

**NEW YORK STATE DEPARTMENT OF CIVIL SERVICE**

**DIVISION OF STAFFING SERVICES**

**GENERAL INFORMATION BULLETIN No. 98-01**

TO: Department and Agency Human Resource, Personnel and Affirmative Action Officers  
FROM: James W. Sever, Director of Staffing Services  
SUBJECT: Change in Hiring Freeze Guidelines  
DATE: March 26, 1998

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The following is the complete text of a letter from John E. Burke, Chief Budget Examiner in the Division of the Budget, which substantially changes the hiring freeze guidelines. These changes should be self-explanatory, but if there are questions please call Gerry Grasso at (518) 457-3780.

Note that number two refers only to *changes* in the status of *incumbents*. There is still no exemption for replacing non-permanents with permanent employees. Thus, there will still be instances where Civil Service must revoke a provisional appointee when a list is established or certified and agencies must still contact DoB for permission to make a replacement appointment.

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"In November, 1996 the Department of Civil Service requested that the Division of the Budget consider exempting a number of technical, yet burdensome, employee hiring transactions from the Executive Order No. 1 and Budget Bulletin B-1148 hiring freeze. We apologize for the delay in responding.

"We agree with almost all of the suggested "technical" exemptions your staff have identified and agree that they pose no financial plan risk. Accordingly, we hereby approve the following items:

1. Transfers to lateral or downward level positions within the same appointing authority, unless such appointment is from a non-general to a general fund item. (no General Fund impact)
2. Changes in status of incumbents from non-permanent to permanent, such as a list appointment of a provisional or a temporary incumbent. (no General Fund impact.)
3. Moving incumbent employees (not vacancies) in their items where those items have been reclassified, whether upward, downward or on a lateral basis. (employees have appointment rights.)
4. Replacing employees terminated during their probationary periods.
5. Refilling a vacated item within the life of the current budget approval for that item (120 days).

"We understand that the above transactions do not violate the spirit of the original hiring freeze and are not likely to result in adverse cost impact for the General Fund.

"Moreover, we understand the requested exemptions reflect over three years of experience administering the current hiring freeze and will facilitate a more efficient, less bureaucratic administration of the hiring freeze. At this time, it is our sense that the hiring freeze established by Executive Order No. 1 will remain in effect at least through the end of the 1998-99 fiscal year. Accordingly, the aforementioned exemptions reflect refinements but do not suggest a relaxation of the intended objective of reducing the size of the State workforce through humane strategies."