

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON CIVIL SERVICE AND LABOR

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March 30, 2016

Start: 1:11 p.m.

Recess: 2:31 p.m.

HELD AT: 250 Broadway - Committee Rm, 16th Fl.

B E F O R E: I. Daneek Miller
Chairperson

COUNCIL MEMBERS:
Elizabeth S. Crowley
Daniel Dromm
Costa G. Constantinides
Robert E. Cornegy, Jr.
Ben Kallos

A P P E A R A N C E S (CONTINUED)

Lisette Camilo
Commissioner of Department of Citywide Administrative
Services

Dawn Pinnock
Deputy Commissioner for Human Capital

Gerald Brown
Second Vice President of CWA Local 1180

2 [sound check, pause]

3 [background comments, pause]

4 [gavel]

5 CHAIRPERSON MILLER: Good afternoon. I'm
6 Council Member I. Deneek Miller, Chair of Civil
7 Service and Labor Committee. Today we are holding
8 our annual hearing entitled Oversight, Examining the
9 Civil Service System as we did in late 2014. We will
10 examine the Human Capital Division and the
11 appointment of Citywide Administrative Services. The
12 main function of this division is to act as the local
13 Civil Service Commission from New York City which
14 falls under the auspices of the New York State Civil
15 Service Commission. We are going to hear from the
16 New York Commissioner Lisette Camilo, the unions and
17 good government groups to determine whether the Human
18 Capital Division is receiving all resources and
19 cooperation it needs to function at full capacity.

20 Also today we are discussing my
21 Resolution 937 calling upon the New York City
22 Department of Administrative Services to develop an
23 online portal for civil service applicants. The goal
24 of this portal will be to insure a smoother and more
25 transparent process for those who want to become

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2 civil servants and the agencies who need these
3 employees. On October 22nd of 2008, the State
4 created what was supposed to be a five-year
5 provisional plan, a provision to employee reduction
6 plan. Since assignment, this Committee has held six
7 hearings exploring the plan process, which has
8 already been extended by two years, and we are
9 expecting to hear today that it will once again be
10 extended. The problem is not unique to New York City
11 but rather a statewide problem. It is also not a new
12 problem. In 1989 when the voters of New York City
13 voted upon a referendum to massively change the
14 restructure the city government with major charter
15 revisions, the provisional issue was already
16 important enough that a clause was put into the
17 charter that mandated that DCAS to report to the
18 Mayor and the City Council regarding the number of
19 provisionals and what was being done to reduce the
20 number. In 2007 there was a lawsuit known as the
21 Long Beach Decision in which the state has been
22 changed and local commissions such as DCAS were
23 required to implement binding plans to reduce their
24 number of provisional employees to less than five
25 percent in five years. As I said, it has now been

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3 seven years. According to DCAS, when they proposed
4 their plan in 2008, there were 190,860 employees,
5 competitive employees and competitive class titles,
6 of which 36,855 or of 19 percent were provisionals.
7 To comply with this law, the City was supposed to
8 reduce the number of provisional appointees serving
9 beyond the nine months to less than 9,500. However,
10 in the last few reports we have seen to change this.
11 In September 2014, there was a small decrease by 62
12 with a substantial reduction of 1,485 in December
13 2014. But then in March and June of 2015, the number
14 increased again and again with another 94 provisional
15 employees, and in September 2015 bring the total to
16 22,372. We expect to hear why these numbers have
17 been going up during the second year of the extended
18 plan. We also expect to discuss the one in three
19 rule for selecting appointments to civil service
20 positions, and the reason why it has taken up to 344
21 days for DCAS to go from administrating the Civil
22 Servant Exam to producing a knowledgeable
23 ineligibility list. In addition to the Commissioner,
24 we expect to hear for testimony on the issues from
25 the union activists and particular representatives

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2 from DC37 and the MLC as well as Citizens Union which
3 has been studying the Civil Service System.

4 Before I begin, I'd like to acknowledge
5 the members of the Committee, Costa Constantinides
6 and Daniel Dromm. I'd also like to acknowledge that
7 we've been joined by Council Member Ben Kallos. I'd
8 also like to thank the Committee staff, Matt Carlin
9 [phonetic], Counsel, Carla Zoloff [phonetic], Chris
10 Eschelman [phonetic], Financial Analyst. Kendall
11 Stevenson [phonetic] now and Gregory Rose and
12 **(INAUDIBLE)**. So with that we will now hear from the
13 first Panel Commissioner.

14 Do you affirm to tell the... do you affirm
15 to tell the truth, nothing but the truth, and the
16 testimony to this Committee will be responded to
17 honestly to the best of your ability?

18 LISETTE CAMILO: I affirm.

19 DAWN PINNOCK: I affirm

20 LISETTE CAMILO: Good afternoon, Chair
21 Miller and members of the Civil Service and Labor
22 Committee. I am Lisette Camilo, Commissioner of the
23 Department of Citywide Administrative Services, and I
24 am joined today by Dawn Pinnock, Deputy Commissioner
25 for Human Capital. Thank you for this opportunity to

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2 discuss DCAS's role in the oversight and
3 administration of Civil Service for the City of New
4 York. As you know, I was appointed Commissioner of
5 DCAS in January of this year. During my two-month
6 tenure, I've come to realize that the administration
7 of the city Civil Service system is one of the most
8 important, complex, and challenging aspects of DCAS's
9 mission, as well as one of the most visible. With
10 multiple stakeholders we strive to provide a level
11 playing field for New York City's workforce, meet the
12 business needs of city government and insure
13 compliance with state and local laws. We are
14 committed to insuring that the city's workforce is
15 diverse and inclusive and that all communities are
16 offered opportunities to apply for Civil Service
17 jobs. For this reason it is critical that we operate
18 the Civil Service system competently, fairly and
19 expeditiously.

20 In the de Blasio administration and in
21 partnership with other City agencies, elected
22 officials, unions, and community constituencies, we
23 have made significant inroads to accomplishing these
24 multiple goals while making the system more user-
25 friendly. Through the efforts of our Human Capital

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2 line of service, DCAS will continue to work
3 diligently to introduce system improvements,
4 strengthen collaborative partnerships and reduce the
5 provisional workforce as required all while we keep
6 New York City working.

7 As the new Commissioner, I'm working with
8 my team to review and recalibrate current plans to
9 make Civil Service even more efficient, effective,
10 and accessible. I look forward to sharing some of
11 these new strategies with the City Council in the
12 near future.

13 Core to Human Capitals work to enhance
14 the administration of the Civil Service system is to
15 improve service delivery to current and prospective
16 municipal employees and client agencies through our
17 commitment to increase automation and create greater
18 access and transparency, service delivery enhancement
19 has and will continue to have a significant impact on
20 increasing employment and permanent status
21 opportunities.

22 Starting in August 2015, candidates for
23 all computer-based multiple choice tests and many
24 paper-based multiple choice tests were able to submit
25 their protest via computer for the first time. While

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3 the protest period serves a critical phase in the
4 exam administration process, depending on the nature
5 and scale of the exam, the time involved with the
6 submission and review of protests has been
7 historically lengthy. With this new technology,
8 protests submitted electronically are automatically
9 collated which allows the Test Validation Board to
10 meet sooner and final answer keys to be developed
11 more expeditiously. Another automated enhancement
12 was implemented in October 2015 with the addition of
13 the scheduling feature to the online application
14 system. This new customer friendly functionality
15 allows candidates to apply for and schedule
16 themselves for the many computer-based exams that are
17 administered at the CTACs [phonetic] on a regular
18 basis. The previous walk in model which was first
19 come, first served has been replaced. Now, the new
20 self-scheduling feature allows candidates to
21 guarantee themselves a seat in advance, thus
22 eliminating the need for candidates to stand in long
23 lines hoping to secure a test seat. Through the
24 development of these two technology enhancements, we
25 are expediting the time from exam administration to
list establishment. Viable lists will be more

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2 readily available so agencies can hire permanent
3 Civil Service employees where there is a hiring need.

