STATE OF NEW YORK

5210

2023-2024 Regular Sessions

IN ASSEMBLY

March 6, 2023

Introduced by M. of A. PHEFFER AMATO -- 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 certain personnel of the sanitation department of the city of New York

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 59-e to read as follows:

§ 59-e. Promotions of certain personnel of the sanitation department of the city of New York. 1. The legislature hereby finds and declares that the continued, uninterrupted, adequate and efficient operation of the sanitation department of the city of New York is necessary for the general welfare of the people; that such adequate operation involves and requires personnel with highly specialized ability, skill, training and knowledge, which necessitate that vacancies in the sanitation department of the city of New York in the positions of General Superintendent 2 and General Superintendent 3, shall be filled as far as practicable by promotion from among persons holding competitive class positions in a lower grade in the sanitation department of the city of New York in which the vacancy exists, provided that such lower grade positions are in direct line of promotion, as determined by such sanitation department or the municipal commission.

2. Promotion shall be based on merit and fitness as determined by competitive examination, due weight being given to seniority. The previous training and experience of the candidates, and performance ratings where available, may be considered and given due weight as factors in determining the relative merit and fitness of candidates for promotion.

3. Any employee holding a provisional or discretionary appointment in the affected titles of the sanitation department of the city of New York described in subdivision one of this section shall be given the opportu-

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

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nity to participate in a competitive promotional examination for the next higher level title.

4. Except as provided above, the provisions of this chapter shall apply to employees covered by this section.

§ 2. This act shall take effect immediately.