

9441

I N A S S E M B L Y

March 3, 2016

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

AN ACT to amend the civil service law, in relation to the appointment and promotion of supervisors of the emergency medical service

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

1 Section 1. The civil service law is amended by adding a new section
2 59-b to read as follows:

3 S 59-B. PROMOTIONS OF SUPERVISORY PERSONNEL OF THE EMERGENCY MEDICAL
4 SERVICE. 1. THE LEGISLATURE HEREBY FINDS AND DECLARES THAT THE CONTIN-
5 UED, UNINTERRUPTED, ADEQUATE AND EFFICIENT OPERATION OF EMERGENCY
6 MEDICAL SERVICES IS NECESSARY FOR THE GENERAL WELFARE OF THE PEOPLE;
7 THAT SUCH ADEQUATE OPERATION INVOLVES AND REQUIRES PERSONNEL WITH HIGHLY
8 SPECIALIZED ABILITIES, SKILLS, TRAINING AND KNOWLEDGE, WHICH NECESSITATE
9 THAT VACANCIES IN THE EMERGENCY MEDICAL SERVICES IN THE POSITIONS OF
10 SUPERVISING EMERGENCY MEDICAL SERVICE SPECIALIST LEVEL II (CAPTAINS),
11 DEPUTY CHIEF, DIVISION CHIEF, DIVISION COMMANDER, AND/OR POSITIONS WITH
12 EQUIVALENT DUTIES AND RESPONSIBILITIES, SHALL BE FILLED AS FAR AS PRAC-
13 TICABLE BY PROMOTION FROM AMONG PERSONS HOLDING COMPETITIVE CLASS POSI-
14 TIONS IN A LOWER GRADE IN THE DEPARTMENT IN WHICH THE VACANCY EXISTS,
15 PROVIDED THAT SUCH LOWER GRADE POSITIONS ARE IN DIRECT LINE OF
16 PROMOTION, AS DETERMINED BY THE DEPARTMENT OR MUNICIPAL COMMISSION.

17 2. PROMOTION SHALL BE BASED ON MERIT AND FITNESS AS DETERMINED BY
18 EXAMINATION, DUE WEIGHT BEING GIVEN TO SENIORITY. THE PREVIOUS TRAINING
19 AND EXPERIENCE OF THE CANDIDATES, AND PERFORMANCE RATINGS WHERE AVAIL-
20 ABLE, MAY BE CONSIDERED AND GIVEN DUE WEIGHT AS FACTORS IN DETERMINING
21 THE RELATIVE MERIT AND FITNESS OF CANDIDATES FOR PROMOTION.

22 3. NOTWITHSTANDING THE PROVISIONS OF THIS CHAPTER OR ANY OTHER
23 PROVISIONS TO THE CONTRARY CONTAINED IN ANY GENERAL, SPECIAL, OR LOCAL
24 LAWS, ANY PERSON HOLDING A POSITION IN THE SUPERVISORY PERSONNEL OF THE
25 EMERGENCY MEDICAL SERVICE IN THE TITLES OF SUPERVISING EMERGENCY MEDICAL
26 SERVICE SPECIALIST LEVEL II (CAPTAINS), DEPUTY CHIEF, DIVISION CHIEF,
27 AND DIVISION COMMANDER, AND/OR POSITIONS FOR WHICH THE EMPLOYEES PERFORM
28 SIMILAR DUTIES AND RESPONSIBILITIES, ON THE EFFECTIVE DATE OF THIS

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

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1 SECTION SHALL BE TREATED AS HOLDING A PERMANENT APPOINTMENT IN SUCH
2 POSITION, AND SHALL BE ELIGIBLE FOR PROMOTION TO A POSITION IN A HIGHER
3 GRADE PURSUANT TO SUBDIVISION ONE OF THIS SECTION.
4 4. EXCEPT AS PROVIDED ABOVE, THE PROVISIONS OF THIS CHAPTER SHALL
5 APPLY TO EMPLOYEES COVERED BY THIS SECTION.
6 S 2. This act shall take effect immediately.