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6598

2013-2014 Regular Sessions

I N   A S S E M B L Y

April 12, 2013
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Introduced by M. of A. ABBATE -- read once and referred to the Committee
  on Governmental Employees

AN ACT to amend the civil service law, in relation to reduction of posi-
  tions in the New York city departments of sanitation and correction
  based upon seniority with an employer

  THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, 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, ANY OF THE UNIFORMED FORCE OF THE DEPARTMENT OF SANITATION OR
 5 THE DEPARTMENT OF CORRECTION OF THE CITY OF NEW YORK SHALL BE SUBJECT TO
 6 THE FOLLOWING PROCEDURE. WHERE, BECAUSE OF ECONOMY, CONSOLIDATION OR
 7 ABOLITION OF FUNCTIONS, CURTAILMENT OF ACTIVITIES OR OTHERWISE, POSI-
 8 TIONS IN THE COMPETITIVE CLASS ARE ABOLISHED OR REDUCED IN RANK OR SALA-
 9 RY GRADE, SUSPENSION OR DEMOTION, AS THE CASE MAY BE, AMONG INCUMBENTS
10 HOLDING THE SAME OR SIMILAR POSITIONS SHALL BE MADE IN THE INVERSE ORDER
11 OF ORIGINAL APPOINTMENT ON A PERMANENT BASIS IN THE GRADE OR TITLE IN
12 THE SERVICE OF THE GOVERNMENTAL JURISDICTION IN WHICH SUCH ABOLITION OR
13 REDUCTION OF POSITIONS OCCURS, SUBJECT TO THE PROVISIONS OF SUBDIVISION
14 SEVEN OF SECTION EIGHTY-FIVE OF THIS CHAPTER.   NOTWITHSTANDING   THE
15 PROVISIONS OF THIS SUBDIVISION, HOWEVER, UPON THE ABOLITION OR REDUCTION
16 OF POSITIONS, THOSE EMPLOYEES WHO HAVE NOT COMPLETED THEIR PROBATIONARY
17 SERVICE SHALL BE SUSPENDED OR DEMOTED, AS THE CASE MAY BE, BEFORE ANY
18 PERMANENT INCUMBENTS, AND AMONG SUCH PROBATIONARY EMPLOYEES THE ORDER OF
19 SUSPENSION OR DEMOTION SHALL BE DETERMINED AS IF SUCH EMPLOYEES WERE
20 PERMANENT INCUMBENTS.
21   S 2. This act shall take effect immediately.