

OSA Gains Earlier Tenure For Staff Analyst Trainees

By DAVID SIMS

The Organization of Staff Analysts has succeeded in shortening the probationary period for Staff Analyst Trainees by one year under the settlement of a lawsuit it brought against the city.

Until now, Staff Analyst Trainees served a three-year probation: one year as a Staff Analyst Trainee Level I, another at Level II, and then a one-year probationary period as a Staff Analyst. During these three years, employees could be fired without a hearing.

Exceeded Normal Probations

"The union victory will affect all of the 200 or so Staff Analyst Trainees now serving their probationary periods, as well as any trainees appointed in the future," said OSA Chairman Robert Croghan in a statement.

In a subsequent phone interview, he explained that the union's Executive Director Sheila Gorsky had first met with Department of Citywide Administrative Services staff in 2007, to argue that the long probationary period was illegal. "The response we got was, 'We can do what we want,'" he said. Most city jobs have two-year probationary periods.

Mr. Croghan said that OSA's position was backed up by legal and legislative precedent, including an amendment to the Civil Service Law passed in 1989 by the State Legislature that stated, "when a permanent appointment or promotion to a position in the Competitive Class is con-

ditional upon the completion of a term of training service, or a period of service in the designated trainee title, such service and the probationary term for such competitive position shall run concurrently."

Further attempts by OSA to rectify the problem were fruitless. "We wrote them a letter saying we want to talk to them about this, but there was no answer at all. So we went to trial," he said.

OSA's case was filed against Mayor Bloomberg, DCAS, the Human Resources Administration, the Fire Department and the Department of Health and Mental Hygiene. "They were afraid they would lose in court," Mr. Croghan asserted in explaining the pre-trial settlement. "The stipulation says [we're] right, [they're] wrong."

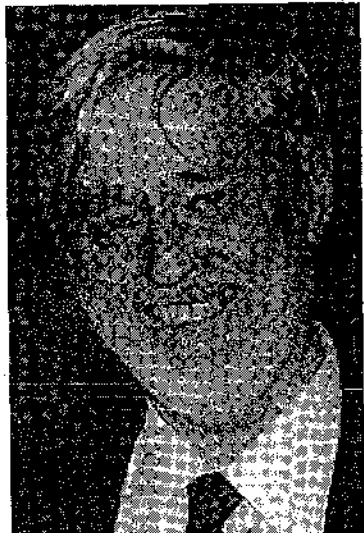
Implemented With March Exam

The settlement notes that DCAS Commissioner Martha Hirst made an amendment to Exam 6071, for Staff Analyst Trainee, on March 18. The amended notice states: "Appointments to this class of positions are subject to a two-year probationary period. At the end of two years of satisfactory service, permanent employees in this class of positions will advance, without further examination, to the title of Staff Analyst."

Mr. Croghan said the steps made were significant, but still decried what he called the Mayor's policy of giving out too many Non-Competitive jobs. "His administration seems intent on increasing the number of discretionary, hire-at-will, fire-at-will employees," he said. "The current DCAS reorganization plan seeks to create thousands or tens of thousands of new Non-Competitive or Exempt employees."

"This guy wants to return to the pure patronage of Boss Tweed," he added. "Every time this has ever happened, that is what happened. Under John Lindsay or under Ed Koch, it's been patronage all over the place."

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BOB CROGHAN: Mayor disdains civil service.