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I N  S E N A T E

February 10, 2016

Introduced by Sens. GALLIVAN, ADDABBO, AVELLA, CROCI, GOLDEN, KENNEDY, ORTT, PARKER, RANZENHOFER, SEWARD -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions

AN ACT to amend the civil service law, in relation to granting additional credit to volunteer firefighters and volunteer ambulance workers in competitive examinations

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

Section 1. The civil service law is amended by adding a new section 85-d to read as follows:

S 85-D. ADDITIONAL CREDIT ALLOWED VOLUNTEER FIREFIGHTERS AND VOLUNTEER AMBULANCE WORKERS IN COMPETITIVE EXAMINATIONS. 1. DEFINITIONS. AS USED IN THIS SECTION, THE FOLLOWING TERMS SHALL HAVE THE FOLLOWING MEANINGS:

(A) THE TERM "VOLUNTEER FIREFIGHTER" SHALL HAVE THE SAME MEANING AS IS ASCRIBED TO THE TERM "VOLUNTEER FIREMAN" IN SECTION THREE OF THE VOLUNTEER FIREFIGHTERS' BENEFIT LAW.

(B) THE TERM "VOLUNTEER AMBULANCE WORKER" SHALL HAVE THE SAME MEANING AS SUCH TERM IS USED IN SUBDIVISION ONE OF SECTION THREE OF THE VOLUNTEER AMBULANCE WORKERS' BENEFIT LAW.

2. ADDITIONAL CREDITS IN COMPETITIVE EXAMINATIONS FOR ORIGINAL APPOINTMENT OR PROMOTION. (A) ON ALL ELIGIBLE LISTS RESULTING FROM COMPETITIVE EXAMINATIONS, THE NAMES OF ELIGIBLES SHALL BE ENTERED IN THE ORDER OF THEIR RESPECTIVE FINAL EARNED RATINGS ON EXAMINATION, WITH THE NAME OF THE ELIGIBLE WITH THE HIGHEST FINAL EARNED RATING AT THE HEAD OF SUCH LIST; PROVIDED, HOWEVER, THAT, FOR THE PURPOSE OF DETERMINING FINAL EARNED RATINGS, VOLUNTEER FIREFIGHTERS AND VOLUNTEER AMBULANCE WORKERS SHALL BE ENTITLED TO RECEIVE, IN A COMPETITIVE EXAMINATION FOR ORIGINAL APPOINTMENT, AN ADDITIONAL TWO AND ONE-HALF POINTS FOR FIVE YEARS OF SERVICE AS A VOLUNTEER FIREFIGHTER OR AS A VOLUNTEER AMBULANCE WORKER, AND IN A COMPETITIVE EXAMINATION FOR PROMOTION, AN ADDITIONAL ONE AND ONE-QUARTER POINTS FOR FIVE YEARS OF SERVICE AS A VOLUNTEER FIREFIGHTER OR AS A VOLUNTEER AMBULANCE WORKER.

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

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(B) SUCH ADDITIONAL CREDIT SHALL BE ADDED TO THE FINAL EARNED RATING OF SUCH VOLUNTEER FIREFIGHTER OR VOLUNTEER AMBULANCE WORKER AFTER HE OR SHE HAS QUALIFIED IN THE COMPETITIVE EXAMINATION AND SHALL BE GRANTED ONLY AT THE TIME OF ESTABLISHMENT OF THE RESULTING ELIGIBLE LIST.

3. APPLICATION FOR ADDITIONAL CREDIT; PROOF OF ELIGIBILITY; ESTABLISHMENT OF ELIGIBLE LIST. ANY CANDIDATE, BELIEVING HIMSELF OR HERSELF ENTITLED TO ADDITIONAL CREDIT IN A COMPETITIVE EXAMINATION AS PROVIDED IN THIS SECTION, MAY MAKE APPLICATION FOR SUCH ADDITIONAL CREDIT AT ANY TIME BETWEEN THE DATE OF HIS OR HER APPLICATION FOR EXAMINATION AND THE DATE OF THE ESTABLISHMENT OF THE RESULTING ELIGIBLE LIST. A CANDIDATE SHALL BE ALLOWED A PERIOD OF NOT LESS THAN TWO MONTHS FROM THE DATE OF THE FILING OF HIS OR HER APPLICATION FOR EXAMINATION IN WHICH TO ESTABLISH, BY APPROPRIATE DOCUMENTARY PROOF, HIS OR HER ELIGIBILITY TO RECEIVE ADDITIONAL CREDIT UNDER THIS SECTION. AT ANY TIME AFTER TWO MONTHS HAVE ELAPSED SINCE THE FINAL DATE FOR FILING APPLICATIONS FOR A COMPETITIVE EXAMINATION FOR ORIGINAL APPOINTMENT OR PROMOTION, THE ELIGIBLE LIST RESULTING FROM SUCH EXAMINATION MAY BE ESTABLISHED, NOTWITHSTANDING THE FACT THAT A VOLUNTEER FIREFIGHTER OR VOLUNTEER AMBULANCE WORKER WHO HAS APPLIED FOR ADDITIONAL CREDIT HAS FAILED TO ESTABLISH HIS OR HER ELIGIBILITY TO RECEIVE SUCH ADDITIONAL CREDIT. A CANDIDATE WHO FAILS TO ESTABLISH, BY APPROPRIATE DOCUMENTARY PROOF, HIS OR HER ELIGIBILITY TO RECEIVE ADDITIONAL CREDIT BY THE TIME AN ELIGIBLE LIST IS ESTABLISHED SHALL NOT THEREAFTER BE GRANTED ADDITIONAL CREDIT ON SUCH ELIGIBLE LIST.

4. ROSTER. THE STATE CIVIL SERVICE DEPARTMENT AND EACH MUNICIPAL COMMISSION SHALL ESTABLISH AND MAINTAIN IN ITS OFFICE A ROSTER OF ALL VOLUNTEER FIREFIGHTERS OR VOLUNTEER AMBULANCE WORKERS APPOINTED OR PROMOTED AS A RESULT OF ADDITIONAL CREDITS GRANTED BY THIS SECTION TO POSITIONS UNDER ITS JURISDICTION. THE APPOINTMENT OR PROMOTION OF A VOLUNTEER FIREFIGHTER OR VOLUNTEER AMBULANCE WORKER AS A RESULT OF ADDITIONAL CREDITS SHALL BE VOID IF SUCH VOLUNTEER FIREFIGHTER OR VOLUNTEER AMBULANCE WORKER, PRIOR TO SUCH APPOINTMENT OR PROMOTION, HAD BEEN APPOINTED OR PROMOTED AS A RESULT OF ADDITIONAL CREDITS GRANTED BY THIS SECTION.

S 2. This act shall take effect immediately.