

ERIE COUNTY LEGISLATURE

HON. JOHN BRUSO
8TH DISTRICT LEGISLATOR

*Representing
Alden, Cheektowaga,
Depew & Lancaster*



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March 21, 2018

Lola Brabham
Acting Commissioner
New York State Department of Civil Service
Albany, NY 12239

Re: Civil Service Examinations for Child Protective Services Titles

Dear Commissioner Brabham:

I am writing to respectfully request that the New York State Civil Service Commission ("Commission") work as assiduously and rapidly as possible to schedule and hold civil service examinations for the positions in various county governments' Child Protective Services ("CPS") divisions.

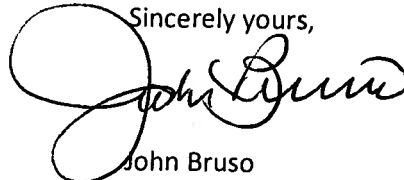
As a new Erie County Legislator, I have been told by CPS rank and file employees in the Erie County Department of Social Services ("DSS") that one problem with recruitment and retention in CPS is the lack of current and active civil service lists. Employees have told me that there are three fundamental dilemmas:

1. The long wait time for such examinations to be held;
2. The often long wait for examinations to be scored and lists established; and
3. A corollary problem wherein the County has been forced, due to CPS needs, to provisionally hire new employees into CPS positions, pending examinations. However, many months later, after training has occurred and an investment made in the employees, the County learns the employees are not reachable on the list or failed the examination and must be removed. This creates new chaos and problems.

In 2014, in response to issues in CPS, Erie County Executive Mark Poloncarz proposed potential state legislation that would have amended the Civil Service Law to establish priority for the scheduling of examinations in the CPS series. A copy of that proposal is attached for your reference. It is my understanding that no such legislation was ever approved by the State Legislature. I would welcome your thoughts and perspective on this proposal.

If there is a way for the Commission to more timely hold CPS series examinations, more quickly score the examinations and develop active civil service lists, and work with County Personnel Officers on this process, this process might help address issues in CPS and help protect more children.

Thank you in advance for your consideration of this request. I look forward to hearing from you.

Sincerely yours,

John Bruso
Erie County Legislator

Attachment

cc: David Palmer, Erie County Commissioner of Personnel
Marie Cannon, Acting Erie County Commissioner of Social Services

Bill Number 18**Civil Service Test Prioritization**

TITLE OF BILL: An act to amend the civil service law, in relation to scheduling an examination for any position or positions in the classified services that provides child protection services pursuant to Title 6 of the social services law.

PURPOSE OF BILL: This bill would require the president of the state civil service commission to immediately announce, schedule, score, and certify the results of an examination for any position or positions in the classified services that provides child protection services pursuant to Title 6 of the social services law upon the written request of a municipal civil service commission or personnel officer.

SUMMARY OF PROVISIONS OF BILL:

Section 1 requires the president of the state civil service commission to immediately announce, schedule, score, and certify the results of an examination for any position or positions in the classified services that provides child protection services pursuant to Title 6 of the social services law upon the written request of a municipal civil service commission or personnel officer.

Section 2: Effective date.

JUSTIFICATION: Scheduling civil service examinations is a lengthy process that can often take longer than a year. There is currently no way for the state civil service commission to prioritize exams based on critical need. Instead, exams are held on a first come, first served basis. Often, critical jobs cannot be filled as a result of this queuing system because there is not an eligible list. Positions that provide child protection services are often one such job. This bill would require the president of the state civil service commission to immediately announce, schedule, score, and certify the results of an examination for any child protection position. This would allow local districts to quickly establish an eligible list for these critical positions.

This is one in a series of measures being introduced at the request of the Erie County Executive upon the recommendation of the county's Commissioner of Social Services to improve the provision of child protective services to New York's children and families.

FISCAL IMPLICATIONS: None.

EFFECTIVE DATE: This act shall take effect immediately.

Bill Number 18
Civil Service Test Prioritization

AN ACT to amend the civil service law, in relation to scheduling an examination for any position or positions in the classified services that provides child protection services pursuant to Title 6 of the social services law.

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Subdivision 4 of section 7 of the civil service law is amended to read as follows:

4. Subject to the provisions of this chapter and the rules established thereunder, he shall make regulations for and have control of examinations for the service of the state, and the civil divisions thereof, except civil divisions for which a municipal commission performs such function, and shall supervise and preserve the records thereof. Notwithstanding any provision of law to the contrary, upon the written request of a municipal civil service commission or personnel officer as applicable, where such local commission or personnel officer certifies the need for the immediate scheduling of an examination for any position or positions in the classified services that provides child protection services pursuant to Title 6 of the social services law, the president shall immediately announce, schedule, score, and certify the results of such examination. Such examination shall have priority over all other examinations that have been requested or are otherwise being scheduled. In no event shall the process of offering such examination take longer than 60 days. This provision shall be applicable notwithstanding the existence of an existing civil service list and notwithstanding the absence of currently vacant positions in such classified title or titles.

S 2. This act shall take effect immediately.