

March 2010

TERM APPOINTMENTS FACT SHEET FOR CANDIDATES

Background

Chapter 500 of the Laws of 2009 represents an effort to provide cost savings for New York State by providing agencies with the flexibility necessary to in-source Information Technology jobs. Among other things, this law demonstrates the commitment by this administration to reduce the number of outside contracts where it is more cost effective to do the work with state employees.

Term Appointments

This legislation allows agencies to create up to 500 new IT jobs which recognize special skills or expertise. These jobs will be filled by term appointments that allow for appointment **without examination** for certain information technology positions. This historic legislation will assist agencies in establishing a viable means of bringing individuals with specialized skill sets into the State workforce **above entry level positions**. Current State employees who have the appropriate skills and experience are eligible to fill these positions.

Type of Appointment

A term appointment is an appointment pursuant to section 66 of the Civil Service Law to a temporary information technology position requiring special skills or expertise. Individuals working in these positions are considered to be working 'at will.'

Exams

Unlike other temporary appointments, service in these jobs **will qualify you to sit for a promotional exam**. The legislation provides term appointees serving continuously for 2 years in a term appointment, an opportunity to take an examination at the same level as your appointment. If you take and pass the examination, and are reachable from the resulting eligible list, you may be appointed to a permanent, competitive position which can lead to tenure protection. If you are unsuccessful in this exam or are not reachable during the life of the eligible list (lists may exist for 4 years), you may remain in the term appointment up until the time the position expires. You will also have the opportunity to take the traditional entry level *Information Technology Specialist* exams which consist of an online skills inventory which is available on a continuous basis. We strongly recommend that you consider this parallel path as a means of securing a hold item which may then allow you to compete for a higher level position through the regular examination process.

Duration of position

These positions can be established for a period *not to exceed 5 years*. These positions may be established for a shorter period of time based upon agency or programmatic needs; however, these positions cannot be extended beyond 5 years (or 60 months) from the time an appointment is made.

Eligibility for appointment

Persons eligible for these positions are current state employees, current contractors, and other individuals who meet the special expertise as defined in the job postings. Candidates must have the legal ability to work in the United States. New York State residency is not required. New York State will not sponsor H-1B visas for these jobs.

Titles

The Department of Civil Service has established new titles for these temporary IT positions that will distinguish them from existing IT titles. Individuals appointed into these positions will be appointed into one of the following titles using the parenthetical 'Special Expertise':

- Information Technology Specialist 2, (SE), Equated to G-18*
- Information Technology Specialist 3, (SE), Equated to G-23*
- Information Technology Specialist 4, (SE), Equated to G-25*
- Information Technology Specialist 5, (SE), Equated to G-27*

Negotiating Unit

The majority of employees working in these positions will be in the Professional, Scientific and Technical Services Unit (PS&T) which is represented by the NYS Public Employees Federation (PEF). New employees are automatically designated as an 'Agency Shop Fee Payer' and will be required to pay 'shop fees' which will be paid through payroll deduction. PEF dues are currently calculated at .9% of earnings.

Salary Ranges

These jobs will not be graded but will be designated non-statutory (NS). These positions will be equated to the following grades and paid at rates similar to the following 2009/2010 Salary Rates for PEF:

<u>PEF</u>	<u>Hiring rate/Job Rate</u>	
G18	\$49,296	\$61,143
G23	\$63,822	\$78,384
G25	\$70,931	\$86,699
G27	\$78,708	\$95,983

When considering whether to accept a term appointment you should calculate that your fringe **benefits package is worth approximately 48% of your salary**. This amount, when added to your salary rate, is the total value of your employment in terms of both compensatory and non-compensatory salary.

Advances/Raises

- A. Being hired into a job at the hiring rate (beginning salary of the range) enables you to be eligible for annual performance advancement amounts based on satisfactory service. Additionally, you would be eligible for automatic general salary increases and performance advances pursuant to negotiated agreements between NYS and PEF. If you subsequently receive a permanent competitive appointment to the equivalent grade level, you will maintain all salary increases that you achieved by that point.

- B. Dependent upon your special skills, your agency may appoint above the hiring rate and within the salary range. General salary increases and performance advances pursuant to negotiated agreements between NYS and PEF would be applied. However, in no case could performance advances cause an employee's total salary to exceed the maximum salary (job rate) for the grade level. If you subsequently receive a permanent competitive appointment to the equivalent grade level, you may or may not be able to maintain the salary that you have achieved by that point. You would, as a minimum, receive a recalculated salary based on the hiring rate plus any performance advancement amounts and general salary increases as if the NS service had been graded.