4 Other key tenants intrinsic to our
5 oversight strategy are improved access and greater
6 transparency to foster a fair and equitable Civil
7 Service system. Toward that end, DCAS is creating a
8 Civil Service footprint throughout the city with the
9 emphasis on historically underrepresented
10 communities. Our footprint is reflected in our
11 increased capacity to administer examinations and to
12 share information with the public about the Civil
13 Service system and the myriad of career opportunities
14 available in the city. With support from the City
15 Council and other partners, DCAS received funding to
16 expand seating capacity at our existing CTACs
17 [phonetic] located in Manhattan and Brooklyn. The
18 expansion of these sites increases our testing
19 capacity from 213 to 378 candidates per session, an
20 increase of 77 percent per session. We also received
21 funding to establish a new Queens CTAC which will add
22 another 153 seats this fall, increasing our overall
23 testing capacity by almost 150 percent. Work is also
24 underway to finalize plans for CTACs in the Bronx and
25 Staten Island.

2 Access to Civil Service information has
3 also increased as a result of DCAS's establishment of
4 the Office of Citywide Recruitment in May of 2015.
5 The Office of Citywide Recruitment provides current
6 and prospective employees with the tools they need to
7 successfully navigate the Civil Service system.
8 Using workforce data including but not limited to
9 gender and ethnic distribution across job categories,
10 retirement eligibility and attrition, the Office
11 targets its outreach to historically underserved and
12 underrepresented populations in New York City. The
13 Office has collaborated with community based
14 organizations, elected officials and academic
15 institutions to provide information sessions covering
16 the history of Civil Service, eligibility and
17 application requirements for city employment and
18 upcoming Civil Service exams.

19 Human capital has also made information
20 more accessible to agency personnel officers, the
21 City's human resources community. Agency personnel
22 officers and their teams are charged with making
23 hiring decisions at the agency level and play a
24 critical role in Civil Service compliance and
25 workforce planning. In our role as the City's

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2 oversight with respect to Civil Service and policy,
3 we believe it is incumbent upon us to provide HR
4 professionals with clear and accurate information to
5 support their work. We have developed and conducted
6 mandatory training programs covering the Civil
7 Service and examination processes and developed
8 guidelines for the Civil Service list call process.
9 We also have redesigned and launched a human
10 resource portal which serves as a forum for human
11 resources professionals to receive policy guidance
12 and access to articles on best practices.

13 In August 2014 the state legislature
14 approved a two-year extension expiring at the end of
15 this calendar year to further reduce provisionals.
16 In October 2014, DCAS filed a proposed provisional
17 reduction plan extension with the New York State
18 Civil Service Commission. The plan extension which
19 was drafted with input from various external
20 stakeholders set out to address up to 8,600
21 provisional appointments through competitive
22 examination and the evaluation of titles with 20 or
23 fewer incumbents for potential reclassification. As
24 required by the state we submit status reports every

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2 four months and the number of provisional employees
3 and share this information on our website.

4 At the beginning of the plan extension
5 there were 22,954 provisionals serving across the
6 City. As we have executed elements of the plan
7 extension, we have experienced both successes and
8 setbacks. We were successful in reducing the number
9 of provisionals to a low of 21,416 in December 2014.
10 Despite our efforts, there has been a slight uptick
11 in the overall number of provisionals. Over the last
12 two years, the provisional count has grown by 98 to
13 23,052 since October of 2014 as vacant positions have
14 been backfilled and new roles have been created to
15 support citywide programming initiatives.

16 The Human Capital line of service is
17 continuously balancing multiple and at times
18 competing goals and priorities. Nowhere is this
19 manifested more than in the implementation and
20 enforcement of the Long Beach Mandate. Due to our
21 enforcement role, we are clear that every decision we
22 make has an operational impact. Therefore, we have
23 applied a multifaceted solutions oriented strategy to
24 generate permanent status attainment opportunities
25 while allowing agencies flexibility in meeting their

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2 workforce needs. Thus far, our implementation plan
3 has focused on examinations, enforcement and
4 reclassifications. Over the course of the plan
5 extension rollout, provisional reduction has
6 primarily been achieved through an aggressive
7 examination schedule that targets titles with a large
8 number of provisionals and by maintaining the
9 momentum necessary to insure that many titles
10 continue to have zero or very few provisional
11 appointees. Over the course of the extension, we
12 have administered 290 exams which represent a record
13 high for this agency. At the beginning of the plan
14 extension, there were 7,044 provisionals in 37
15 titles. Through the administration of 25 of the 37
16 exams to date, as of February 29, 2016, we have 5,602
17 provisionals in the same titles, a decrease of 1,442
18 provisionals. Through the certification of lists and
19 the administration of exams slated for the remainder
20 of 2016, we will address another 5,233 provisional
21 appointments by the end of the extension. Through
22 our continuous administration of exams, we have been
23 able to significantly limit provisional hiring in
24 many titles across the city, including titles such as

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2 staff analyst, associate staff analyst, and principle
3 administrative associate.

4 Besides administering exams to address
5 provisional hiring, DCAS is also responsible for the
6 administration of exams for other titles critical to
7 city operations such as our February 2015
8 administration of the sanitation worker exam to over
9 78,000 candidates and our multi-month administration
10 of the correction officer exam.

11 To insure compliance with Civil Service
12 Law and to limit provisional hiring and retention,
13 DCAS works closely with client agencies. We
14 recognize that the city has a host of moving parts
15 and must maintain operations while sustaining
16 compliance with Civil Service Law. For example, when
17 an agency has a vacancy and a job title or an exam
18 has already been given but a list has not yet been
19 established, we have instructed agencies to state on
20 the job posting that the vacancy may only be filled
21 by a candidate that has already taken the Civil
22 Service exam in that title or someone with permanent
23 status in a title. By doing so, the city and our
24 client agencies are affectively balanced in the daily
25 needs of the city workforce and Civil Service Law.

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2 In addition, each month we send the deputy Mayor and
3 agencies a report listing the provisionals serving
4 entitles with existing Civil Service lists and
5 require agencies to submit plans with timeframes to
6 address these issues.

7 Another component of the plan extension.
8 Reclassification provides DCAS with an opportunity to
9 appropriately streamline the city's title structure
10 to a manageable number of competitive class titles
11 for which we can administer regular exams. At the
12 beginning of the plan extension, we identified 389
13 titles that had 20 or fewer employees. We reviewed
14 the titles and made an initial determination as to
15 whether the titles should be competitively tested
16 for, consolidated, or broad banded into another
17 title, earmarked for present incumbents only and
18 deleted when vacant or classified outside of the
19 competitive class.

20 In our last report submitted to the state
21 on December 31st, 2015 we finalized our work on five
22 of these titles. The titles of Steam Fitter and
23 Supervisor of Steam Fitter were deemed by Human
24 Capital to require competitive examination and are
25 tentatively scheduled for fiscal year 2017. For two

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2 other titles, Marine Electronic Technician and Port
3 Marine Engineer, our reclassification proposal was
4 approved by the state Civil Service Commission at
5 their September 15, 2015 hearing. Finally, for the
6 titles of Supervisor of Bridge Operations and Bridge
7 Operator, we consolidated the two titles into one
8 title with four assignment levels. While at first
9 glance this appears to only affect five titles with
10 few incumbents, this also represents a decrease in
11 titles for which we need to develop and set
12 examinations.

