

February 20, 2019

Joe Cavazos
Deputy Commissioner for Municipal and Local Government Services
New York State Department of Civil Service
Empire State Plaza, Agency Building 1
Albany, New York 12239

Dear Mr. Cavazos:

I am pleased to forward to you, on behalf of the DCAS employers, the attached plan in accordance with Section 65(5) of the New York State Civil Service Law, as amended by Chapter 567 of the Laws of 2016.

I confirm that the information contained in this plan is accurate to the best of my knowledge, based on a reasonable inquiry by this agency into the facts set forth therein.

We look forward to working with you and your staff toward adopting and implementing the Reduction Plan III (RP3).

Sincerely,



Lisette Camilo

c: Caroline Ahl, Commissioner, New York State Civil Service Commission
Jeanique P. Greene, Commissioner, New York State Civil Service Commission
Lola Brabham, Executive Deputy Commissioner, New York State Civil Service Commission
Dean Fuleihan, First Deputy Mayor
Zachary W. Carter, Corporation Counsel
Renee Campion, Commissioner of Labor Relations
Simonia Brown, Director, Office of State Legislative Affairs

REDUCTION PLAN III (RP3)

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1. **INTRODUCTION**

This Plan is being submitted pursuant to New York State Civil Service Law Section 65(5).

1.1.0 **THE DEPARTMENT OF CITYWIDE ADMINISTRATIVE SERVICES (“DCAS”)**

1.1.1 Designation as the Municipal Civil Service Commission for the City of New York

Section 811 of the Charter of the City of New York provides that “The Commissioner [of the New York City Department of Citywide Administrative Services (“DCAS”)] shall be responsible for citywide personnel matters, as set forth in this chapter, and shall have all the powers and duties of a municipal commission provided in the civil service law or in any other statute or local law other than such powers and duties as are by this chapter assigned to the Mayor, the City Civil Service Commission or the head of the city agencies....”

1.1.2 Entities under the Jurisdiction of DCAS

Pursuant to the City Charter, DCAS administers the civil service system for all New York City agencies, including the offices of elected officials in the City. This system includes certain other agencies, such as the offices of district attorneys, public administrators, and pension systems that have historically been treated as City agencies for civil service purposes.

Additionally, pursuant to either statute or case law, DCAS administers the civil service system for several other entities, which are not agencies or offices of the City of New York. The following entities have opted into this Plan:

- New York City Department of Education
- New York City Transit Authority
- New York City Triborough Bridge and Tunnel Authority
- New York City Housing Authority
- New York City Municipal Water Finance Authority

Throughout this document, references to “the City” indicate all entities under the jurisdiction of DCAS as described in this section.

1.1.3 Promulgation of Rules

Pursuant to Section 20 of the New York State Civil Service Law, DCAS has promulgated Rules with respect to its administration of the Civil Service Law (known as Personnel Rules and Regulations of the City of New York).

1.1.4 Organization of DCAS’ Human Capital Line of Service

The Human Capital (HC) line of service is primarily responsible for maintaining the municipal civil service system for the City of New York. Two Bureaus in HC, the Bureau of Examinations and the Bureau of Civil Service Administration, handle all matters related to civil service. The Bureau of Examinations is responsible for the classification of titles, for all examination matters, including test development, test administration, and test rating, and for the citywide administration of civil service eligible lists. The Bureau of Civil Service Administration is responsible for maintaining the databases that provide most of the personnel information presented in this Plan.

1.2.0 CIVIL SERVICE LAW SECTION 65(5)

Civil service titles fall into one of four jurisdictional classifications: competitive, non-competitive, labor, and exempt. Under the New York State Constitution, competitive titles must be filled by competitive exams, which are used to create lists of eligible candidates for competitive civil service jobs.

