STATE OF NEW YORK

6480

2023-2024 Regular Sessions

IN ASSEMBLY

April 11, 2023

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:

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

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

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

1. The commission may determine up to five hundred positions with duties such as can be performed by disabled veterans and veterans with disabilities who are found otherwise qualified to perform satisfactorily the duties of any such position. **Positions designated to be filled pursuant to this section may be filled on a full-time or part-time 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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in the noncompetitive class, and may be filled only by veterans of the armed forces of the United States who served therein during time of war, as defined in paragraph (c) of subdivision one of section eighty-five of this chapter, and (a) who establish by appropriate documentary evidence that they are disabled veterans, as defined in paragraph (b) of subdivision one of section eighty-five of this chapter, or (b) by those veterans, as defined in paragraph (a) of subdivision one of section eighty-five of this chapter, who shall have been certified by the employee health service of the department as being disabled but capable of performing the duties of said positions. Priority in certification and referral of both such disabled veterans and certified disabled but capable veterans shall be given to those veterans who received a wound in combat, as documented by the awarding of the purple heart, as authorized by the United States department of defense, and that wound is the cause of, or a substantially contributing factor to, the degree of impairment, who otherwise meet the requirements of this section. The number of veterans appointed pursuant to this section shall not exceed five hundred.

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

§ 59-d. Public posting of employment opportunities. The department shall make publicly available on its website all employment opportunities in the civil service of the state and information on obtaining employment with the state, including, but not limited to, vacancies in the competitive, non-competitive and labor jurisdictional classes, announcements for upcoming open-competitive and promotional examinations, test application instructions, and designations of which employment opportunities are eligible to be filled by individuals with disabilities and veterans with disabilities**, including whether such positions may be filled on a full-time or part-time basis,** pursuant to section fifty-five-b and section fifty-five-c, as amended by **a** chapter [~~**six hundred three**~~] of the laws of [~~**nineteen hundred ninety-five**~~] **two thousand twenty-three**, of this title. The president shall work in conjunction with the New York state department of labor and the governor's office of employee relations in order to effectuate the provisions of this section.

§ 4. This act shall take effect on the first of January next succeeding the date upon which it shall have become a law.