13 While the plan extension (**INAUDIBLE**) and
14 has realized initial results, it does have its
15 limitations because it does not account for many
16 external factors. The city is faced with a number of
17 operational challenges that it must meet on a daily
18 basis. The city continues to hire to address the
19 fulfillment of mandates and new priorities.
20 Therefore, when an agency needs to meet an
21 operational need and there is not a certified list
22 for the appropriate title and/or an exam has not yet
23 been scheduled for the title, agencies have no choice
24 but to hire provisionally.

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2 I would like to thank the Council for the
3 opportunity to testify today and for their support
4 over the last 18 months. I know that there are
5 challenges ahead, but I firmly believe that with your
6 support DCAS will continue to build on its success
7 and deliver on the goal of administering a Civil
8 Service system that is fair, accessible and equitable
9 for all New Yorkers.

10 CHAIRPERSON MILLER: Thank you,
11 Commissioner. Do you have testimony, Miss Pinnock,
12 do you also have... okay, fine. So I suspect you are
13 there for your expert testimony, just hands-on?

14 DAWN PINNOCK: Let's hope.

15 CHAIRPERSON MILLER: Let's hope. Well
16 said. So obviously, you know, we are very much
17 interested in the provisional headcount and some
18 other things. I'm not one to actually want to move
19 forward and attempt to address some of the new
20 issues, and we have kind of a multitude of things
21 that were outstanding. We want to make sure that
22 those were addressed, but I do want to, uhm, address
23 some areas of the examination process and
24 transparency obviously that we have a resolution that
25 we have spoken about, but if you could address some

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2 of my concerns that which I think necessitated the
3 need for the online portal. So how many total, and I
4 know you mentioned, how many exams were actually
5 given through the last fiscal year?

6 DAWN PINNOCK: The last fiscal year we
7 stood at about 150 exams, but as the Commissioner
8 mentioned, over the last two years we had a record
9 high of 290.

10 CHAIRPERSON MILLER: 290, and how many
11 applicants did that represent out of that 290?

12 DAWN PINNOCK: I will probably have to get
13 back to you with the specific number, because as you
14 know during fiscal year 2015 that was actually an
15 outstanding year for us where we had 90,000
16 applicants for Sanitation Worker. So the numbers
17 reported would not really reflect our normal range.

18 CHAIRPERSON MILLER: Do you know how many
19 agencies were involved?

20 DAWN PINNOCK: Agencies were involved
21 with?

22 CHAIRPERSON MILLER: How many, for those
23 exams, were agencies were being represented within
24 those titles?

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2 DAWN PINNOCK: We can certainly provide
3 that but it really depends on the nature of the
4 title. As you know, our schedule was a mix of
5 citywide titles which would essentially touch upon
6 every agency in the city system, but if you have
7 titles that are agency specific such as Sanitation
8 Worker or certain social services titles that may
9 just hit HRA or ACS then you're going to see the
10 distribution show up a little differently, but we can
11 definitely take that back and follow up with you.

12 CHAIRPERSON MILLER: What is the current
13 mechanism for tracking those applicants placed on the
14 list, where they stand on the list, list number, and
15 any movement on there, how do they find out that
16 information currently?

17 LISETTE CAMILO: We currently track that
18 through a number of databases internal to DCAS, and
19 I'll turn it over to Dawn who can give you more
20 information on what those databases are.

21 DAWN PINNOCK: So we have the Oasis system
22 that serves as really your first entry point to
23 applying for a Civil Service exam. And so you create
24 your own record, you have your own file, you have
25 your password where essentially it gives you your

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2 history in terms of the exams that you previously
3 applied for. We also have an IBR system which is an
4 interactive voice recognition system that at the time
5 that you receive your score and your number via mail
6 you can call to find out the status of a particular
7 list. And we are working to make even the IBR system
8 more robust where we can send customized messages to
9 applicants as they're reaching out for assistance.

10 CHAIRPERSON MILLER: So I've really
11 appreciated the fact that the applicant's history is
12 there because that's kind of the problem that we see
13 that sometimes that when somebody's list lasts as
14 long as four and five years it sometimes is difficult
15 to track and keep up with. And sometimes folks have
16 even forgotten they've taken the exam and they moved
17 which I think again demonstrates the need for the
18 online portal and how we do that. So in terms of
19 that information, is there any other additional
20 information that is available online or what are the
21 other means of information, say disqualifications,
22 reinstatements, appeals, that type of data, where
23 would that be located?

24 DAWN PINNOCK: Currently when we post a
25 certified list it really is a snapshot in time, and

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2 so a project that we've been working on in
3 collaboration with Do It [phonetic], my
4 certifications team has been working directly with
5 them, and this is really tied to more so our Open
6 Data project that we had talked about a year ago
7 where we're making information regarding the
8 certifications and the movement of those lists
9 readily available through Open Data, so that is a
10 project that's currently underway, and I know that
11 Commissioner Camilo had previously mentioned as we're
12 evaluating all of our systems, initially when they
13 were built they actually provide elements of
14 information that you've outlined as part of the
15 online portal so we're currently we're doing this
16 evaluation of all those systems to see how we can get
17 them to better talk and to have them fully integrated
18 so that we'll have more of a one-stop shopping
19 experience for our customers.

20 CHAIRPERSON MILLER: How much is this
21 information, this data, is dependent on the
22 individual agencies in terms of... does DCAS retain all
23 the testing and examination information? I'm sure,
24 right? But does the agency and the agency need, what
25 is the collaboration between the individual agencies

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3 and DCAS to kind of know in advance that we're giving
4 tests where they need to be tested, where necessary
5 that we are not having to hire, in particular,
6 provisionals because the necessity came up to do some
7 hiring, how are we interacting and collaborating
8 within the agency and DCAS, and where is that data
9 being retained?

10 LISETTE CAMILO: So every year we issue a
11 survey to all of the agencies asking them what their
12 needs are, projected needs are, to hire so that when
13 we put together the testing schedule, it is with full
14 input from all of the agencies to create that
15 schedule coming up, and we have our FY17 list coming
16 out in July.

17 CHAIRPERSON MILLER: Okay, great. So just
18 based on this information that was given, I suspect
19 that you would be supporting the online portal
20 resolution?

21 LISETTE CAMILO: We share your goal of
22 improving transparency and pushing out as much
23 information to the public as possible. The challenge
24 for us is because we do have a number of disparate
25 systems, we have to figure out how to do it
technically and plan that out, but I think that we

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2 certainly are supportive of the goal and are looking
3 to work with you and our IT team to make that happen.

4 CHAIRPERSON MILLER: So at this point it's
5 merely an IT issue?

6 LISETTE CAMILO: I think, certain, it's a
7 big part of the issue, the disparate systems.

8 DAWN PINNOCK: And, you know, admittedly,
9 you know, it's an IT issue in terms of getting the
10 functionality up and running but, you know, as the
11 business, you know, certainly we're working very
12 closely to make sure that we are providing, you know,
13 the information that our customers maybe have not
14 been receiving through these other disparate systems
15 so the goal wouldn't just be to, you know, connect
16 them. It's really to improve the overall experience.
17 So, yes, there's a big lift for, you know, the IT
18 team but certainly there's a responsibility the
19 business has also to inform the process.

20 CHAIRPERSON MILLER: Absolutely, I agree.
21 And for that individual applicant to be able to kind
22 of see where they're at to track it and follow it
23 throughout the process and as well as, I think, the
24 additional information that has not been captured
25 such as disqualifications, reinstatements, appeals,

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2 things of that nature there, will really kind of give
3 a real time analysis of what opportunities and where
4 you really stand on that, and in particular as it
5 pertains to promotional exams. I know that there's
6 been even less transparency there so we'd really love
7 to see that, and if, in fact, is there something that
8 you see that can be done currently to address that
9 issue particularly as it pertains to promotional
10 opportunities?

