

**LOCAL LAWS  
OF  
THE CITY OF NEW YORK  
FOR THE YEAR 2024**

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**No. 77**

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Introduced by Council Members De La Rosa, Brannan, Louis, Brewer, Banks, Farías and Cabán.

**A LOCAL LAW**

**To amend the administrative code of the city of New York, in relation to requiring the commissioner of citywide administrative services to report on the administration of promotion examinations**

*Be it enacted by the Council as follows:*

Section 1. Chapter 2 of title 12 of the administrative code of the city of New York is amended by adding a new section 12-217 to read as follows:

*§ 12-217 Promotion examinations. a. Definitions. For purposes of this section, the following terms have the following meanings:*

*Collateral line employee. The term “collateral line employee” means an employee holding a lower grade competitive class title in a related or collateral line of promotion of a vacant position in a competitive class title, as determined by the commissioner.*

*Commissioner. The term “commissioner” means the commissioner of citywide administrative services.*

*Comparable position employee. The term “comparable position employee” means an employee holding a competitive class title that is comparable to a title held by a direct line employee or collateral line employee, as determined by the commissioner.*

*Department. The term “department” means the department of citywide administrative services.*

*Direct line employee. The term “direct line employee” means an employee holding a lower grade competitive class title in direct line of promotion of a vacant position in a competitive class title, as determined by the commissioner.*

*b. The commissioner shall post conspicuously on the department’s webpage dedicated to the city civil service and submit to the mayor and the speaker of the council a report that contains information in relation to the department’s administration of promotion examinations pursuant to sections 51 and 52 of the civil service law. Each such report shall be posted no later than January 31, 2026, and January 31 of each even-numbered year thereafter, and shall contain the information required by this section for the previous 2-year period.*

*c. For each vacancy in a competitive class title that may be filled by promotion and that the city attempts to fill, the following information shall be reported, as far as practicable, pursuant to this section:*

*1. The titles held by:*

*(a) Direct line employees;*

*(b) Collateral line employees; and*

*(c) Comparable position employees;*

*2. The gender and racial or ethnic demographics of such:*

*(a) Direct line employees;*

*(b) Collateral line employees; and*

*(c) Comparable position employees;*

*3. The determination required by subdivision 1 of section 52 of the civil service law that:*

*(a) It was practicable to fill such vacancy from among direct line employees; or*

*(b) It was impracticable or against the public interest to limit eligibility for promotion to such vacancy to direct line employees;*

*4. For each such determination and where applicable, the factors considered upon making such determination including, but not limited to:*

*(a) Whether or not expanding eligibility for promotion to collateral line employees or comparable position employees would promote greater diversity in the career advancement of employees, and if not, why not; and*

*(b) Whether or not the prescription of minimum training and experience qualifications for eligibility for promotion would promote greater diversity in the career advancement of employees, and the minimum training and experience qualifications considered for prescription, and if not, why not;*

*5. For each such vacancy filled by open competitive examination pursuant to section 51 of the civil service law:*

*(a) The appointing officer who submitted a written request to the commissioner to conduct an open competitive examination for filling such vacancy instead of a promotion examination, and the stated reasons for such request;*

*(b) Whether or not any employee submitted a written request to the commissioner for a promotion examination rather than an open competitive examination, and the reasons why such employee believes it to be practicable and in the public interest to fill such vacancy by promotion examination; and*

*(c) The factors upon which the commissioner's determination to conduct an open competitive examination instead of a promotion examination was based.*

§ 2. This local law takes effect immediately.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on June 6, 2024 and returned unsigned by the Mayor on July 8, 2024.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 77 of 2024, Council Int. No. 809-A of 2024) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council, presented to the Mayor, and neither approved nor disapproved within thirty days thereafter.

SPENCER FISHER, Acting Corporation Counsel.