

# STATE OF NEW YORK

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6480

2023-2024 Regular Sessions

## IN ASSEMBLY

April 11, 2023

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

AN ACT to amend the civil service law, in relation to allowing an individual with disabilities or a disabled veteran to hold full-time or part-time positions for purposes of eligibility for recruitment for state employment

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

1 Section 1. Subdivision 1 of section 55-b of the civil service law, as  
2 amended by chapter 603 of the laws of 1995, is amended to read as  
3 follows:

4 1. The commission may determine up to twelve hundred positions with  
5 duties such as can be performed by persons with a physical or mental  
6 disability who are found otherwise qualified to perform satisfactorily  
7 the duties of any such position. Positions designated to be filled  
8 pursuant to this section may be filled on a full-time or part-time  
9 basis. Upon such determination the said positions shall be classified in  
10 the noncompetitive class, and may be filled only by persons who shall  
11 have been certified by the employee health service of the department as  
12 being a person with either a physical or mental disability. The number  
13 of persons appointed pursuant to this section shall not exceed twelve  
14 hundred.

15 § 2. Subdivision 1 of section 55-c of the civil service law, as  
16 amended by chapter 340 of the laws of 2008, is amended to read as  
17 follows:

18 1. The commission may determine up to five hundred positions with  
19 duties such as can be performed by disabled veterans and veterans with  
20 disabilities who are found otherwise qualified to perform satisfactorily  
21 the duties of any such position. Positions designated to be filled  
22 pursuant to this section may be filled on a full-time or part-time  
23 basis. Upon such determination, the said positions shall be classified

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

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1 in the noncompetitive class, and may be filled only by veterans of the  
2 armed forces of the United States who served therein during time of war,  
3 as defined in paragraph (c) of subdivision one of section eighty-five of  
4 this chapter, and (a) who establish by appropriate documentary evidence  
5 that they are disabled veterans, as defined in paragraph (b) of subdivi-  
6 sion one of section eighty-five of this chapter, or (b) by those veter-  
7 ans, as defined in paragraph (a) of subdivision one of section eighty-  
8 five of this chapter, who shall have been certified by the employee  
9 health service of the department as being disabled but capable of  
10 performing the duties of said positions. Priority in certification and  
11 referral of both such disabled veterans and certified disabled but capa-  
12 ble veterans shall be given to those veterans who received a wound in  
13 combat, as documented by the awarding of the purple heart, as authorized  
14 by the United States department of defense, and that wound is the cause  
15 of, or a substantially contributing factor to, the degree of impairment,  
16 who otherwise meet the requirements of this section. The number of  
17 veterans appointed pursuant to this section shall not exceed five  
18 hundred.

19 § 3. Section 59-d of the civil service law, as added by chapter 402 of  
20 the laws of 2022, is amended to read as follows:

21 § 59-d. Public posting of employment opportunities. The department  
22 shall make publicly available on its website all employment opportu-  
23 nities in the civil service of the state and information on obtaining  
24 employment with the state, including, but not limited to, vacancies in  
25 the competitive, non-competitive and labor jurisdictional classes,  
26 announcements for upcoming open-competitive and promotional examina-  
27 tions, test application instructions, and designations of which employ-  
28 ment opportunities are eligible to be filled by individuals with disa-  
29 bilities and veterans with disabilities, including whether such  
30 positions may be filled on a full-time or part-time basis, pursuant to  
31 section fifty-five-b and section fifty-five-c, as amended by a chapter  
32 [~~six hundred three~~] of the laws of [~~nineteen hundred ninety five~~] two  
33 thousand twenty-three, of this title. The president shall work in  
34 conjunction with the New York state department of labor and the gover-  
35 nor's office of employee relations in order to effectuate the provisions  
36 of this section.

37 § 4. This act shall take effect on the first of January next succeed-  
38 ing the date upon which it shall have become a law.