTMENT

an appointment of limited duration, generally for less than six months, that does not confer the rights and privileges of permanent status to the employee.

TEMPORARY PROJECT APPOINTMENT

a temporary appointment to a position established for a special study or project, limited to a maximum duration of eighteen months; the appointee must render professional, scientific, technical, or other expert services.

TENTATIVE (ADVANCE) ANNOUNCEMENT

a confidential draft of a forthcoming examination announcement.

TERMINATE/DISCHARGE

to fire an employee; generally, permanent employees have due process rights afforded by statute and/or negotiated agreements and may be removed only for cause.

TEST

a process used to evaluate a candidate's knowledge, skills, abilities and/or other personal characteristics.

TITLE VII

(of the Civil Rights Act of 1964 [as amended by the Equal Employment Opportunity Act of 1972]) makes discrimination on the basis of race, color, religion, gender or national origin an unlawful employment practice in the private and public sectors.

TITLE

the label officially designating a class; it is descriptive of the work performed and its relative level.

TITLE STRUCTURE CHANGE

redesignation of one or more classes to a new title; a title structure change involves no significant change in duties or responsibilities.

TRAINEESHIP

a position to which an individual is appointed for a specified period of time to learn to do a job; if the traineeship is satisfactorily completed within a designated period of time, the individual is advanced to the next higher level position without further examination.

TRAINING AND EXPERIENCE EVALUATION (T&E)

an unassembled test which evaluates the relevant training and/or experience of candidates.

TRANSFER

the movement, usually without further examination, of a permanent employee from a competitive class position under the jurisdiction of one appointing authority to a similar position with a different appointing authority, or to a position in a different title under the same

appointing authority; a transfer may only be made to a position at the same or similar salary grade (currently no higher than two salary grades or one M-grade).

TRANSFER, ADMINISTRATIVE

a transfer between "administrative" positions as defined in Section 52.6 of the Civil Service Law; administrative positions include those in law, personnel, budgeting, methods and procedures, management, records analysis and administrative analysis.

TRANSFER, NON-COMPETITIVE QUALIFYING

a transfer (pursuant to Section 70.4 CSL) between different titles. The person transferred must meet minimum qualifications for the target position and must have passed an examination appropriate for that position.

TRANSFER, REGULAR

a transfer (pursuant to Section 70.1 CSL) between titles determined by the Civil Service Department to be satisfactorily "similar."

TRANSITION EXAMINATION

examinations which provide an opportunity not normally available through promotion examination for employees to move into other occupational fields or across organizational levels (e.g., allowing clerical employees to compete for paraprofessional titles or for entry into professional traineeships).

UNASSEMBLED TEST

test characterized by the candidates' not having to assemble in a central location to compete (e.g., training and experience evaluation).

UNCLASSIFIED SERVICE

all offices and positions in the Civil Service of the State and its civil divisions not in the classified service. Unclassified service positions are not under the jurisdiction of the Department of Civil Service and include all elective offices; officers and employees of the State Legislature; offices filled by appointment by the Governor or Legislature; members of the teaching and supervisory staff of a school district; and certain positions in the State University of New York.

UNDERUTILIZATION/UNDERREPRESENTATION

where the representation of protected class employees is below parity.

VACANCY

a position having no permanent incumbent and which may be filled by appointment.

VALIDATION

the process of determining the job relatedness of a selection device; a procedure by which a selection device is demonstrated to be predictive of job performance.

VALIDITY

the extent to which a test measures a candidate's ability to perform a job, or the accuracy of inferences drawn from test scores.

VETERAN

a member of the armed forces of the United States who served therein in time of war and who was honorably discharged or released under honorable circumstances from such services.** Armed forces is defined as the Army, Navy, Marine Corps, Air Force and Coast Guard, including all components thereof, and the National Guard when in the service of the United States pursuant to call as provided by law on a full-time active duty basis, which does not include active duty for training purposes. Service must have been on a full-time basis other than active duty for training purposes. New York State Law defines "time of war" as: World War II (December 4, 1941-December 31, 1946), Korean War (June 27, 1950-January 31, 1955), Vietnam War (January 1, 1963-May 7, 1975), Persian Gulf Conflict (August 2, 1990-the

date upon which such hostilities end) and the armed forces expeditionary medal, Navy expeditionary medal or Marine Corps expeditionary medal for hostilities in Lebanon (June 1, 1983-December 1, 1987), hostilities in Grenada (October 23, 1983-November 21, 1983), hostilities in Panama (December 20, 1989-January 31, 1990) or commissioned corps of the United States public health services (July 29, 1945-September 2, 1945 and June 26, 1950-July 3, 1952). ** or is in possession of a letter from the Division of Veterans' Services that restores access to state benefits pursuant to the Restoration of Honor Act. (updated January 2021)

VETERAN'S CREDITS

points authorized by the State Constitution added to passing examination scores of veterans who are New York residents.

VIETNAM ERA VETERAN

a veteran who served at any time between and including January 1, 1963 and May 7, 1975 (see Protected Class).

WEIGHTED TEST

(also RATED TEST, RANKING TEST) a test in which a candidate's score, or score(s) in particular subject area(s), are used in computing the final examination score and the candidate's rank on the eligible list.

WEIGHTS

numerical values by which test or subtest scores are multiplied before the parts are summed to compute the total score; weights are assigned to reflect each part's contribution to the whole (see Relative Weight).

WORK FORCE ANALYSIS

a statistical analysis of the numbers and percentages of employees by race, sex and ethnic origin, disability status and/or Vietnam era veteran status by job category and level for all employees of a specific employer.

WRITTEN TEST

a test of knowledge and/or abilities in which questions are administered in written form and which requires candidates to respond by recording their answers in some written or otherwise readable format.

ZONE SCORING

a scoring technique which groups raw scores into a limited number of ranges within which all candidates are treated as tied, assigned the same final score and deemed equally reachable for appointment.