

**New York State
Department of Civil Service**

Committed to Innovation, Quality and Excellence

**Employee Guide for
Agency Reduction Transfer List**

Opportunities at work.



**Andrew M. Cuomo
Governor**

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Introduction

The Agency Reduction Transfer List program (ARTL) is designed to help permanent State employees stay employed and avoid layoff.

Please read this booklet completely and carefully as soon as you receive it. This material will help you understand the options available to you and will help you make informed decisions when you must respond to your agency or to an agency offering an opportunity for transfer.

Because the Agency Reduction Transfer List program is used when there is a possibility of layoffs in state agencies, you should also read the Civil Service publication "Information for State Employees Affected by Layoff," available from your agency or from the Department of Civil Service.

Questions on the details of your specific situation should be discussed with your Personnel or Human Resources Office.

Agency Reduction Transfer Lists

What is an Agency Reduction Transfer List?

In March of 1996 §78 of the New York State Civil Service Law established a transfer list program to offer state employees who might be affected by abolitions of positions (also commonly referred to as reductions in force or layoffs) the opportunity to transfer to other agencies **before** layoff. This program is commonly known as the **ARTL** program.

(State employees whose positions are eliminated, or are otherwise affected by an abolition of positions or reduction in force should read the Department of Civil Service publication: *INFORMATION FOR EMPLOYEES AFFECTED BY REDUCTIONS IN FORCE.*)

How does the ARTL program work?

Eligible employees will have their names certified to fill vacant positions in their current titles or in lower-level direct-line titles, or to positions in titles declared comparable by the Department of Civil Service. These comparability decisions are generally based on titles' similarities in duties, minimum requirements, salary grades, and examination plans. (These determinations also pertain to a variety of other lists: see "REEMPLOYMENT LISTS" on pages 4-5 for more information.)

Most ARTL transfer appointments are made from these transfer lists.

A second method of ARTL transfer is based on an individual's experience and education in relationship to the requirements of the position being filled. This method is rarely used. For consideration, an employee must:

- meet the minimum qualifications for the new position.
- serve in a position allocated within two salary grade levels (or one M-grade) of the position being filled. (If the position being filled is at a lower grade, the span between grade levels is not restricted.)

Employees appointed through an ARTL transfer must serve an appropriate length probationary period and will be given a leave of absence from their former agency for the duration of that probationary period. (Transfers between the same title will not require serving a probationary term, except that a probationer transferring to a position in his current title will be required to complete in his new position the remainder of his probationary period.) Common questions about probation in the ARTL process appear on page 8 of this booklet.

Are You Eligible for an ARTL Transfer?

The Agency Reduction Transfer Program is a voluntary program open to permanent and contingent permanent competitive employees serving in titles which will be affected by a reduction in force and who are serving in the titles in the location where the reduction in force will occur. Temporary or provisional employees are not eligible to participate in the program based on their service in temporary or provisional status. However, temporary or provisional employees on leaves of absence from permanent positions may be eligible for the ARTL program if their permanent hold items could be affected by the abolition of positions.

Permanent non-competitive and labor class employees serving in titles likely affected by a reduction in force may also be eligible if these employees have completed at least five years of permanent unbroken service. For some employees the five year requirement has been reduced to one year of unbroken service by negotiated agreement with certain employee organizations. Exempt class and non-competitive class employees who are serving in policy-influencing or confidential positions are not eligible for the transfer program. (Employees with no rights to this program may call the Department of Civil Service at 518-457-6216 or 1-877-NYS-JOBS (1-877-697-5627) for more information.

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You should not volunteer for ARTL status unless you are ready, willing, and able to participate in interviews and to consider job offers.

If you have been notified by your agency personnel office that your title will be affected by a reduction in force, you may be eligible to fill out a S-295.6 form ("blue card") and have your name entered into the Agency Reduction Transfer System. The blue card records information used to create a mandatory rehire list for agencies.

Detailed instructions for filling out the S-295.6 appear at the end of this pamphlet.

Employment through the Agency Reduction Transfer List Program

An ARTL list is one of a number of "Reemployment Lists" established to assist you to maintain or regain employment as quickly as possible at your previous permanent salary grade level if you are affected by the abolition of positions. Below is a brief description of each type of reemployment list, in the legally established order in which the list must be used by a department or agency seeking to fill a position:

- Redeployment List
- Agency Reduction Transfer List
- Preferred List
- Reemployment Roster
- Placement Roster

[Note: When filling - a vacancy for a specific title and location, agencies must use the reemployment lists before using eligible lists resulting from examinations.]

Redeployment Lists

Redeployment lists always have priority over any other lists. Employees on these lists have been affected by the contracting out of State services. Candidates are selected from this list in seniority order.

