



S U P P O R T

MEMORANDUM IN

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OF

A.3748 – Pheffer Amato / S.1039 – Jackson

The Civil Service Employees Association strongly supports the passage of this legislation.

This bill amends subdivisions 2 and 3 of Section 75 of the Civil Service Law to require the appointment of an independent hearing officer in disciplinary actions involving dismissal from service brought against a public employee by an appointing authority.

Under present law, an employer may bring charges against an employee for an alleged disciplinary infraction. The appointing authority selects the hearing officer and after a disciplinary proceeding, may impose judgment based on the recommendation of the hearing officer. Thus, the appointing authority acts as the prosecutor, judge, and jury, a circumstance in direct contrast to the American legal system and the due process of law.

This legislation will bring impartiality and fairness to disciplinary hearings with an independent hearing officer presiding.

On behalf of more than 300,000 active and retired, public and private employees across New York State, the CSEA strongly urges passage of this legislation.

Respectfully submitted,

Fran Turner
Director