S T A T E O F N E W Y O R K

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2009-2010 Regular Sessions

I N A S S E M B L Y

April 17, 2009

Introduced by M. of A. P. RIVERA, POWELL, ORTIZ, J. RIVERA, PERALTA, ARROYO, N. RIVERA, DIAZ, ESPAILLAT, RAMOS, GREENE -- Multi-Sponsored by -- M. of A. AUBRY, BOYLAND, COOK, FARRELL, PERRY -- read once and referred to the Committee on Governmental Employees

AN ACT to amend the civil service law, in relation to the compensation paid to persons employed in positions requiring foreign language skills, requiring the establishment of career ladders for persons holding such positions, requiring establishment of supervisory positions for persons required to have foreign language skills, and requiring the department of civil service to annually report to the governor and the legislature on persons in state service holding positions requiring foreign language skills

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Section 121 of the civil service law is amended by adding a new subdivision 2-a to read as follows:

2-A. POSITIONS REQUIRING FOREIGN LANGUAGE SKILLS. THE DIRECTOR OF THE CLASSIFICATION AND COMPENSATION DIVISION SHALL CLASSIFY ANY POSITION REQUIRING FOREIGN LANGUAGE SKILLS TO BE PAID A DIFFERENTIAL AS DETERMINED BY THE DIRECTOR FOR PERMANENT COMPETITIVE AND NON-COMPETITIVE EMPLOYEES IN A LANGUAGE PARENTHETICS TITLE OR IN A POSITION WHERE THE DUTIES REQUIRE THEM TO USE A FOREIGN LANGUAGE. IN ADDITION SUCH DIRECTOR SHALL ESTABLISH AND CLASSIFY SUPERVISORY POSITIONS FOR EMPLOYEES WHO ARE REQUIRED TO HAVE FOREIGN LANGUAGE SKILLS SUCH THAT SUCH PERSONS IN SUPERVISORY POSITIONS ARE ADEQUATELY COMPENSATED FOR THEIR LANGUAGE SKILLS AND EXPERIENCE, AND WHO ARE ABLE TO EFFECTIVELY SUPERVISE AND EVALUATE PERSONS HOLDING POSITIONS REQUIRING FOREIGN LANGUAGE SKILLS.

S 2. Subdivision 5 of section 121 of the civil service law, as added by chapter 907 of the laws of 1971, is amended to read as follows:

5. Career ladders. The director of the classification and compensation division may, in order to implement a plan for the progressive advance-

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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ment of employees in an occupational group, based on their acquiring, as prescribed by such director, of either training or experience or both, reclassify the positions of the incumbents who meet the prescribed qualifications to titles allocated to higher salary grades. The advancement of an incumbent pursuant to this subdivision is not, and is not to be deemed, a reallocation. THE DIRECTOR OF THE CLASSIFICATION AND COMPENSATION DIVISION SHALL, IN ORDER TO PROVIDE FOR THE PROGRESSIVE ADVANCEMENT OF EMPLOYEES IN AN OCCUPATIONAL GROUP WHO WERE REQUIRED TO HAVE FOREIGN LANGUAGE SKILLS, RECLASSIFY AND PROMOTE SUCH EMPLOYEES TO HIGHER POSITIONS AND SALARY GRADES.

S 3. The civil service law is amended by adding a new section 124 to read as follows:

S 124. REPORTS; FOREIGN LANGUAGE SKILLS. THE DEPARTMENT SHALL ANNUALLY, ON OR BEFORE THE FIRST OF MARCH, REPORT TO THE GOVERNOR AND THE LEGISLATURE ON EMPLOYEES IN STATE SERVICE WHO ARE REQUIRED TO HAVE FOREIGN LANGUAGE SKILLS. SUCH REPORT SHALL INCLUDE, BUT NOT BE LIMITED TO:

1. THE NUMBER OF EMPLOYEES REQUIRED TO HAVE FOREIGN LANGUAGE SKILLS;

2. THE SALARIES PAID TO SUCH EMPLOYEES;

3. THE STATE AGENCY EMPLOYING SUCH EMPLOYEES AND THE LOCATION OF SUCH AGENCY;

4. THE GENDER OF SUCH EMPLOYEES;

5. THE ETHNICITIES OF SUCH EMPLOYEES;

6. THE NUMBER OF SUCH EMPLOYEES TAKING EXAMS FOR SUPERVISORY POSITIONS;

7. THE EXAMS FOR POSITIONS WHICH DO NOT REQUIRE FOREIGN LANGUAGE SKILLS WHICH ARE MADE AVAILABLE TO SUCH EMPLOYEES; AND

8. THE NUMBER OF SUCH EMPLOYEES WHO HAVE BEEN ADVANCED TO POSITIONS WHICH DO NOT REQUIRE FOREIGN LANGUAGE SKILLS.

S 4. Subdivision 2 of section 130 of the civil service law, as added by chapter 307 of the laws of 1979, is amended to read as follows:

2. Allocation of positions. All positions allocated pursuant to title A of THIS article [eight of this chapter] shall be allocated to an appropriate salary grade as prescribed in subdivision one of this section, and all positions in a promotional series shall be allocated to salary grades which properly reflect the varying degrees of responsibilities and duties to be performed, and training AND FOREIGN LANGUAGE SKILLS required.

S 5. This act shall take effect immediately; except that section two of this act shall take effect on the one hundred eightieth day after it shall have become a law; provided that any rules and regulations necessary to implement the provisions of such section on or before the effective date thereof are authorized and directed to be completed on or before such date.