

10294

I N A S S E M B L Y

May 18, 2012

Introduced by M. of A. SCHIMEL -- read once and referred to the Committee on Governmental Employees

AN ACT to amend the civil service law, in relation to reduction of positions based upon seniority with an employer

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

1 Section 1. Section 80 of the civil service law is amended by adding a
2 new subdivision 1-e to read as follows:
3 1-E. NOTWITHSTANDING THE PROVISIONS OF SUBDIVISION ONE OF THIS
4 SECTION, THE SWORN MEMBERS OF THE DIVISION OF CORRECTION OF THE SHER-
5 IFF'S DEPARTMENT OF THE COUNTY OF NASSAU SHALL BE SUBJECT TO THE FOLLOW-
6 ING PROCEDURE. WHERE, BECAUSE OF ECONOMY, CONSOLIDATION OR ABOLITION OF
7 FUNCTIONS, CURTAILMENT OF ACTIVITIES OR OTHERWISE, POSITIONS IN THE
8 COMPETITIVE CLASS ARE ABOLISHED OR REDUCED IN RANK OR SALARY GRADE,
9 SUSPENSION OR DEMOTION, AS THE CASE MAY BE, AMONG INCUMBENTS HOLDING THE
10 SAME OR SIMILAR POSITIONS SHALL BE MADE IN THE INVERSE ORDER OF ORIGINAL
11 APPOINTMENT ON A PERMANENT BASIS IN THE GRADE OR TITLE IN THE SERVICE OF
12 THE GOVERNMENTAL JURISDICTION IN WHICH SUCH ABOLITION OR REDUCTION OF
13 POSITIONS OCCURS, SUBJECT TO THE PROVISIONS OF SUBDIVISION SEVEN OF
14 SECTION EIGHT-FIVE OF THIS CHAPTER. NOTWITHSTANDING THE PROVISIONS OF
15 THIS SUBDIVISION, HOWEVER, UPON THE ABOLITION OR REDUCTION OF POSITIONS,
16 THOSE EMPLOYEES WHO HAVE NOT COMPLETED THEIR PROBATIONARY SERVICE SHALL
17 BE SUSPENDED OR DEMOTED, AS THE CASE MAY BE, BEFORE ANY PERMANENT INCUM-
18 BENTS, AND AMONG SUCH PROBATIONARY EMPLOYEES THE ORDER OF SUSPENSION OR
19 DEMOTION SHALL BE DETERMINED AS IF SUCH EMPLOYEES WERE PERMANENT INCUM-
20 BENTS.
21 S 2. This act shall take effect immediately.

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

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