



DEPARTMENT OF CITYWIDE ADMINISTRATIVE SERVICES
DIVISION OF CITYWIDE PERSONNEL SERVICES

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Martha K. Hirst
Commissioner

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*Citywide Personnel
Services*

July 15, 2010

*Facilities
Management &
Construction*

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

Dear Ms. Kiyonaga:

*Municipal Supply
Services*

I am pleased to forward to you the DCAS Progress Report. This submission reports on data from the period beginning December 1, 2009 and ending May 31, 2010. This submission includes the following:

Real Estate Services

- DCAS Progress Report
- A listing of all competitive class titles. At the request of the State Civil Service Commission (SCSC), beginning with this report, we have added the number of provisionals serving at the beginning and end of this reporting period.
- At the SCSC's request, we have added a new report that reflects the provisionals serving in each agency, also at the beginning and end of this reporting period.
- At the SCSC's request, we have included a detailed listing of provisionals serving in the face of a list at the Transit Authority (TA).

*Citywide Equal
Employment
Opportunity*

*Citywide
Occupational Safety
& Health*

As of May 31, 2010, there were 29,324 provisional employees, a decrease of 8,473 from the May 31, 2008 baseline number of 37,797, or over 22%. The number of provisionals serving in the face of viable eligible lists, a specific area of focus in our provisional reduction effort, decreased from 12,645 as of May 31, 2008 to 5,452 as of May 31, 2010, a reduction of 57%¹. These 5,452 provisionals include the 1,597 provisionals serving in titles for which lists were established less than four months prior to May 31, 2010 (and, therefore, cannot yet be considered improper provisional appointments). The overall number of provisionals serving in titles with eligible lists was due mainly to larger lists such as Clerical Associate being established.

*Transportation
Services*

The City Record

¹ As new eligible lists are established throughout the year and existing eligible lists expire or become non-viable, employees serving in the face of an eligible list at two different points in time are not necessarily the same people.

CityStore

Of the 5,452 provisionals serving in titles for which lists were established, 3,855 are serving in titles for which lists were established before January 31, 2010 (that is, at least four months prior to May 31, 2010). With respect to these 3,855 provisionals:

- 899 provisionals are in 17 titles with lists certified to the Transit Authority;
- 690 provisional Clerical Associates are expected to be resolved shortly – in fact, we have reduced the number of provisionals significantly since the end of this reporting period;
- 1,697 provisionals are serving in eligible lists that move from being viable to nonviable regularly due to restorations, such as EMS-EMT and EMS-Paramedic as discussed below; and
- We are working with the agencies to resolve the remaining provisionals. Most are still serving due to operational issues and are expected to be resolved shortly. Some of these issues are outlined below.

As explained in earlier correspondence, all efforts towards reducing the number of provisionals must take into account the need for City agencies to continue to provide vital and important services that are operationally critical. 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 in the face of a list as noted on the report. Some outstanding issues include:

Job Opportunity Specialist and Supervisor I (Social Services) at Human Resources Administration (HRA)

HRA provisionally appointed over 398 individuals to the title of Job Opportunity Specialist and 127 individuals to the title of Supervisor I (Social Services) during a period when no civil service list was in existence for these titles. Replacing provisionals in these titles is especially problematic due to legal mandates in providing social services. We expect to replace these provisionals in several groups over the coming months.

Laboratory Microbiologist at the Department of Health and Mental Hygiene (DOHMH)

There are 26 provisional Laboratory Microbiologists serving at DOHMH in particular assignments which require a specialized license. We are currently working with DOHMH to identify the candidates on the eligible list who possess the appropriate license through a selective certification; we expect these provisionals to be resolved by the next reporting period.

Clerical Associate and other Clerical and Administrative Titles

As of May 31, 2008, there were 2,003 provisional Clerical Associates. There were 690 provisional Clerical Associates citywide as of May 31, 2010 and due to our continued efforts, this number was further reduced to 257 as of June 30, 2010. We are working with agencies to resolve the remaining provisionals. Due to a large number of clerical and administrative titles with lists that are either established or about to be established in the coming months, we are working with agencies to ensure that disruptions to agency operations are minimized.

Transit Authority (TA) Titles

We have continued to notify the TA of its obligation regarding its 899 provisionals serving in the face of viable eligible lists that were established more than four months ago. However, the speed with which these provisionals are being resolved and the magnitude of the number of provisionals reduced remains a serious concern. The TA has notified us that they are in the process of replacing their provisionals. However, we have yet to see most of these plans effectuated and are still awaiting resolution of these issues by the TA.

With regard to the divestiture issue, we are continuing to work with the TA and Triborough Bridge and Tunnel Authority (TBTA). DCAS has continued to hold regular discussions and

meetings with the operational, technical, and legal offices of the TA and TBTA, and, together, we are resolving remaining issues relating to an interim delegation of examination responsibilities.

