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Res. No. 76

Resolution calling on the Commissioner of Citywide Administrative Services to implement the band scoring method for establishing eligible lists for competitive civil service titles.

By Council Members Farías and Louis

Whereas, New York City (City) pioneered the development of the merit-based civil service exam, the gold standard of good government practice that has protected the civil service system for over a century; and

Whereas, In 1885, New York became the first state to adopt a civil service system for its State workers with the passage of a merit-and-fitness requirement in the State constitution; and

Whereas, The civil service exam assesses a candidate's potential job performance in a fair and competitive manner, and serves as the pathway into competitive civil service positions; and

Whereas, While the exam system operates to safeguard the integrity of the civil service system, there are numerous opportunities to modernize the process while prioritizing equity and efficacy; and

Whereas, To ensure the City remains a competitive employer and hires skilled civil servants, it is the responsibility of the Commissioner of Citywide Administrative Services to reform and streamline the exam process in order to support a continuous pipeline of qualified workers into City agencies; and

Whereas, Exam scoring methodology is primed for reform; and

Whereas, The State Civil Service Law restricts agency hiring decisions to a choice of the three highest-scoring candidates on a rank-ordered list, under what is known as the 1-in-3 rule; and

Whereas, Tied scores are treated equally in listing, so more than three eligible candidates may be considered for appointment to an open competitive position; and

Whereas, Other states have eliminated the 1-in-3 restriction altogether and adopted an alternative

scoring method known as band scoring; and

Whereas, Band scoring establishes statistically equivalent score ranges, such as 100-96, which signify that the point differential within a score range is not a meaningful difference in predicting the candidate's qualifications; and

Whereas, Proponents of band scoring argue that the City should treat similarly candidates who have demonstrated equivalent merit and fitness in their raw examination scores, thereby maximizing the pools of qualified candidates and amplifying the opportunity for matches between candidates and hiring agencies; and Whereas, Band scoring would grant some discretion to the hiring manager to identify candidates who are best suited for the job, not simply those who perform the best on the exam; and

Whereas, The use of this scoring method may be implemented under the Civil Service Law, and should be the preferred scoring method used by the Commissioner of Citywide Administrative Services; and

Whereas, Government reform advocates endorse the band scoring technique; and

Whereas, A 2011 Workforce Reform Taskforce, assembled by the former Bloomberg Administration, and a 2012 Capstone Team, assembled by the non-profit organization Citizens Union, both recommended that where sound and consistent with the City's rules, the City should adopt band scoring; and

Whereas, Since its inception, the civil service system evolved to serve the City's best interests and to ensure the quality of the City's civil servants; and

Whereas, Band scoring would promote equity and fairness by expanding civil service opportunities for a larger pool of eligible candidates; and

Whereas, Band scoring would also promote more holistic consideration of eligible candidates and give hiring agencies a chance to find candidates of best fit; now, therefore, be it

Resolved, That the Council of the City of New York calls on the Commissioner of Citywide Administrative Services to implement the band scoring method for establishing eligible lists for competitive civil service titles.

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