11 DAWN PINNOCK: I don't know if I'm fully
12 understanding the question, but when you mention
13 about disqualifications, are you talking about at the
14 time that someone's potentially considered for
15 employment after being called from a list and they're
16 deemed not qualified or prior to taking an exam?
17 Because there are two different notification
18 processes that someone would be part of dependent on
19 where they are in the process.

20 CHAIRPERSON MILLER: So probably after
21 they had been deemed qualified because obviously it
22 would be a little tricky to keep moving back and
23 forth and, you know, someone get removed, someone be
24 placed back on. Now as an individual you would want
25 to know that you was removed and perhaps there should

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2 be a method of capturing that data as well or saying,
3 you know, upon appeal or whatever. But, you know,
4 I'm number 96 and all of a sudden I become number
5 100, I want to know why, you know, and I think that's
6 kind of an easy way to explain that way.

7 DAWN PINNOCK: Okay. So I think I'm a
8 little clearer. So if you're talking about on the
9 back end, potentially when you've gone through the
10 process, you've taken the exam, you've passed, you've
11 been called from a list. During that process if
12 someone is deemed not qualified for the position
13 meaning that they're unable to show evidence of
14 meeting the minimal qualifications for the position,
15 they do receive notification and they are given an
16 opportunity to then provide information to
17 substantiate their qualifications. We've also issued
18 list call guidelines to add some transparency to that
19 process because based on, you know, feedback from our
20 customers, our partners in labor, as well as our
21 agency partners, clearly there was a disconnect
22 between what we perceive that experience to be for a
23 candidate and their actual experience, and so we do
24 provide templates. We provide the actual notice of
25 disqualification to make sure that there are

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2 standardized communications that go to individuals
3 being called off of lists.

4 CHAIRPERSON MILLER: And this information
5 and data is being shared with those represented
6 bargaining agents? They don't know about this and so
7 there should be no discrepancy why this person has
8 moved and that one has not moved besides something
9 like three in one, and where would that be
10 recaptured?

11 DAWN PINNOCK: What, the one in three
12 decision?

13 CHAIRPERSON MILLER: Yeah, one in three.

14 DAWN PINNOCK: The one in three decision
15 is not mentioned specifically in the list call
16 guidelines. You know, it's mentioned in Civil
17 Service Law.

18 CHAIRPERSON MILLER: No, no, I get that,
19 but how would... it would certainly impact that too if
20 I was kind of watching something and, you know,
21 somebody... I'm looking at numbers, you know, the next
22 five and one or two drop off and, you know, how do we
23 kind of capture that experience to understand for
24 more so for competitive, you know? Although we see
25 it certainly more in the promotional aspect and, you

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2 know, that's another question. I don't want to go
3 into that now, that one in three, but how would you
4 capture that so we can actually.. so a person would be
5 able to transparently visualize what has occurred in
6 the process and knowing that the process is doing
7 what it was set up to do?

8 DAWN PINNOCK: I think there are open data
9 projects. Certainly someone could see how that list
10 actually moves. That's the project that I just
11 referenced that our certifications team is working
12 collaboratively with Do It on, but on the back end to
13 your point about the movement of a list and jumping
14 from number five, let's say, to 205, we audit every
15 transaction and every certified list is returned back
16 to us, and so if there is any issue or anything
17 thoughts about Civil Service rules not being fully
18 compliant with, we work directly with that agency to
19 rectify the situation. So we're required in our role
20 to uphold Civil Service Law, and part of that
21 auditing process is that.

22 CHAIRPERSON MILLER: Okay. I'm going to
23 reserve the rest of these questions, but I want to
24 quickly jump over to... to the Council Member here. I

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2 he had some questions so that would be Council Member
3 Kallos.

4 COUNCIL MEMBER KALLOS: Thank you very
5 much for working with us on so many of these Civil
6 Service pieces. I want to thank Chair Demeek Miller
7 who chairs the Civil Service Committee for his
8 partnership with me on the Governmental Operations
9 Committee on Civil Service and DCAS and one of the
10 interesting places where there's overlap by
11 Committees and an interest and leaders. That's great
12 to have a leader like Chair Miller and the Council.
13 And he's actually been one of the people I've been
14 working with closely in terms of just getting further
15 and further up to speed on some of these issues.
16 I've practiced Labor Law and the construction trades,
17 not necessarily in the Civil Service.

18 So this is, again, something we've been
19 focused on for the past two years. So I think he
20 touched on where we currently are, the Civil Service
21 turnaround from when we give the exam to the hiring
22 list, and if there's an update on that since we last
23 spoke. Also, similar questions. We've talked about
24 provisionals during the preliminary budget hearing,
25 whether or not there are estimates and whether or not

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2 you do have a date certain by which we will have all
3 the backfilled positions, the new positions, the new
4 provisionals that have been created, and I guess for
5 the record for those who are watching on TV, we as a
6 city have employees. We have a choice of where those
7 employees can come from. We can have people that are
8 appointed at will and that's part of where the
9 patronage system comes from, where people can be
10 politically appointed, and if the political appointee
11 is not happy they can remove them, and if they are
12 happy they get to keep them, and whether or not we
13 want to replace that with the Civil Service exam and
14 that's actually where Citizens Union Original
15 Advocacy came around. The Civil Service exam
16 replaces these patronage appointments with people...
17 sorry, these appointments that can be patronage with
18 people who have to take an exam, and so we replaced
19 people with what they know versus who they know, and
20 so that being said, where we are on that plan, and I
21 think those are the two big questions I'd love to
22 just follow up on.

23 LISETTE CAMILO: Sure. There hasn't been
24 an update since we last spoke a few weeks ago. As I
25 mentioned in my testimony, with our last request for

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2 an extension the plan that was submitted was to
3 reduce the provisionals by about 8,600 provisionals
4 through an aggressive examination schedule and
5 reclassification efforts. And as I mentioned also in
6 my testimony we have gone up... although we have
7 reduced the number of provisionals by 1,442 of that
8 initial snapshot, the overall count has ticked up
9 given the ebbs and flows of attrition and operational
10 needs. However, we have still a few months to go.
11 We've administered very populous Civil Service exams
12 and we really do believe that by the end of our
13 timeframe we will be able to make substantial headway
14 to reach the goal that we initially set out of 8,600
15 because the admin manager exams that we administered
16 last year, we will be publishing those lists and
17 those are very... those have a lot of folks that took
18 it and we anticipate that we're going to be able to
19 move a number of provisionals off of the list as soon
20 as those lists become certified. Did I miss
21 anything?

22 DAWN PINNOCK: I was just going to add a
23 few numbers.

24 LISETTE CAMILO: Yes.

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2 DAWN PINNOCK: Just to underscore what
3 Commissioner Camilo said, we administered two, like
4 as you mentioned, unpopulist [phonetic] exams, two
5 managerial exams that had not been given by the City
6 in nearly a decade. One being a manager; the other a
7 staff analyst. And so with those two exams coupled
8 with some smaller exams, we're on pace to reduce the
9 provisional... to address another 5,200 provisionals by
10 the end of 2016. And once again, you know, as we've
11 stated our intention was to always request additional
12 time because we knew that two years was not
13 necessarily enough to address over 20,000
14 provisionals. And so we wanted to set out for a very
15 realistic goal which was the 8,600.

