



DEPARTMENT OF CITYWIDE ADMINISTRATIVE SERVICES  
DIVISION OF CITYWIDE PERSONNEL SERVICES

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

**Martha K. Hirst**  
*Commissioner*

**James G. Hein**  
*Deputy Commissioner*

*Citywide Personnel  
Services*

*Facilities  
Management &  
Construction*

*Municipal Supply  
Services*

*Real Estate Services*

*Citywide Equal  
Employment  
Opportunity*

*Citywide  
Occupational Safety  
& Health*

*Transportation  
Services*

*The City Record*

*CityStore*

July 15, 2009

Richard Ciprioni  
Director of Commission Operations & Municipal Assistance  
New York State Department of Civil Service  
Alfred E. Smith State Office Building  
Albany, New York 12239

Dear Mr. Ciprioni:

I am pleased to forward to you the DCAS Progress Report. This submission reports on data from the period beginning December 1, 2008 and ending May 31, 2009.

As of May 31, 2009 there were 33,841 provisional employees serving, a decrease of 3,956 from the May 31, 2008 baseline number of 37,797.

Since the submission and approval of our Provisional Reduction Plan, DCAS has been working very closely with City agencies on reducing the number of provisional employees, specifically provisional employees who are serving in titles with viable eligible lists. We have made great strides in accomplishing this goal.

The number of provisionals serving in the face of viable eligible lists decreased significantly from 12,645 as of May 31, 2008 to 4,335 as of May 31, 2009. However, even this number does not fully illustrate our efforts in that this number includes 1,107 provisionals serving in titles for which lists were only recently established. We are pleased that, after a highly focused effort both by DCAS and City agencies, we have reduced the number of provisionals serving in the face of eligible lists by 66%.

One example of how an agency used its lists to decrease the number of provisional employees can be seen in the title of Child Protective Specialist in the Administration for Children's Services (ACS). On May 31, 2008 the Child Protective Specialist title had the third most provisionals in the City with 1,276 provisionals. As of June 30, 2009 there were only 73 provisional Child Protective Specialists serving, a decrease of 94%. Of the 73, 52 have been appointed permanently and are pending certification audit and the remaining 21 have appealed their exam rating. As a result of the City's push since the Long Beach decision for provisional employees to take examinations, many provisional employees in this title took the Child Protective Specialist exam, in written format or at the new Computerized Testing

Center. As such, ACS has been able to use the eligible lists to remove nearly all provisional employees serving in this title.

We also recognize that in certain cases, agencies have experienced unavoidable delays in addressing their provisionals and, in other cases, there are reasonable explanations for the existence of provisionals as noted on the report. Some outstanding issues include:

- Eligibility Specialists in the Human Resources Administration (HRA):  
As discussed in our previous report submission, HRA provisionally appointed over 800 individuals to the title of Eligibility Specialist during a period when no civil service list was in existence for this title. As you are aware, in order to comply with legal mandates regarding eligibility determinations for social service benefits, we have requested an extension until October 2009 to completely replace all provisional Eligibility Specialists. We expect to replace these provisionals in several groups in the coming months. As of June 30, 2009 the number of provisional Eligibility Specialists serving in the City has already been reduced to 224.
- EMS-EMT and EMS-Paramedics in the Fire Department (FDNY):  
The number of provisional employees in these titles continues to be dramatically reduced. Currently there are five viable lists for EMS-EMT established between 2005 and 2008 and three viable lists for EMS-Paramedic established in 2009. At the time the lists were established, there were 2,267 total eligibles on the lists for EMS-EMT and 134 total eligibles on the lists for EMS-Paramedic. Currently, there are 34 total eligibles remaining on the lists for EMS-EMT and 15 total eligibles remaining on the lists for EMS-Paramedic, a reduction of 98.5% and 88.8% respectively. However, EMS-EMT and EMS-Paramedic represent particularly challenging titles with respect to compliance with Long Beach. First, the manner in which EMS-EMTs and EMS-Paramedics are investigated and appointed – that is, in periodic academy classes of large numbers of new appointees – renders it difficult and potentially dangerous with respect to public safety for the FDNY to replace all of its provisional employees in these titles within a short period of time, rather than in a phased program tied to the academy class schedule. Additionally, while examinations for these positions are among the most frequently and regularly administered exams by DCAS, it has been difficult to maintain adequate lists which can meet the needs of the FDNY, resulting in the retention of provisional appointments.
- New York City Hiring Freeze:  
On July 6, 2009, Mayor Bloomberg ordered an immediate hiring freeze due to the lack of action in the State Senate on the City's new revenue package. The freeze suspends plans to hire 250 police officers, 150 firefighters, 151 traffic enforcement agents, 34 emergency 9-1-1 operators, 175 school safety agents, 150 school crossing guards, 90 emergency medical technicians, 20 operators for the non-emergency services 3-1-1 hotline and all other pending new hires across the city. With the exception of the uniformed titles, these titles are ones where agencies were scheduled to hire eligibles off civil service lists in order to replace their provisionals. While we would hope this hiring freeze is temporary, until the State Legislature acts on the City's revenue package, the hiring freeze will remain in force and will delay the reduction in provisionals serving, as new employees cannot be hired and entrance classes have been halted.
- Transit Authority (TA) Titles:  
We have notified TA of its provisionals serving in the face of viable eligible lists. However, the speed with which these provisionals are being resolved and the

