

4474

2009-2010 Regular Sessions

I N S E N A T E

April 23, 2009

Introduced by Sen. ADAMS -- read twice and ordered printed, and when printed to be committed to the Committee on Cities

AN ACT to amend the administrative code of the city of New York, in relation to the title and compensation of certain police lieutenants assigned to investigatory assignments

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

1 Section 1. Legislative findings and declaration. The legislature here-
2 by finds and declares that it is impracticable to ascertain fitness for
3 the positions of "supervisor detective squad" and "commander detective
4 squad" within the police department of the city of New York by means of
5 a competitive examination. The legislature further finds and declares
6 that it appears that no competitive examination has ever been employed
7 to ascertain fitness for the positions of "detective", "supervisor
8 detective squad" or "commander detective squad" within the police
9 department of the city of New York or any other major police department
10 within the state; such fitness has always been determined by evaluation
11 of an individual's capabilities by a supervisor. It would be unseemly to
12 attempt to create competitive examinations to ascertain fitness for the
13 positions of a "supervisor detective squad" and "commander detective
14 squad" where no competitive examination exists for the position of
15 "detective", the designation for which "supervisors detective squad" and
16 "commanders detective squad" act as supervisors. The legislature is
17 satisfied that merit and fitness for promotion of individuals to the
18 positions of "sergeant" and "lieutenant" have been satisfactorily ascer-
19 tained by means of competitive examinations, and that merit and fitness
20 for assignment of individuals holding the ranks of "sergeant" and "lieu-
21 tenant" to investigatory positions are evaluated by appropriate supervi-
22 sors prior to such assignment. The legislature is further satisfied that
23 an individual who performs in an investigatory position in a manner
24 sufficiently satisfactory to the appropriate supervisors to hold such an

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

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1 assignment for a period of eighteen months has demonstrated fitness for
2 the position of "supervisor detective squad" or "commander detective
3 squad" within the police department of the city of New York more conclu-
4 sively than could be ascertained by means of any competitive examina-
5 tion.

6 S 2. Subdivision c of section 14-103 of the administrative code of the
7 city of New York, as amended by chapter 755 of the laws of 1990, is
8 amended to read as follows:

9 c. The commissioner may designate lieutenants as commanders of detec-
10 tive squads, and sergeants as supervisors of detective squads, who while
11 performing duty in [such bureau] THE DETECTIVE OR ORGANIZED CRIME
12 CONTROL BUREAU and while so designated as commanders of detective squads
13 or supervisors of detective squads shall be paid such salary as may be
14 determined by the mayor; PROVIDED, HOWEVER, THAT LIEUTENANTS ASSIGNED TO
15 INVESTIGATORY POSITIONS FOR EIGHTEEN MONTHS OR MORE SHALL RECEIVE THE
16 TITLE OF SUPERVISOR DETECTIVE SQUAD/COMMANDER DETECTIVE SQUAD AND SHALL
17 RECEIVE COMPENSATION EQUAL TO THAT OF A LIEUTENANT FOR SERGEANTS SUPER-
18 VISOR DETECTIVE SQUAD AND FOR LIEUTENANTS COMMANDER DETECTIVE SQUAD AS
19 DETERMINED THROUGH THE COLLECTIVE BARGAINING AGREEMENT.

20 S 3. This act shall take effect immediately.