



NY HELPS

Frequently Asked Questions

Q: What is the NY HELPS Program?

A: NY HELPS (New York Hiring for Emergency Limited Placement Statewide) temporarily removes the requirement for competitive exam for about 1,900 competitive-class titles in the New York State Civil Service system. This means that individuals can be appointed to competitive-class titles without taking a competitive exam.

The Department of Civil Service (DCS) has stated that NY HELPS is intended to bring immediate relief to state agencies who have been struggling to fill critical vacancies. This should also relieve some of the stress our members are feeling because of the understaffing in most state agencies.

Q: How did PEF balance members' needs with members' concerns?

A: PEF's leaders understand that NY HELPS is not a perfect solution to the State's staffing crisis, however, they had to balance members' needs with members' concerns. PEF's leaders are very aware that many members are overwhelmed at work. Because agencies cannot find qualified individuals to fill many of their vacancies, many members have been forced to take on additional assignments or work additional shifts. Members have been dealing with this for a number of years and need immediate relief. NY HELPS will allow agencies to recruit and hire more quickly, and for this reason, PEF's leaders were careful in their response.

If PEF had challenged the entire NY HELPS program, there is a good chance it would not have been implemented, to the detriment of many members. Instead, PEF negotiated an agreement with the Department of Civil Service that protects members' opportunities for promotion. Individuals who are not currently in state service can only be appointed to one of the higher-level titles included in NY HELPS if the promotion eligible list for the title has been exhausted (or a promotion eligible list does not exist) and there are fewer than three interested and qualified candidates in the direct-line promotion field for the title. This means that when filling positions in higher-level titles, agencies must appoint a current State employee if there are at least three employees in the next-lower, direct-line title who are willing to accept an appointment to the title and have at least one year of permanent service in that title.

Additionally, DCS has committed to having its examinations staff focus on promotion exams during the time NY HELPS is in effect. This means that they should be holding more promotion exams this year than they have in the past.

Q: What titles are included in the NY HELPS Program?

A: The titles included in the NY HELPS program are those that are filled by open-competitive (OC) exam and those that are filled with both a promotion exam and an OC backup exam. An OC backup exam is an exam that is held for a title at the same time that a promotion exam is held for the title. OC backup exams are typically held for a promotion title when it is anticipated that there will not be enough promotion candidates to fill all of the vacancies in the promotion title.

Titles for which only promotion exams have been used (titles that have never had an OC backup exam) are not included in NY HELPS.

On its website, DCS currently lists the titles included in the HELPS program. We believe it will list the titles included in NY HELPS also, once the program is officially launched.

Q: When does the NY HELPS Program start?

A: The NY HELPS program does not officially start until May 2024, but you can apply for a limited number of NY HELPS positions now. You can find vacant NY HELPS positions on StateJobsNY.

To be considered for a NY HELPS position you do not need to be on an eligible list or take a civil service exam, but you must meet the minimum qualifications. The minimum qualifications will be on the job postings.

In May of 2024, DCS plans to officially launch NY HELPS with its Public Service Marketing Campaign.

Q: How do I find NY HELPS positions?

A: DCS has committed to updating their website to provide information on how to apply for positions that fall under NY HELPS. DCS has also stated that agencies must publicly post vacancies and include the minimum qualifications in the postings. While we expect that agencies will continue to post internally, we would encourage members to monitor New York State's job listing website, StateJobsNY, as well as the Department of Civil Service's HELPS Portal. We expect the Portal will have all NY HELPS vacancy postings once the program is launched in May. If agencies do not post internally, PEF will advocate to the Department of Civil Service that they require agencies to do so.

Continued on the next page



Because NY HELPS appointments do not use an eligible list, agencies will not need to canvass. However, as noted above, agencies will be required to post all vacancies that they expect to fill using NY HELPS. You should apply for any position that you are interested in and for which believe you meet the minimum qualifications.

Q: Will I be a permanent employee if I'm hired using the NY HELPS program?

A: If you are hired to a NY HELPS position prior to May 2024, your appointment will be temporary. When the program officially begins in May 2024, your position will be converted to non-competitive, and your appointment status will be changed to permanent.

At a later date, not yet specified by DCS, individuals appointed through NY HELPS will be covered into the competitive class, making them "permanent, competitive" even though they were not appointed as a result of a competitive exam. This will provide them with the same protections and rights they would have had if they took a competitive exam and were appointed from the resulting eligible list.

Q: If I'm appointed to a NY HELPS position, do I still need to serve probation?

A: Yes. Your probationary period would begin on the date of your NY HELPS appointment. If you were appointed on a temporary basis prior to the official start of NY HELPS in May, the time you served prior to receiving the NY HELPS appointment would not count towards your probation. Regardless of the date of your NY HELPS appointment, you will typically serve a 26-52 week probationary period.

However, if you currently hold a provisional appointment and are appointed to a NY HELPS position in the same title as your provisional appointment, all time spent in the provisional position will be credited to your probationary term upon appointment to the NY HELPS position.

If you pass probation, you will have a permanent, non-competitive appointment until the Civil Service Commission converts your appointment to permanent, competitive. Currently, it is not clear how frequently the Civil Service Commission will be converting NY HELPS appointments to permanent, competitive.

Q: I have been seeking a promotion at my agency. Can someone from outside of state service be hired to a higher-level title using NY HELPS?

A: Thanks to PEF's advocacy, people who are not currently in state service can only be appointed to one of the higher-level titles included in NY HELPS if the promotion eligible list for the title has been exhausted (or a promotion eligible list does not exist) and there are fewer than three interested and qualified candidates in the direct-line promotion field (see next question) for the title.

The above requirement was not in the Department of Civil Service's original proposal for the NY HELPS program. PEF's advocacy protected the promotional opportunities of PEF members in State service.

Q: What is the direct-line promotion field?

A: The direct-line promotion field for a title consists of the employees in the direct-line title immediately below the title.

For example, Senior Statistician is the direct-line title immediately below Associate Statistician, and therefore the direct-line promotion field for Associate Statistician consists of the employees in the Senior Statistician title.

Q: When someone applies for a higher-level title using NY HELPS what does an agency do?

A: First and foremost, the agency will check to see if there is a promotion eligible list for the title. If a promotion eligible list exists, it must contain three or more candidates who are interested in and qualified for the position to be "viable." If the eligible list is viable, the agency would not be allowed to appoint someone from the outside using NY HELPS.

If there is not a viable promotion eligible list, agencies should post their intention to fill the position internally, on the NY HELPS website, and on StateJobsNY.

At the time of the posting, all candidates who believe they are eligible (they meet the minimum qualifications for the title) should respond to the posting indicating their interest in being appointed. If there at least three qualified employees in the direct-line promotion field who indicate their interest, the agency would not be allowed to appoint someone outside the promotion field.

As our discussions with the Department of Civil Service continue, PEF will advocate that when there is no promotion eligible list for a higher-level NY HELPS title, agencies must include in the vacancy posting that they intend to fill the position with an NY HELPS appointment.

Q: What should I do if I believe a promotion field was ignored and someone from the outside was hired?

A: Contact your PEF Field Representative. With their help, PEF will clarify what the promotion field was and confirm if the appointment was appropriate.

Q: Can someone still be transferred into a higher-level title?

A: Yes. Agencies can use any legal appointment mechanism to make an appointment to an NY HELPS title. This includes NY HELPS, transfer, reinstatement, and eligible lists. None of these appointment mechanisms take precedence over the other.



**HELPS
Program**