

PERSONNEL SERVICES BULLETINS (PSBs)

200-2

Subject: Qualifying English Oral Tests for Candidates on Eligible Lists

Supersedes: Personnel Policy and Procedure No. 585-85

Source: General Examination Regulation E.9.1

Date: March 21, 1997

I. Background

To be hired from a civil service eligible list, a candidate for employment by the City of New York must be able to understand and be understood in English. This requirement is set forth in the General Examination Regulations and in each Notice of Examination.

II. Policy

When a candidate whose name appears on an eligible list is being interviewed by the representative of an appointing agency, the interviewer must be alert to the candidate's ability to understand and be understood in English. A candidate who seems to lack these abilities should be referred to take a qualifying English oral test. However, reasonable accommodation should be provided for a candidate who has a disability which prevents or impedes communication in English.

III. Procedure

A new test is now available for agencies to assess a person's **minimum** ability to understand and be understood in English. This test will not measure higher levels of English proficiency. Candidates who are considered and not selected as a result of the 1 in 3 rule should not be given this test.

If it appears that the candidate had difficulty understanding or being understood in English, the appointing officer should convene an agency committee to evaluate the candidate's oral English ability using the NYS Place Test, New York State's placement test for English as a second language. It is suggested that, in order to avoid or minimize claims of national origin bias, the agency evaluation committee consist of at least two agency representatives with at least one of the representatives speaking English as a second language, where possible.

The administration of this test must be audio-taped for each candidate. Record the following information at the beginning of each taped exam: Candidate's Name, Social Security Number, Civil Service Exam Title & Number, Test Date, and Test Administrator's Name. The tapes should be stored in a safe and secure place by the agency committee. Although no more than one qualifying English oral test will be administered per candidate for the same examination, candidates may be required to take the test again for different examinations. If a candidate has already been tested by another agency and found qualified, the candidate must show you a form letter to demonstrate that this is true. Such candidate may not be retested for the same examination.

The agency committee representatives should score the tests immediately after they administer them. They must send the candidates a form letter informing them of their test results and the appeal process. The agency must send a copy of this letter with the certification disposition to the Certification Section of the Division of Citywide Personnel Services. For those candidates who fail the Qualifying English Oral Test, the agency appointing officer must insert NQA for the Action Code and ENG for the Qualification Code on the certification disposition for the candidates indicating that the candidates failed the Qualifying English Oral Test and therefore are not eligible for appointment. The Certification Section will place the candidates offside when the disposition is

processed. Candidates whose appeals are granted will be restored to the list.

Candidates who fail the Qualifying English Oral Test will have the right to appeal their rating to the Committee on Manifest Errors (CME), Department of Citywide Services (DCAS), at 1 Centre Street, 14th Floor, New York, NY. Upon receiving an appeal, the Committee on Manifest Errors will request that the agency representative send it the audiotape of the test. The procedure for appeals in any civil service oral examination will then be followed. Candidates whose appeals are denied will be able to appeal further to the City Civil Service Commission.

The Bureau of Examinations, Division of Citywide Personnel Services, will provide agencies with a copy of the test, the training tape, and additional assistance, as required. Those agencies that would like to send representatives to be trained should contact the Assistant Commissioner for Examinations at (212) 487-6300.

Note: The Bureau of Examinations, Division of Citywide Personnel Services, will administer this test for agencies during the next 6 months as a pilot project. The agency appointing officer should contact the Assistant Commissioner for Examinations at the above number to schedule qualifying English oral tests, as required. A temporary procedure will be established to handle documentation and processing during this six month period.

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Commissioner

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