



Post-Employment Restrictions and Limitations

Public Officers Law § 73(8)(a)(i)

Two Year Bar

“No person who has served as a state officer or employee shall within a period of two years after the termination of such service or employment appear or practice before such state agency or receive compensation for any services rendered by such former officer or employee on behalf of any person, firm, corporation or association in relation to any case, proceeding or application or other matter before such agency.”

In order for an employee of the state who is primarily a “student” and secondarily a “state employee” to experience NYSDOT employment and not violate the Public Officers’ Law post-employment restrictions of section 73(8), the student:

- Must be enrolled full-time in an accredited course of study or on a seasonal recess;
- May work full-time (37.5 – 40hrs/week) during summer or other semester breaks and are limited to 120 days (4 months) of full-time service for the State during the summer vacation period;
- Cannot work half time or more per week during the school year, and
- Cannot receive any State employee benefit, such as health insurance, vacation, retirement (**refer to form *Information on declination of membership***), or have any rights to re-employment.

The above criteria applies to individuals who are primarily students and whose employment by the state is secondary. The classification of student assistant/engineering intern as student is currently under review by the Commission on Public Integrity. NYSDOT will be subject to any determination made by the Commission.