Agency Reduction Transfer Lists (ARTL)

These are lists of employees in titles that may be affected by reductions in force (RIF). The order of certification from an ARTL list is:

1. title-for-title eligibles
2. direct line title eligibles
3. comparable title eligibles

Eligible candidates in the title-for-title category and the direct-line category are ranked in seniority order. The eligibles in the comparable title category are not ranked and if there are no acceptors via title-for-title or direct line, any comparable title eligible can be considered. However, the highest ranked preferred list eligible already laid off from the title to be filled will block a transfer if the preferred list eligible has greater seniority than the transfer eligible. Once an employee has been suspended or demoted due to the abolition of

Agency Reduction Transfer Lists

positions, he or she is no longer eligible for transfer under the ARTL program; any reemployment will come through the preferred list or reemployment roster process. Please read NYS Department of Civil Service publication: INFORMATION FOR STATE EMPLOYEES AFFECTED BY LAYOFF for more information.

Preferred Lists

Employees who have been actually laid off have their names placed on preferred lists to fill vacancies in their title of layoff and other lower-level titles in their direct promotion lines. Generally, preferred lists are used after the ARTLs, except as modified by seniority (as explained in the **bold-type** sentence on Page 4).

Reemployment Rosters

A reemployment roster lists the names of laid-off employees who are determined by the Department of Civil Service to be able to perform the duties of comparable jobs (other than those for which they are eligible from the preferred list) based on their layoff title. Employees on reemployment rosters may be appointed only if there are no interested employees on **redeployment lists, agency reduction transfer lists, and preferred lists.**

Placement Rosters

A placement roster is a mandatory list established prior to the date of layoff containing the names of employees identified for actual layoff who will have preferred and reemployment roster list rights as of the date of layoff if not reemployed from the placement roster at their same status and salary grade level. Placement roster eligibles will be certified for filling vacancies in the same title or any comparable titles. These eligibles are certified in random order without regard to seniority, probationary status or layoff unit.

You should direct further questions on the various types of reemployment lists to your agency Personnel or Human Resources Office.

Job Opportunities for ARTL-Eligible Employees

When an agency or department wishes to fill a vacant position, the agency's Personnel or Human Resources office contacts (or "canvasses") eligible candidates to determine if any are interested in the available position. When contacting eligible candidates who are eligible for an ARTL transfer, the agency may canvass by letter or telephone.

If you are canvassed by Letter

The canvass letter will specify the title of position to be filled, the salary grade, location, and other relevant information. General information and instructions for responding to the canvass will be printed on the back of the form. If you do not respond to the canvass letter within the period stated on the back of the form, you will be considered to have declined the opportunity. (See Declinations and Acceptances on page 6 for more information.)

If you are canvassed by Telephone

An agency may call you to determine your interest in a position. The agency representative making the call will provide you information about the title, salary grade, location, and status of the position. You must be allowed two business days to respond to the canvass. If you respond immediately, however, you will have waived the two-day period and you will not have the opportunity to change your response. If you decline a position offered during a telephone canvass you will be sent a letter confirming your declination.

An employer may leave a message for you at your home or with your supervisor. The message may give job information and will ask you to return the call with a response to the canvass.

If the agency cannot contact you in person, the agency must send you a written canvass. It is in your best interest to respond to a canvass as soon as possible. If the canvass is for a comparable-title position (see the ARTL program description on Page 3), the agency

Agency Reduction Transfer Lists

may begin interviewing the first eligibles who have responded and you might miss an opportunity for transfer.

Declinations and Acceptances

Your responses to canvasses, to questions at interviews, and to job offers will affect your continuing eligibility for ARTL transfer. Before you express interest in a position as a result of a canvass or before you accept or decline a job offer you should understand the effect of your action on your ARTL rights.

Any one of the following is considered to be a declination of a job:

- If you fail to reply to a canvass letter within ten business days
- If you fail to reply to a telephone canvass within two business days
- If you return a canvass letter indicating no interest in a position for any reason
- If you decline the job over the telephone or during an interview
- If you fail to report to an interview or to report to work.

Additionally,

If you decline a canvass/interview/appointment to a permanent contingent or permanent same grade level position in the same county in which you are currently employed, you will be ineligible for ARTL transfer in all titles and counties. [Note: If you decline ARTL transfer to a traineeship position that leads to a journey-level title with same or higher salary grade as your permanent title, you are considered to have declined a same-grade level position.]

If you decline a canvass/interview/appointment to a permanent contingent or permanent **same grade level** position in a **different county** from which you are currently employed, you will be **ineligible** for ARTL transfer in that county only. [Note: If you decline ARTL transfer to a traineeship position that leads to a journey-level title with same or higher salary grade as your permanent title, you are considered to have declined a same-grade level position.]

