

The Chief

Civil Service **LEADER**

THE CIVIL EMPLOYEES' WEEKLY

NEW YORK, FRIDAY, MAY 13, 2005

DOT Analyst 'Fraud'

To the Editor:

The Organization of Staff Analysts has monitored the movement of the current Associate Staff Analyst promotional list, agency by agency, since the lists were first certified by DCAS. Most city agencies have been responsible and abided by both the letter and spirit of Civil Service law, and the rules and regulations governing the one-in-three rule in moving their promotional list.

Of the total number on the combined list, we have recorded that over 93 percent have been promoted. Although a few agencies did not reach this promotional rate, the single most glaring example is the Department of Transportation, presided over by Iris Weinshall.

The Associate Staff Analyst examination was given in June 2001 and the list was prepared for certification in the record time of only four months. When agencies first moved their respective Associate Staff Analyst lists in October 2001, because of what was called "budgetary constraints," many went rapidly through the list, using the one-in-three rule to reach those staff who were "a no-cost item." Most agencies thereafter restored to the list those who had been "passed over." This allowed those candidates another opportunity to be interviewed for actual vacancies.

Iris Weinshall and the Department of Transportation passed over a huge number of candidates. Very few candidates were later restored to the list. However, as of this date, 15 career civil

servants still have not been restored to the Department of Transportation promotional list. This is over 16 percent of the original list. These candidates have been denied their opportunity to be interviewed for Associate Staff Analyst vacancies. Instead, untested provisionals have been appointed to these vacancies.

Requests by staff to be restored to the promotional list have been consistently ignored. No consideration has even been given to moving the current list, which still has two active candidates on it. There are currently 26 provisional Associate Staff Analysts employed in the Department of Transportation.

Commissioner Weinshall and the Department of Transportation have perpetrated an outrageous fraud in their misuse of the merit and fitness of the Civil Service System. As a former Commissioner in the Department of Personnel, Ms. Weinshall certainly has a clear understanding of the career civil service system.

Her refusal to approve the restoration of candidates to the Associate Staff Analyst list is a deliberate attempt to subvert the intent of the civil service rules and regulations. It is a direct attack on the merit system.

The merit system was established to counter political corruption. It is a valuable law and has served the public well. A commissioner who relies upon finding loopholes in that law is not serving the public well at all.

SHEILA GORSKY
Executive Director
Organization of Staff
Analysts