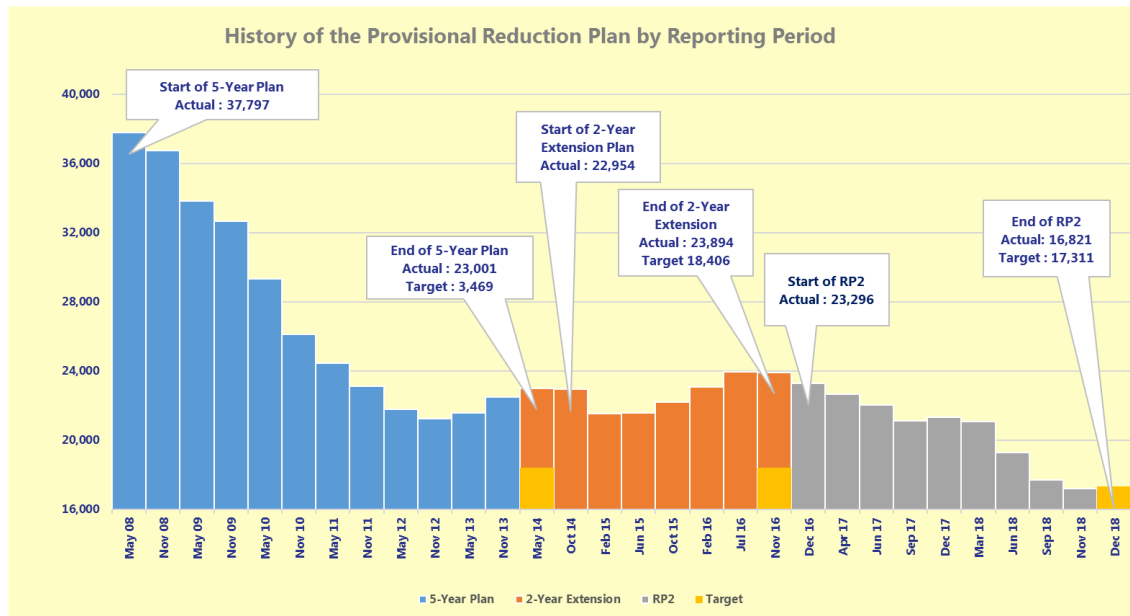
Exam administration is a comprehensive process that involves the development of test questions through discussions and interviews with subject matter experts, the administration and scoring of exams, an appeal process for candidates, and the development of a list of qualified candidates ranked in score order.

Often, vacancies arise and must be filled before an exam can be administered to create a new civil service list for a particular title. To address this issue, Section 5.5.1 of the Personnel Rules and Regulations for the City of New York provides for the appointment of “provisional” employees for a period of up to nine months while a new civil service list is promulgated. As of December 31, 2018, 12,798 provisional employees across the City of New York are serving beyond the nine-month provisional service period or in the face of a civil service list. Many of the individuals who hold provisional appointments perform essential public services, and it has been established that it would take time for DCAS and its related employers to develop and administer competitive examinations and to make appointments from resulting eligible lists in a manner that ensures the continued quality and effectiveness of governmental operations.

New York State Civil Service Law Section 65(5) was enacted in 2008 to enable the City to address this issue within a reasonable period in a manner that ensures that City operations are not disrupted. Civil Service Law Section 65(5) (c-1) was enacted in 2014 to allow a two-year extension, including a new plan to reduce provisionals, to be implemented by November 1, 2016. Civil Service Law Sections 65(5) (c-2) and (c-3) were enacted in November 28, 2016, giving the City of New York another two years to pursue innovative new strategies towards provisional reduction.

2. PROVISIONAL REDUCTION JOURNEY (2008-2018)

The City of New York has worked diligently to reduce its provisional employee count from 2008 – 2018. As reflected in the chart below, there were 37,797 provisionals in 2008 and as of December 31, 2018, the City has reduced its provisional count to 16,821, the lowest number of provisionals recorded in the City’s history.



Over the course of these 10 years, three provisional reduction plans were submitted to the State Civil Service Commission for review and approval. An overview of the key strategies incorporated within each plan, including the final provisional counts are summarized below:

2.1.0 ORIGINAL PLAN (2008 – 2014: APPROVED BY THE STATE CIVIL SERVICE COMMISSION)

- Administered 662 exams and established 631 lists.
- Broad-banded and consolidated 100 titles which resulted in 60 fewer exams that needed to be developed
- Classified 40 temporary titles as either non-competitive, exempt or competitive class.

At the beginning of the original plan, the number of provisionals was 37,797 (with a baseline of May 31, 2008). By the end of this plan on August 31, 2014, DCAS had achieved a reduction of 14,858 provisionals bringing the number of provisionals down to 22,939. This reduction was achieved thanks to the strategies mentioned above but also due to a hiring moratorium that the City experienced for approximately one year during this plan.