16 COUNCIL MEMBER KALLOS: I just want to
17 follow up on in support of Council Member Miller's
18 Resolution and even just what we can do here. One of
19 the number one things, so in my district office
20 people walk in off the street and they ask for four
21 things. One, stop the garbage dump; just why isn't
22 the garbage dump stopped? Number two, please do
23 something about the bikes. Number three, I am about
24 to be evicted or I need affordable housing. And
25 number four is I need a job, get me a job, why can't

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2 you give me a job, isn't there somebody you can call,
3 can't you get me a patronage appointment somewhere,
4 you're my Council Member. And so along those lines
5 we actually refer people to the Civil Service, and
6 just viewing the website right now I noticed that
7 there are several exams that are currently open from
8 Correction Officer, Environmental Police Officer,
9 Police Communications Technician, School Safety
10 Agent, Special Officer, Special Officer HHC, Traffic
11 Enforcement Agent. What can DCAS do so that if I am
12 just a person who is just looking for a job and don't
13 really care what job it is, I just need a job, and
14 hopefully the better paying the better, and I could
15 just fill it in instead of trying to wade through the
16 exam schedule. There's multiple pages that one gets
17 directed through and volumes and volumes of text to
18 get through. How can we simplify it so that this
19 it's as simple as just put in your information and
20 get set up with the right exam?

21 LISETTE CAMILO: That's a great question.

22 I think one of the things that as I'm getting up to
23 speed on the agency in this area that strikes me is
24 that the city is a wonderful employer. There is a
25 very broad sweeping number of jobs that we know from

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2 entry level to professional level that offer great
3 experience, a path to middle class employment, and
4 really working on the pipeline issue and getting the
5 opportunities out to New Yorkers to feed into our
6 Civil Service system is something that I really want
7 to look into and make it a little less complicated
8 and a little... not a little less complicated, less
9 complicated and more direct. I think we're off to a
10 good stop. We started the Office of Citywide
11 Recruitment within DCAS that whose sole charge is to
12 get out there, get the word out, and educate New
13 Yorkers on how to navigate the process. I think we
14 have some work to do and we're facing internet
15 presence on consolidating or simplifying how to get
16 information to every day New Yorkers on learning how
17 to apply for and take exams. I also think that
18 expanding the CTACs, getting out into the
19 communities. Now we have a CTAC in Queens, opening
20 up in Queens. We have one coming up in the Bronx,
21 and Staten Island shortly thereafter. So really
22 getting a presence out in the boroughs to have as
23 many touch points as possible to folks that are
24 looking for work and get them in as early as possible

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2 is something that I really want to look at and look
3 for your, you know, partnership in doing that.

4 COUNCIL MEMBER KALLOS: Absolutely, and I
5 just say NYC.GOV/JOBS is great but you get there and
6 you have eight different links of everything from
7 sanitation to FDNY to schools to exams and then
8 that's followed by an additional 12 different links
9 to take you in 12 other directions before you can
10 even find anything, and most people don't even
11 realize that the Civil Service exam is probably where
12 many of the jobs are, and then I will turn it back to
13 the Chair, but I just want to mention that given
14 recent coverage I look forward to meeting with you
15 and discussing what's happening with 45 Irvington
16 [phonetic], the Allure [phonetic] Group, and other
17 items I don't think is appropriate for this hearing
18 because it would be off topic, but did want to
19 acknowledge and make sure I had your commitment to
20 meet and work to get into the bottom.

21 LISETTE CAMILO: Absolutely.

22 COUNCIL MEMBER KALLOS: Thank you.

23 CHAIRPERSON MILLER: Thank you, Council
24 Member Kallos, for your usual insight. It's great to
25 have a partner like that. Where have we seen the

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3 uptick and what agencies have we seen the most
4 increase is provisional activity over the past year.

5 DAWN PINNOCK: I would generally say it's
6 our larger agencies so in Department of Ed we have
7 certainly seen an uptick in the Occupational
8 Therapist and Physical Therapist titles. In those
9 cases we had administered exams. We had quite a few
10 names on both lists but really their hiring needed
11 exceeded so they complied. They used the list. The
12 list was exhausted and they still need to hire
13 additional staffing for the schools. Also, we've
14 seen a slight uptick within New York City Transit.
15 One is (**INAUDIBLE**) Car Inspector. Generally that is
16 a title for which we consistently give exams. It's
17 actually a multi-part exams and the number of
18 qualified candidates who pass the exam generally does
19 not meet the higher need of the agencies. So we've
20 seen more of the increase of some of our larger
21 agencies.

22 CHAIRPERSON MILLER: And so based on that
23 answer I guess the DOE we can address it the New York
24 City Transit, that might be an internal issue to find
25 more qualified applicants?

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2 DAWN PINNOCK: I mean it could be a
3 combination of factors. One thing I would say is
4 that certainly over the last year we've been working
5 really collaboratively with New York City Transit
6 because they're the only agency that has a testing
7 role delegated to them specifically for their titles,
8 so we've been working really collaboratively with
9 them looking at their provisional numbers, trying to
10 really offer them some technical guidance and
11 assistance, so that their provisional numbers can
12 decrease because currently they are our second
13 highest number of provisionals in the city.

14 CHAIRPERSON MILLER: That's an uptick from
15 when?

16 DAWN PINNOCK: Really since I've served in
17 this role which is nearly two years. The uptick, I
18 mean it's been a steady increase in certain titles.
19 I would certainly say that some of their technical
20 titles because of the remediation work. You know,
21 after Hurricane Sandy they've continued to hire up
22 and exhaust lists...

23 CHAIRPERSON MILLER: Right.

24 DAWN PINNOCK: ...but they are also still
25 giving exams.

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3 CHAIRPERSON MILLER: So when we were both
4 serving on the other side, on the MTA side, we didn't
5 see any a great number of provisionals over there,
6 the number of provisionals certainly that we see now.

7 DAWN PINNOCK: There was no provisionals,
8 but certainly in certain technical titles there has
9 been an increase because there were other unforeseen
10 circumstances that had taken place.

11 CHAIRPERSON MILLER: Okay. We've been
12 joined Council Member Cornegy, and I'll go to Council
13 Member Dromm.

14 COUNCIL MEMBER DROMM: Thank you, Chair.
15 Since you mentioned the DOE, I'm the Chairperson of
16 the Education Committee, and my question has to do
17 with, as was mentioned, with the occupational and
18 physical therapy provisionals, so I'm unfamiliar with
19 provisional OT and PT in the DOE. I thought that
20 they contracted out those services to private CBOs
21 when they didn't have the ability to be able to hire
22 in-house. Is there any difference between a fully
23 hired provisional and then contracting out, and if
24 there is how is that determined and when is it
25 determined that they're contracted out to CVOs or
outside agencies?

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2 DAWN PINNOCK: The DOE certainly does
3 continue to use Civil Service lists to fill those
4 specific titles. Any information regarding
5 contracting out a portion of those services I would
6 not be aware of that.

7 COUNCIL MEMBER DROMM: How do they get
8 hired for provisional?

9 DAWN PINNOCK: If there's no list in
10 existence or if a list has been fully exhausted and
11 they have a hiring need, they can still hire them as
12 full time employees. They would still serve in the
13 same title as other individuals who have been picked
14 up off the list. It's just at a later date they
15 would be subject to examination. If they're a
16 contract employee they would not be considered an
17 employee of New York City.

18 COUNCIL MEMBER DROMM: Are you made aware
19 of when their provisional employees are hired for
20 possible inclusion and examinations at a further
21 date?

22 DAWN PINNOCK: We would certainly know the
23 number of provisionals at any agency at any time, and
24 also that helps to inform our exam schedule going
25 forward. If we see a significant increase in the

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2 number of provisionals serving, generally that exam
3 ends up on our next year's calendar to address it.

4 COUNCIL MEMBER DROMM: And so then you as
5 DCAS have no decision making or determination as to
6 when they might go to outside agencies to provide
7 those OT and PT services?

