

7480

2011-2012 Regular Sessions

I N A S S E M B L Y

May 6, 2011

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

AN ACT to amend the civil service law, in relation to the use of tempo-
rary employees

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

1 Section 1. The civil service law is amended by adding a new section
2 159-d to read as follows:

3 S 159-D. TEMPORARY EMPLOYEE REPORTING. 1. DEFINITIONS. FOR THE
4 PURPOSES OF THIS SECTION THE FOLLOWING DEFINITIONS SHALL APPLY:

5 (A) "STATE AGENCIES" SHALL MEAN ANY DEPARTMENT, BOARD, BUREAU, DIVI-
6 SION, COMMISSION, COUNCIL, OR COMMITTEE WITHIN THE EXECUTIVE BRANCH, THE
7 STATE UNIVERSITY OF NEW YORK, AND ALL PUBLIC AUTHORITIES UNDER THE
8 CONTROL OF THE EXECUTIVE BRANCH.

9 (B) "TEMPORARY EMPLOYMENT SERVICE" SHALL MEAN A BUSINESS WHICH
10 RECRUITS AND HIRES ITS OWN EMPLOYEES, AND ASSIGNS THOSE EMPLOYEES TO
11 PERFORM WORK AT OR SERVICES FOR OTHER BUSINESSES OR PUBLIC ENTITIES.

12 (C) "TEMPORARY EMPLOYEE" SHALL MEAN AN EMPLOYEE ASSIGNED TO WORK FOR
13 THE CLIENT OR CLIENTS OF A TEMPORARY EMPLOYMENT SERVICE.

14 2. THE DIRECTOR OF THE DIVISION OF THE BUDGET, IN CONJUNCTION WITH THE
15 PRESIDENT OF THE COMMISSION, SHALL SUBMIT AN ANNUAL REPORT TO THE CHAIR
16 OF THE SENATE FINANCE COMMITTEE AND THE CHAIR OF THE ASSEMBLY WAYS AND
17 MEANS COMMITTEE NO LATER THAN FEBRUARY FIRST OF EACH YEAR DETAILING THE
18 USE OF TEMPORARY EMPLOYEES BY STATE AGENCIES FOR THE PREVIOUS CALENDAR
19 YEAR. THE REPORT SHALL INCLUDE, BUT NOT BE LIMITED TO:

20 (A) THE TOTAL AMOUNT OF EXPENDITURES FOR ALL STATE AGENCIES FOR TEMPO-
21 RARY EMPLOYMENT SERVICES FOR THE PREVIOUS CALENDAR YEAR;

22 (B) AN ITEMIZED REPORT FOR EACH STATE AGENCY LISTING THE AMOUNT OF
23 EXPENDITURES FOR TEMPORARY EMPLOYMENT SERVICES FOR THE PREVIOUS CALENDAR
24 YEAR;

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

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- 1 (C) AN ITEMIZED REPORT FOR EACH STATE AGENCY LISTING THE AMOUNT OF
- 2 EXPENDITURES FOR EACH TEMPORARY EMPLOYEE FOR THE PREVIOUS CALENDAR YEAR;
- 3 (D) THE JOB TITLES THAT TEMPORARY EMPLOYEES WERE EMPLOYED IN AND A
- 4 DESCRIPTION OF THE DUTIES PERFORMED BY THE TEMPORARY WORKER INCLUDING
- 5 WHETHER THE JOB TITLE IS IN THE COMPETITIVE OR NON-COMPETITIVE CLASS; IN
- 6 THE EVENT A JOB TITLE IS NOT AVAILABLE A DESCRIPTION OF JOB DUTIES SHALL
- 7 BE INCLUDED;
- 8 (E) AN ITEMIZED LISTING OF ALL VACANT POSITIONS FOR EACH STATE AGENCY
- 9 THAT UTILIZED ANY TEMPORARY EMPLOYEES FOR THE PREVIOUS CALENDAR YEAR;
- 10 (F) THE LENGTH OF TIME EACH TEMPORARY EMPLOYEE WAS ASSIGNED TO A STATE
- 11 AGENCY BY A TEMPORARY EMPLOYMENT SERVICE FOR THE PREVIOUS CALENDAR YEAR;
- 12 HOWEVER, IF A TEMPORARY EMPLOYEE HAS BEEN ASSIGNED TO A STATE AGENCY BY
- 13 A TEMPORARY EMPLOYMENT SERVICE FOR A TIME PERIOD LONGER THAN THE PREVI-
- 14 OUS CALENDAR YEAR THEN THE REPORT SHALL LIST THE ENTIRE LENGTH OF TIME
- 15 THE TEMPORARY EMPLOYEE HAS BEEN ASSIGNED TO A STATE AGENCY.
- 16 3. SUCH REPORT SHALL BE MADE AVAILABLE TO THE PUBLIC ON THE DEPARTMENT
- 17 OF CIVIL SERVICE PUBLIC WEBSITE.
- 18 S 2. This act shall take effect immediately.