

# The Chief

## Civil Service LEADER THE CIVIL EMPLOYEES' WEEKLY

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### Bill Would Give 1-in-3 Victims Second Chance

By REUVEN BLAU

A proposal Jan. 8 to amend the city's civil service 1-in-3 rule to allow candidates who were considered but not appointed to remain on eligible lists until their rosters expire was introduced Jan. 8 by the head of the City Council's Civil Service and Labor Committee.

Flanked by a group of District Council 37 local leaders on the steps of City Hall, Queens City Council Member Allan W. Jennings said, "The only interests that are presently being served in the current way of appointing city workers are the interests of politically connected workers, who are either not qualified or have no experience."

#### Means to Disqualify

Under Section 61 of state Civil Service Law—widely known as the "1-in-3" rule—agencies can choose from among the three highest scoring eligibles on a list when making appointments. An addendum to the rule allows agencies to remove candidates from further consideration after they have been "considered and not selected" three successive times.

According to the proposed legislation, candidates who are considered three times without being selected would

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The Chief-Leader/Eric Weiss

**PROTECTING LIST ELIGIBLES:** Surrounded by union officials, Queens City Council Member Allan W. Jennings announces his introduction of a bill requiring that persons passed over for appointment or promotion under the 1-in-3 rule be given future consideration before the list for the title expires.

### Bill Gives '1-in-3' Victims New Life

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no longer be removed from lists.

"You would think if you have only three people [on a list], you would have to select one individual from those three; that is not the way the law is being followed by the city," said Larry Hendel, civil service chairman of DC 37's Civil Service Technical Guild Local 375. "I've had people who sat at home and didn't even know there was a hiring pool, because they had a phantom interview."

Department of Citywide Administrative Services spokesman Warner Johnston pointed out that being considered does not necessarily include an interview. "The interview is the first part of appointment," he said.

Mr. Jennings noted that there has been "a profound change in the way the city civil service employees are selected for promotion. That has undermined the professionalism, morale, effectiveness and efficiency of city government."

Robert Croghan, chairman of the Organization of Staff Analysts, cited the case of Dennis Herlihy, a Staff Analyst at the Department of Housing Preservation and Development. Mr. Herlihy was dropped from his agency's promotion roster in 2001, despite being the highest-ranked eligible on the list. Lower-ranking candidates, including several top agency managers, were made eligible for permanent promotions once Mr. Herlihy

was removed from the roster.

"We must close these patronage mills and begin to act responsibly when it comes to promoting and hiring city employees," Mr. Jennings said.

A City Council hearing to discuss the legislation has been tentatively scheduled for the end of January.