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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# SENATE BILL

No. **563** Session of  
1961

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INTRODUCED BY MESSRS. VAN SANT AND MILLER,  
APRIL 25, 1961.

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REFERRED TO COMMITTEE ON STATE GOVERNMENT,  
APRIL 25, 1961.

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## AN ACT

Amending the act of August 5 1941 (P L 752) entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions adoption of compensation schedules and certification of payrolls imposing duties upon certain officers and employes of the Commonwealth authorizing service to other State departments or agencies and political sub-

EXPLANATION—CAPITAL LETTERS indicate new matter added to bill. Matter stricken through is to be omitted from bill.  
Underlining indicates new matter added to existing law. [Brackets] indicate matter stricken from existing law.

divisions of the Commonwealth in matters relating to civil service defining certain crimes and misdemeanors imposing penalties making certain appropriations and repealing certain acts and parts thereof" redefining the term "director" further extending the scope of unclassified services extending the provisions regarding appointment and removal of the director further extending the merit provisions of the act increasing the duties and obligations of the commission and of the director providing for systematic and meritorious salary increments clarifying salary provisions of employment changing examination requirements according regular status to employes with required periods of service making definite provisions covering sick leave and vacation leave and strengthening the provisions covering furlough and reemployment

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

- 1 Section 1 Subsection (b) of section 3 act of August 5 1941 (P L
- 2 752) known as the "Civil Service Act" amended June 21 1947 (P L
- 3 835) is amended to read
- 4 Section 3 Definition of Terms In this act unless the context other-
- 5 wise clearly requires

1 \* \* \*

2 (b) "Director" means the Executive Director provided in this act

3 \* \* \*

4 Section 2 Subsection (c) of section 3 of the act is amended to read

5 Section 3 Definition of Terms In this act unless the context other-  
6 wise clearly requires

7 \* \* \*

8 (c) "Service of the Commonwealth" includes all offices and posi-  
9 tions now existing or hereafter created in the [Department of Public  
10 Assistance State Board of Public Assistance and county boards of assis-  
11 tance all offices and positions now existing or hereafter created in the  
12 Department of Labor and Industry charged with the administration of  
13 the Unemployment Compensation Law all offices and positions now  
14 existing or hereafter created under the Pennsylvania Liquor Control  
15 Board all offices and positions under the State Civil Service Commission  
16 and the Personnel Director and any other offices and positions of any  
17 department or agency to which this act may hereafter be extended]  
18 unclassified and classified services as defined herein

19 \* \* \*

20 Section 3 Subsection (d) of section 3 of the act amended June 1

1 1945 (P L 1366) and June 21 1949 (P L 835) is amended to read

2 Section 3 Definition of Terms In this act unless the context other-  
3 wise clearly requires

4 \* \* \*

5 (d) "Unclassified service" means all positions now existing or here-  
6 after created in the service of the Commonwealth which are held by

7 [(1) Heads of departments of the Commonwealth the first deputy  
8 heads thereof the Executive Director of the State Civil Service Com-  
9 mission and the person appointed to administer the Federal-State em-  
10 ployment service and the unemployment compensation work of the De-  
11 partment of labor and Industry

12 (2) Members of boards and commissions

13 (3) One secretary or one confidential clerk to each state appointing  
14 authority or each member thereof as the case may be except the com-  
15 mission and the director

16 (4) Any person temporarily appointed or designated to render  
17 special services or to make or conduct a special inquiry investigation or  
18 examination where such appointment or designation is certified by the  
19 commission to be for employment for not more than six months in any]

1 [twelve month period and which for reasons set forth in the minutes of  
2 the commission should not be performed by persons in the classified  
3 service

4 (5) Any person employed by any other State agency or department  
5 which by law performs services directly or indirectly for the departments  
6 set forth in subsection (c) hereof

7 (6) Such attorneys as the appointing authority shall appoint and  
8 the Attorney General shall approve]

9 (1) Officers elected by popular vote and persons appointed to fill  
10 vacancies in elective offices