2.2.0 PLAN EXTENSION (2014 – 2016: CONDITIONAL APPROVAL RECEIVED FROM THE STATE CIVIL SERVICE COMMISSION)

- Administered 278 exams and established 328 lists.
- Classified 27 temporary titles as non-competitive, exempt or competitive class.
- Enhanced the list management process by:
 - Conducting workforce planning meetings with all affected agencies across the City (pre-list establishment).
 - Shortening the timeframe to resolve/transition provisionals from four months to two months.
 - Expediting the use of lists by moving towards immediate list establishment for titles with provisionals serving.
 - Hosting three targeted citywide hiring pools, which resulted in 1,331 permanent appointments.

The starting number of provisionals for the Plan Extension was 22,954 as of October 2014. Over the course of this plan, we effectively reduced provisionals by 13,347. However, due to new provisional hires totaling 14,287, the provisional number at the conclusion of the plan on December 31, 2016 was 23,894. This represented a net increase of approximately 950 provisionals. This plan did not take into account the operational realities of the City. As a result, our gains were limited and we understood the importance of accounting for the City's operational needs and new initiatives as we developed the next plan.

2.3.0 REDUCTION PLAN II (2016-2018: APPROVED BY THE STATE CIVIL SERVICE COMMISSION)

This plan was structured to focus on four key areas: examination administration and innovation, enhanced compliance measures, automation and staff augmentation.

- **Exam Administration/Innovation**
 - Administered 551 exams, including 274 in FY18, the highest number of exams administered during one fiscal year in DCAS history.
 - Amended civil service law by receiving approval to administer the Qualified Incumbent Examinations (QIEs) for 194 titles. The QIEs were administered as part of a new automated system, and DCAS administered QIE exams which resulted in 4,302 appointments. DCAS also hosted 43 information sessions to educate City employees about the administration of the QIEs.
- **Enhanced Compliance**
 - Expanded agency communication and education by making provisional reduction a recurring topic at the quarterly Agency Personnel Officer meetings;

deployed functionality in NYCAPS to provide agencies with an automated email notification that their employees have been placed on other agencies' certifications; conducted 14 citywide hiring pools that yielded 3,370 appointments; hosted 108 provisional reduction compliance meetings with 73 agencies to reinforce the importance of agencies' obligation to resolve provisionals in the face of a list; conducted targeted recruitment to assist agencies in meeting their hiring needs and to "flag" provisional hires through this process; and started immediately establishing lists rather than publishing them for 60 days.

- **Automation**
 - Created functionality to support the administration of the QIE. Through automation, the cycle time for the QIE exam is an unprecedented three months.
 - Expanded the seating capability at the Computer-based Testing and Application Centers (CTACs) by opening two new centers in Queens and Staten Island thus increasing the total number of seats across all four locations from 213 to 607, an increase of 185%.
- **Staff Augmentation**
 - Received approval for additional full-time positions to increase DCAS' test development capacity. As a result of having the additional staff, we were able to administer the record 274 exams in FY18. It has also allowed DCAS to increase our reliance on in-house exams and to limit the use of consultants to a select group of titles.

The number of provisionals at the beginning of RP2 was 23,296. A target of 17,311 provisionals remaining by the end of the plan was set and we are proud to say that DCAS not only met this target, but exceeded it by 490 provisionals (DCAS had 16,821 provisionals remaining at the end of this plan, effective December 31, 2018). During RP2, DCAS was able to achieve major milestones that resulted from the continued collaboration with our labor partners, City agencies and the Commission. DCAS changed the citywide paradigm regarding the importance of gaining civil service status.

3 REDUCTION PLAN III (RP3): 2019 – 2021

Through RP3, DCAS will build upon its previous success and lessons learned. Competitive examination and enhanced compliance will serve as the foundation of our plan to achieve substantial compliance with civil service law.

To do so, DCAS will proceed with several strategies falling under two areas -- Provisional Reduction and Provisional Avoidance.

3.1.0. Provisional Reduction Strategies

Today, with 16,821 provisionals, we are closer than ever before to meeting the goal of substantial compliance. Using our experience, DCAS will continue to make significant strides through exam enhancements and automation to further support our ability to generate civil service exams quickly and allow for agencies to fill critical vacancies via eligible lists.

