



STATE OF NEW YORK
EXECUTIVE DEPARTMENT
DIVISION OF THE BUDGET
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To: ALL DEPARTMENT AND AGENCY HEADS

From: Patricia A. Woodworth

Subject: Guidelines Pursuant to Executive Order No. 1

This bulletin provides guidelines on implementation of Governor Pataki's Executive Order No. 1 which ordered an immediate hiring freeze.

Effective January 2, 1995, the date of the Executive Order, the filling of any position through promotion, transfer or new hire is prohibited unless specifically exempted by the Division of the Budget. This prohibition shall apply to all permanent and temporary positions, including 55-b and 55-c positions, regardless of funding source.

Requests for Exemptions

Requests for exemptions to this hiring freeze must be in writing to the Division of the Budget and will only be granted where there is a demonstration that filling a specific position is essential to protect the public health, safety and welfare or to complete the orderly transition of government. In requesting such exemptions, there must also be a demonstration that the need cannot be met through reassignment or redeployment of existing staff.

The Department of Civil Service has been asked to actively assist in administering this freeze by not certifying payroll transactions in the absence of written notification of a Division of the Budget exemption signed by an Examination Unit Head or a Deputy Budget Director.

Review of Recent Hiring

Based on the above criteria for exemptions, agencies are to review all new hiring that has occurred since November 8, 1994. A listing of all such actions, annotated to indicate whether and how they meet the criteria for exemption, should be submitted for Division of the Budget review as soon as possible. This listing should be provided on an individual position basis except where multiple hiring for a common title/purpose has occurred.

Application to Public Authorities

Public authorities subject to Executive Order 173 should apply the standards contained in this bulletin to their own hiring. It is expected that adequate justification for authority actions will be maintained in a form to permit Division of the Budget review for compliance.

Questions concerning this Budget Bulletin should be directed to your budget examiner.