

NEW YORK STATE DEPARTMENT OF CIVIL SERVICE

DIVISION OF STAFFING SERVICES

GENERAL INFORMATION BULLETIN No. 01-05

TO: Department and Agency Human Resource, Personnel and Affirmative
Action Officers
FROM: William E. Doyle, Director of Staffing Services
SUBJECT: Appointment Processing: Budget Division Approval Requirements
DATE: October 23, 2001

In order to comply with Budget Bulletins B-1162 and B-1163, the Department of Civil Service will apply the guidelines below in processing personnel transactions.

All transactions submitted on or before October 17, 2001 will be honored. Transactions submitted after October 17, 2001 which reflect the appointment of an individual who began work on or before October 18, 2001 will also be honored providing that the necessary freeze waiver or exemption was in place. Additionally, other commitments to fill positions where employees were scheduled to begin work after October 18, 2001, may be honored. In these cases, Agency Heads must attest in writing to the Director of Staffing Services that such appointments resulted from hiring commitments made on or before October 17, 2001.

These guidelines describe the case-by-case requirements for processing appointment transactions. They neither suspend nor relax the administration of the provisions of the Civil Service Law, Rules, Regulations or the State's policy to grant preference to qualified members of the present and/or displaced work force.

All waivers and exemptions to the hiring freeze imposed by Executive Order No. 1, dated January 1995 have been revoked.

BUDGET APPROVAL OF HIRING FREEZE WAIVERS OR EXEMPTIONS IS REQUIRED TO EFFECT THE FOLLOWING PERSONNEL TRANSACTIONS:

1. To fill any position, permanent or temporary, whether by promotion, transfer between appointing authorities, transfer to higher level positions, transfer from a non-general fund position to the general fund, reinstatement, or new hire (this includes appointments made for hold purposes only);
2. To engage the services of an individual on a contract or voucher basis;
3. To change the funding source of filled items; and
4. To immediately replace a non-permanent employee with a qualified individual from an eligible list or a reemployment list.

BUDGET APPROVAL OF HIRING FREEZE WAIVERS OR EXEMPTIONS IS NOT REQUIRED TO EFFECT THE FOLLOWING TRANSACTIONS:

1. To fill any positions via transfer to lateral or downward level positions within the same appointing authority, unless such appointments are from non-general fund to general fund items;

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2. To change the status of incumbents from non-permanent to permanent, such as list appointments of provisional or temporary incumbents;
3. To move incumbents in their items where those items have been reallocated or reclassified, whether upward, downward or on a lateral basis (employees have appointment rights) - *NOTE: Upward reallocation and reclassification actions must meet the criteria outlined in the Budget Bulletins – positions must be essential and directly related to protecting the public health and safety or to ensuring the generation of state revenue;*
4. To replace employees who have been terminated during their probationary periods;
5. To refill vacated items within the life of a current budget approved hiring freeze waiver for such items (life not to exceed 120 days);
6. To fill positions associated with displacements from reductions in force, such as bumping and retreating;
7. To fill positions resulting from returns from leaves of absence;
8. To change line items within the same appointing authority and funding source;
9. To facilitate mandatory advancements within, or completion of, approved traineeships, apprenticeships and career ladders; and
10. To make appointments to positions authorized under Sections 55-b and 55-c of the Civil Service Law.