11 (2) Heads of departments required by statute to be appointed by  
12 the Governor and members of boards and commissions appointed by the  
13 Governor except the Director of the Department of Civil Service

14 (3) One deputy or principal assistant for each of the elective execu-  
15 tive officers of the State other than the Governor

16 (4) Officers and employes of the General Assembly

17 (5) Officers and members of the teaching staffs student employes on  
18 less than half-time pay basis and research assistants in State Teachers'  
19 Colleges and The Pennsylvania State University

20 (6) Officers and enlisted men in the State and National Guard and

1 the Naval Militia while serving as such

2 (7) The clerk deputy clerk and reporter of the Supreme Court and  
3 officers of court appointed by courts in necessary judicial procedure

4 (8) Student nurses and internes employed part-time and inmate help  
5 in institutions under the control of the Department of Public Welfare

6 (9) Persons employed to make or conduct a temporary and special  
7 inquiry investigation examination or installation when the board ap-  
8 proves the inclusion of such persons in the unclassified service

9 \* \* \*

10 Section 4 Clause (4) of section 203 of the act is amended to read

11 Section 203 Duties of Commission It shall be the duty of members  
12 of the commission as a body

13 \* \* \*

14 (4) Upon request or on its own motion as herein provided or upon  
15 appeal of an employe or group or union of employes to hold hearings or  
16 to make investigations and to hold hearings in cases of demotion fur-  
17 lough suspension [and removal to conduct investigations hold public  
18 hearings render decisions on appeals and record its findings and con-  
19 clusions] removal or dissatisfaction with the classification or allocation

1 of a position or positions or failure to act or to make a decision on any  
2 personnel matter affecting directly or indirectly the employo or employes  
3 or group or groups or union of employes submitting the appeal and to  
4 render decisions or to designate a civil service staff member or other  
5 competent person working subject to the civil service law to hold such  
6 hearing or hearings and to make report thereon to the commission to  
7 enable it to render decision

8 \* \* \*

9 Section 5 Subsection (b) of section 205 of the act amended June  
10 21 1947 (P L. 835) is amended to read

11 Section 205 Qualifications Appointment Compensation and Re-  
12 moval of Director

13 \* \* \*

14 (b) Within ninety days after it is appointed and thereafter within  
15 ninety days after a vacancy occurs the commission shall hold a com-  
16 petitive examination in accordance with the provisions of this act and  
17 on the basis of that examination shall establish an employment list of  
18 persons found eligible for appointment as director The commission  
19 shall appoint one of the three highest making eligibles as the director  
20 The commission shall have the same powers and duties with respect to

1 the conduct of the examination establishment of the employment list  
2 and making an appointment therefrom that are vested in or imposed  
3 upon the director under the provisions of this act with respect to other  
4 positions in the classified service The provisions hereof shall be con-  
5 strued to be mandatory upon the Civil Service Commission and failure  
6 to make compliance therewith to the limit of the abilities of each  
7 member of such commission shall constitute grounds for removal from  
8 office

9       (c) The director shall not be removed except for incompetence  
10 inefficiency neglect of duty malfeasance or misfeasance in office The  
11 commission shall furnish to the director written notice of his intended  
12 removal setting forth the reasons for such action and shall file a copy  
13 of such written notice with the Governor The director shall have ten  
14 days from the receipt of such written notice to give the commission  
15 such written answer as he may desire and shall file a copy of such  
16 written answer if any with the Governor Such notice and answer shall  
17 be made a part of the public records of the commission and of the  
18 Governor Within thirty days after receipt of such notice of removal  
19 and answer thereto the Governor shall make an investigation for the

0  
1 purpose of fairly determining whether the director shall continue in  
2 his position or should be removed therefrom Within twenty days after  
3 the completion of such an investigation or sooner if practicable the  
4 Governor shall make his findings and conclusions which shall be forth-  
5 with certified to and enforced by the commission The Governor's find-  
6 ings and conclusions shall constitute a part of the public records of the  
7 commission and of the Governor

