

1 **2023 NYSAC Legislative Conference**  
2 **Standing Committee on Public Employee Relations**  
3 **Resolution #1**

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5 **Resolution Calling for Study and Reform of New York State Civil Service**  
6 **System to Support Local Government Employee Recruitment**

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8 **WHEREAS**, in New York, 16.4 percent of the workforce are employed by state, local, or  
9 federal level governments, providing needed services to our residents; and

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11 **WHEREAS**, county governments employ more than 3.6 million public servants  
12 nationwide; and

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14 **WHEREAS**, prior to the COVID pandemic, the public sector employment trend in New  
15 York was to do more with less, spurred on by state funding cuts in certain programs,  
16 resulting in a total workforce reduction of 4.5 percent from 2010 to 2020; and

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18 **WHEREAS**, the Bureau of Labor Statistics showed this downturn in public  
19 employment levels has only worsened in the last two years, as the number of private-  
20 sector jobs surpassed its pre-pandemic level, while there are 664,000 fewer people  
21 employed in the public sector; and

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23 **WHEREAS**, the counties of New York have all expressed concerns over recent trends  
24 regarding the difficulty to hire and retain quality employees as this downturn in public  
25 employment levels is putting more stress on our local governments' abilities to provide  
26 needed services; and

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28 **WHEREAS**, now counties are in a hiring crisis of a shrinking hiring pool and the  
29 increase in needed county skilled labor; and

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31 **WHEREAS**, New York's counties all are seeking to increase employment numbers and  
32 create a qualified and diverse workforce; and

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34 **WHEREAS**, current restrictions caused by New York State Civil Service Laws create  
35 hurdles that are stalling local governments' ability to expand their workforce; and

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37 **WHEREAS**, while current New York State Civil Service Laws were put in place with  
38 good intentions, most were implemented prior to current societal and technological  
39 advancements and the time to study and improve this system is long overdue; and

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41 **WHEREAS**, State Civil Service system changes are needed for county governments to  
42 compete with the private sector for potential employees, including the ability to more  
43 quickly respond to candidates seeking employment; and

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45 **WHEREAS**, county governments need hiring flexibility and are best situated to know  
46 what job titles should have residency requirements and which should have flexibility to  
47 ensure efficient and quality county services; and

1 **WHEREAS**, the Governor’s proposed Executive Budget recognizes the need for Civil  
2 Service reform and proposes an idea the New York State Association of Counties  
3 (NYSAC) called for in 2022, continuous recruitment—allowing local governments the  
4 option to hold examinations continuously for candidates to apply at any time to take  
5 recruitment examinations; and  
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7 **WHEREAS**, NYSAC thanks the Governor for seeking this needed change, and we call  
8 for more to be done to help cure the recruitment challenges we jointly face; and  
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10 **WHEREAS**, additional specific changes to NYS Civil Service Laws include but are not  
11 limited to:

- 12 • Codifying the electronic canvassing process authority—allowing email and phone  
13 contacts in lieu of mailing letters;
- 14 • Simplify standard grading metrics, make them understandable and predictable in  
15 order to assist potential applicants to take multiple-choice exams, as well as  
16 complete experience-based exams;
- 17 • Licensed occupation local approval—allowing local governments to bypass exam  
18 or civil service requirements for positions that require already approved and  
19 obtained new york accredited licenses;
- 20 • Transitioning from provisional to permanent appointments at local option—allow  
21 if a state test is not offered within nine months after an individual is provisionally  
22 appointed to a position, an employee becomes permanent and/or if an exam is  
23 offered within nine months, a person in the provisional appointment is scored as  
24 pass/fail on that exam;
- 25 • Allow at local option residency requirements—amend public officers law § 3 and  
26 allow for full home rule authority to determine county employee residency  
27 requirements to increase the candidate pool; and
- 28 • Expand the number of eligible employees for appointments to a rule of 5—by  
29 expanding the rule of 3, would allow a higher number of candidates to be eligible  
30 to be canvassed when public employers are seeking employees.

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32 **NOW, THEREFORE, BE IT RESOLVED**, the State must immediately reform NYS  
33 Civil Service Law; and  
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35 **BE IT FURTHER RESOLVED**, this reform must result in local governments’ having  
36 more flexibility in hiring practices and the ability to more quickly respond to potential  
37 employees; and  
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39 **BE IT FURTHER RESOLVED**, counties seek these changes to meet public service  
40 needs with a quality workforce that best reflects the residents they serve; and  
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42 **BE IT FURTHER RESOLVED**, that copies of this resolution be sent to the counties  
43 of New York encouraging member counties to enact similar resolutions; and  
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45 **BE IT FURTHER RESOLVED**, that New York State Association of Counties shall  
46 forward copies of this resolution to Governor Kathy Hochul, the New York State  
47 Legislature and all others deemed necessary and proper.