

EX. ORDER
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OFFICE OF THE MAYOR

EXECUTIVE ORDER NO. 21—OCTOBER 17, 1974

Establishing a Revised Screening Procedure for Appointments
Within Mayoral Agencies

Whereas, the sound exercise of the responsibilities and powers of government requires that persons employed at the highest levels of the City administration faithfully discharge their duties, free from any actual or potential conflicts of interest, and

Whereas, in order to assure that only persons free from such actual or potential conflicts of interest serve in these positions, prospective appointees should undergo a thorough investigation of their background and should be required to make, prior to their appointment, a full disclosure of all their financial holdings and connections;

Now, Therefore, by the authority vested in me as Mayor of the City of New York, it is hereby ordered as follows:

Section 1. Section 4 of Executive Order No. 21, dated August 19, 1970, as amended by Executive Order No. 30, dated November 30, 1970, is hereby repealed.

§ 2. Within all Mayoral agencies, if any appointment is to be made to a position with a salary equal to or greater than the minimum rate of M-1 or E-1 of the Managerial or Executive Pay Plans (whether or not the prospective appointee is a member of either of those plans), the appointment shall be subject to certification by the Commissioner of Investigation as to background information, and by the Counsel to the Board of Ethics as to actual or potential conflicts of interest.

The same procedure may be required at the discretion of the Mayor for any appointment regardless of salary.

§ 3. This procedure need not be followed:

A. For an individual who has been a permanent competitive Civil Service employee, unless the individual, in order to accept the appointment, will be granted a leave of absence from his or her competitive job in order to serve in an exempt, non-competitive, or unclassified position for which the salary is equal to or greater than the minimum rate of M-1 or E-1 of the Managerial or Executive Pay Plans.

B. For an individual who, while remaining in the same job title, has his or her salary increased by a salary increment, adjustment, or meritorious increase.

C. For an individual who is appointed to a permanent competitive Civil Service position at a starting salary equal to or greater than the minimum rate of M-1 or E-1 of the Managerial or Executive Pay Plans, as a result of an open competitive examination.

§ 4. Authorization for an appointment covered by this procedure shall be secured by the appointing official's submitting to the Commissioner of Investigation and the Counsel to the Board of Ethics particulars as to the prospective appointee's home address, business address, date of birth, social security number, position, and prospective salary, and by the prospective appointee's submitting completed questionnaires and a signed acknowledgment that his or her continued employment is subject to certification by the Commissioner of Investigation as to background information and by the Counsel to the Board of Ethics as to actual or potential conflicts of interest. The Commissioner of Investigation and the Counsel to the Board of Ethics shall notify the appointing official and the Director of the Budget of their receipt. Thereupon, the appointing official may, in his discretion, make the appointment. If the employee does not receive clearance for employment following the completion of a review by the Commissioner of Investigation and the Counsel to the Board of Ethics, his employment shall be terminated promptly.

§ 5. The Mayor or the Counsel to the Board of Ethics may refer any prospective appointee to the full Board of Ethics for consideration.

§ 6. This Executive Order shall take effect immediately.

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ABRAHAM D. BEAME, MAYOR.