8 Section 6 Section 208 of the act is amended to read  
9 Section 208 Public Hearings Before adopting or amending its rules  
10 or approving modifying or rejecting classification plans or reporting  
11 compensation schedules to the executive board of the Commonwealth  
12 the commission shall hold a public hearing at which any citizen shall  
13 have the right to appear and be heard Public notice of such public hear-  
14 ing shall be given at least seven days in advance of the hearing by  
15 posting on a bulletin board maintained in or near the commission's  
16 principal office in a place accessible to the public during business hours  
17 a statement of the time and place of the hearing and of the matter  
18 to be considered also by furnishing at least twenty copies of such notice  
19 to the newspaper correspondents' office in the State Capitol and one  
20 copy of such notice to the Governor each appointing authority and

1 each member of the General Assembly The commission may give fur-  
2 ther public notice of such hearings as it deems advisable

3 Section 7 Subsection (a) of section 212 of the act amended May  
4 21 1943 (P L 516) is amended to read

5 Section 212 Service to State Departments Boards and Commissions  
6 or Agencies and Political Subdivisions Cooperation with Other Civil  
7 Service Agencies (a) The services and facilities of the commission and  
8 its staff shall be available to the [State departments boards and com-  
9 missions set forth in paragraph (c) of section three of this act and to  
10 other State departments boards commissions or agencies and] political  
11 subdivisions of this Commonwealth upon such terms and conditions  
12 as may be prescribed by the rules of the commission which rules shall  
13 provide for the payment to and reimbursement of the Commonwealth  
14 for the reasonable cost of such services and facilities

15 \* \* \*

16 Section 8 Section 403 of the act is amended to read

17 Section 403 Changes in Compensation [The rate of compensation  
18 of any employe who has not reached the maximum rate for his class  
19 may be increased upon the attainment and maintenance of the appro-]

1 [p]riate service rating as provided elsewhere in this act In the absence  
2 of service ratings advances in compensation within the salary range for  
3 any class may be made on the recommendation of the appointing au-  
4 thority supported by such evidence of increased usefulness in the service  
5 as may be required by the rules of the commission Each such increase  
6 shall be to the next higher rate for the class except as provided in this  
7 section and shall become effective on the first day of the month follow-  
8 ing its approval by the Governor No employe shall have his compensa-  
9 tion increased in the class oftener than once in twelve months except  
10 that upon the request of the appointing authority approved by the  
11 director and by the commission and on the basis of facts demonstrating  
12 that the action is in the interest of good administration the Governor  
13 may at any time authorize an increase to any rate established for the  
14 class to which the position is allocated The commission in its reports  
15 shall publish the facts regarding each case or class of cases in which it  
16 approves such request made by appointing authorities to increase the  
17 rate of compensation of any employe more frequently than once in  
18 twelve months or to a rate above the next higher rate for the class  
19 In no case however shall the compensation of any employe be increased  
20 unless funds are available from which the increase may lawfully be]

1 [paid nor shall the rate for any employe be increased beyond the maxi-  
2 mum for the class] The schedules or rates of compensation established  
3 for each class of position shall provide for systematic annual increments  
4 of one step until the maximum rate in the schedule for the class has  
5 been attained unless satisfactory reasons for not allowing a step in-  
6 crease or increments have been filed with the director by the appoint-  
7 ing authority One additional incremnt or meritorious increase or step in  
8 the range may be made annually upon recommendation of the appoint-  
9 ing authority approval thereof by the director and by the commission  
10 and on the basis of facts demonstrating that such action is in the in-  
11 terest of good administration The schedules or rates of compensation  
12 shall provide overtime pay for work performed in addition to the work  
13 required under established work hours Such overtime rate shall not  
14 exceed one and one-half times the regular rate of pay

