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

4929

2009-2010 Regular Sessions

I N S E N A T E

April 27, 2009

Introduced by Sen. MONTGOMERY -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions

AN ACT to amend the civil service law, in relation to appeals to the civil service commission on applications made concerning compensation and classification

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

Section 1. Section 6 of the civil service law is amended by adding a new subdivision 6-b to read as follows:

6-B. HEAR AND DETERMINE APPEALS INSTITUTED BY ANY EMPLOYEE OR APPOINTING OFFICER WHO MADE AN APPLICATION TO THE DIRECTOR OF CLASSIFICATION AND COMPENSATION WHICH HAS NOT BEEN APPROVED BY SUCH DIRECTOR WITHIN ONE HUNDRED TWENTY DAYS AFTER THE SUBMISSION OF SUCH APPLICATION TO THE DIRECTOR. THE APPEALS AUTHORIZED BY THIS SUBDIVISION SHALL BE INSTITUTED BY APPLICATION IN WRITING TO THE COMMISSION NO SOONER THAN ONE HUNDRED TWENTY DAYS NOR LATER THAN ONE HUNDRED FIFTY DAYS AFTER THE SUBMISSION OF THE APPLICATION TO THE DIRECTOR OF CLASSIFICATION AND COMPENSATION. THE COMMISSION, FOR GOOD CAUSE SHOWN, MAY WAIVE SUCH TIME LIMITATION. THE COMMISSION SHALL MAKE SUCH INVESTIGATION OR INQUIRY INTO THE FACTS RELATIVE TO THE APPLICATION BEING APPEALED AS MAY BE DEEMED APPROPRIATE AND SHALL MAKE A DETERMINATION ON THE APPLICATION. SUCH DECISION MAY NOT BE ALTERED OR AMENDED BY ACTION OTHER THAN THAT OF THE COMMISSION.

S 2. Section 120 of the civil service law is amended by adding a new subdivision 4 to read as follows:

4. APPLICATION; APPEAL. ANY APPLICATION MADE TO THE DIRECTOR PURSUANT TO THIS SECTION WHICH IS NOT APPROVED WITHIN ONE HUNDRED TWENTY DAYS AFTER IT IS SUBMITTED SHALL BE DEEMED TO BE AN APPLICATION WHICH CAN BE APPEALED TO THE COMMISSION PURSUANT TO SUBDIVISION SIX-B OF SECTION SIX OF THIS CHAPTER.

S 3. This act shall take effect immediately.

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

LBD11563-01-9