3.1.1. Civil Service Examination

- *Competitive Examinations*

The most consistent and efficient way to reduce provisionals remains the competitive examination process. To that end, DCAS will be administering competitive exams in RP3 for 91 titles with provisionals serving in FY 19 and a projected total of 130+ titles with provisionals serving in FY 20. Through these examinations, DCAS expects a reduction of 1,703 provisionals over the first two years of the new plan (see attached: *RP3 Provisional Analysis – FY19 and FY20*). In addition, and building off of the successes of RP2, DCAS should be able to address another 2,262 provisionals resulting from 192 titles that currently have active or pending lists (see attached: *RP3 Provisional Analysis – Existing List or Exam*)

Given the dynamic nature of the work performed across the City and its impact on the workforce and titles used by agencies, our ability to provide projections beyond FY20 are limited. Notwithstanding, DCAS is expecting to administer exams for approximately 150 titles that will target those with provisionals serving and add titles to the examination schedule with increased provisional hiring throughout the duration of the plan. Additionally, the Commission will receive an outline of titles for examination in FY21 within the first four months of FY20.

- *Qualified Incumbent Exams*

The administration of QIEs have proved to be a successful method of provisional reduction during RP2. As a result, DCAS has requested an extension of the QIE legislation to amend the civil service law in order to administer exams for QIE titles during RP3.

Based upon the 114 titles identified for QIE administration during RP3, DCAS expects to reduce 1,787 provisionals from 2019 to 2020 (see attached: *RP3 Provisional Analysis – QIE*).

3.1.2 Enhanced Testing Methods

- *CTAC E&E exams*

DCAS will increase its testing capacity by enhancing the technology at our testing centers in order to administer CTAC Education and Experience (EE) tests. These automated EE tests will eliminate the time required for manual rating, as well as maximize the use of our borough-based CTACs. For manually-rated EE tests, the current median timeframe from administration of the exam to the establishment of an eligible list is 9-12 months. The CTAC EE tests will eliminate the time required for rating and potentially reduce our cycle times to 7-9 months per exam. This innovation will assist DCAS in administering exams for 22 titles in the final quarter of FY19, and expected to be used for up to 109 titles in FY20 (see attached: *RP3 Provisional Analysis – CTAC EE&E*). DCAS will continue to provide a confirmation of titles and exams at the start of FY20. The CTAC EE system will be utilized until the new Education and Experience Exam (EEE) system is complete.

- *Education and Experience Exam (EEE) System - March 2020*

DCAS will replace the current Education & Experience Test Paper (EETP), Online Education & Experience Test (OLEE) system, and corresponding processes with a single, modern, efficient, and user-friendly online system effective March 2020. The new system, EEE, will improve the overall applicant experience, eliminate paper, reduce unnecessary work, and contribute to other existing efforts geared at modernizing the exam processes.

- *Use of Consultants to Increase the Number of Exams Administered*

We will continue to utilize consultants in order to bolster our civil service examination efforts. This will allow DCAS to expand our portfolio of examination offerings that were previously beyond the resources of the DCAS team and allow DCAS to have the ability to maintain an aggressive examination schedule in the coming years. To date, our consultants have been assigned with the development of 4 exams on behalf of DCAS. It is expected that 10-12 exams per fiscal year will be developed by them moving forward (see attached: *RP3 Provisional Analysis – Exams by Consultants*).

These enhanced testing methods are expected to reduce the time needed to develop and rate exams. Additionally, they will provide DCAS the opportunity to administer a higher quantity of exams with increased frequency. In return, this increased frequency will enable DCAS to target titles that have historically experienced high turnover and will shorten the lifecycle of eligible lists.

3.1.3 Citywide Hiring Pools

As part of RP2, DCAS increased its use of Citywide Hiring Pools (CWHP) to expedite the replacement of provisional employees serving in titles for which a civil

service list had been established. Criteria were developed to standardize the selection of titles appropriate for the CWHP format. Over the past two years, DCAS hosted a total of 14 hiring pools, resulting in over 3,370 permanent appointments. To maximize use of this format, DCAS will use the following revised criteria in determining where the use of these pools is most appropriate:

- Civil service list is open competitive;
- 30 or more provisionals are serving in the title;
- Three or more agencies have provisionals and/or vacancies; and
- At least 65% of list eligibles are city employees.