15 Whenever an employe has served in a class of position for three  
16 or more years at the highest rate of pay established in the schedule  
17 for such class he or she shall be accorded an increase in pay of five  
18 per cent of such highest basic rate for the class Thereafter for each  
19 three additional years of service in such class of position or positions

1 with the same but not higher basic rate or range he or she shall be  
2 entitled to an increment in pay of five per cent based upon the highest  
3 basic rate or range for the position Such increments or longevity pay  
4 shall be distinct from and in addition to any bonuses systematic or  
5 meritorious increments or allowances and shall be based always on the  
6 highest established basic rate of pay for the class of position At no  
7 time shall such increments or longevity pay exceed twenty-five per  
8 cent of the highest basic rate established for such class of position

9 Whenever schedules or rate of compensation are established for  
10 institutional services or other services in which some elements of main-  
11 tenance are supplied by the State such schedules or rates of compensa-  
12 tion shall nevertheless be based upon and be determined according to  
13 the value of the service or services to be rendered Whenever main-  
14 tenance is supplied it shall be furnished according to schedules of  
15 value or actual cost as shall be agreed to as fair and equitable by the  
16 director and the authority which supplies such maintenance An em-  
17 ploye who receives any portion or dements of maintenance shall be  
18 charged therefor by pay deductions from the applicable established  
19 schedules or rates of compensation

20 In no case shall the compensation of an employe be increased

1 unless funds are available from which the increase may lawfully be  
2 paid

3 Section 9 Section 501 of the act amended September 2 1959  
4 (P L 797) is amended to read

5 Section 501 Examinations Requisite for Appointment and Promo-  
6 tion Except as otherwise provided in this act appointments of persons  
7 entering the classified service or promoted therein shall be from eligible  
8 lists established as the result of examinations given by the director  
9 to determine the relative merit of candidates Such examinations may  
10 be written and shall be competitive and open to all persons who may  
11 be lawfully appointed to positions within the classes for which the ex-  
12 aminations are held Persons applying for positions or promotions in  
13 the offices designated as central administrative offices [(which shall  
14 include all those having jurisdiction throughout the State)] shall be  
15 citizens of the United States and shall have been legal residents of the  
16 Commonwealth for a period of not less than one year before making  
17 application and persons applying for positions or promotions in offices  
18 designated as district offices [(which shall include all those whose  
19 jurisdiction is limited to a particular district)] shall be citizens of the

1 United States and shall have been legal residents of the Commonwealth  
2 for a period of not less than one year and in the district in which such  
3 office having jurisdiction thereof is located for a period of not less than  
4 six months before making application The director shall prepare the  
5 proper State and district employment and promotion eligible lists when  
6 necessary Provided That after an examination has been conducted for  
7 any class of positions if there is no person with such legal residence in  
8 any administrative district remaining on the register the director may  
9 certify and the appointing authority may make the appointment or  
10 promotion from the names of persons on an appropriate eligible list  
11 for the same class of positions of other administrative districts Limita-  
12 tions as to age sex health moral character experience and other qual-  
13 ifications may be specified in the rules of the commission and in the  
14 announcements of the examinations All applications for positions in  
15 the classified service shall be under oath As far as is in the judgment  
16 of the commission consistent with the best interest of the Common-  
17 wealth vacancies shall be filled by promotion The commission may  
18 limit competition in promotion examinations to employes in the clas-  
19 sified service who have completed their probationary period in a  
20 class or classes designated in the public notice of the examinations

1 and may permit promotions to be accomplished by any one of the  
2 two following plans (1) by appointment from open competitive lists  
3 or (2) by achieving a place on an eligible list after a promotional ex-  
4 amination such examination having been given at the request of the  
5 appointing authority The commission shall permit promotions based  
6 upon meritorious service and seniority to be accomplished by appoint-  
7 ment without examination if the person has completed his probationary  
8 period in the next lower position and if he meets the minimum re-  
9 quirements for the higher position

