§ 121. General provisions relating to classification and allocation. 1. Effective date of classification and allocation. Any classification or reclassification of a position and any allocation or reallocation of a position to a salary grade made by the director of the classification and compensation division or the state civil service commission pursuant to the provisions of this article shall become effective on the first day of the fiscal year following approval by the director of the budget and the appropriation of funds therefor, except that the director of the budget may, in his discretion, authorize an effective date prior to the first day of the ensuing fiscal year.

2. Salary rights and limitations. (a) Notwithstanding the provisions of paragraph (b) of this subdivision, the annual salary of any position, compensable on an annual basis, which is classified or reclassified, or which is allocated or reallocated to a salary grade pursuant to the provisions of this article shall not be reduced for the then incumbent by reason of any provision of this article.

(b) When a position is allocated pursuant to the provisions of this chapter to a salary grade in section one hundred thirty of this chapter, the incumbent thereof, whether employed on a permanent or temporary basis, shall be paid in accordance with the provisions of title B of this article.

(c) No employee whose salary would be increased by such classification, reclassification, allocation or reallocation shall have any claim against the state for the difference, if any, between his former salary and that which he should receive as a result of such classification, reclassification, allocation or reallocation for the period prior to the date such change in title or salary grade becomes effective.

3. Status of employees. No employee whose position is reclassified shall be promoted, demoted, transferred, suspended or reinstated except in accordance with the provisions of this chapter.

4. Limitations of use of preferred list. A preferred list established pursuant to section eighty-one of this chapter shall have no priority with reference to a new position created by the reclassification of an

existing position pursuant to this article whenever the use of a preferred list for filling such new position would result in the suspension of an employee pursuant to the provisions of section eighty of this chapter.

5. Career ladders. The director of the classification and compensation division may, in order to implement a plan for the progressive advancement of employees in an occupational group, based on their acquiring, as prescribed by such director, of either training or experience or both, reclassify the positions of the incumbents who meet the prescribed qualifications to titles allocated to higher salary grades. The advancement of an incumbent pursuant to this subdivision is not, and is not to be deemed, a reallocation.