Based on the revised criteria, DCAS plans to target approximately 39 titles (or 2,308 provisionals) over the next two years (see attached: *RP3 Provisional Analysis – Hiring Pools*).

3.1.4 Classification

Our goal in the area of Jurisdictional Classification is to provide the best service to our agency partners while ensuring that the City's title structure is appropriate. This can only be achieved through an enhanced collaborative partnership with the Commission. DCAS intends to submit classification proposals for 86 titles addressing 618 provisionals (see attached: *RP3 Provisional Analysis – JC*).

3.2.0 Provisional Avoidance

The second tenet of RP3 addresses how employees are hired into City jobs, both as new hires and current City employees advancing their careers within the City's agencies. As such, DCAS is taking a critical look at the way the City on-boards its new employees so that their experience with and understanding of civil service is improved. Through the following strategies, DCAS seeks to decrease the number of employees who are hired into City service provisionally while still providing agencies with the ability to fill critical vacancies within a short period of time.

3.2.1 Recruitment

We intend to build upon the gains that the DCAS Office of Citywide Recruitment (OCR) has made in the areas of targeted recruitment, education and communication toward prospective City employees. OCR will continue its collaboration with City agencies so that candidate outreach is paired with agency vacancies and the civil service exam schedule. The Office offers Civil Service 101 training at recruitment events to inform job seekers of the City's hiring processes. During RP3, OCR and the Exams Bureau will be partnering to start hosting information sessions at the

CTACs. These recruitment events will continue to provide job seekers with the civil service training offered by OCR, but they will also allow them to apply for a City exam on-site. We expect to host approximately two (2) information sessions at the CTACs on a monthly basis, which will be tailored towards exams open for filing during that month. This streamlined approach will be the basis for our targeted recruitment strategy with agencies.

3.2.2 Automation/Technology

- *Online Application System (OASys) - January 2019*

In January 2019, DCAS launched the brand-new Online Application System, known as OASys 2.0. This new, user-friendly system provides more efficient functionality for job seekers who are applying for civil service examinations. The OASys experience is critical because it serves as the introduction to civil service jobs for many prospective employees, and its revamped interface improves this experience by providing up-to-date exam information. Candidates now have access to exam information 24 hours a day within their candidate portal, which will also contain their exam application status, exam results (as they become available), and civil service list information once the eligible lists are established. OASys 2.0 is the gateway system into permanent civil service status and it is a powerful tool for attracting and onboarding new hires.

- *Bridge Exam*

To expand on our examination offerings and to proactively address the need for city agencies to fill vacancies efficiently, DCAS will administer a new testing format that will allow applicants to take a single competitive exam for multiple entry-level titles: The NYC Bridge Exam. Through this citywide entrance exam, applicants will be able to select any or all of the offered titles for which they wish to apply and take a multiple-choice exam administered at DCAS' CTAC locations. This exam will effectively streamline the test development and administration resources at DCAS' disposal. At the same time, agencies will have greater access to an increased number of civil service lists from which to hire.

An initial NYC Bridge Exam pilot is slated to include four (4) titles. This proposal would address 58 provisionals currently serving in these titles (see attached: *RP3 Provisional Analysis – Bridge Pilot*). In addition, as 35% of the current incumbents in these titles were hired within the last two years, exams for these titles will serve as provisional avoidance as well. We intend to utilize our consultant contracts to expand upon the pilot to include provisional avoidance titles in FY 20 and beyond.

- *Computer-based Testing and Application Centers (CTACs)*

Throughout our provisional reduction events, the CTACs have played a significant role in many of our initiatives. To support our goal of creating a more efficient examination process through the administration of automated exams only, DCAS has recently added a fifth CTAC in the Bronx which opened for business on December 17, 2018. DCAS now has a civil service footprint in all five boroughs of New York City. This new CTAC increases our current testing seating capacity to 647.

3.2.3 Compliance

- *Civil Service Lists*

Effective December 24, 2018, DCAS implemented a soft warning in NYCAPS to notify agencies of an imminent civil service list for the title they are selecting, as applicable. This will serve as a reminder to agencies that they should not hire provisionally in that title, and if they need to, that they will be required to replace all provisional appointments in that title within two months of list establishment.

To further support agency hiring needs, DCAS will review active eligible lists to determine appropriate titles for filling positions where list eligibles are qualified to perform similar or related duties. This will ensure optimal use of eligible lists and decrease provisional hiring in titles where eligible lists do not exist.

