

Municipal Civil Service Commissions

Local governments are subject to the provisions of the State Civil Service Law, which are implemented under the jurisdiction of local bodies, including local Civil Service Commissions and Personnel Officers (fulfilling essentially the same function). Municipal civil service may be administered at the regional, county, city or suburban town level.

Each county is responsible for administering civil service for the county and local governments including cities, towns, villages, school districts, special districts, and various other entities such as housing authorities. Cities and suburban towns (a particular class of towns) also can administer civil service, and 41 cities and 2 suburban towns have chosen to do so. Currently there are 100 municipal civil service agencies, and many believe that this system is cumbersome.

Each local commission or personnel office is performing the same functions including, for example: test administration, personnel transactions, position classification, creating and updating job specifications, payroll certification, etc. Many counties have several local commissions within the county all performing these functions.

The State Civil Service Department also provides examination services to municipal agencies on request. Often identical examinations are administered by adjoining civil service agencies, although each may have different requirements for participation, such as minimum qualifications or residency. For example, on any given test date Albany County, the City of Albany, Cohoes, Watervliet, and the Town of Colonie are all giving the same civil service test on the same day at different locations within Albany County. It is reasonable to conclude that efficiencies and savings could be realized by testing candidates in larger groups; in addition, a larger pool of applicants would be reachable for hiring to all the underlying agencies. Cities or Towns could still request that only residents be certified for appointment if that was desired.

City civil service agencies represent 41 out of the 100 civil service agencies (although they cover only 11% of classified employees – and a large share of these (39%) are school district employees, which has created some tension. The cities that have civil service agencies can, and do, charge school districts administrative costs.

In comparison, county civil service agencies are not permitted to recoup costs from school districts. Nevertheless, a city school district is obligated to use the city civil service commission where there is one, which gives the exact same tests as the county. Another problem is that in some cities, the city civil service commission limits certification or gives preference to city residents creating a much smaller pool of candidates for the city school district. A recent example was a county pool of 100 for a posted school district position, and a city pool of 6.

Some cities, in an attempt to streamline functions, have wanted to abolish their city civil service commission by local law. They are, however, hampered by § 23(2)(k) of the Municipal Home Rule Law, which requires a mandatory city-wide referendum affecting the terms or membership of a city civil service commission. Repeal of this provision

would at least give cities the latitude to eliminate their civil service commission, which services, by law, would then be provided by the county.

Stronger action would be to simply abolish city and suburban town civil service commissions. Eliminating sub-county level civil service operations by State general law would eliminate the overlap of duties and positions. This would allow an applicant to take a county-wide or regional civil service test and not have to take the same test in various cities or towns in order to be reachable for hire there. It would allow the State Civil Service Department to better serve the needs of the municipal commissions, and would have the effect of a more streamlined and professional operation by better trained individuals. It would also offer city school districts a much larger pool of applicants and reduce their costs.