The City University of New York

PERSONNEL POLICY BULLETIN: 16-02  DATE: 6-10-02
REGULATION REFERENCE NO.: 7.1.4. Transfers
INDEX REFERENCE: Inter-College Transfers
For Sub-Managerial Employees
Not Covered By A Collectively
Bargained CUNY Transfer Policy

The following policies apply to sub-managerial employees who have no collectively bargained voluntary inter-college transfer policies:

Pursuant to Section 7.1.4 (a) of the CUNY Rules & Regulations, the voluntary transfer of a full-time permanent employee in any sub-managerial classified service title from one College to another shall be accomplished through the following procedure:

Section 1 - Application for Transfer, Establishment of Roster

(a) application for transfer shall be made by an employee by completing the transfer request form in quadruplicate and submitting one copy each to:

1. The University Human Resources Director
   Office of Faculty and Staff Relations
   535 East 80th Street
   New York, NY 10021, and

2. The Personnel Director of the current college, and

3. The respective Union, if the employee is represented, and

4. One copy for the employee’s records.

(b) The University Human Resources Office of the Faculty and Staff Relations shall add the employees name to a transfer roster for the permanent title and where applicable for the level within each title, for each College. Employees are listed in order of receipt of the request by the University Human Resources Director.

(c) An employee shall be listed on the appropriate title/level roster if:

1. He or she has served at least two years at his or her present College after:
   a) appointment from a list, or
   b) after a voluntary transfer, or

   [Signature]

   University Personnel Director
2. He or she has served for at least one year after a promotion, advancement, or a discretionary assignment to a higher level of the title -- unless the employee voluntarily is willing to transfer at the previously held title or title/level.

3. There is no disciplinary action pending or in process against him or her and no disciplinary penalties were imposed in the preceding 3 years; and

4. He or she is not currently required to provide a doctor's note for any use of sick leave in the preceding 2 years under the provisions found in Article IX, Section 5 (b) 2, 3 of the White and Blue Collar contracts.

5. He or she did not have an unsatisfactory service evaluation during the immediately preceding 2 year period.

(d) An employee may request being placed on a transfer roster for up to three Colleges at the same time. Acceptance of a transfer to any one College shall automatically remove an employee from the roster of all other Colleges. Refusal to accept transfer for whatever reason shall automatically remove the employee from that College's roster for eighteen (18) months, and no other additional colleges may be added in that period.

(e) An employee who has been placed in the same title in lieu of lay-off (see Reg. 7.1.3.) at a college in a different borough, and who has applied for transfer back to his or her previous College, shall be given priority on the transfer roster over employees who are requesting transfer from their present locations for reasons other than as a consequence of placement in lieu of lay-off, and over employees who are on a University preferred eligible list when that preferred eligible list is called by their previous college.

(f) A promotion unit list with the names of three or more candidates in active service in the subordinate title at a college must be exhausted prior to the use of a transfer roster to that college for that title. A promotion list established by merging college lists on a borough or university basis may be used interchangeably with a transfer roster, at the discretion of the college personnel director.

The existence of a college preferred eligible list shall bar the use of a transfer roster for that title. The existence of a University preferred eligible list shall bar the use of a transfer roster for that title for transfer to the college except
when, as a result of placement in lieu of lay-off, an employee on
the transfer roster is seeking return to his or her previous
college and the college preferred eligible list has been exhausted
or has expired.

(g) The existence of a transfer roster is not a bar to the
reinstatement of a person at the college from which he or she has
resigned.

(h) An employee who is on a transfer roster at the time of
taking a leave of absence and who is reachable on the roster shall
be considered for transfer provided that the employee is able to
return to active employment within 5 weeks of the interview/offer;
if unable, the employee may be passed over on the list.

(i) A College is required to consider the transfer roster, if
any, to that college prior to filling any vacancy in the title. In
making a selection from the transfer roster, all employees may be
considered for appointment; they are not in placement order. The
selecting official may choose from among all employees on the
appropriate transfer roster.

If there are fewer than three (3) employees on the roster,
the roster may be considered at the discretion of the Personnel
Director in filling the position. The employees on the roster must
be considered as part of the candidate pool if there are more than
two (2) but less than ten (10) employees on the transfer roster.
If there are ten (10) or more candidates, it is mandatory that the
roster be used to fill vacant positions.

(j) The employee is not guaranteed that the assignment of
specific duties, work shifts, etc. will correspond to the previous
position.

(k) Failure to respond to an offer for transfer within 24
hours or on the next regular business day shall constitute a
declination.

(l) Officially designated confidential and exempt positions
are subject to transfer policies only when the college appointing
officer chooses to make them apply.
(m) A transfer need not be made pursuant to this section if:

1. the sending College is barred from refilling the position by the State of New York, the City of New York or the University; or

2. more than 5% of the employees at the sending college in the title involved, or two employees at such college in that title, whichever is greater, have transferred from the college withing that fiscal year; or

3. the employee has received an unsatisfactory service evaluation during the two year period immediately preceding the reaching of his or her name on the transfer roster.

4. the employee is currently required to provide a doctor’s note for any use of sick leave (under the provisions found in Article IX, Section 5 (b) 2, 3 of the White and Blue Collar contracts) in the 2 years preceding the reaching of his or her name on the transfer roster.

5. a college has been granted permission to use a civil service list prior to using a CUNY transfer roster. Such permission shall be in accordance with Regulation 7.1.4 (b) of the Regulations of the Vice Chancellor for Faculty and Staff Relations and shall be for a period not to exceed 90 days following the establishment of the civil service list.

SECTION TWO:
A. Probation and Leave Status

Upon transfer from the sending college, the employee shall be subject to a new three (3) months probation period at the receiving college. The employee shall be placed on a leave of absence without pay for three (3) months from his/her prior permanent position by the sending college during the new probationary period. At the end of the designated leave period or upon completion of probation at the receiving college, the employee’s leave status shall be transferred with all rights to the receiving college. An extension to the three (3) months probation period may be permitted, for a minimum of 30 days up to a maximum of three (3) months, if acceptable to both College Personnel Directors.

B. Trial Period

Upon acceptance of a transfer appointment, the employee may at his/her discretion, for a time period not to exceed 3 months, return to the sending college at his/her own initiative. The employee’s sending college will not fill the position except with a temporary appointment until this 3 month trial has ended.