

NEW YORK STATE DEPARTMENT OF CIVIL SERVICE

DIVISION OF STAFFING SERVICES

GENERAL INFORMATION BULLETIN No. 00-04

TO: Department and Agency Human Resource, Personnel and Affirmative Action Officers
FROM: Crys Hamelink / William Doyle / Terry Jordan – Staffing Services Division
SUBJECT: List Eligibility, as stipulated in Section 52.15 of the Civil Service Law
DATE: November 6, 2000

This is to clarify Section 52.15 of the CSL (see below) as it pertains to the list eligibility of employees who transfer to the NYS Office for Technology (OFT), including the Consolidated Data Center.

Section 52.15 provides for “dual eligibility” on **existing lists** immediately upon transfer. This is significant in several respects:

- The transferee is entitled to promotion unit status on eligible lists for **both** the former appointing authority and OFT for a period of one year or until the expiration of the eligible lists(s), whichever occurs first.
- “Dual eligibility” is effective immediately upon transfer; no waiting period is required.
- The transferee need not initiate a request to establish eligibility; the Department of Civil Service will make these arrangements.

For a term of one year from the date of transfer (or until the list expires if that occurs within the one-year period), agencies are required to retain on their respective departmental lists (and departmental portions of IDP lists) the names of former employees who have transferred to OFT. Such employees must be considered for appointment in their former agency for this one-year term. When the period of dual eligibility is completed, the names of these employees must be removed from departmental lists in the former agency; promotion unit status then resides in OFT only.

Please note that a permanent list appointment in either agency during the initial year will remove the appointee’s name from the departmental list in both agencies.

The current statute applies to all employees who transfer in accordance with Civil Service Law Sections 70.1, 70.2, 70.4 and 52.6 to OFT prior to December 31, 2000.

Any questions concerning this matter may be directed to Craig Wright at (518) 457-1127.

15. Promotion eligibility of person transferred to the office for technology. Notwithstanding any other provision of this chapter, the names of permanent employees transferred from a state agency or department to the office for technology shall remain on any promotion eligible list for appointment in the agency or department from which such employees were transferred, for a period of one year or until the expiration of such list, whichever occurs first. Further, where the promotion eligible list on which such employees’ names appear is established in the office for technology, the names of employees so transferred shall be added to such promotion list.