Policy Id:
HR.046 – The CUNY Civil Service Commission

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The CUNY Civil Service Commission

History

The Board of Trustees of The City University of New York established the Civil Service Commission of the City University of New York in 1988. The Board appointed the first Commission in 1989 and adopted The Rules and Regulations of the Civil Service Commission on July 18, 1989.

The Chancellor of the City University of New York appoints the members of the CUNY Civil Service Commission of New York, with the advice and consent of the Board of Trustees. The Chancellor designates one member of the Commission to serve as its Chair. The CUNY Civil Service Commission is composed of three unpaid members.

Central to the Commission's responsibility is the obligation to hear and render decisions regarding appeals from employees or applicants for employment concerning the University's application of CUNY Rules and Regulations. The Commission mainly hears appeals from employees and acts as guardian of the City University's merit system for classified staff.

The Commission reviews proposals by CUNY's Vice Chancellor for Faculty and Staff Relations to classify positions in the Exempt, Labor or Non-Competitive Classes. Both the CUNY Civil Service Commission and the State Civil Service Commission must approve the proposals. The Rules and Regulations empower the Commission to review CUNY's Classification and Pay Plan, appointments, promotions, transfers, resignations and reinstatements. Decisions of the Commission are made by majority vote.

Mission

Background

The City University of New York (CUNY) Civil Service Commission is a municipal Civil Service Commission composed of three members appointed by the CUNY Board of Trustees. The Commission has the authority to hear and determine complaints alleging violations of Laws or Regulations including, but not limited to, the New York State Civil Service Laws and The Rules and Regulations of the CUNY Classified Civil Service. Members of the Commission accept their responsibilities as a public service and receive no compensation. They are ultimately responsible for the administration of the University's classified service personnel operations.

The Commission has the obligation to operate under the above cited laws and regulations, and in accordance with the New York State Constitution. In addition, the Commission may review grievances brought by employees who are not subject to collective bargain agreements.

The CUNY Civil Service Commission is bound by its own rules, which have the full force and effect of law. The freedom of its members from external pressures or interference in carrying out
the provisions of the rules and the law is central to accomplishing the mission of the Commission.

Mission

The mission of the CUNY Civil Service Commission is to provide an orderly, fair and uniform system for the administration of the relevant provisions of the NYS Laws and The CUNY Rules and Regulations, and to prescribe, amend and enforce suitable rules covering the classification of CUNY Civil Service positions.

The CUNY Civil Service Commission hears complaints alleging violations of relevant NYS Laws and Regulations, appeals from disciplinary actions, and appeals by employees who are aggrieved by determinations of the Vice Chancellor for Faculty and Staff Relations. The Commission affirms, reverses or modifies such determinations.

Furthermore, the CUNY Civil Service Commission:

Assures that the treatment of applicants and employees is consistent with the NYS Civil Service Laws and the resolutions of the CUNY Board of Trustees.

Corrects violations of NYS Civil Service Laws and Rules and CUNY Rules and Regulations promulgated under the State Civil Service Laws.

Assures that the Vice Chancellor administers Civil Service actions consistent with all relevant regulations. Conducts investigations concerning any matter related to the enforcement and effect of the NYS Civil Service Law and CUNY Rules.

Reports annually to the State Civil Service Commission on the status of the CUNY classified service and insures that all payrolls are certified as required by law.

Commission Members

Term of Service through

Chairperson Marilyn J. Flood : May 31, 2018

Commissioner Tilden J. LeMelle : May 31, 2014

Commissioner Elaine S. Reiss : May 31, 2016

Maxine Rothenberg, Executive Secretary

Commissioner Marilyn J. Flood has been on the Commission since 1994 and was appointed Chairperson on June 1, 2004. She is currently the Counsel to the New York County
Lawyers' Association and Executive Director of its Foundation. Previously she was the Associate Director for Programs of the YWCA of the City of New York. Prior to that position, she served over 20 years in New York City government, including several years with direct involvement with civil service exams, personnel policies and employee and labor relations. For 14 years, she was the Executive Director of the Commission on the Status of Women in the Mayor's Office.

Her current volunteer commitments include serving as a member of the Vassar College Career Advisory Project. Previously she was on the Board of the New York County Lawyers' Association, Treasurer of the National Association of Commissions for Women and a member of the New York State Commissioner of Labor's Task Force on Displaced Homemakers and the Advisory Council to the New York State Division of Human Rights.

Commissioner Flood was awarded a Baccalaureate Degree cum laude from Vassar College, a Masters in Public Administration from New York University with distinction on her comprehensive exams, and a Juris Doctor Degree magna cum laude from New York Law School.

She received the Special Recognition Award from the Women's Advisors Program of New York City and was inducted into the Academy of Women Achievers of the YWCA of the City of New York.

**Commissioner Tilden J. LeMelle**, was appointed by the Board of Trustees to the CUNY Civil Service Commission on April 1, 1997. Commissioner LeMelle has had a distinguished career in higher education, serving in a series of administrative positions in the University. He served as Associate Provost and Acting Provost, Provost/Vice President, and Acting President of Hunter College, and Acting President of New York City Technical College. He also served as an Acting Vice-Chancellor of CUNY before retiring. He was also Professor and Chair of the Department of Black & Puerto Rican Studies and Chairman/Director of the Department of Academic Skills/SEEK Program at Hunter College. Most recently, Dr. LeMelle served as President of the University of the District of Columbia from 8/91-11/96. He is currently retired.

