THE CITY UNIVERSITY OF NEW YORK

INTERPRETIVE MEMORANDUM: 4-00    DATE: 4/19/00
PERSONNEL POLICY BULLETIN:
REGULATION REFERENCE NO.: 5.9
INDEX REFERENCE: Reinstatement
Delete IM 4-88 dated 9/9/88

Issue:
A. Reinstatement of former permanent CUNY employee
B. Reinstatement of permanent employee who formerly served in another jurisdiction

The Civil Service Law and the CUNY Rules and Regulations envision the possibility of reinstating a former permanent employee, even from another jurisdiction (such as the City or the State), under certain circumstances. Reinstatement requires the approval of the University Personnel Director.

A. Reinstatement of former CUNY employee

First, the former permanent employee of CUNY must have had at least one year of service and must have terminated employment under honorable circumstances not more than four years previous to the reinstatement.

Secondly, if the former permanent CUNY employee is reinstated within one year of separation, the reinstated employee’s service is continuous for the purpose of determining seniority. The employee is also eligible for annual and sick leave accrual rates based on total service, excluding the time off payroll, and shall have any unused sick leave balances which were in his/her bank re-credited for future usage. If the employee’s reinstatement occurs after one year from separation, the employee is eligible for the annual leave accrual rates established for new appointees.

Thirdly, any reinstated person will serve a new probation period, subject to waivers permitted in the Regulations. The salary and title of a reinstated person will generally be that of the most recent former position.

Finally, under the contract for white collar and blue collar employees, a reinstatement to a campus other than an employee’s former one may not be permitted to fill positions until a CUNY transfer roster in that title has fewer than three names.

B. Reinstatement of permanent employee who formerly served in another jurisdiction

First, the employee of another jurisdiction must have had at least one year of service, and must have terminated employment under honorable circumstances in another jurisdiction not more than four years previous to the reinstatement.

Secondly, the employee is eligible for the annual leave accrual rates established for new appointees. Seniority will be from the date of reinstatement.

Thirdly, any reinstated person will serve a new probation period, subject to waivers permitted within the Regulations. A person may be reinstated to any position at CUNY for which he/she could have been eligible for appointment based on passing an exam to perform the same or similar duties. The salary as a reinstated employee may be that of the most recent former position.

Finally, a reinstatement may not be permitted to fill as a position until as a CUNY transfer roster at the college requesting reinstatement has fewer than three names.