

9540--A

Cal. No. 867

I N A S S E M B L Y

May 6, 2014

Introduced by M. of A. ABBATE -- read once and referred to the Committee on Governmental Employees -- reported from committee, advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the civil service law, in relation to suspension or demotion upon the abolition or reduction of positions

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-f to read as follows:
3 1-F. NOTWITHSTANDING THE PROVISIONS OF SUBDIVISION ONE OF THIS
4 SECTION, EMPLOYEES OF THE CITY SCHOOL DISTRICT OF THE CITY OF NEW YORK,
5 APPOINTED TO THE TITLES OF OCCUPATIONAL THERAPIST-BOE OR PHYSICAL THERA-
6 PIST-BOE, SHALL BE SUBJECT TO THE FOLLOWING PROCEDURE: WHERE, BECAUSE OF
7 ECONOMY, CONSOLIDATION OR ABOLITION OF FUNCTION, CURTAILMENT OF ACTIV-
8 ITIES OR OTHERWISE, POSITIONS IN THE COMPETITIVE CLASS ARE ABOLISHED, OR
9 REDUCED IN RANK OR SALARY GRADE, SUSPENSION OR DEMOTION, AS THE CASE MAY
10 BE, AMONG INCUMBENTS HOLDING THE SAME OR SIMILAR POSITIONS, SHALL BE
11 MADE IN THE INVERSE ORDER OF ORIGINAL APPOINTMENT ON A PERMANENT BASIS
12 IN THE GRADE OR TITLE IN THE SERVICE OF THE GOVERNMENTAL JURISDICTION IN
13 WHICH SUCH ABOLITION OR REDUCTION OF POSITIONS OCCURS, SUBJECT TO THE
14 PROVISIONS OF SUBDIVISION SEVEN OF SECTION EIGHTY-FIVE OF THIS CHAPTER;
15 PROVIDED, HOWEVER, THAT IF ANY PERSON SO EMPLOYED WAS EMPLOYED IN THE
16 TITLE OF OCCUPATIONAL THERAPIST-BOE, PHYSICAL THERAPIST-BOE, SENIOR
17 OCCUPATIONAL THERAPIST-BOE, SENIOR PHYSICAL THERAPIST-BOE OR SUPERVISING
18 THERAPIST PRIOR TO THE FIRST DAY OF JANUARY, TWO THOUSAND FOURTEEN, FOR
19 PURPOSES OF THIS SUBDIVISION REGARDING PRIORITY OF RETENTION AND FOR NO
20 OTHER PURPOSE, THE DATE OF ORIGINAL APPOINTMENT OF ANY SUCH PERSON SHALL
21 BE DEEMED TO BE THE DATE SUCH EMPLOYMENT COMMENCED PRIOR TO THE FIRST
22 DAY OF JANUARY, TWO THOUSAND FOURTEEN.
23 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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