magnitude of the number of provisionals reduced are not what we would deem satisfactory. At your request, attached is a list of titles with provisionals serving in the face of a list at TA.

Since the last progress report, DCAS has continued to actively work with TA and TBTA to draft legislation regarding the divestiture of those agencies so that they can handle their own civil service. Also, we have been drafting a Memorandum of Understanding with respect to allowing TA and TBTA to assume greater responsibilities, particularly in the area of developing and administering examinations, while legislation is drafted. In addition, we are jointly developing a task plan to determine timeframes for components of the divestiture.

These outstanding issues will continue to be addressed by DCAS in our effort to reduce provisionals while taking into consideration the operational needs of New York City government.

It is also critical to highlight that we are succeeding in changing the culture of the City with respect to the civil service. For example, 21,151 applicants filed for the Principal Administrative Associate (PAA) exams held in June 2009, compared against 7,838 applicants who filed for the PAA exam held in February 2003. While that 270% increase may not be entirely due to our efforts with respect to Long Beach, the magnitude of the increase indicates that there is heightened awareness of the City's provisional reduction efforts. We also know, through our own efforts at reducing provisionals at DCAS and through our agency directives, that agencies are strongly encouraging their employees to file for civil service examinations. We are committed to continuing this cultural change which will encourage more provisionals to become permanent civil servants. An increase in the number of applicants will better ensure lists that can satisfy the needs of the City.

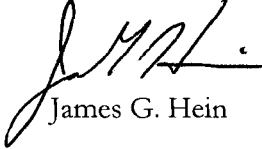
We have also made progress in our continued efforts to resolve provisional appointments through classification actions. On December 16, 2008 DCAS held its first jurisdictional classification hearing on the titles of Executive Program Specialist, Strategic Initiative Specialist, and Confidential Strategy Planner. Documentation on this hearing and these titles was sent to the State Civil Service Commission on February 12, 2009 and we are gathering the information requested by your office in your letter dated May 20, 2009. On April 6, 2009 we held another hearing to reclassify 16 Information Technology titles into the non-competitive class and two more hearings for nineteen titles were held in May. We have also recently completed several reclassification actions affecting competitive titles. The details of these actions will be reported later in the calendar year as they are implemented. These actions, which consolidated several title series, will have the dual effect of reducing the number of examinations we will need to give in the future and reducing the number of provisionals.

The new FY10 exam schedule was recently published (see attached), and the exams to be administered are directly focused on our Long Beach plan. These examinations will have a significant impact on reducing the number of provisionals while allowing City agencies to plan for operational exigencies.

Finally, we continue to make progress on our goal to have a Computer Testing Center in every borough. The work on our Brooklyn location is firmly on track and this Testing Center is scheduled to open by the end of the year.

As always, we look forward to continuing to work with you throughout the course of our Five Year Plan. If you have any questions, please call me at 212-669-2244.

Sincerely,



James G. Hein

C: Nancy G. Groenwegen, President, New York State Civil Service Commission  
Stella Chen Harding, Director, Commission Operations

Edward Skyler, Deputy Mayor for Operations

Martha K. Hirst, Commissioner, Department of Citywide Administrative Services

Michael A. Cardozo, Corporation Counsel

James F. Hanley, Commissioner of Labor Relations

Mark Page, Director, Office of Management and Budget

Michelle L. Goldstein, Director, Office of State Legislative Affairs