

NYSID Comments and Staff Responses on Temporary Personnel-Office Definition

November 8, 2017

1st Change Requested by NYSID:

Temporary Personnel-Office (“Office Temps”) are workers hired for a pre-determined period to provide program support and assistance. ~~in a defined office environment.~~ Office Temps assist with a wide range of administrative, clerical, and miscellaneous functions and may range in skill from entry level to highly experienced personnel.

NYSID Comments:

NYSID contends that the requirement to work in an office environment will eliminate current positions such as passenger counters, temperature takers, survey takers, test monitors, proctors, and bindery operators that serve in an office support role or whose primary responsibilities include field work for the compilation of required data. Since these positions often report back to others in an office environment and because individuals have been working in these roles for the past 15+ years, NYSID believes “that having one miscellaneous category or ‘lot’ for office field work and other support positions such as test monitors/proctors and bindery operators provides clarity to the purchasing agencies and at the same time preserves existing jobs and future opportunities.”

NYSID contends that the OGS Administrative Services contract (Award No.22559) includes 10 Lots of Category Offerings many of which are miscellaneous and not administrative in nature and therefore, this definition of Temporary Personnel-Office should not be limited to just the office category. Lastly, due to the expiration of a contract with the Metropolitan Transportation Authority (“MTA”) on September 30, 2017, NYSID states that a failure to include miscellaneous titles in this definition will eliminate 131 jobs, 102 of which are filled by individuals with disabilities.

Procurement Council Staff Response:

The proposed definition was created by the workgroup and is for the category of Temporary Personnel-Office. The Procurement Council previously defined the service category of Temporary Personnel-Warehouse, which provides an indication that it is important to specifically identify the types of categories of workers and positions that may be offered under the preferred source program. NYSID was advised prior to the July 14, 2016 Procurement Council meeting that the proposed definition for this service excluded job titles other than those positions typically located within an office setting, and excluded professional titles requiring a four-year or higher degree because these types of positions are not typical temporary office positions. A copy of the July 14, 2016 definition is attached. During the very first meeting of the workgroup tasked with defining Temporary Personnel-Office, NYSID was encouraged to submit applications for approval to add new Temporary Personnel service categories, and although they have had 15 months to do so, no such applications have been submitted.

During the seven workgroup meetings, it was clear that the majority of the participants agreed that the definition should only include positions where the work is performed within a defined office environment. If the definition of Temporary Personnel-Office includes job categories that are not performed in an office setting, it will create confusion. For example, if an agency is seeking a test monitor or ticket taker, when the only titles they see are Warehouse and Office workers, they will not contact the preferred sources for a quote. Similarly, if there is a miscellaneous category, what is the scope of job titles that could be included?

NYSID’s comparison of the OGS Administrative Services Contract to the Temporary Personnel-Office definition is misplaced. The new OGS Administrative Services contract has 11 different categories of temporary personnel, called Lots, and each Lot includes a separate category of workers. It is the Lot titled “Office Worker Occupations”

*that is comparable to the Temporary Personnel-**Office** definition, not the entire Administrative Services contract. The OGS contract has other Lots titled “Financial Occupations,” “Hearing Reporter Services,” “Transcription Services,” “Light Industrial Occupations,” and “Miscellaneous.” **Only** the Lot titled “Office Worker” includes the types of officer worker titles included within the proposed Temporary Personnel-**Office** definition.*

With regard to NYSID’s contention that this definition will eliminate 102 jobs for workers with disabilities, Staff has been unable to verify these particular numbers. But we again reiterate that no jobs would be eliminated if NYSID were to submit applications to the Procurement Council and be approved to provide other categories of Temporary Personnel.

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2nd Change Requested by NYSID:

Notice to Purchasing entities: This definition does not include the following:

- 4) Any positions that require ~~a four-year or higher degree, or~~ a certification or license including but not limited to: services as an accountant, actuary, architect, attorney, physician, engineer, nurse, laboratory technician, paralegal, social worker, etc.

NYSID Comments:

NYSID would like to remove the exclusion of the four-year or higher degree from the definition and include such positions in the definition. This includes positions such as graduates with degrees in accounting and actuarial science. NYSID believes that eliminating such positions “serves to minimize the opportunities available for individuals with disabilities and is discriminatory in nature. If a procuring agency is looking for a qualified candidate with a four year degree or higher to perform tasks as outlined in the definition they should be allowed to do so.” NYSID advised there are “15 individuals with disabilities placed in 15 different positions where the procuring agency requires a four year degree as a requirement for placement. Procuring agencies could view the four year degree prohibition as a form, function, utility issue and, as such, exclude NYSID from future procurements for Temporary Personnel-Office. In addition, of the 750 people currently placed in positions under the current service definition, 336 have four year degrees.”

