STATE OF NEW YORK

7155

2023-2024 Regular Sessions

IN ASSEMBLY

May 11, 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 crediting of probationary service

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivision 1 of section 63 of the civil service law, as amended by chapter 175 of the laws of 1989, is amended to read as follows:

1. Every original appointment to a position in the competitive class and every interdepartmental promotion from a position in one department or agency to a position in another department or agency shall be for a probationary term; provided, however, that upon interdepartmental promotion the appointing officer may waive the requirement of satisfactory completion of the probationary term. The state civil service commission and municipal civil service commissions may provide, by rule, for probationary service upon intradepartmental promotion to positions in the competitive class and upon appointment to positions in the exempt, non-competitive or labor classes.

When probationary service is required upon promotion, the position formerly held by the person promoted shall be held open [~~for him~~] and shall not be filled, except on a temporary basis, pending completion of his probationary term.

Notwithstanding the foregoing or any other law or rule to the contrary, when a permanent appointment or promotion to a position in the competitive class is conditioned upon the completion of a term of training service or of a period of service in a designated trainee title, such service and the probationary term for such competitive position shall run concurrently.

Notwithstanding the foregoing or any law or rule to the contrary, any person appointed provisionally in accordance with section sixty-five of

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

LBD07676-01-3

this title who receives a permanent appointment to the same title shall have all time spent as a provisional appointment credited to any proba-tionary term that is required upon permanent appointment to a position.

§ 2. This act shall take effect immediately.