

S T A T E   O F   N E W   Y O R K

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2037--B

2015-2016 Regular Sessions

I N   S E N A T E

January 21, 2015

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Introduced by Sen. HASSELL-THOMPSON -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the civil service law, in relation to appointments from eligible lists

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

1     Section 1. Subdivision 4 of section 23 of the civil service law, as  
2     amended by chapter 403 of the laws of 2011, is amended to read as  
3     follows:  
4     4. Use of state and county eligible lists, AS THE SOURCE OF NEW HIRES,  
5     by municipal commissions. A municipal commission, in the absence of an  
6     eligible list of its own, may request the state civil service depart-  
7     ment, county civil service commission or county personnel officer to  
8     furnish it with the names of persons on an appropriate eligible list  
9     established by the department, commission or personnel officer, which,  
10    if so requested by the municipal commission, shall be limited to resi-  
11    dents of the city, or town or civil division in which appointments are  
12    to be made, or to residents of the county or judicial district in which  
13    such city, town or civil division is located, or to any reasonable  
14    combination of political subdivisions both in and outside of New York  
15    state contiguous to the city or civil division in which appointment is  
16    to be made or contiguous to the political subdivision in which such city  
17    or civil division is located, except for the position of director of  
18    facilities I, II, & III of a school district located within the state  
19    which shall use the list developed pursuant to subdivision five of  
20    section seventeen of this [chapter] TITLE. PROVIDED, HOWEVER, THAT IF A  
21    LIST DOES NOT ADEQUATELY REPRESENT MINORITY POPULATIONS AND THE EXISTING

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

LBD05424-11-5

1 DEPARTMENT'S ETHNIC, RACIAL OR WOMEN COMPOSITION DEVIATES FROM THE  
2 COMMUNITY UPON WHICH THEY SERVE BY TWENTY-FIVE PERCENT OR MORE, A MUNIC-  
3 IPAL COMMISSION MAY USE ALTERNATE LISTS, INCLUDING BUT NOT LIMITED TO  
4 THE COUNTY LIST, FOR THE FILLING OF VACANCIES BY BOTH RESIDENT AND NON-  
5 RESIDENT MINORITY GROUP MEMBERS, AS DEFINED BY SECTION THREE HUNDRED TEN  
6 OF THE EXECUTIVE LAW, AND WOMEN IN ORDER TO ACHIEVE DIVERSITY IN THE  
7 WORKFORCE. ALTERNATE LISTS SHALL BE PROVIDED AND DEPARTMENTS SHALL HIRE  
8 FROM SUCH ALTERNATE LISTS UNTIL SUCH DEPARTMENT'S ETHNIC, RACIAL OR  
9 WOMEN COMPOSITION NO LONGER DEVIATES FROM THE COMMUNITY UPON WHICH THEY  
10 SERVE BY TWENTY-FIVE PERCENT OR MORE, UPON WHICH TIME THE MUNICIPAL  
11 COMMISSION SHALL BE REQUIRED TO USE ITS OWN ELIGIBLE LIST. Such municip-  
12 al commission may certify such names for appointment to a position  
13 under its jurisdiction in the same manner as certifications are made  
14 from the eligible lists of such commission. If the state civil service  
15 department, county civil service commission or county personnel officer,  
16 upon the request of such commission, has certified an appropriate eligi-  
17 ble list to fill a particular position, such list shall continue to be  
18 used until superseded by an eligible list established by such municipal  
19 commission for such position, or until such list expires or is exhausted  
20 or is otherwise terminated. CANDIDATES FROM ALTERNATE LISTS SHALL BE  
21 HIRED BASED ON THEIR MERIT AND QUALIFICATIONS.  
22 S 2. This act shall take effect immediately.