

The City of New York  
Department of Personnel



Robert W. Linn  
City Personnel Director

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M E M O R A N D U M

To: Agency Heads

From: Robert W. Linn *RWL*  
City Personnel Director

Subject: Probationary Term for Trainees

Date: September 6, 1989

On September 19<sup>th</sup>, recently signed State legislation will amend Civil Service Law Section 63 to provide that "when a permanent appointment or promotion to a position in the competitive class is conditioned upon the completion of a term of training service or a period in a designated trainee title, such service and the probationary term for such competitive position shall run concurrently." A copy of the amendment is attached. As a result of this amendment, individuals who successfully complete their probationary periods in trainee or intern titles without further competitive examination into higher titles, will have the duration of the trainee service credited toward satisfactory completion of the probationary period in the higher title. In most cases, since both the traineeship and probationary period upon maturation are one year, those who mature will have no further probationary period.

In future examinations for titles to which this applies the Department of personnel will consider establishing either a longer traineeship with a corresponding probationary period or a longer probationary period upon maturation. We will inform you of such changes in our notices of examinations.

The immediate result of this amendment is that trainees will become permanent in the higher title immediately upon maturation and completion of combined service in the trainee title and the higher title equal to the probationary period for the higher title. Those who have matured and are now serving their probationary periods in the higher title, will become permanent on September 19, 1989 or after combined service in the trainee title and the higher title equal to the probationary period for the higher title. Accordingly, it is recommended that you promptly conduct careful performance evaluations and give appropriate consideration to the retention of each of the employees who may become permanent as a result of this amendment on September 19<sup>th</sup> or thereafter when their combined traineeship and higher title probationary periods have been completed. Any inquiries concerning this new provision may be directed to Michael Rabin, General Counsel, Department of Personnel.

Attachment:

RWL : SS : an

cc: Personnel Officers

# STATE OF NEW YORK

S. 3738  
Cal. No. 796

A. 6205 - A

1989-1990 Regular Sessions

## SENATE --- ASSEMBLY

March 7, 1989

IN SENATE — Introduced by Sen. SKELOS — read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pension — reported — favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading.

IN ASSEMBLY — Introduced by M. Of A. CATAPANO — read once and referred to the Committee on Governmental Employees — committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the civil service law, in relation to the effect of service in trainee title upon probationary term in the permanent title.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1. Section 1. Section 63. of the civil service law, as added by chapter
2. 790 of the laws of 1958, is amended to read as follows
3. S. 63. Probationary term. 1. Every original appointment to a position
4. in the competitive class and every interdepartmental promotion from
5. a position in one department or agency to a position in another department
6. or agency shall be for a probationary term; provided, however, that
7. upon interdepartmental promotion the appointing officer may waive the
8. requirement of satisfactory completion of the probationary term. The
9. state civil service commission and municipal civil service commissions
10. may provide, by rule, for probationary service upon interdepartmental
11. promotion to positions in the competitive class and upon appointment to
12. positions in exempt, non-competitive or labor classes

EXPLANATION — Matter in italic (underscored) is new; matter in brackets ( ) is old law to be omitted.

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1. When probationary service is required upon promotion, the promotion
2. formerly held by the person promoted shall be held open for him and
3. shall not be filled, except on a temporary basis, pending completion of
4. his probationary term.
5. Notwithstanding the forgoing or any other law, or rule, to the
6. contrary, when a permanent appointment or promotion to a position in
7. the competitive class is conditional upon the completion of a term of
8. training service or of a period of service in a designated trainee title
9. such service and the probationary term for such competitive position
10. shall run concurrently.
11. 2. The state civil service commission and municipal civil service
12. commissions shall, subject to the provisions of this section, provide by
13. rule for the conditions and extent of probationary service.
14. S. 2 This act shall take effect on the ninetieth day after it shall
15. have become a law.