Upon conversion of a term appointee to a permanent position, either one of two salary tools can be applied to mitigate or minimize negative impact upon the salary of an incumbent. Upon conversion, the Division of Classification and Compensation (C&C) would work with an agency to determine which of the following tools would result in the best possible compensation outcome for the incumbent:

Option #1: Pursuant to current negotiated agreements and section 131.5(c) of the Civil Service Law, an incumbent would be entitled to a reconstruction of salary in the graded position which would recognize time served in the temporary position and would credit performance advances (a.k.a. Steps) in the graded position. This may or may not result in a loss in salary.

Option #2: Agencies can work with C&C to submit a request to appoint an incumbent at a salary above the hiring rate of the graded position, not to exceed the Job Rate, when the **training or experience of the appointee substantially exceeds the minimum requirements necessary for appointment**. In addition to qualifying experience demonstrated prior to State service, time served in the temporary position would also count as qualifying experience (if appropriate). The determination of whether an employee exceeds the minimum requirements for the permanent position would be based on the years of experience listed for the various levels in the Information Technology Specialist SE series.

Training/Employee Development Opportunities

- Public Service Workshops Program (PSWP)
These workshops are delivered statewide and available to all PS&T Unit employees. Most workshops are designed to address the professional development needs of employees in job titles or professions within seven major occupational groups. In addition, workshops identified as “general” are designed to be applicable to all PS&T Unit employees.
- The New York State Technology Academy
The New York State Technology Academy, part of the Chief Information Office/Office for Technology focuses on a collaborative approach to training. State employees can register for various types of classroom training. Additionally, the Academy offers elearning subscriptions which include over 2500 courses including coursework to help prepare you for several popular certifications such as ITIL, Project Management Professional, Oracle, and Microsoft. These courses can be taken anywhere and at any time.
- eNYS-Learn
This web-based enterprise learning management system, hosted by the Governor’s Office of Employee Relations, is a convenient means to register for a number of courses offered by GOER and by the Public Service Workshop Program and to maintain their personal training histories.
- Agency-supplied training
Check with your own agency regarding other potential training opportunities for which you are eligible.

Comprehensive Benefits and Services

Your salary is **only part of the total compensation** you receive as a New York State employee. You are also eligible for a wide range of benefits at reduced or no cost. Some of these include:

- Generous Leave Policies (Vacation – 13 days a year initially; incrementally increasing to 20 days a year at the completion of 7 years; 12 paid Holidays per year; 13 days of Sick leave per year, and 5 days of Personal Leave each year. Annual and Sick leave may be accrued and carried over from year to year.)
- Comprehensive Health Care & Prescription Coverage for employees and dependents (NYS pays 90% of the health insurance premiums for individual coverage and 75% of the premiums for family coverage)
- Vision and Dental Insurance Programs
- Optional Group Insurance & Disability Plans
- Tuition Voucher and Reimbursement Plans
- Unemployment insurance and Workers’ Compensation
- Payroll Deduction Savings Plan
- Employee Assistance Program (EAP)
- Savings Plans
 - Deferred Compensation
 - US Savings Bonds
 - College Savings Programs
- Opportunities for Pre-Tax Savings

- Dependent Care Advantage Account
- Health Care Spending Account
- Pre Tax Contribution Program
- NYS-Ride Program
- Life Insurance
- Employee Wellness Programs
- Accidental Death Benefit

Additional information about the benefits of working for NYS may be found at:
http://www.goer.state.ny.us/Employee_Resources/index.cfm

The total value of these benefits results in significant additional compensation!

NYS Retirement

The New York State and Local Employees' Retirement System (ERS) is organized in tiers. As a new State employee hired after January 1, 2010 you will be assigned to Tier 5; under this new tier you will be vested when you have 10 years of service credit. An employee who retires after a minimum of 10 years is able to carry his/her health insurance into retirement, paying only the employee share of the premium; furthermore, the value of unused sick leave may help to offset the payment of premiums in retirement. As a temporary employee, membership is optional; however, if you plan to make State employment your career, it may be advantageous for you to join. If you decide to enroll, there is an individual contribution requirement of *three percent of salary* which is automatically deducted from your paycheck. Additional information may be found at:
<http://www.osc.state.ny.us/retire/employers/tier-5/>

New York State is an equal opportunity employer. It is the policy of New York State to provide for and promote equal opportunity in employment, compensation, and other terms and conditions of employment without discrimination on the basis of age, race, color, religion, disability, national origin, gender, sexual orientation, gender identity, marital status, or arrest or criminal conviction record unless based upon a bona fide occupational qualification or other exception.

Any questions should be directed to your Manager or your Human Resource Office.