Dr. LeMelle received the Baccalaureate degree in 1953 and the Master's Degree in 1958 in English and Comparative World Literature from Xavier University, New Orleans, and a Doctorate in International Relations from the Graduate School of International Studies of the University of Colorado, Denver in 1965.

He has had a distinguished career in higher education including membership in many professional societies, Board memberships, and has received many academic and professional honors including the New York Urban League Building Brick Award in 1991.

He is currently a member of the Council on Foreign Relations, The Board of Trustees of The Social Science Foundation in Denver, Colorado, The American Committee on Africa, Chairman of The Board of Trustees of the African Fund in N.Y.C., and Chairman of The Board of the Fulbright Senior Scholar Program Advisory Board. He also serves as a reviewer and consultant for The National Science Foundation and is a publisher of the journal Africa Today. He was a founding member and national officer of the African Heritage Studies Association. In addition,
he has published extensively on American foreign policy, domestic and international race relations and on public higher education.

**Commissioner Elaine S. Reiss** was appointed by the Board of Trustees to the CUNY Civil Service Commission on June 1, 2006. Commissioner Reiss has had a distinguished career in city government, telecommunications, publishing, advertising, and the public sector. She is currently on the faculty of Brooklyn Law School and Chairs the Administrative Law Committee of the City Bar Association.

She served for over 20 years in many titles as head of the in house legal department at Ogilvy & Mather culminating as General Counsel, Executive Vice-President, and Secretary of the Ogilvy Group, a global public company in the Communications business. In addition, she was General Counsel and acting Deputy Commissioner of the New York City Department of Employment before going to the New York City Department of Information, Technology and Telecommunications.

Previously she was the Director of the Council of Better Business Bureau National Advertising Division (NAD). She served as a faculty member of the Practising Law Institute's (PLI) seminar on Communications Law Seminar for over 20 years as an Expert on Advertising.

Ms. Reiss has had a distinguished career serving as a board member in many diverse organizations including: Ogilvy and Mather, Inc., The Legal Aid Society, Columbia School of Social Work Workplace Center, ABA Fund for Justice and Education, American Corporate Counsel Association, New York Chapter, New York Civil Liberties Association, and The Columbia School of Law Alumni Association. She has served on many Bar Association Committees.

Ms. Reiss received the Baccalaureate degree in 1961, an (LLB) in 1964 from Columbia University Law School, and a Masters of Law (LLM) in 1973 in Trade Regulation from New York University. She also completed the Executive Training Program at Stanford Graduate Business School in 1985.

**General Rules for Public Hearings**

A public hearing is on item(s) on the calendar (agenda) for the meetings of the CUNY Civil Service Commission. The rules and procedures for a public hearing are as follows:

1. The maximum time permitted for each speaker will be five minutes. It is necessary to impose time limits to permit all speakers to have an opportunity to express their view points. Speakers must restrict their remarks to the items they requested to address. Speakers wishing to speak to more than one item will be given one five (5) minute period within which they must make their comments on all items they wish to address. Persons attempting to discuss other matters or to speak out of turn will be ruled out of order and not permitted to continue. In order to assure maximum participation, the Commission reserves the right, in special circumstances, to reduce the speaker's time limit.
2. The Commissioners will be provided with a list of speakers.
3. The Chair of the Commission will conduct the hearing. Either the Chair or the Executive Secretary will call speakers.
4. When a speaker is ruled out of order, the speaker's balance of time will be forfeited and the speaker will be expected to leave the lectern.
5. Written statements should be placed in the box next to the lectern or where designated.
6. Commission members will not respond to questions during the presentation of a speaker.
7. The CUNY Civil Service Commission reserves the right to alter the above procedures at any meeting in order to assure that the business of the meeting will be completed.
8. All public hearings on calendar (agenda) items will conclude at the time directed by the Commission Chair.
9. Individuals may provide written statements following adjournment of the hearing up to the close of business on the Wednesday after the Commission meeting or as designated by the Commission.

THE RULES AND REGULATIONS FOR MAINTENANCE OF PUBLIC ORDER (HENDERSON RULES) ARE IN EFFECT AND WILL BE ADMINISTERED AND ENFORCED AS REQUIRED.

CALENDAR

Commission Meetings begin at 1:00 P.M. in the Conference Room on the 11th Floor
555 West 57th Street
New York, N.Y. 10019

Listed below is the schedule for the Commission meetings for 2013:

<table>
<thead>
<tr>
<th>Month</th>
<th>Date</th>
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<tbody>
<tr>
<td>February</td>
<td>Tuesday, February 26, 2013</td>
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<tr>
<td>April</td>
<td>Wednesday, April 17, 2013</td>
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<td>May</td>
<td>Tuesday, May 14, 2013</td>
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<td>June</td>
<td>Wednesday, June 19, 2013</td>
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Note:
Mail should be directed to:
Ms. Maxine Rothenberg, Executive Secretary
E-mail at Maxine.Rothenberg@mail.cuny.edu
To ensure the safety and security of all staff, guests will not be granted access to the 11th floor without prior notification to the Commission.

Occasionally, a meeting must be cancelled on short notice. Please e-mail Ms. Maxine Rothenberg the morning of the scheduled meeting to confirm that it will be held.