8 DAWN PINNOCK: No, the contracting out
9 function, that's not something under our per view.

10 COUNCIL MEMBER DROMM: And do you know the
11 total number that is needed for PT and OT positions
12 because you said that they can't hire enough so what
13 are they requesting from you?

14 DAWN PINNOCK: The number of budgeted
15 lines, they would receive that through their
16 budgeting process. Our job is to really just provide
17 a qualified pool of candidates to fill their
18 vacancies. So their number of budgeted lines would
19 not be information that's shared with the DCAS.

20 LISETTE CAMILO: And for DOE it's a
21 business decision in terms of the need that they
22 have, the amount of budgeted lines that they have,
23 and that delta would be covered by contracted
24 employees.

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2 COUNCIL MEMBER DROMM: So DOE has the
3 right then to hire outside agencies rather than use
4 provisionals or...

5 LISETTE CAMILO: I think agencies have the
6 ability to determine when to use contracts in order
7 to meet their operational needs.

8 COUNCIL MEMBER DROMM: Okay, thank you.

9 CHAIRPERSON MILLER: Thank you.

10 Commissioner, and I would be remiss if I didn't first
11 of all thank you for the work that the agency has
12 done over the past year with the Citywide Civil
13 Service kind of one-on-one tour. There's been great
14 response throughout. In fact, I get calls all the
15 time from members and from communities that, you
16 know, when can you get out there and so I'm looking
17 forward to working or continuing that. I think that
18 there's real opportunity in becoming a public
19 servant. We want to make sure there's many folk in
20 many communities as possible have that opportunity.
21 Also, I'm excited about the prospect of having a
22 testing center in the borough of Queens. Now where
23 would that be located, do you know?

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2 LISETTE CAMILO: The one in Queens? It's
3 scheduled to open in the fall of this year so, yes,
4 we do have the address, do you know?

5 DAWN PINNOCK: It's in Cue Gardens
6 [phonetic].

7 LISETTE CAMILO: Cue Gardens.

8 CHAIRPERSON MILLER: Okay. That is good.
9 That is good and do you have sites for the other two
10 boroughs, do you have something lined up or?

11 LISETTE CAMILO: We have one identified in
12 the Bronx and we're in discussions with potentially
13 one in Staten Island.

14 CHAIRPERSON MILLER: Oh, that is
15 excellent. That is good to hear. So there's been a
16 lot of talk about the exams, preparations, and the
17 development of exams. Could you take us through that
18 process, what it looks like in terms of once you
19 analyze the data, in terms of what the need is, how
20 an exam is put together, time tables and all that
21 stuff?

22 LISETTE CAMILO: Sure.

23 CHAIRPERSON MILLER: And who's involved?

24 LISETTE CAMILO: Absolutely. I will
25 definitely turn it over to Dawn, but I will say that

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2 we work with our partner agencies to create an exam
3 that would measure the skills for the titles that
4 we're trying to fill the vacancies for, so Dawn can
5 talk about the technicalities.

6 CHAIRPERSON MILLER: Okay.

7 DAWN PINNOCK: In terms of the exam
8 development process, we initially canvass agencies
9 with permanent appointee serving in that particular
10 title because our overall (**INAUDIBLE**) goals to insure
11 that we not only create a valid exam but one that is
12 also... that clearly reflects the work that someone
13 would be asked to do day one. We canvass the
14 agencies. They assign subject matter experts to work
15 directly with DCAS. We take them through a host of
16 interviews, posing questions. We have them complete
17 what we called a job analysis questionnaire that
18 essentially lays out essentially the duties that they
19 would be required to perform. We work directly with
20 this group in terms of developing test items which
21 are essentially the questions for the exam. We
22 actually work with a group to see how each of the
23 proposed items work for the group getting a sense of,
24 you know, any adverse impacts, you know, beforehand
25 to see how questions actually fare with the various

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2 demographics we're working with because our goal of
3 course is to try to work initially with a very
4 diverse panel of individuals as we're developing test
5 content. The final exam is not shared with any of
6 the folks who participate with us. So our goal is to
7 always develop far more items than what we'll use on
8 an exam, and so once the exam is put together we
9 complete the test items internally. We safeguard the
10 exams. We have a chain of custody process. We have
11 a host of things under lock and key. We have a very
12 specific relationship with a printing service where
13 it's clear what our chain of custody processes have
14 to be followed at the time of administration and I'm
15 referring more so to our paper and pencil
16 administration. We have staff who go to New York
17 City public schools beforehand to lay out logistics,
18 making sure that classrooms are appropriate, that we
19 have lines of sight and visibility to insure that we
20 minimize any type of inappropriate behavior. We give
21 our candidates a list of things to not bring, you
22 know, essentially to an exam. We insure that we
23 overstaff during those days and I don't say that to
24 shed a negative connotation at all. It's really more
25 so in terms of having coverage. So if someone needs

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2 to be escorted to the restroom or if someone has a
3 question you step outside of a class, or if we need
4 to have individuals who were in the hallways as the
5 test was going on, so it's a pretty large scale
6 event, and the bigger the exam, the more people
7 taking it, the larger this administration becomes.

8 CHAIRPERSON MILLER: So having, and this
9 applies to competitive as well as promotional exams?

10 DAWN PINNOCK: Yes, the process would..
11 right, because in terms of the actual types of exams
12 would either be open competitive which would mean,
13 you know, anyone who's qualified who can take the
14 exam but with the promotional exams you know that
15 we're going.. we're specifically targeting individuals
16 who have permanent status in an underlying title.

17 CHAIRPERSON MILLER: Right.

18 DAWN PINNOCK: So the process is the same
19 for both

20 CHAIRPERSON MILLER: I understand where
21 they would be the same but in terms of the
22 promotional exam, I've heard where there have been
23 promotional exams given which weren't necessarily
24 consistent with the skill sets of the individuals who
25 were in the permanent competitive title. So at some

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2 point there is some disconnect, so are we also.. are
3 we having conversations with those representative
4 bargaining units in terms of what the job
5 classifications are, what they're doing so that we
6 know that the qualifications for the promotional exam
7 is consistent with that other than just taking, and I
8 know that I've been involved where you've taken
9 individuals from a title and have them participate in
10 the process what you were talking about, but in terms
11 of being more efficient in the use of a particular
12 title and making sure that is consistent with the
13 work that is being done that would require more than
14 an individual. It would be someone who was more
15 familiar with work rules and job description than the
16 average employee.

17 DAWN PINNOCK: I would say that while we
18 have been inclusive that as part of strengthening our
19 process we are definitely being more consistent in
20 involving and I think you're referring to some of our
21 labor partners in those initial stages. Certainly,
22 you know, we have done that over time but we can
23 certainly strengthen our process in being in more
24 direct communication and that's something certainly
25 we're working on. In terms of feedback, in terms of

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2 test content, you know, and I'll give you two
3 examples. In our last administration, our managerial
4 exams for instance, we have had meetings with some of
5 our labor partners who have expressed concerns about
6 content, and we've been working internally to look
7 for ways to address those concerns. And so it's
8 really about us just trying to strengthen the overall
9 process and making sure that test content is
10 reflective of the work people are performing. The
11 challenge sometimes does arise when you are giving an
12 exam for a title that the job spec is written very
13 bluntly in nature and that it covers many levels
14 within an organization. So if it covers many levels
15 sometimes the test content may not seem so job
16 specific. So while it's job related it may not be
17 job specific, and so we're really trying to
18 strengthen our process so that we are getting closer
19 to the work that is being done at the agency. So I
20 feel like we've done a good job but there's certainly
21 more work to do.

