

# New York City Amalgamated Professional Employees



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## **Brothers and Sisters:**

Even as Local 154 has made great strides in securing five Civil Service examinations in the last five years and making sure that the proper appointments were made from the test lists, effectively converting Local 154 in one of the Local Unions with the highest proportion of Civil Service employees at DC 37, the May 2007 State Appeal Court's Long Beach decision affecting Provisional workers created widespread concern among all our ranks.

Today, I have the pleasure to announce that a great victory for the rights of workers was obtained in the halls of the New York State Legislature when both houses passed a bill providing relief for provisional workers in New York.

In May of 2007, the NY State Appeals Court had delivered a devastating blow to tenure rights for all Provisional workers in the State, including the 35,000 Provisional workers employed by the City of New York. The Long Beach decision removed all tenure rights, including existing due process rights that Unions had managed to obtain through collective bargaining. The decision pointed out that since the State Civil Service Law did not provide any tenure rights for Provisional workers then those workers could be terminated from their jobs at managers' discretion, at any point in time. Also the decision reminded Local governments that the State Civil Service Law mandated that provisional workers could only be appointed for up to nine months.

The relief bill, which will amend the Civil Service Law, was sponsored by Senator Serphin R. Maltese and Assemblyperson Peter J. Abbate. It will provide Local Governments with a time frame of five to six years to schedule examinations and reduced the number of provisional workers. Also, it would allow up to a maximum of 5% provisionals in the workforce and, it will authorize negotiations between Union and Local governments to establish due process rights for provisional workers who have served a minimum of two years in the position.

On January 18, the bill was delivered to Governor Elliot Spitzer. We are expecting his signature. This is a great victory for all workers. We are looking forward to restore due process rights for Provisional workers!!