If you decline a canvass/interview/appointment to a permanent contingent or permanent **lower grade** position in the **same county** in which you are currently employed you will be ineligible for ARTL transfer to all **titles at that salary level and below for all counties**.

If you decline a canvass/interview/appointment to a permanent contingent or permanent **lower grade** position in a **different county** from which you are currently employed, you will be ineligible for ARTL transfer for all titles at that grade level and below in all counties within that area, **except** for the county in which you are currently employed. (The blue card lists area designations - see pages 10-12).

If you decline a temporary position that is less than three months duration, you **will remain eligible** for other temporary positions.

If you decline a temporary position, you **will remain eligible** for permanent positions.

If you decline a temporary part-time or temporary full-time position, you will be **ineligible** for all temporary positions.

If you decline a job which requires working a shift other than a normal day shift, you **will remain eligible** for day-shift jobs.

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Examples of How Accepting or Declining Job Offers Affects ARTL Eligibility

Assume you were laid off from a SG-14 Principal Clerk position in Albany County. You have said you would accept positions no lower than SG-9. You have also said you would be willing to accept part-time, temporary and shift positions in Saratoga and Schenectady Counties.

1. You are offered a permanent, full-time, non-shift Principal Clerk, grade 14 in Albany County.

If you decline this offer you lose eligibility for any further ARTL opportunities.

2. You are offered a permanent, full-time, non-shift Principal Clerk, SG-14 in Saratoga County.

If you decline this offer, your name is removed for all permanent, temporary, full-time, part-time, and shift qualifying positions at SG-14 and below for Saratoga County. Your name remains active for Albany and Schenectady counties.

If you accept this offer, your name is removed for consideration for any further ARTL opportunities.

3. You are offered a permanent, full-time, non-shift Principal Mail and Supply Clerk, SG-12, in Albany County.

If you decline this offer your name is removed for all permanent, temporary, full-time, part-time, and shift qualifying positions at SG-12 and below in your county of layoff and additional counties selected (i.e. Albany, Saratoga, Schenectady).

If you accept this permanent, full-time SG-12 position in your county of layoff (i.e. Albany). You remain on the ARTL for all qualifying grade 13 and 14 positions (i.e. higher grade level positions) in all selected counties (i.e. Albany, Saratoga, Schenectady).

4. You are offered a permanent, full-time, non-shift Principal Mail and Supply Clerk, SG-12 in Saratoga County.

If you decline this offer your name is removed for all permanent, temporary, full-time, part-time, and shift qualifying positions at SG-12 and below for all selected counties in your area (counties in an area are indicated on the ARTL card; in this case these counties are Saratoga and Schenectady) but not for your county of layoff (i.e. Albany).

If you accept this permanent, full-time SG-12 position in Saratoga County you remain active in the ARTL for all qualifying SG-13 and SG-14 positions in all selected counties (i.e. Albany, Saratoga, Schenectady).

If you have further questions about this process, please contact the Career Mobility Office at 1-800-553-1322 or, if calling from the Capital District, 518-485-6199.

General Information regarding ARTL

When going on an interview:

- know where you are going and to whom you have to report;
- be on time;
- dress appropriately;
- be courteous.
- take a copy of your resume to the interview.

Common Questions on ARTL Probation:

Q. Which ARTL/§78 transferees must serve a probationary period?

A. Permanent employees transferring to a different title must serve a full probationary period (which may not be waived) and must be given a leave of absence for the length of the probationary period. Permanent employees who are not currently probationers who transfer to a position in their current title **do not** serve a probationary term and are not given a leave of absence. Probationers transferring to a position in their current title are required to complete their probation, and must be given a leave for the duration of their probation.

Q. What happens if a ARTL/§78 transferee on probation decides to return to her hold item (or fails probation) before the date of layoff?

A. She must be allowed to return. (If she is not the least senior in her original title, her return may affect the retention rights of other employees in her original title and agency.) If she is the employee with the least retention rights in her original title and agency, she may return and be laid off.

Q. What happens if a ARTL/§78 transferee on probation decides to return to her hold item (or fails probation) after the date of layoff in her original agency?

A. Again, if she was not the least senior employee and would not have been laid off from her original position, she must be allowed to return to her leave position. Another employee with less retention status might be laid off to accommodate the return.

If the probationer were the least senior, she could only return if a position existed to which she could return. Otherwise, the employee would be entitled to preferred list/reemployment roster rights for the position from which she transferred.