22 CHAIRPERSON MILLER: Right, because that
23 would kind of... so if I'm in a particular title and
24 the promotion opens up for that title then I should
25 have as much opportunity as the next person in that

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2 title to access the promotion, right, and I get what
3 you're saying, if I'm following what you're saying,
4 if you narrowed it down more specifically that may
5 disqualify me based on my agency or particular skill
6 set even though we hold the same title?

7 DAWN PINNOCK: No, not disqualification at
8 all. It's more so about, and I'm really kind of
9 answering the question based off feedback we've
10 received. So for instance, if we administer an exam
11 for an administrative level title and there are hosts
12 of managerial levels, dependent on the SME [phonetic]
13 that you may have in the mix, you know, someone could
14 say it appears that that's more for an entry level
15 manager versus a more seasoned manager. If look at
16 our IT titles and this is certainly something that
17 our Commissioner has been extremely supportive of,
18 having us take a step back in looking back at how
19 we're framing test content for our IT titles, because
20 once again the job spec is written very broadly in
21 nature, but at the same time we really want to make
22 sure the test content we have out there and the exams
23 that individuals are taking really speaks to the work
24 that they're performing. So, yes, lots of work has

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2 been done but there's certainly more that we can do
3 and we are doing.

4 CHAIRPERSON MILLER: Thank you. Are there
5 any outside agencies or consultants involved in this
6 process ever?

7 DAWN PINNOCK: For our last two managerial
8 exams we did outsource that work specifically to
9 Avensor [phonetic]. The reason being is because many
10 DCAS staff, they're also Civil Servants. We wanted
11 to make sure that we were not part of the creation of
12 that test content inasmuch as we were taking the
13 exams ourselves.

14 CHAIRPERSON MILLER: That's interesting.
15 I don't even have a follow up. I would hope the
16 answer was no but I'll send you that question and
17 we'll talk about it as we move along. Also, on the
18 coordination of exams among the stakeholders, does
19 that apply also when we talk about consolidation of
20 titles?

21 DAWN PINNOCK: There's definitely
22 coordination. Do you want to take it? Certainly we
23 work with the agencies. Any agency using a
24 particular title, if there are thoughts of
25 consolidation or changing of a job spec we work

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2 directly with them. Once again, because our overall
3 goal is really to provide them with a qualified
4 workforce, and so we want to make sure that they're
5 part of the process. We also work with our agency
6 partners and both the Office of Labor Relations. We
7 work with the affected unions as well as OMB to
8 insure that if there are impacts to salary or impacts
9 to work rule or collective bargaining agreement that
10 we're not creating a challenge for anyone else.

11 CHAIRPERSON MILLER: Okay. So, you know,
12 and we could back and forth. Let me just sum up my
13 portion. What are the total number of employees New
14 York City employs now?

15 DAWN PINNOCK: New York City employees, so
16 do you want me to include teachers that are not under
17 our jurisdiction as well?

18 CHAIRPERSON MILLER: Yeah.

19 DAWN PINNOCK: Okay. Because that number
20 would be 363,116.

21 CHAIRPERSON MILLER: Okay. Now how many
22 are permanent Civil Service employees?

23 DAWN PINNOCK: I should have that and I
24 don't. I will get back to you with that number.

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2 CHAIRPERSON MILLER: Do you know how many
3 provision... well, obviously we know how many
4 provisionals?

5 LISETTE CAMILO: Yes, I do. 23,000

6 CHAIRPERSON MILLER: Yeah, that was a
7 loaded question, right? Okay. And so those
8 employees are provisional employees?

9 LISETTE CAMILO: The 23,000?

10 DAWN PINNOCK: The 23,000.

11 CHAIRPERSON MILLER: Provisional
12 employees, permanent employees and what else?

13 DAWN PINNOCK: You have provisional and
14 impermanent but then you also have individuals who
15 are in labor class so they are neither provisional or
16 permanent, and then you also have non-competitive
17 that are not provisional or permanent and then you
18 have the exempt class, and generally those selections
19 are made, you know, at the relevant agency head.

20 CHAIRPERSON MILLER: Yeah.

21 DAWN PINNOCK: And they don't fall within
22 either category either.

23 CHAIRPERSON MILLER: Right, because
24 they're not Civil Servants, right?

25 DAWN PINNOCK: Right.

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2 CHAIRPERSON MILLER: So do we know what
3 that number is?

4 DAWN PINNOCK: For each of those groups?

5 CHAIRPERSON MILLER: For... for the later.
6 At will.

7 DAWN PINNOCK: The at-will folks is
8 actually a small percentage but I will have to get
9 back to you with that number as well. I apologize.

10 CHAIRPERSON MILLER: Okay. It is not
11 problem. That should be the easy portion and again
12 could you just sum up your plan to decrease the
13 number of provisionals by five years, 5,000, by the
14 end of the two-year extension which is this year,
15 right?

16 LISETTE CAMILO: Yes. So as I mentioned
17 we have a number of exams that we've already provided
18 that we're in the process of evaluating and creating
19 the list that have thousands of applicants, and we
20 anticipate a very long list, certified list to be
21 able to move folks within those titles from a
22 provisional status to a permanent status. We think
23 we're going to make a lot of headway there.

24 CHAIRPERSON MILLER: Do you know what
25 titles that those exams and titles would be?

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2 DAWN PINNOCK: The primary titles are
3 (**INAUDIBLE**) Manager and (**INAUDIBLE**) Staff Analyst.
4 That's the overwhelming majority of that group.

5 CHAIRPERSON MILLER: Okay. Do you intend
6 to ask for another extension?

7 LISETTE CAMILO: Yes, that was always the
8 intention when we submitted the the initial one, and
9 we plan on making another.

10 CHAIRPERSON MILLER: And what would that
11 look like?

12 LISETTE CAMILO: We're still in the
13 process of putting that together and so at this
14 point...

15 CHAIRPERSON MILLER: You don't know that
16 you ask for another two years or?

17 LISETTE CAMILO: We still don't have a
18 final draft of a plan.

19 CHAIRPERSON MILLER: Okay. Do you have
20 anything else? Okay, Commissioner, thank you so much
21 for... [interject]

22 LISETTE CAMILO: Thank you very much.

23 DAWN PINNOCK: Thank you.

24 ...your time and thank you for being here
25 and look forward to continue working with you.

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2 LISETTE CAMILO: Absolutely, likewise.

3 Thank you.

4 DAWN PINNOCK: Thank you.

5 CHAIRPERSON MILLER: Thank you. Did
6 anyone sign up that was... did anyone not sign up that
7 was interested in testifying today? Could you fill
8 out a card please, sir? Identify yourself.

9 [pause]

10 CHAIRPERSON MILLER: Okay, Mr. Bryan. You
11 may begin testimony.

12 GERALD BROWN: Good afternoon, Commission
13 Miller and members of the Civil Service and Labor
14 Committee. My name is Gerald Brown, Second Vice
15 President of CWA Local 1180. Local 1180 is the
16 Communication Workers of America, AFL-CIO,
17 representing over 9,000 workers of which
18 approximately 8,500 are Civil Servants working for
19 the city of New York and its facilitated public
20 employers. I am testifying today on behalf of Local
21 1180's President Arthur Chuliotos [phonetic] who had
22 a scheduling conflict and could not be here today.

23 Local 1180 strongly believes that the
24 Commissioner of DCAS must use every tool available to
25 reduce the number of provisionally appointed Civil

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2 Servants. One such tool is the clear authority
3 stated in the personnel rules and regulations of the
4 city of New York under Rule 5 titled Appointments and
5 Promotions. Section One, appointments and promotions
6 generally, Rule 536 Citywide Lists. The Commissioner
7 of Citywide administrative services may establish
8 citywide promotional lists which shall not be
9 certified to agencies until after promotional
10 eligibility lists for that agency has been exhausted.
11 This Union believes that by creating citywide
12 promotional lists, the number of provisionally
13 appointed Civil Service workers will be reduced by
14 making citywide promotional lists a routine practice
15 on going together with the current citywide open
16 competitive lists. City agencies will have pools of
17 qualified candidates to fill vacancies rather than
18 provisionally appointed untested candidates.

