When you become an employee of the City of New York, your job rights depend on the civil service classification of your job title and your status in that job title. Your job title may be classified as:

- Competitive Permanent
- Competitive Provisional
- Non-Competitive
- Labor
- Exempt

Most of the job titles utilized by HRA/DSS are classified as competitive.

A permanent employee in a competitive class job title is one who has been appointed from a civil service list established by the Department of Citywide Administrative Services (DCAS). To be included on such a civil service list, the employee must have taken and passed a competitive examination for the job title. Once appointed, the employee completes a one-year probationary period, unless otherwise specified during which his/her work performance is carefully evaluated. If performance during this period is satisfactory, the employee is granted permanent status, with all its inherent rights and privileges. If performance is not acceptable, termination of employment may occur. After completion of the probationary period, performance which is not acceptable becomes subject to agency disciplinary proceedings.

A provisional employee in a competitive class job title is one who has been appointed prior to the establishment of a civil service list for his/her job title. A provisional employee may be terminated from a job title at any time, either because services are no longer required or because a civil service list for the job title is established and the provisional employee's name either does not appear on the list or is too low on the list to be reached. Therefore, it is to the advantage of every provisional employee to take and pass the civil service examination appropriate for his/her job title, with as high a place on the list as possible. Effective July, 1988, New York City agreed to provide contractual disciplinary rights to certain provisional employees who are covered by the Citywide Agreement and who are employed provisionally for at least two consecutive years without a break in service in the same agency. Time in another agency does not count towards the two years.

An employee in a non-competitive class job title is not required to take a civil service examination. Rather, the employee is qualified for appointment on the basis of his/her educational background and/or occupational experience. This classification is used when it has been determined that it is not practicable to select qualified persons for a job title through the usual competitive examination process. A limited number of positions fall into this category.

An employee in an exempt class job title is in a position that also does not require formal qualifications or examinations. They are generally executive level, administrative, or policy positions reporting to a commissioner or a principal executive officer. These positions must be approved by the New York State Civil Service Commissioner.

An employee in a labor class job title is serving in one of the trades titles; these titles are not classified competitive or non-competitive. DCAS may require that candidates undergo an examination of fitness prior to employment in a labor class job title.

Employees pay status may be per annum (a full-time employee whose salary is calculated on an annual basis) or per diem (an employee paid by the hour, and only for hours worked).

**Job Assignment** — Many factors are considered in selecting an employee's particular work assignment:

- The classification of the position;
- The demand for the title by the Responsibility Area/Responsibility Centers (RA/RC);
- Special skills the employee may have;
- The employee's rights to the assignment as compared to the rights of other employees based on performance, place on civil service list, and seniority;
• Preferences as to work location.

**Changes in Position** – There are many ways in which a position in HRA/DSS may change, including:

• **Promotion** – Staff can advance to better paying and more responsible job titles by passing civil service promotion examinations when they are given by DCAS. Examination announcements are publicized throughout the agency on location bulletin boards, printed in the civil service newspaper, “The Chief”, posted in the applications section of DCAS and listed on the www.nyc.gov website. Staff are encouraged to take examinations for any higher position for which they qualify.

• **Level Change** – A change to a higher or lower level within the same civil service title, with new duties.

• **Reassignment** – Assignment to a different job, in the same work location, without a change in title.

• **Redeployment** – A process whereby staff is transferred from:
  • One section of HRA to another section of HRA;
  • HRA to another city agency;
  • Another city agency to HRA;

• **Reinstatement** – A permanent employee in the competitive or labor class who has completed his/her probationary period and who has resigned may apply for reinstatement up to four years from the date of his/her resignation:
  • Reinstatement must be made within a period of time equivalent to the time actually served in the civil service title, with a maximum of four years from the date of resignation.

• Reinstate restore only the employee’s permanent status and not their prior seniority.

• Reinstate rest are based on the agency’s needs, priorities and authorized vacant positions in the title to which the reinstatement is being requested.

• Reinstatement requests are kept on file until the expiration date of eligibility for reinstatement, or when the agency obtains hiring authority for the requested title.

• The decision to reinstate a former employee is discretionary with DCAS.

• **Resignation** – Staff are required to submit their resignation, in writing, to their supervisor at least two weeks in advance of the last scheduled work day.

• **Transfer** – Any employee wishing to be relocated from one section of HRA to another should complete Transfer Request Form 324 and submit it to the Recruitment Division of the Office of Staff Resources. Transfers are usually not made for employees who are on probation or within the first twelve months of employment.

• As a result of the establishment of new programs, the relocation of offices, promotions, changes in job functions, and other causes, transfers of staff are sometimes necessary. Such transfers are at the discretion of management and are made in accordance with any transfer policy established by the applicable union contracts.