§ 140. Maintenance and reporting of performance ratings. 1. All departmental agencies of the state government, whether known as departments, institutions, boards, commissions, or otherwise, shall keep and report, if requested by the civil service department, performance ratings of employees, based on standards of performance established by such respective agencies and approved by the civil service department, for the purpose of recording in terms of quality, quantity, and other factors, the relative efficiency of employees engaged in the same or similar lines of work, under the rules prescribed by the state civil service commission.

2. The state civil service department shall use such performance ratings as a basis for determining the rendition of satisfactory service necessary for advancement from one rate of compensation to another. Such department, in its discretion, may use such performance ratings as a factor in promotion examinations.

3. Notwithstanding the provisions of subdivisions one and two of this section, during periods of time when there is in effect an agreement between the state and an employee organization reached pursuant to the provisions of article fourteen of the civil service law or a performance evaluation plan administered pursuant to rules and regulations promulgated by the director of the budget, the provisions of such agreement and/or the provisions of such rules and regulations shall be applicable.