BACKGROUND:

The City of New York and The City University of New York are classifying titles in the Labor Class of the civil service. It is the intent of The City University of New York to create its own title(s) for this class of positions as soon as practicable. The Labor Class comprises unskilled labor positions for which competitive examination is impracticable. The University Personnel Director may require applicants for employment in the Labor Class to qualify in such non-competitive examinations of their fitness for employment as may be deemed practicable.

A position in the Labor Class may be filled by the appointment of any qualified person selected by a personnel officer of The City University of New York at the college where the vacancy exists, provided that such personnel officer shall utilize the procedures contained in this bulletin to effect such appointment.

Effective October 10, 1986 appointments may be made at colleges in the City University to the newly classified Labor Class title of City Laborer (90702), as set forth in City Personnel Director Resolutions (86-3) and (86-4).

All current provisional employees at levels A and B in the title Laborer (90753) are to be removed from that title and appointed to the title City Laborer (90702) as Labor Class employees with no change in salary rate. All fees for processing the changes in titles required above are waived.

Effective October 10, 1986, no new appointments are to be made to the title Laborer (90753). Those permanent C-level employees in the Laborer title will remain in the title Laborer (90753), which will be earmarked for present permanent incumbents only.

Employees who have permanent competitive status in the title Laborer and who choose to be appointed to the title City Laborer shall have the same disciplinary rights as those set forth in the working conditions agreement for the title Laborer.

Employees who are presently provisional Laborers and who are appointed to the title City Laborer and employees newly hired in the title shall serve one full year in the title City Laborer in a probationary status. Removal procedures following probation shall be covered by collective bargaining agreements.
PROCEDURES:

Recruitment

1. In recruiting candidates to fill vacancies in the title of City Laborer, colleges shall take reasonable and appropriate steps to obtain applications from persons representative of the available candidate pool in the New York City labor marketplace. A statement of such appropriate steps should be included in the affirmative action plans of the colleges.

2. In making appointments, there shall be compliance with the laws guaranteeing equal opportunity of employment. In the title of City Laborer, when there is no under-representation by ethnicity or sex at that College, the College may institute such recruitment and selection procedures as are satisfactory to the affirmative action officer. When under-representation by sex or ethnicity is noted, exists in that title at that college, the College shall provide for continuing recruitment of women and/or minorities in appropriate under-representation exists. Otherwise, the College Affirmative Action Officer must approve some other recruitment plan and certify to the Vice Chancellor that the selection was in accordance with the plan. No appointment shall be effected until authorization is received from the University Personnel Director. The appointment request shall be reported on Labor Class Appointment Form OSR-2361. A copy of OSR-2361 shall be retained by the Personnel Officer.

Probationary Term

Appointments to positions of City Laborer in the Labor Class shall be for a probationary term of one year. Appointees shall be notified of the applicable probationary term. The minimum probationary time to be served prior to termination is two months, although, with the approval of the University Personnel Director, an appointment may be terminated earlier.

Termination After Completion of Probation

Upon completion of probation, the service of a Labor Class employee who is either a time-of-war veteran or an exempt voluntary firefighter, can be terminated only in accordance with a formal disciplinary process that conforms to Section 75 of the New York State Civil Service Law.

In the case of proposed removal of any Labor Class employee who has successfully completed probation, termination of service shall be in accordance with applicable procedures contained in a collective bargaining or other agreement. Such agreement shall not be construed to grant any rights or privileges of permanent status to employees in this title beyond those contained in the agreement.
Benefits and Obligations

Appointees to the title City Laborer shall be subject to the benefits and obligations of either the Comptroller's Leave Regulations or applicable collective bargaining agreements or regulations.

Promotion Examinations

The University Personnel Director may permit Labor Class employees to participate as eligible candidates in appropriate promotion examinations. (N.Y. Civil Service Law, Section 52, subdivision 15.) Such permission, when granted, shall be designated in each examination announcement.

Background Investigations

Persons in Labor Class positions shall be subject to background investigation.

Salaries

All new appointments must be at the minimum for the title. Requests for changes must be approved by the University Personnel Director prior to their effectuation.

Medical Standards

Nominees for the title City Laborer must pass a medical examination prior to employment. (See Personnel Policy and Procedure No. 582-05.)

Pre-Employment Questionnaire

Candidates for appointment shall complete a pre-employment questionnaire designed to obtain background information relevant to the position sought. The recently-revised Personal History Questionnaire Form A (Form DP224), items 3 to 19, shall be used for this purpose and shall be retained by the College. The personnel officer shall evaluate and retain the information thus obtained in making appropriate selection decisions.

Fingerprinting

Candidates selected for appointment shall also complete a fingerprint card which shall be forwarded to the University Personnel Director together with Form DP-2361 and the appropriate fee. (Refer to User Personnel Policy Bulletin No. 4-86 regarding employee fingerprint checks.)
CITY LABORER

Duties and Responsibilities

Under immediate supervision, in various City agencies, performs common unskilled laboring work requiring physical strength. Moves, lifts and carries items of various weights and sizes. May be required to operate motor vehicles in connection with the performance of duties. Performs related work.

Qualification Requirements

1. There are no formal education or experience requirements for this position.

2. Possession of a motor vehicle operator's license valid in the State of New York.

3. There are certain medical and physical requirements.

Lines of Promotion

None. This class of position is classified in the Labor Class.
REPORT ON LABOR CLASS APPOINTMENT
FOR POSITIONS NOT REQUIRING SPECIALIZED EDUCATION, TRAINING, EXPERIENCE AND/OR LICENSE.

HEREBY CERTIFY THAT I HAVE EXAMINED THE FOLLOWING PERSONS FOR THE
POSITIONS SPECIFIED AND FIND:

that, if pre-appointment medical standards have been established for
this position by the Personnel Director, such persons are free from any
condition which would prevent job performance in a reasonable manner.

that their character and reputation are satisfactory.

that such persons possess the requisite knowledge and ability, and
qualify by experience or training to discharge the duties of such
position.

4. that such persons are appointed to perform duties appropriate to their
titles and are not to be assigned to perform duties pertaining to another
title.

5. that the proposed appointees have been fingerprinted for character
clearance.
(Note: Form DCJS-4 must be submitted with this form.)
Signature of Appointing Officer ___________________________ Date ____________

6. that such persons have been recruited in accordance with the Colleges
affirmative action plan.
Signature of Affirmative Action Officer ___________________________ Date ____________

SUBMIT IN DUPLICATE TO: UNIVERSITY PERSONNEL DIRECTOR

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