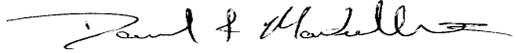


 <b>NEW YORK STATE</b> <b>Corrections and Community Supervision</b>  <b>DIRECTIVE</b>	TITLE <b>Out-of-Title Work</b>		NO. 2217
			DATE 05/25/2016
SUPERSEDES DIR #2217 Dtd. 2/5/2015	DISTRIBUTION A	PAGES PAGE 1 OF 2	DATE LAST REVISED
REFERENCES (Include but are not limited to) Civil Service Law	APPROVING AUTHORITY 		

- I. POLICY:** In keeping with the intent of the Civil Service Law, appropriate collective bargaining agreements, and sound management practices, it is the Department's policy that no employee shall be required, as a normal duty assignment, to perform the duties of any position unless he or she has been duly appointed, promoted, transferred, or reinstated to that position.
- II. PROCEDURE**
- A. Employees may be properly directed to perform out-of-title work on a temporary basis in emergency situations. An emergency situation may occur in different ways, ranging from a strike or other job action to shortage of staff caused by illness or vacation of regular staff or supervisors. The basic principles controlling assignments of this nature are:
1. The Agency must perform all of its functions in a timely fashion.
  2. In the judgment and discretion of the available supervisor, staff must be utilized where, when, and as needed.
  3. The assignment must be of limited duration and be necessary for continuance of Departmental operations. It should not result in an employee being required to perform duties on a regular and ongoing basis which are not normally expected of that employee's title. Such an assignment must be rotated among those employees capable of performing it.
- B. Any problem with out-of-title work assignments should be brought to the attention of the employee's immediate supervisor. The supervisor should consult with his or her superiors about methods for resolving the problem. A Personnel Representative from the Bureau of Personnel Classification and Examination Unit (518 457-8132) is available to assist in determining appropriate duties for positions as well as to suggest possible solutions to problems. The Personnel Representative should be informed immediately whenever an out-of-title work situation occurs and is not resolved administratively or when it affects classification of other positions.

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- C. An employee who feels that he or she is required to perform out-of-title work in a non-emergency situation and/or on a continuing basis should first attempt to resolve this problem with his or her supervisor. If the problem is not resolved to his or her satisfaction, the employee must continue to perform this work as directed unless it represents an unusual threat to his or her health. The employee, if not satisfied, has the following recourses:
1. File a grievance through the appropriate negotiating unit grievance procedure.
  2. File an Employee Request for Reclassification directly with the Department of Civil Service. The reclassification process, however, is complex and may or may not resolve the specific employee's concern depending upon such factors as minimum qualifications, list eligibility, budget guidelines, etc.