



PAR-03-23

POLICY ADVISORY REPORT

TO: All Municipal Civil Service Agencies

FROM: Municipal Services Division

SUBJECT: Hiring Emergency Limited Placement Program (HELP Program)

DATE: January 13, 2023

In response to local agencies having significant challenges filling positions across local government due to the tight labor market, competition with private sector employers and eligible lists that have become exhausted, the New York State Department of Civil Service, Municipal Services Division (MSD), is pleased to announce the Hiring Emergency Limited Placement Program (HELP Program). This is a temporary program to help local government employers address the current staffing issues for critical health and safety titles.

The Department also worked with the Office of Children and Family Services (OCFS) and the Office of Temporary and Disability Assistance (OTDA) who advocated for the program's establishment on behalf of Local Districts of Social Services (LDSS) statewide given the aggravated recruitment difficulty some LDSS are experiencing filling Caseworkers and Social Welfare Examiners on a permanent basis.

The Department solicited input from local agencies to determine the appropriate scope of the local HELP program. Your input made it clear that health and safety positions have the greatest number of vacancies or positions filled by provisional appointments.

The titles identified are found in the following examination holdings:

Holding Name	Number of Provisionals and Vacancies Statewide
Social Welfare Examiner	478
Caseworker	433
Social Work Services	227
Higher Level Caseworker	160
Human Services Paraprofessional	134
Public Safety Dispatcher	120
Public Health Sanitarian - Engineer	92
Child Support	57

Aging Services	27
Higher Level Social Welfare Examiner	19
Total	1,747

While the Department of Civil Service has been working diligently to fulfill requests for examination services submitted by local civil service agencies and converting examinations to training and experience format, agencies are indicating that they need to fill positions faster than the Department can currently accommodate.

The Municipal Services Division sought approval from the Commission at its January 11, 2023, meeting to establish the HELP Program for local government employers.

The HELP Program is a tool that is available on a temporary basis for agencies that believe eliminating the competitive examination will speed up the hiring process for critical titles that meet the HELP Program's criteria. Using this tool, local civil service agencies can place competitive class positions in the non-competitive class on a temporary basis.

Local agencies experiencing emergency staffing issues can seek a 12-month approval from the Commission to implement the HELP Program for titles that meet the program's criteria. The 12-month duration of this program begins when the rule making takes effect (filing with the NYS Department of State).

To assist with expedited processing of positions that could be filled through the HELP Program, this PAR contains a sample rules resolution package that you can use to request the temporary placement of positions in the non-competitive class. Positions removed from the competitive class as a result of this program must have the parenthetical (HELP Program) as part of the title to help differentiate them from their counterparts in the competitive class.

Participation in the HELP Program must be done by following the procedures detailed in section 20 of the Civil Service Law and by submitting a rules resolution to amend your local Civil Service Rules to the Municipal Services Division for presentation to the State Civil Service Commission. The Commission approved the program and established a deadline of December 31, 2023 for the submission of initial rules resolutions from local civil service agencies to "opt-in" to the program.

HELP Program Criteria

Titles appropriate for hiring under the local HELP Program will be limited to positions that provide critical services, which if left unfilled, would result in the basic health, safety, and daily needs of New Yorkers being unmet. As mentioned above, the Office of Children and Family Services (OCFS) and the Office of Temporary and Disability Assistance (OTDA) are supportive of the HELP Program for positions in local social services districts such as Caseworkers and Social Welfare Examiners.

To ensure the integrity of the merit system, titles for which agencies can make appointments under the HELP Program must meet all the below criteria:

Criteria 1: Titles are deemed to be critical, direct care, health and safety titles. Employees serving in these titles provide services or care directly to clients, consumers, patients, or the public. Titles tested in the examination holdings listed above meet this criterion.

Criteria 2: A severe shortage of candidates exists, evidenced by an inability to attract sufficient qualified candidates to fill vacancies despite extensive and exhaustive recruitment efforts. It is the responsibility of the civil service agency to demonstrate this criterion.

Criteria 3: Titles are filled via open-competitive examination only. Titles are excluded from this program if they can be filled via promotion examination. It is the responsibility of the civil service agency to demonstrate this criterion.

HELP Program Implementation

If the Commission approves the non-competitive jurisdictional classification of positions that meet the above criteria, below outlines the requirements for implementation:

Minimum Qualifications: Agencies must ensure that candidates meet the minimum qualifications for the title and any other conditions of employment.

Diversity and Inclusion: Agencies must ensure that diversity, inclusion, and equity principles are utilized when filling positions.

Vacancy Postings: Agencies must publicly post vacancies with minimum qualifications included.

Local Websites: Local agencies must alert qualified candidates on how to apply for employment to positions that fall under the HELP Program.

Decentralized Continuous Recruitment Examinations: Local civil service agencies can continue using decentralized, continuous recruitment examinations to fill positions on a competitive basis during the HELP Program.

Promotion Examinations: Employees may be eligible to participate in promotion examinations if they meet the qualifications and time in title as provided for in section 52(12) of the Civil Service Law.

Competitive Class Status: At the end of the 12-month period, employees occupying positions filled through the local HELP Program will be granted competitive class status without the need to participate in a competitive examination. Local civil service agencies will need to submit a rules resolution to delete the HELP Program titles from the non-competitive class which will have the effect of conveying competitive class status upon individuals appointed pursuant to the HELP Program. It is recommended that your agency record the dates the HELP Program titles are filed with the Department of State so you can track appointments and be aware when your agency would need to submit a rules resolution to delete these titles from your rules. Staff of the Municipal

Services Division will be sending reminders as your agency approaches the end of your one-year approval period.

Provisional Employees: Employees serving provisionally at the time the HELP Program title is approved for use in the non-competitive class may be appointed non-competitively into their incumbent title, and then be included in the cover in process.

We will hold an informational webinar on **Thursday, January 19th at 10:00 am** to go over the HELP Program with any agencies that are interested in participating.

<https://meetny.webex.com/meetny/j.php?MTID=meabb8a4221c05646c934dacc2401f46c>

Meeting number (access code): 161 979 3028

Meeting password: VAsiNt3xz89

Please contact Maria Kenneally at (518) 473-6048 or maria.kenneally@cs.ny.gov with any questions about this Program. Please submit your rules resolutions for the HELP Program to commops.mun@cs.ny.gov for expedited processing.