

CITY OF NEW YORK
DEPARTMENT OF CITYWIDE ADMINISTRATIVE SERVICES

NOTICE OF ADOPTION

Revision of Chapter 11 of Title 55 the Official Compilation of the Rules of the City of New York

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN the Commissioner of the Department of Citywide Administrative Services by section 811 and paragraph (a) of section 812 of the New York City Charter and in accordance with section 1043 of the Charter, that the Department of Citywide Administrative Services hereby amends Chapter 11 of Title 55 of the Rules of the City of New York, governing examination regulations, by adding certain language relating to the dollar amount of the examination application fees and the method of payment, by adding certain language relating to the manner of applying for examinations, and by updating address information where appropriate. Matter underlined is new. Deleted matter is [bracketed].

The rule was initially published for comment in the *City Record* on August 20, 2010 and a public hearing was held on September 20, 2010.

Paragraph (2) of subdivision (a) of section 11-01 of chapter 11 of Title 55 of the Rules of the City of New York is amended to read as follows:

(2) All information concerning an examination including these regulations, notices of examination, filing dates, test dates, and key answers are [posted in the Application Section] available at the website of the Department of Citywide Administrative Services at [18 Washington Street, N.Y., N.Y. 10004] www.nyc.gov/dcas or can be obtained in person at the Application Centers, located at 2 Lafayette Street, 17th Floor, New York, NY 10007 and at 210 Joralemon Street, 4th Floor, Brooklyn, NY 11210.

Paragraph (1) of subdivision (b) of section 11-01 of chapter 11 of Title 55 of the Rules of the City of New York is amended to read as follows:

(1) Completed application forms and required fee [may be submitted by mail only to the Applications Section of the Department of Citywide Administrative Services, unless otherwise provided in the Notice of Examination. Application forms submitted by mail must be properly stamped and addressed to “Applications Section, New York City Department of Citywide Administrative Services, 18 Washington Street, New York, N.Y. 10004,” and] must be submitted in a manner specified by the Notice of Examination for the specific position for which the applicant is applying. Applications must be received by the last date for receipt of applications specified in the Notice of Examinations.

Paragraph (2) of subdivision (b) of section 11-01 of chapter 11 of Title 55 of the Rules of the City of New York is amended to read as follows:

- (2) Except on legal holidays and unless otherwise stated in the Notice of Examination, the Application[s Section] Centers of the Department of Citywide Administrative Services, [18 Washington Street is] located at 2 Lafayette Street, 17th Floor, New York, NY 10007 and at 210 Joralemon Street, 4th Floor, Brooklyn, NY 11210, are open from Monday to [Friday] Saturday, from 9 a.m. to 5 p.m. Application forms can be obtained without charge at the Application[s Section] Centers during the application period specified in the Notice of Examination. Application materials are also available at the website of the Department of Citywide Administrative Services at www.nyc.gov/dcas.

Paragraph (1) of subdivision (c) of section 11-01 of chapter 11 of Title 55 of the Rules of the City of New York is amended to read as follows:

- (1) An application fee, as required in the [notice] Notice of [examination] Examination, must be paid at the time of submitting the application for any civil service appointment and for any application for appointment without competitive examination including provisional and labor class appointments and transfers. The application fee will be based upon the minimum of the salary range of the title being sought:

Salary Category	Fee
Under \$30,000	[\$30] <u>40</u>
30,000-34,999	[\$35] <u>47</u>
35,000-39,999	[\$40] <u>54</u>
40,000-44,999	[\$45] <u>61</u>
[\$45,000-[49,999] <u>62,999</u>	[\$50] <u>68</u>
[\$50,000 & above]	[\$60]
<u>63,000 – 69,999</u>	<u>\$82</u>

<u>70,000 – 74,999</u>	<u>\$85</u>
<u>75,000 – 79,999</u>	<u>\$88</u>
<u>80,000 – 89,000</u>	<u>\$91</u>
<u>89,001 – 99,999</u>	<u>\$96</u>
<u>100,000 & over</u>	<u>\$101</u>

The application fee set forth above will be reduced by \$5.00 where:

- i. the Notice of Examination authorizes applicants to electronically submit the application form through the Online Application System (OASys); and
- ii. the Notice of Examination authorizes electronic payment of the required application fee with a credit card, bank card, or prepaid debit card through the Online Application System (OASys); and
- iii. the application form is electronically submitted through the Online Application System (OASys); and
- iv. the required application fee is paid with a credit card, bank card, or prepaid debit card through the Online Application System (OASys).

Paragraph (3) of subdivision (c) of section 11-01 of chapter 11 of Title 55 of the Rules of the City of New York is amended to read as follows:

- (3) [Unless otherwise required in the Notice of Examination, payment must be made with a money order made payable to the order of the New York City Department of Citywide Administrative Services. Applicants must write their Social Security number and the examination number, for which the application is being submitted, on the money order. Cash or checks will not be accepted, unless specified in the Notice of Examination.] Application fees must be submitted and paid for in a manner authorized by the Notice of Examination for the specific position for which the applicant is applying.