During the last reporting period, we reported on some issues affecting our provisional reduction effort. An update on those issues is detailed below:

- EMS-EMT and EMS-Paramedic: The lists for EMS-EMT and EMS-Paramedic are essentially exhausted, except for occasional restorations and a very small number of candidates being investigated. An open competitive exam for EMS-EMT opened for filing on July 7, 2010, with a second exam expected to be open for filing in January 2011, along with the open competitive and promotion exams for EMS-Paramedic.
- Traffic Enforcement Agent (TEA): On November 30, 2009, there were 309 provisional TEAs. I am pleased to report that there are now no provisional TEAs.
- Computer Service Technician: On November 30, 2009, there were 156 provisional Computer Service Technicians. As of May 31, 2010, there were only 21 (and as of July 7, 2010 there were only three), all in the Department of Education. We expect to resolve these remaining provisionals by the next reporting period.
- Administrative Manager: As of May 31, 2010, there were 437 Administrative Managers serving provisionally with 830 eligibles remaining on the list. However, it is important to note that nearly all of these provisionals are in agencies where a promotion list does not exist or is no longer viable. The few remaining provisionals in agencies with viable lists are expected to be resolved by the next reporting period.

With one exception, all of the exams scheduled for this December 1, 2009 to May 31, 2010 time period in the Five Year Plan have either opened for filing or have been administered. Administrative Director of Social Services, a managerial title, was postponed until later in the Five Year Plan at the request of the major social service agencies in order to give more provisional employees the opportunity to become permanent in titles eligible to take the promotion exam to the managerial title.

As previously discussed, we are making strides in the entire sector of the clerical and administrative workforce. The promotion and open competitive lists for Clerical Associate and Secretary have been established. The list for Clerical Aide has been made public, but not established yet, in order to allow agencies sufficient time to use the existing lists for clerical titles; the Clerical Aide list will be established shortly. The establishment of the eligible lists resulting from the open-competitive and promotion exams for Principal Administrative Associate, administered in June 2009 to 20,484 candidates, will also significantly reduce the number of provisionals in clerical administrative titles.

In the area of Classification, we continue to make progress with our broadbanding and consolidation efforts, and our deletion of vacant competitive class titles.

After holding public hearings, we have forwarded five submissions to the SCSC for approval regarding 61 titles proposed for classification in the exempt or non-competitive class. In June 2009, we submitted to the SCSC a proposal to classify 12 Information Technology (IT) titles in the non-competitive class. In July 2009, we submitted to the SCSC a proposal to classify four temporary titles authorized for use by all City agencies in the non-competitive class, and, in August 2009, we submitted to the SCSC a proposal to classify 15 titles for the Police Department in the exempt or non-competitive class. On May 13, 2010, we submitted a proposal to the SCSC to classify 27 exempt class and non-competitive class titles for use by the Department of Environmental Protection (DEP). The DEP proposal includes formally reclassifying existing exempt and non-competitive titles classified for the former City Environmental Administration that were not renamed and placed under the successor agency, DEP.

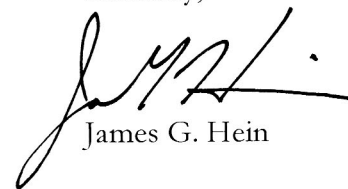
In addition, in response to the SCSC's request for more information on the three titles of Confidential Strategy Planner, Strategic Initiatives Specialist, and Executive Program Specialist (originally submitted in March 2009), we sent a revised resolution regarding these three titles on September 30, 2009, followed by an official signed revision on October 30, 2009. On June 16, 2010, we sent detailed agency-specific position descriptions for each of the three titles, as requested by the SCSC.

As you are aware, except for the inquiries regarding the proposals noted immediately above, we have not yet received any feedback from the SCSC on the pending classification proposals. This lack of feedback is generating concerns on two fronts. First, each of these proposals is, in and of itself, important to the success of our plan. This lack of feedback is also rendering it difficult for us to proceed with additional, equally important, proposals. Consequently, while we maintain that we have provided the SCSC with the rationale and all the information needed to provide the Commission with the basis to approve our proposals, if our rationale with respect to any particular proposal has, in the opinion of the SCSC, fallen short, we need to know that as soon as reasonably possible so we can evaluate how to proceed with our future proposals. Progress in classifying discretionary titles will enable us to make continued progress toward our goal of reducing the number of competitive titles requiring examinations. In turn, we will be able to give more frequent examinations for the remaining competitive titles and reduce provisional employees in City government, while enabling agencies to continue to perform the critical operations of their missions and maintain the required level of responsiveness to the public.

Thank you for your support during our Five Year Plan. We are pleased that the number of provisionals has been reduced by more than 22% in two years, and we expect that this trend will continue for the remaining years of the Plan.

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
Stephen Goldsmith, 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