

MEMORANDUM

May 4, 2015

TO: DC-37 members assigned to positions within the New York City city-wide trial courts
SUBJECT: Voluntary Change in Assignment Program

Pursuant to Section 23.2(a) of the 2011-2016 Agreement between the State of New York-Unified Court System and DC-37, a Voluntary Change in Assignment program has been established for eligible members of DC-37 who are assigned to work in New York City Civil, Family and Criminal Courts. Enrollment in this Program will begin on May 11, 2015. The Program goes into effect June 2, 2015 and will be managed by the Division of Human Resources. It replaces any process that may currently exist in these courts. Requests for a change in assignment submitted under any previous process will not be processed.

If you wish to be considered for a Change in Assignment, you must complete and submit the attached Voluntary Request for Change in Assignment form.

Eligibility: DC-37 members who hold a permanent competitive or non-competitive position in the New York City Civil, Family and Criminal Courts. Personal appointees are exempt from this program.

Program Start Up: An initial two-week enrollment period will begin at 9:00 A.M. Monday, May 11, 2015 and end at 5:00 P.M. Friday, May 22, 2015. All request forms received during this two-week period will be assigned the same submission date of May 22, 2015. Employees who sign up during this two-week period will be listed on a county's list by title in seniority order using Original Appointment Date (OAD).

Participation: After May 22, 2015, employees can participate by submitting the Voluntary Request for Change in Assignment form at any time. Forms will be assigned a submission date based on the first business date received by the Division of Human Resources. If multiple forms are received on the same business date for the same title, employees will be on the list for their title on the date by OAD.

Examples: Attached are examples of how Requests for a Change in Assignment will be ordered.

Questions concerning this new program may be directed to Local 1070 at 212-815-1070 or the Division of Human Resources at 212-428-2515.

EXAMPLES

Example 1 - Kings County list for Court Reporter, JG 24 title

- **Employee A's** Change in Assignment form is received on May 11, 2015. Employee A's Original Assignment Date (OAD) is 6/25/1999.
- **Employee B's** Change in Assignment form is received on May 20, 2015. Employee B's OAD is 4/15/1998.
- **Employee C's** Change in Assignment form is received on May 28, 2015. Employee C's OAD is 4/2/1986.

The Kings County list for the Court Reporter, JG 24 would list the three employees in the following order:

1. **Employee B** (filed within initial enrollment period - assigned a submission date of 5/22/15; OAD is 4/15/1998).
 2. **Employee A** (within initial enrollment period - assigned a submission date of 5/22/15. OAD is 6/25/1999 (later than employee B)).
 3. **Employee C** (The submission date is 5/28/15, after the initial enrollment period. OAD would only be a consideration if other Court Reporter forms are received on 5/28/15 for Kings County. OAD would be used for those with 5/28/15 submission dates).
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Example 2 - Queens County list for Senior Court Office Assistant, JG 12 title

- **Employee # 1:** Change in Assignment form is received on May 18, 2015. Employee # 1's OAD is 9/2/2010.
- **Employee # 2:** Change in Assignment form is received on May 19, 2015. Employee # 2's OAD is 2/27/1992.
- **Employee # 3:** Change in Assignment form is received on May 22, 2015 at 5:15 P.M. Employee #3's OAD is 5/2/1991.
- **Employee # 4:** Change in Assignment form is received on May 26, 2015. Employee # 4's OAD is 9/2/1988.

The Queens County list for Senior Court Office Assistant, JG 12 would list the four employees in the following order:

1. **Employee # 2** (Filed within the initial enrollment period – assigned a submission date of May 22, 2015. OAD is 2/27/92).
2. **Employee # 1** (Filed within the initial enrollment period and OAD (9/2/2010) is later than employee # 2, who also submitted within the enrollment period).
3. **Employee # 4** (received on 5/26/15 - assigned a submission date of 5/26/15. OAD is 9/2/1988).
4. **Employee # 3** (Received on 5/22/15, it was after 5:00 and too late to qualify for the window, so he or she is assigned a date of 5/26/15 which is the next business date. Since Employee # 4 now has a submission date of 5/26/15, he or she will be listed after Employee # 4 because of the OAD).

Instructions:

- Complete the employee information at the top of the Voluntary Request for Change in Assignment form. Place an "X" in the boxes of any counties that you wish to take a position in. You may select more than one county.
- The form must be submitted by email to ciar@nycourts.gov by fax to 646-963-6669.
- Employees who do not have access to a computer or fax should contact Local 1070 at 212-815-1070 so that they may assist the employee in submitting the form.
- A confirmation receipt will be sent to the email address provided. If you do not have an email address we will send it to the mailing address on record.

Lists and Offers:

- The new city-wide lists will be established by county and become effective on June 2, 2015. If an employee is offered a position at one of the counties that he or she selected, his or her name will be removed from all county lists. If an employee refuses a position, their name will also be removed from all county lists. An employee can resubmit a new Voluntary Request for Change in Assignment form and he or she will be added to the list by new submission date. If an employee is unavailable to work (on an approved leave for more than two pay periods beyond the start date for the assignment) the employee will not receive an offer but will maintain the same placement on the list.