10 Section 10 Section 502 of the act amended June 21 1947 (P L  
11 835) is amended to read

12 Section 502 Nature of Examinations The director shall give ex-  
13 aminations to establish employment and promotion lists The tests in  
14 such examination may be written and may also include oral tests or a  
15 demonstration of skill or a combination of these which shall fairly  
16 appraise and determine the merit qualifications fitness and ability of  
17 competitors Such tests shall be practical in character and shall relate to  
18 the duties and responsibilities of the position for which the applicant  
19 is being examined and shall fairly test the relative capacity and fitness

1 of persons examined to perform the duties of the class of positions to  
2 which they seek to be appointed or promoted but no applicant shall be  
3 required to be possessed of any scholastic education in order to be per-  
4 mitted to take any competitive examination or to be appointed or  
5 promoted to any position [No greater credit for experience gained  
6 during a provisional) emergency or temporary appointment under this  
7 act or acts repealed hereby shall be given to any person in any examina-  
8 tion than is given in such examination for experience in the same type  
9 of work performed in a similar position not under the provisions of this  
10 act or acts repealed hereby] except for professional scientific and tech-  
11 nical positions for which the requirements may include standards of  
12 attainments to enable an appointee to render satisfactory service Such  
13 requirements shall be included in public announcement of examinations  
14 In evaluating experience in order to compute the final rating in any  
15 examination to establish employment and promotion lists persons other  
16 than dishonorably discharged after active service during any war in  
17 which the United States engaged from any branch of the armed service

1 of the United States or from any women's uniformed service directly  
2 connected therewith shall not be given less credit for experience  
3 than would be given for continued experience in the position held  
4 at the time of induction in the service No question in any examination  
5 shall relate to the race religion or political or labor union affiliation  
6 of the candidate

7 Section 11 Section 504 of the act is amended to read

8 Section 504 Public Notice of Examinations The director shall  
9 give public notice of all examinations for positions or promotions in  
10 the classified service of the Commonwealth at least two weeks in ad-  
11 vance of the final date for filing applications for such examinations  
12 by posting an appropriate notice on the bulletin board maintained in  
13 or near the commission's principal office by furnishing at least twenty  
14 copies of such notice to the newspaper correspondents' office in the  
15 State Capitol and at least one copy of such notice to each office through-  
16 out the State of all the departments [set forth in Article I section 3  
17 subsection (c) of] in which employes work subject to this act directing  
18 that such notice shall immediately be posted on a public bulletin  
19 board maintained in each such office The director may give such  
20 further public notice as he deems advisable Such notice shall give the

1 time place and general scope of every examination the weights to be  
2 given to each of the tests in the examination the duties pay experience  
3 education and other qualifications requisite for all positions in the class  
4 for which the examination is to be held and the manner and place in  
5 which application forms and detailed pertinent information may be ob-  
6 tained

7 Section 12 Sections 506 601 and 602 of the act amended June  
8 1 1945 (P L 1366) are amended to read

9 Section 506 Establishment of Employment and Promotion Lists  
10 The director shall establish and maintain such [employment and pro-  
11 motion] reemployment promotion and employment lists for the various  
12 classes of positions in the classified service as are necessary or desirable  
13 to meet the needs of the service [These] The promotion and employ-  
14 ment lists shall contain the names of persons arranged in the order  
15 of final earned ratings who have been given at least such minimum  
16 rating or ratings as may be fixed for the whole examination or for  
17 the whole examination and for any one or more of the tests

18 Section 601 Certification Whenever a vacancy is likely to occur or  
19 is to be filled in a permanent position in the classified service the ap-

