

RESOLUTION NO. – 2026

WHEREAS, the County Executive has proposed to the New York State Legislature an act to amend chapter 617 of the laws of the State of New York of 1937 relating to an additional alternative form of government for the county of Westchester, in relation to the authority of the state civil service commission to administer the county personnel service in Westchester; and

WHEREAS, the New York State Civil Service Law establishes a specific process for making changes in the jurisdictional classification of positions in the civil service, including notice, Public Hearing and submission of a request to the New York State Civil Service Commission (Commission). For most agencies across New York State, once the Commission approves the request, the reclassification change is filed with the Secretary of State and takes effect; and

WHEREAS, chapter 617 of the laws of 1937 treats Westchester County differently in that Commission approval is not sufficient. For Westchester County, the Governor's approval signature is also required before any jurisdictional classification change can be implemented causing significant delays in county personnel appointments; and

WHEREAS, this bill would align Westchester County's process with the rest of the state; and

WHEREAS, it is the desire of the Westchester County Board of Legislators to see the County Executive's proposal implemented; and

WHEREAS, the most effective manner of implementing such a change is for the Westchester County Board of Legislators to request, as authorized pursuant to Section 40 of the Municipal Home Rule Law, that the New York State Legislature amend the relevant provisions of the Chapter 617 of the laws of 1937 to remove the authority of the state civil service commission to administer the county service in Westchester, which results in the requirement that the Governor approve certain changes;

NOW, THEREFORE, BE IT RESOLVED, that the Westchester County Board of Legislators hereby requests that the New York State Legislature adopt a bill, in the form annexed hereto, to amend chapter 617 of the laws of 1937, to remove the Commissions' ability to act in personnel areas including the jurisdictional classification of positions and the requirement that any procedure involving appointments, separations, promotions, demotions, transfers or reinstatements be approved by the Commission; and

BE IT FURTHER RESOLVED, that the Westchester County Board of Legislators hereby directs the Clerk of the Board to transmit copies of this Resolution and the form annexed hereto to each member of the New York State Legislature who represents any portion of the County of Westchester, the Speaker of the New York State Assembly and the Majority Leader of the New York State Senate.

Dated: May , 2026

White Plains, New York

CHAPTER

AN ACT to amend Chapter 617 of the Laws of 1937, in relation to the authority of the state civil service commission to administer the county service in Westchester

Section 1. §92 of Chapter 617 of the Laws of 1937, is amended to read as follows:

§ 92 Civil Service Law to apply; powers and duties of the personnel officer. Except as otherwise provided by this act, all positions in the county service shall be subject to the civil service law of the state. The personnel officer shall have with respect to county service the powers and duties of a municipal civil service commission ~~[except that the state civil service commission shall continue to have those powers and duties specified in the civil service law relating to (a) the assignment of positions in the classified service to exempt, labor, non-competitive and competitive classes, or to such other classes as may be established generally by the rules of the commission, (b) the determination of the merit and fitness of applicants and (c) the certification of lists of eligibles for appointment to positions in the county service. The state civil service commission, in certifying lists of~~

~~eligibles for appointment to positions in the county service shall include in such lists only the names of residents of Westchester county unless specifically instructed otherwise in writing by the personnel officer after approval by the county executive}.~~

§2. §92 of Chapter 617 of the Laws of 1937, is amended to read as follows:

§92 Classification, rates of pay, personnel procedures. It shall be the duty of the personnel officer, as soon as practicable after this act become effective in the county , to recommend to the county executive for submission to the county board an act providing (a) for the classification of positions in the county service on the basis of duties and responsibilities; (b) for schedules of pay for each position so that, as nearly as may be, equal pay may be given for equal work and responsibility; (c) for an orderly procedure of administering all personnel matters except those matters reserved to the state civil service commission by the provisions of this article. ~~Such act or amendment thereto shall not become effective with respect to any procedure involving appointments, separations, promotions, demotions, transfers or reinstatements until that procedure has been approved by the state civil service commission.~~ The county board shall within three months thereafter adopt such act in the original or some modified form, and may thereafter, from time to time adopt amendments thereto as occasion requires.

§ 3. This act shall take effect immediately.