



DEPARTMENT OF CITYWIDE ADMINISTRATIVE SERVICES
DIVISION OF CITYWIDE PERSONNEL SERVICES

One Centre Street, 21st Floor
New York, NY 10007
(212) 669-2244 • Fax: (212) 669-3101
Email: jhein@dcas.nyc.gov

Martha K. Hirst
Commissioner

James G. Hein
Deputy Commissioner

*Citywide
Personnel Services*

MEMORANDUM

*Facilities
Management &
Construction*

To: James G. Hein

*Municipal Supply
Services*

From: Sherry Schultz
Director of Classification and Compensation

Real Estate Services

Date: April 1, 2009

Subject: Recommendation to schedule a public hearing on May 4, 2009, at 10:00 AM on a proposal to amend the classification of the Classified Service of the City of New York by including the titles of Agency Security Director, Director (Employee Assistance Program), High School Student Aide and Employee Assistance Program Specialist in the Non-Competitive Class authorized for use by all City agencies.

*Citywide Equal
Employment
Opportunity*

As part of the Department of Citywide Administrative Services five-year plan to reduce the number of provisional employees, we are proposing to classify the four titles listed above in the non-competitive class for use by all City agencies. These titles currently exist as temporary titles authorized for use by all City agencies and our study has been completed.

*Citywide
Occupational Safety
& Health*

We propose to classify the managerial titles of Agency Security Director, with an unlimited number of positions authorized citywide, and Director (Employee Assistance Program), with one position authorized for each city agency, in the non-competitive class, subject to Rule X, Part I. Salary rates for each position of these titles will be subject to the Pay Plan for Managerial Employees. Employees in the title of Agency Security Director are responsible for directing and managing the security and peace keeping functions of a city agency or a large security-sensitive agency unit, under the direction of an agency executive. Directors (Employee Assistance Program) are responsible for directing and supervising a large-scale agency employee assistance program.

*Transportation
Services*

The City Record

The duties performed by employees in each position of these managerial titles are confidential and policy influencing pursuant to Section 42.2-a and, therefore, should be classified under Part I of the Non-Competitive Class, which excludes the incumbents from Civil Service Law Section 75 disciplinary procedures. We believe that these titles should be classified in the Non-Competitive Class because it is not practicable to test

CityStore

competitively for the unique combination of knowledge, skills and experience that is required for each of these positions along with the close confidential relationship, trust and compatible goals with the executive overseeing this work.

We propose to classify the title of High School Student Aide in the non-competitive class, for use by all City agencies, with an unlimited number of positions authorized, subject to Rule X, Part II. These positions are part-time temporary positions for students attending high school. Employees in these positions perform a variety of simple duties, depending on the employing agency and may not work more than 20 hours per week when school is in session. These positions are paid the New York State minimum wage of \$7.15 per hour. We believe that this title should be classified in the Non-Competitive Class because it is not practicable to test competitively for positions which are part-time by definition and which have a short duration.

Additionally, we propose to classify the title of Employee Assistance Program Specialist in the non-competitive class, for use by all city agencies, with an unlimited number of positions citywide, subject to Rule XI, Part II. Employees in these positions provide counseling and treatment referrals and other related services as part of an agency's employee assistance program. Employee Assistance Program Specialists assist employees dealing with sensitive and confidential issues, such as addiction and mental health issues and serve as liaisons between employees and treatment facilities, supervisors and union representatives. We believe that these titles should be classified in the Non-Competitive Class because it is not practicable to test competitively for the unique combination of attributes, skills and experience that is required for these positions.

Employees in Part II positions receive Civil Service Law Section 75 disciplinary procedures after five years of service, pursuant to Rule 3.2.3 (b) of the Personnel Rules and Regulations of the City of New York. We have concluded our study and recommend that a public hearing be held on the subject proposal to classify the four titles, for use by all city agencies, in the Non-Competitive Class.

If you approve this proposal, please forward the enclosed calendar item to the Commissioner for approval, scheduling a Public Hearing to be held May 4, 2009, at 10:00 AM at 1 Centre Street, Pre-Bid Room, 18th Floor North, New York, NY 10007. Copies of the proposal memorandum, the proposed classification resolution and the proposed class specifications for the above titles can be viewed on the DCAS Website at: www.nyc.gov/dcas.

Enclosures

c: Mitchell Paluszek
Maria DiPaola
Thomas J. Patitucci