Paragraph (1) of subdivision (d) of section 11-01 of chapter 11 of Title 55 of the Rules of the City of New York is amended to read as follows:

- (1) The tentative date of the first assembled test in an examination is stated in the Notice of Examination. The official test date will be given in the admission card sent to the applicant. The City assumes no responsibility for mail delivery. Applicants who do not receive an admission card at least 4 days prior to the tentative test date must [appear at the Examining Service Division of the Department of Citywide Administrative Services, 2 Washington Street, 17th Floor, during normal business hours on one of the 4 days preceding the test date to obtain an admission card] obtain a duplicate admission card at the address specified in the Notice of Examination.

Paragraph (1) of subdivision (j) of section 11-01 of chapter 11 of Title 55 of the Rules of the City of New York is amended to read as follows:

- (1) Any applicant who is disabled to the extent that he or she requires special accommodations to take an examination shall submit a written request for such accommodations, together with proof of disability as described below [, to the Examining Service Section of the Department of Citywide Administrative Services, 2 Washington Street, N.Y., N.Y. 10004, postmarked no later than 30 working days before the date of the examination]. The written request shall be submitted in the manner specified in the Notice of Examination and the Special Circumstances Form for the submission of such requests. The written request must indicate the specific accommodation requested, and any alternative which would be equally acceptable. Where appropriate and practicable, the Department of Citywide Administrative Services will provide one or more forms of testing accommodations, such as providing an accessible or alternate examination site, additional time to complete the examination, special seating, full written instructions and special attention from the monitor to insure that the applicant has understood oral instructions, a reader or tape recorder for test questions, an amanuensis or tape recorder for test answers, and large print or braille.

Subdivision (v) of section 11-01 of chapter 11 of Title 55 of the Rules of the City of New York is amended to read as follows:

- (v) **Correspondence and address[.]:** All correspondence relating to examination issues shall be sent to the Department of Citywide Administrative Services, Division of Citywide Personnel Services, [shall be sent to 2 Washington Street, N.Y., N.Y. 10004] One Centre Street, 14th Floor, New York, N.Y. 10007, unless otherwise specified.

STATEMENT OF BASIS AND PURPOSE

The amendments to the General Examination Regulations of the Department of Citywide Administrative Services (“DCAS”) are based upon the authority vested in the Commissioner of Citywide Administrative Services by §812 paragraph (a) and §811 of the New York City Charter, which states, in relevant part, that the commissioner shall have all the powers and duties of a municipal civil service commission provided in the civil service law. Pursuant to New York Civil Service Law §50, subdivision 5, paragraph (b), a municipal commission, subject to the approval of the governing board or body of the city or county, may elect to establish a uniform schedule of reasonable fees specifying in such schedule the classes of positions or types of examinations or candidates to which such fees shall apply. The New York City Charter §1043 further provides that each agency is empowered to adopt rules necessary to carry out the powers and duties delegated to it by or pursuant to federal, state or local law.

In accordance with the above referenced authority, DCAS has adopted amendments to §11-01 subdivision (a) paragraph (2); §11-01 subdivision (b) paragraphs (1) and (2); §11-01 subdivision (c) paragraph 3; §11-01 subdivision (d) paragraph (1); §11-01 subdivision (j) paragraph (1); and §11-01 subdivision (v) of Chapter 11 of Title 55 of the Rules of the City of New York. These amendments are necessary in order to update address information where appropriate. Additionally, some of the amendments direct members of the public to refer to the Notice of Examination for information regarding the manner in which applications and exam fees are to be submitted, since this information has become exam specific and the Notice of Examination is controlling in such matters.

In accordance with the above referenced authority, DCAS has also adopted amendments to the fee schedule set forth in §11-01, subdivision (c), paragraph (1) of Chapter 11 of Title 55 of the Rules of the City of New York. Pursuant to New York Civil Service Law §50, subdivision 5, paragraph (b) the amendments to the fee schedule were approved by the Mayor of the City of New York. The amendments increase application fees to cover some of the expenses incurred from developing and administering civil service examinations. Many examinations require extraordinary services to develop, administer and rate since they involve tens of thousands of candidates in different skill levels. Therefore, an increase in application fees is necessary to defray more of the cost of these services. However, because DCAS’s administration costs are reduced when (1) the application form is submitted electronically via the Online Application System (OASys); and (2) the required application fee is paid with a credit card, bank card or prepaid debit card through the Online Application System (OASys), DCAS has adopted an amendment which reduces the required application fee by \$5.00 in order to encourage applicants to utilize this option when it is authorized in the Notice of Examination.

The amendments to the fee schedule are also necessary because fees are determined on the basis of the minimum annual salary announced for the position. The fee schedule was last amended in 1996, when there were substantially fewer civil service positions with a minimum annual salary of \$50,000 and over. Minimum salaries have increased significantly since then. In fact, several positions now have a minimum salary exceeding \$100,000. Therefore, persons applying for positions where the minimum salary is \$50,000 are currently paying the same examination fee as persons applying for positions where the minimum salary is twice that amount. Accordingly, DCAS has amended the fee schedule so that there is greater differentiation in the fees assessed for examinations for positions where the minimum salary exceeds \$50,000.

/s/

Edna Wells Handy
Commissioner