- *Compliance Meetings*

DCAS will continue to hold regular compliance meetings with agencies in order to ensure that the collaboration and partnership we have achieved through this forum continues through the next Plan. These meetings have served as an opportunity for DCAS to provide partner agencies with guidance regarding how to best address provisionals while servicing their organizational needs. In addition to discussing topics such as resolving provisionals serving in the face of a list and the use of citywide hiring pools, we will also be discussing with agencies their future hiring plans. Having advance knowledge of agency hiring plans will allow DCAS to assist with recruitment, adjust the exam schedule to meet hiring mandates, and host testing sessions at our CTACs for these prospective hires. Our goal for new employees is that they will enter the workforce having already taken an examination and will remain provisional only for the length of time between exam administration and list establishment.

3.2.4 Provisional Avoidance Titles

DCAS will build upon our successes in achieving appointments through competitive examinations for provisional avoidance titles. We will accomplish this by increasing the cadre of titles for which we regularly administer exams for provisional avoidance, rather than only addressing provisionals after they are hired. Titles in which we have successfully kept provisional numbers low by the continuous administration of exams have a higher appointment rate than 45% (the percentage we use when quantifying provisional reduction through the administration of an exam). Based on this success, we plan to achieve a higher appointment rate and this percentage will be updated as necessary, as we move through the plan.

4 TARGETS

In order to establish a provisional reduction target based on the operational realities of the City, we reviewed data from the previous plan, covering 2016-2018.

Our analysis revealed the following:

- The City experienced an average net quarterly provisional increase of 738. Taking into the account the average expansion of the City's workforce at 2.2%, we are forecasting this number to be 2,951 in the first year, 3,016 in the second year, and 3,082 in the third year
- Of the promotion and open-competitive civil service exams administered, nearly 45% of the provisionals tested were appointed to permanent status. We will continue to use this appointment rate for competitive exams on the schedule, and increase it to 55% for titles affected by our increased provisional avoidance strategies.
- The 45% appointment rate increased to 70% for titles with citywide hiring pools. We will use this appointment rate for titles with scheduled hiring pools;
- Of the titles for which we gave QIE exams, 100% of the employees have been or are expected to be appointed or transitioned. We will use this appointment rate for titles with QIEs during RP3; and
- 30 out of the 45 jurisdictional classification actions DCAS submitted were approved. The approval of these positions has allowed City agencies to strategically align their agency organization within a new title structure. We will use this 67% rate for reclassification proposals.

When we apply these targets to the provisional reduction strategies and combine them with the provisional avoidance strategies identified for RP3, the City's provisional count will be

reduced to five percent of the competitive workforce, with approximately 9,812 provisionals remaining. While the exam schedule for FY21 has not been finalized, we plan to address incoming provisionals and continue to use the strategies and targets outlined above. As such, we will use the final year of the Plan to reduce the remaining provisionals to substantial compliance.

5 CONCLUSION

Over the last ten years, DCAS has instituted several strategies to address the City's longstanding provisional issue. Consistent enforcement and continued collaboration with the agencies, labor and with the Commission are critical factors to DCAS' ability to address the City's provisional headcount and achieving substantial compliance with civil service law. RP3 will build upon lessons learned and implement new strategies to ensure that our efforts to reduce provisionals across the City continue to be fruitful.

We thank you in advance for your review and approval of RP3.

ANDREW M. CUOMO
Governor



Civil Service
Commission

CAROLINE W. AHL
Commissioner
JEANIQUE GREENE
Commissioner

RESOLUTION TO APPROVE THE REVISED PROVISIONAL REDUCTION PLAN


At a meeting of the New York State Civil Service Commission held on May 15, 2019 the following resolution was adopted:

WHEREAS the New York City Department of Citywide Administrative Services (DCAS) has submitted a Third Revised Provisional Reduction Plan (RP3) in accordance with Chapter 419 of the Laws of 2018; AND

WHEREAS DCAS has revised such plan in response to input from the State Civil Service Commission; AND

WHEREAS on March 14, 2019 DCAS submitted a final version of the RP3 which meets with the approval of the State Civil Service Commission;

NOW THEREFORE BE IT RESOLVED that the State Civil Service Commission approve the RP3 as submitted on March 14, 2019.



Commissioner



Commissioner