Procurement Council Staff Response:

The proposed definition is for the category of Temporary Personnel-Office. Positions that require a four-year degree such as graduates of accounting, social work, and actuarial science programs hired before taking their licensing exams, as well as social workers/counselors and Human Resource Directors are not the types of positions typically thought of as temporary officer workers. A representative from Accustaff participated in the workgroup and reported that in their 29 years of providing temporary office staff to government agencies, there has never been a request requiring that a temp office worker have a four-year or higher degree.

Staff believe that when a procuring agency sees the service title of Temporary Personnel-Office, they will seek workers who have historically been found to work in an office setting on a temporary basis such as clerks, secretaries, receptionists, and other titles similar to those represented by the CSEA Administrative Services Unit. The Procurement Council is asked to define Temporary Personnel-Office to provide clarity, and Staff believes the definition should therefore not include occupations requiring a four-year or higher degree. Many individuals with four-year degrees are accepting entry-level positions and the proposed definition in no way prevents a person with a four-year or higher degree from accepting a Temporary Personnel-Office position that does not require such degree.

The solution to the issues and concerns raised by NYSID is not to expand the Temporary Personnel-Office worker definition beyond what is typically considered to be a temporary officer worker. The better solution would be for NYSID to submit a new application to the Procurement Council for a new service offering that requires advanced degrees.

3rd Change Requested by NYSID:**Clerical Support Services (Calculations, File, Fiscal, Legal, Medical)**

Perform a wide variety of clerical support duties, including but not limited to: typing, filing, or copying of correspondence, invoices, receipts, and other records in alphabetical or numerical order per the filing system used by the purchasing entity. Locate, retrieve, and file hard copy documents and open, edit, and save electronic files to various locations. Prepare incoming and outgoing mail for distribution. **Responsibilities may require a significant amount of field work to compile data in support of an office or department.**

Duties may include; completing and filing records and forms. Provide ~~basic~~ bookkeeping, accounting, auditing, and billing support by coding, calculating, posting, or updating financial, payroll, accounts payable, accounts receivable, or budget type records, work with numerical data to keep records complete, and file records and forms. Some knowledge of financial terminology, payroll procedures, and budget preparation may be required. Ability to compute, classify, and record numerical data to keep financial records complete. May also check the accuracy of figures, calculations, and postings pertaining to business transactions recorded by other workers.

NYSID Comments:

NYSID seeks to add the sentence “Responsibilities may require a significant amount of field work to compile data in support of an office or department” and remove the reference to “basic” bookkeeping, accounting, auditing, and billing support... As stated above, NYSID seeks to include field workers in positions such as passenger counters, temperature takers, survey takers, test monitors, proctors, and bindery operators that serve in an office support role or whose primary responsibilities include field work for the compilation of required data. NYSID also wants to remove the reference to “basic” bookkeeping, accounting, auditing and billing support positions so that purchasing agencies can eliminate the restriction of the four-year degree positions and they can provide college graduates for accounting and auditing and actuary positions.

Procurement Council Staff Response:

*As stated above, NYSID’s proposed edits would add job titles that are not typically thought of when considering a Temporary Personnel – **Office** worker. Staff believes the definition provides clarity to government purchasers and includes only positions where the work is performed within a defined office environment. To the extent the need exists for titles not included within this definition, NYSID has been encouraged to submit applications to the Procurement Council for approval of additional types of Temporary Personnel as preferred source offerings.*

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4th Change Requested by NYSID:**Human Resource Support Services**

Provide HR teams and departments with support services including, but not limited to: employee benefits, payroll, on-boarding, human services, and salary information. Provide program support in the hiring process, including but not limited to: responding to application submissions or screening applications and resumes. Send and receive e-mail, review and process employee leave, attendance, and time sheets. **May be required to administer and proctor exams for prospective candidates and/or current employees.**

NYSID Comment:

NYSID seeks to add test administrators, monitors proctors to the definitions. They state that individuals in these positions report back to offices, therefore, should be included in this definition.

Procurement Council Staff Response:

*As stated previously, the solution to NYSID's concern about continuing the employment of individuals with disabilities in these positions is to apply to the Procurement Council to add a service category of Test Monitors/Proctors to the List of Preferred Source Offerings. During the workgroup meetings, the members were advised that there is a great need for test administrators, monitors, and proctors throughout the State, so NYSID was encouraged to pursue this as a new service offering rather than expanding the Temporary Personnel-**Office** definition. Most tests are not administered, monitored, or proctored in an office setting, and seeking to include such positions within the proposed definition will only create confusion for potential customers. The impetus for defining each preferred source service offering was a recommendation from the Office of the State Comptroller's recent audit of the Preferred Source program to "provide clear definitions for the services on the List to **make it easier for purchasing agencies to determine if the services they need are approved preferred source offerings.**" Adding test administrators, monitors, and proctors to Temporary Personnel-**Office** does nothing to make it easier for purchasing agencies to determine whether the services they need are approved preferred source offerings. Restricting the definition of Temporary Services-Office to traditional office workers and adding a separate service offering for test administrators, monitors, and proctors would better serve the aim of OSC's recommendation and better serve the potential customers for these types of services.*

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