

The Chief

Civil Service **LEADER**

THE CIVIL EMPLOYEES' WEEKLY

NEW YORK, FRIDAY, OCTOBER 22, 2004

Under Proposed Bill

Council to Monitor City Jobs Process

By REUVEN BLAU

The City Council Oct. 14 introduced legislation that would require the Department of Citywide Administrative Services to annually report appointment and promotion data.

The measure, sponsored by Civil Service and Labor Committee Chair Joseph P. Addabbo, was originally drafted to require DCAS to file written audit reports on agencies that invoked the "1-in-3 rule" to fill vacancies or make promotions.

Agency Discretion

The Council amended the legislation after DCAS Commissioner Martha K. Hirst explained that her agency's 1-in-3 checks are done verbally and mainly deal with clerical errors, Mr. Addabbo said.

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.

Union officials and city workers at the hearing called the modified bill, which the city supports, a step in the right direction. At a May oversight hearing on the matter, they charged that the 1-in-3 rule was being abused and contended that the rule itself needed to be amended.

The legislation will help the Council ensure that agencies are adhering to the rule and other civil service regulations, Mr. Addabbo said.

The bill, No. 418-A, will require DCAS to report to the Council and other city officials the number of eligibles "considered but not selected"



JOSEPH P. ADDABBO:
'Taking a major step.'

from lists each year. The report must also include an accounting of the eligibles removed from a list, persons restored to lists, and eligibles appointed or promoted.

May Revisit Issue

"We took a major step today," Mr. Addabbo said after the hearing. "It's a direct result of people speaking out and is a way of addressing the 1-in-3 issue."

He acknowledged, however, that the bill is not a panacea. "It's definitely not a cure-all; it's a work in progress," he said. "We will see trends and whether the errors are clerical or administrative."

Stephen Dobrowsky, DCAS's Director of Certification, told the Council at the May hearing that DCAS audits the roughly 17,000 certifications it issues each year to ensure that agencies abide by the 1-in-3 rule. He promised to provide the Council

(Continued on Page 11)

Monitor 1-in-3

(Continued from Page 3)

with a summary of last year's audits.

But a city personnel official indicated last week that the matter was a bit more complicated. "Audit was sort of the wrong term to use," the official said. "We make sure that agencies are in compliance."

An addendum to the 1-in-3 rule allows agencies to remove candidates from further consideration after they have been "considered and not selected," or "CNS-ed," three successive times. Candidates who are knocked off the list by one agency can still be appointed by another agency.

Robert J. Croghan, chairman of the Organization of Staff Analysts, contended that candidates who are considered but not appointed should remain on their agencies' rosters until the list expires. Also, he said, each department should be required to interview the top three scorers and explain why they were not appointed.

Edward Price, who has worked for the Department of Transportation since the mid-1980s, testified that he has taken the last three exams for Associate Staff Analyst to no avail.

Mr. Price said that he was tossed off the 2001 list without even being called for an interview. "I never got an opportunity," he said. "It's just beyond belief."