§ 6. Powers and duties of the state civil service commission. The state civil service commission shall

1. Prescribe and amend suitable rules and regulations for carrying into effect the provisions of this chapter and of section six of article five of the constitution of the state of New York, including (a) rules for the jurisdictional classification of offices and positions in the classified service of the state; (b) rules for examinations, appointments, promotions, transfers, leaves of absence, resignations and reinstatements, and the keeping, reporting and reviewing of performance ratings of employees in the classified service of the state and civil divisions for which the provisions of this chapter are administered by the state civil service department; (c) rules for sick leaves, vacations, time allowances and other conditions of employment in the classified service of the state and, notwithstanding any other provision of this chapter or any other law, such rules may provide for cash payment of the monetary value of accumulated and unused vacation or time allowances granted in lieu of overtime compensation standing to the credit of an employee at the time of his or her separation from service or his or her entrance into the armed forces of the United States for active duty (other than for training) as defined by title ten of the United States code, whether or not such entrance constitutes a separation from service, and for the payment of the monetary value of his or her accumulated and unused time allowances granted in lieu of overtime compensation standing to the credit of an employee at the time of his or her appointment, promotion or transfer from the department or agency in which such time allowances were earned to another department or agency and provided further however that any such rules or regulations shall provide that individuals certified by an examining physician as benefiting from the use of a service animal in performing major life activities, individuals registered with the New York state commission for the blind as legally blind or certified by an examining physician or licensed optometrist as legally blind, as manifested by visual acuity of 20/200 or less in the better eye with best correction or visual field of 20 degrees or less, and individuals who are deaf or hard of hearing manifested by a speech discrimination score of forty percent or less in the better ear with appropriate correction as

certified by an examining physician or a licensed audiologist or otorhinolaryngologist as defined in section seven hundred eighty-nine of the general business law, or a physician who has examined such person pursuant to the provisions of section seven hundred ninety-two of such law, may charge against accumulated sick leave credits and upon written agreement between the individual and the employer, may borrow against sick leave credits not yet accumulated, for the purpose of obtaining service animals or guide dogs and necessary training, up to a maximum of twenty-six days in any one calendar year; and (d) rules for the position classification and jurisdictional classification of offices and employees in civil divisions for which the provisions of this chapter are administered by the state civil service department.

Such rules and any modification thereof shall take effect when approved by the governor and filed in the office of the department of state, and shall have the force and effect of law;

2. Keep minutes of its own proceedings and records of its other official actions;

3. Make investigations concerning all matters touching upon the enforcement and effect of the provisions of this chapter and the rules and regulations established thereunder and concerning the action of any person in respect to the administration of this chapter. In the course of such investigations each member and any officer or employee previously designated in writing by the commission to conduct investigations or hearings in its behalf shall have power to administer oaths. A record of such written designation shall be kept on file in the office of such commission;

4. Have power to subpoena and require the attendance in this state of witnesses and the production of books and papers pertinent to the investigation and inquiries hereby authorized and to examine them and such public records as it shall require relating to any such matter. For the purposes of such examination, the commission possesses all the powers conferred by the legislative law upon a committee of the legislature or by the civil practice law and rules, upon a board or

committee. A subpoena issued under this section shall be regulated by the civil practice law and rules. Said commission and any officer or employee previously designated in writing by it to act in its behalf may invoke the power of any court of record in the state to compel witnesses to attend, testify and produce books and papers;

5. Hear and determine appeals instituted by any person believing himself aggrieved by any action or determination of the president of the commission acting as the head of the department, made under the authority conferred upon such president or department under the provisions of this chapter except article eleven hereof; provided, however, that no such appeal shall be allowed (a) if the action or determination involved relates solely to matters of internal management of the department, or (b) if the action or determination involved was considered and approved in advance by the commission. The appeals authorized by this subdivision shall be instituted by applications in writing to the commission within thirty days of the action or determination to be reviewed. The commission, for good cause shown, may waive such thirty-day limitation. The commission may make such investigation or inquiry into the facts relative to the action or determination appealed from as may be deemed advisable and may affirm, reverse or modify such action or determination;

6. Make determinations of all appeals filed with the state commission pursuant to the provisions of section one hundred twenty of this chapter;

6-a. Submit a report on or before January thirty-first of each year, to the governor and the legislature which shall include, but not be limited to, information detailing the total number of appeals received from determinations made based upon written and oral examinations, performance tests and ratings of training and experience, during the preceding twelve months, and the final disposition or dispositions of each appeal.

7. Meet in Albany at least once in each calendar month, except the month of August, and hold such other meetings at such places within the

state as the needs of the public service may require. A majority of the members of the commission shall constitute a quorum.