The Department of Civil Service will review the situations of employees who fail probation or resign before completing probation on a case-by-case basis. These employees could be restricted from an reemployment list certification to certain agencies, titles, or locations depending on the reasons for resignation or termination.

Q. What if an ARTL/§78 transferee not on probation wishes to return to his original position?

A. That employee has no right to return. The original agency may choose to reinstate the employee but that action is entirely discretionary on the part of the agency.

The Inactivation Process

When your agency has met its goal in reductions for your title, the agency is required to notify you in writing that your title has been inactivated from the ARTL. You will be asked to sign a form stating that you have been notified of this inactivation. You will be ineligible to accept any position offered after from the ARTL for that title after you have been notified.

If an agency should contact you about a job after your name has been inactivated from the ARTL, you must inform the recruiting agency that you have been notified that your name has been inactivated.

If you have further questions about the process, please contact your personnel office.

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Filling out the S-295.6 - "Blue Card"

This is a copy of the S-295.6 "Blue Card" form. Detailed instructions for completing the form appear on the next page.

Agency Reduction Transfer																		
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Senr. Adj for Vets. Mo. Day Year		Dept./Div.		Code		County of Employment			Code	BU								
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***Instructions to Employees for Filling Out the Blue Card (S-295.6):
(See copy of actual blue card on page 10)***

Employees should carefully read and follow the instructions for filling out the blue card, so that all information collected is accurate and complete.

1. This is your Civil Service title. Do not use any informal title you may have.
2. This is the numeric code assigned to your title by the Department of Civil Service.
Leave blank—your personnel office will fill in.
3. Leave blank— your personnel office will fill in.
4. Enter your social security number.
5. Leave blank—your personnel office will fill in. This is the agency reduction target date.
6. Enter your name. Please print neatly.
7. Indicate your veteran's status.
8. Indicate whether you are legally blind or not.
9. Enter your salary grade. If you do not know it, your personnel office will fill in.
10. If you are in an NS position equated to a salary grade, enter the information. If you do not know it, leave blank. Your personnel office will fill in.
11. Enter your **home** address. Use your place of residence mailing address.
12. Enter your **work** telephone number, including area code and extension if applicable.
13. Enter your **home** telephone number.
14. Leave blank—refers to your seniority date. Your personnel office will fill in.
15. Enter the agency/institution you work for. Please include the division or office in which you work. Leave code blank—your personnel office will fill in.
16. Leave blank—your county of employment will be filled in by your personnel office.
17. Leave blank—this is your bargaining unit; your personnel office will fill in.
18. Leave blank—your probationary status will be filled in by your personnel office.
19. Leave blank—your classified seniority date will be filled in by your personnel office.
20. Leave blank—your part-time eligibility will be filled in by your personnel office.
21. Sign and date in the space provided.
22. **Do Not Leave Blank—Selecting the grade level you will accept.**
This section asks you to indicate the lowest grade level to which you would consider transfer. While every effort will be made to find you a position at your current grade level, you must also think about the possibility of accepting a lower-grade position. When considering the level acceptable to you, think about:
 - the dollar amount you can accept
 - the importance of maintaining continuous state service (health insurance benefits, retirement, etc....)
 - what title series you are in and the grade levels within that series
 - your location in relation to job opportunities
 - when you accept a salary below your current salary, you still will be eligible for appointments at your current salary.
23. Check what type of position you would accept. You are automatically going to be considered for permanent positions. If you accept part-time, you will remain in the system for full-time positions. If you accept temporary, you will remain in the system for permanent positions.

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24. Check only the counties where you actually would be willing to work. When selecting counties of interest, there are several things to keep in mind:

- You must select the county in which you are currently employed, whether or not you live there.
- Selecting a county means you are willing to accept a position anywhere in this county.
- Consider the distance of the commute and the cost.
- Consider what state agencies are in that county. If, for example, there are only correctional facilities, are you willing to work in a correctional facility? Ask the employee contact person for your agency for assistance if needed.
- Do you have transportation to get to a job located in the county you selected?
- If you check a county that is a questionable commute, are you willing to relocate?

Remember you can always add counties at a later date if you want to expand your options.

25. Leave blank – for agency use.

Keep a photocopy of the completed blue card for your records. Forward the original to your Personnel or Human Resources Office.

To add a county or to change any information you've recorded on the blue card, write to:

**New York State Department of Civil Service
Career Mobility Office
Alfred E. Smith State Office Building
80 South Swan Street
Albany, NY 12239**

Be sure to include the last four digits of your social security number in your letter. You should provide a copy of your letter to your agency personnel office.

**Visit the New York State
Department of Civil Service website
www.cs.state.ny.us**



**New York State
Department of Civil Service
Alfred E. Smith State Office Building
Albany, NY 12239**

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