19 Our experiences at Local 1180 on methods
20 of reducing provisionally appointments began less
21 than a decade ago with the title of Principle
22 Administrative Associate which topped the list of
23 city Civil Service titles with the greatest number of
24 provisionals. We asked DCAS to hold both promotional
25 and open competitive examinations and they agreed.

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2 After both lists were established and appointments
3 made the number of principle administrative
4 associates serving provisionally dropped from over
5 2,000 to today a handful, less than ten.

6 In the past administration, the
7 Commissioner Deketh [phonetic], Administrative
8 Services, had no desire to use Rule 5, 3-6, the Local
9 1180 prefer that a citywide promotional list was also
10 created. Since many members are in agencies with few
11 principle administrative associate positions
12 available for promotions they were forced to pay
13 examination fees twice to be on both the open
14 competitive lists for their agencies and the
15 promotional lists. This improved the possibility of
16 appointment for a principle administrative associate.
17 After exhausting the promotional principle
18 administrative associate list, city agencies then
19 made appointments from the open competitive list and
20 over today there were 5,122 candidates on the open
21 competitive list, and to date the highest number
22 appointed from that list was Number 2,505.

23 We are now experiencing a growth in those
24 serving provisionally in the title which you heard
25 today, Administrators Manager. The November 30th,

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2 2015 quarterly provisional report showed that there
3 are 566 serving provisionally in the titled citywide.
4 While there are still 17 agencies with qualified
5 candidates languishing on promotional lists for
6 administrative manager.

7 In the 17, the top five total 939
8 qualified individuals waiting to be called. HRA,
9 520; Agency for children services, 151; NYPD, 119,
10 Department of Health and Mental Hygiene, 80; ZEP-69,
11 all 17 agencies have a total of 1,225 individuals
12 waiting to be appointed. If DCAS used Rule 536, the
13 citywide promotional list for administrative manager
14 which have reduced the number of provisional
15 appointees citywide, which would be nothing. We
16 asked that the members of this New York City Council
17 encourage the Commissioner to use 536 in this
18 instance and others as one of many tools available to
19 offer qualified candidates to agencies and reduce the
20 number of provisional appointment. It was very
21 strange that during the testimony today I heard
22 nothing about Rule 536 which is in use. Thank you,
23 gentlemen.

24 CHAIRPERSON MILLER: Don't go anywhere.
25 You asked for it. Alright, so I think we asked about

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2 the tools in the toolbox and specifically about the
3 plan for the reduction of provisional employees.
4 Also, specifically we asked about titles that cost
5 agencies, and what is different from 536 than titles...
6 these agency wide titles if I was understanding what
7 the Commissioner or Deputy Commissioner answered that
8 there while there were specific titles that they were
9 trying to weed out that these were citywide titles
10 that potentially could... that someone could be pulled
11 across agencies.

12 GERALD BROWN: Yes. Alright, so..

13 CHAIRPERSON MILLER: So what is the
14 difference in that and 536, if I [interject]..

15 GERALD BROWN: Well, let me just tell you
16 how 536... can I tell you how 536 relates to the
17 administrative manager?

18 CHAIRPERSON MILLER: Yes, go ahead.

19 GERALD BROWN: Okay. Currently when the
20 last administrative manager exam was given, there
21 were 51 agencies that had promotional lists for
22 administrative manager, 51. To date there is 17 that
23 still have lists. The other 34 no longer have a
24 list. So those 17 agencies have a total of 1,200
25 people sitting on the list. That title is generic.

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2 The people can work in any of the 51 agencies. So
3 what we're basically saying is that if Rule 536 was
4 implemented for the 34 agencies that have finished
5 their lists, when those 34 agencies need
6 administrative managers they would go to the pool of
7 1,200 candidates that are sitting on the list of the
8 other 17. By not doing so, those 34 agencies that
9 have used their list rather than go to the 1,200 that
10 are still waiting, they have appointed provisionally.
11 What I did and I will give to the Commissioner, I
12 think I have enough copies for all the committee
13 people. I annotated the last provisional report that
14 DCAS put out, and I actually have a breakdown of the
15 30 agencies that are using the title provisionally,
16 where if Rule 536 was created they would have not
17 made provisionals. So that is 566 provisionals that
18 are on the record that really don't have to be.

19 CHAIRPERSON MILLER: So are you saying
20 that each one of these 56 agencies administered their
21 own test for the same title?

22 GERALD BROWN: No, it was one test. And
23 there were 51 different lists. Are you following me?

24 CHAIRPERSON MILLER: Yeah.

25 GERALD BROWN: Okay.

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3 CHAIRPERSON MILLER: Okay, that makes a
4 lot of sense.

5 GERALD BROWN: Uh-hm.

6 CHAIRPERSON MILLER: So has there been any
7 conversation, discussion, dialogue about upcoming
8 examinations with Local 1180.

9 GERALD BROWN: Well, what we've done,
10 that's why Deputy Commissioner Pinnock wanted me to
11 meet Commissioner Camilo because we have sent two
12 emails requesting meetings with the new Commissioner
13 on various issues because we have at least five
14 issues that are going on. Some were addressed with
15 the Commissioner that they're looking at. One of
16 them is revolving around the last administrative
17 manager exam that was given in 2015 where the
18 conditions were absolutely horrible. So the people
19 didn't have enough time to complete the exam with as
20 you heard today from the outside firm that was hired
21 to put it together, and if anything out of coming
22 here today I was very happy to hear how that happened
23 because in my Civil Service career I have taken 14
24 Civil Service exams including police officer,
25 everything, and out of the 14 exams I took, when I
sat for that exam June 13th of 2015, I did not feel

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3 that I went to take a Civil Service exam. I feel
4 that I went to the circus that day.

5 CHAIRPERSON MILLER: That is interesting.
6 So... that is very interesting, and as this process
7 we'd like to have more input from more of our
8 stakeholders. So just as a reminder before we
9 adjourn the hearing we have an upcoming hearing on
10 gender pay equity..

11 GERALD BROWN: Oh wonderful.

12 CHAIRPERSON MILLER: ..through the city
13 employment and I know that there are some issues that
14 CWA Local 1180 has outstanding, and I'm hoping that
15 you or your Local will participate in the hearing.
16 There will be an invitation forth coming.

17 GERALD BROWN: Do you have a date set?

18 CHAIRPERSON MILLER: April 12th.

19 GERALD BROWN: Oh great.

20 CHAIRPERSON MILLER: I think April 11th is
21 gender equity day.

22 GERALD BROWN: So I'll make sure today
23 when I go back to the office that... do you have a
24 time?

25 CHAIRPERSON MILLER: No.

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2 GERALD BROWN: Alright, I'll ask the
3 president to plock that nine to five.

4 CHAIRPERSON MILLER: Okay.

5 GERALD BROWN: Uh-hm.

6 CHAIRPERSON MILLER: Thank you. Thank you
7 for your testimony.

8 GERALD BROWN: Okay, anytime.

9 CHAIRPERSON MILLER: Thank you to everyone
10 who came out today to hear this important information
11 and testimony that was given by the Commissioner and
12 the committee. I want to thank all the members of
13 the committee that came out and certainly the staff
14 that participated. With that, I'll call this hearing
15 to an end. It is now adjourned.

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17 [gavel]

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date April 24, 2016