

LEGISLATIVE VICTORY

Crediting Provisional Time (S.5494 Jackson / A.7155 Pheffer Amato)

A bill has been signed into law, which requires that any time spent as a provisional employee be counted towards an employee's probationary term upon receiving a permanent appointment in the same title.

This law went into effect on September 7, 2023.

What was the law before?

Employees can spend years as a provisional employee as they wait for available civil service tests. Once appointed to a permanent role, they can be required to spend up to an additional year on probation.

Who does this effect?

Nearly 18,000 provisional employees who work for the State of New York, municipal governments, and school districts.

What is the law now?

All the time that an employee spends as a provisional employee will count towards their probationary term once they receive a permanent appointment in the same title.

Why does this matter?

Provisional and probationary employees do not have access to the same disciplinary rights as permanent employees and can be fired at will. Under this new law, employees will not have to wait another year without these rights.

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