BACKGROUND:

When an examination announcement requires a qualifying test (such as a medical examination, a skills test, etc.) the selection of the candidates from the civil service list may occur contingent on passage of the qualifying examination. Final appointment may not be made until passing the qualifying examination. Questions may arise with regard to how employees who have been selected are to be handled upon the completion of the qualifying examination. The City University of New York shall administer the following policy.

POLICY:

An eligible, whose name has been certified from a civil service list, and who is selected but whose appointment is contingent on passing a qualifying examination, shall have his/her name removed from the list upon selection. Upon passing the qualifying examination the eligible shall be deemed appointed. If he/she passes the qualifying examination within the certification period, his/her effective date of appointment shall be either the day of the qualifying exam, or a mutually agreed upon date after passing the qualifying exam but within the certification period. When a medical qualifying exam cannot be completed prior to the expiration of the certification due to administrative considerations, the eligible upon passing will be appointed effective the last date of the certification from which he/she was selected, and given a future reporting date.

If the eligible fails the qualifying examination, he/she may appeal to the University Personnel Director as provided in the Rules and Regulations. If his/her appeal is denied, a second level appeal may be made to the Vice Chancellor for Faculty and Staff Relations. If an eligible whose appeal has been granted passes the qualifying reexamination, the status of his/her appointment depends upon the date of the qualifying reexamination as follows:

APPROVED

[Signature]
University Personnel Director
CIRCUMSTANCE A:

An eligible whose appeal was granted and who subsequently passes the qualifying reexamination within the certification period from which he/she was selected, shall be appointed to the original position that he/she was selected for effective no earlier than the date of the qualifying reexamination or a mutually agreed upon date. This date must be within the certification period from which he/she was selected.

CIRCUMSTANCE B:

An eligible whose appeal was granted and who subsequently passes the qualifying reexamination after the expiration date of the certification from which he/she was selected, may not be appointed to his/her original position. But the eligible shall be restored to his/her original place on the civil service list. However, if the civil service list from which the eligible was selected expired, the eligible will not be restored.

APPRAOVED

University Personnel Director

10/9/91