1 pointing authority shall submit to the director a statement indicating  
2 the position to be filled [Unless the appointing authority elects to follow  
3 one of the alternative provisions of section five hundred one the director  
4 shall thereupon certify to the appointing authority the names of the  
5 three eligibles willing to accept appointment who are highest on the  
6 appropriate promotion list or employment list whichever is in existence  
7 or from the one which under the rules of the commission has priority  
8 If the appropriate list contains less than three eligibles who are willing  
9 to accept appointment the names certified may be taken from the other  
10 appropriate list to make a certification of at least three eligibles If there  
11 are less than three eligibles on appropriate eligible lists who are willing  
12 to accept appointment the director shall certify all the names on these  
13 lists] The director shall thereupon certify the highest ranking names of  
14 persons who are willing to accept appointment from lists for the class  
15 to which the position is allocated or a comparable class in the following  
16 order reemployment promotional and employment lists The number of  
17 names certified from the reemployment lists shall be equal to the num-  
18 ber of vacancies to be filled and the number from all other lists shall be  
19 two greater than the number of vacancies to be filled If the appropriate  
20 lists do not contain the names of a sufficient number of eligibles willing

1 to accept appointment to make possible the certification of required  
2 eligible candidates as provided herein nevertheless the name of all per-  
3 sons on such lists and those who are willing to accept the appointment  
4 shall be certified If there is no appropriate eligible list the director may  
5 certify from such other list or lists as he deems the next most nearly  
6 appropriate If upon inquiry by the director any person on any promo-  
7 tion or employment list is found to be not available for promotion or  
8 appointment his name shall not for the time being be considered among  
9 the names from which a promotion or appointment is to be made

10 Section 602 Selection and Appointment of Eligibles Unless it is  
11 found to be in the interest of the service of the Commonwealth not to fill  
12 a vacant position the appointing authority within thirty days shall ap-  
13 point the person whose name is or one of the persons whose names are  
14 certified by the director If the vacant position is to be filled from certifi-  
15 cation from a reemployment list the appointing authority shall select  
16 the person whose name has been submitted to him and if there is more  
17 than one vacancy the names of the persons who have been certified to  
18 him If the vacant position is to be filled from among the names of  
19 employes on the appropriate promotion list which have been submitted

1 to the appointing authority he shall select a person provided he is among  
2 the three highest ranking persons on such list or that his final mark or  
3 grade is not more than one point below the mark or grade of the person  
4 ranking highest on such list In making the second promotion in the same  
5 class of position the appointing authority in like manner shall select a  
6 person from among the three highest ranking persons remaining on such  
7 list or he shall select a person whose final mark or grade is not more  
8 than one point below the mark or grade of the highest ranking person  
9 remaining on such list The third and any additional promotions in the  
10 same class of position shall be made in like manner If the vacant position  
11 is to be filled from among the names of persons certified from the em-  
12 ployment list by the director to the appointing authority he shall select  
13 a person from among the three highest ranking persons for the class of  
14 position to be filled For the second vacancy in the same class of position  
15 the appointing authority shall make selection from among the three  
16 highest ranking persons remaining on such list who have not been  
17 within his reach for three separate vacancies The third and any addi-  
18 tional vacancies shall be filled in like manner After a name has been  
19 rejected three times by an appointing authority in favor of others on  
20 the same eligible list such name shall not again be certified to that

1 appointing authority except upon written request from the appointing  
2 authority Appointing authorities shall promptly report to the director  
3 the selection and appointment of eligibles whose names have been certi-  
4 fied If an eligible whose name has been certified shall refuse to accept  
5 an appointment offered to him such refusal shall be promptly investi-  
6 gated by the director and if it be found that the refusal has been made  
7 for improper or insufficient reasons the director shall after giving ten  
8 days' notice to such person remove his name from the list

9 Section 13 Section 607 of the act amended June 21 1947 (P L 835)  
10 is amended to read

11 Section 607 Status of Employees Holding Positions When Act Takes  
12 Effect [Any employe who holds a position which is in the classified  
13 service as herein defined and which was in the classified service under  
14 the law in force immediately preceding the effective date of this act  
15 shall if he has been appointed after appropriate competitive or com-  
16 petitive promotional examination and has successfully completed his  
17 probationary period become a classified service employe under the pro-  
18 visions hereof and continue in that position unless separated therefrom  
19 as herein provided Any such employe who has not completed such pro-]

1 [bationary period at the time this act takes effect shall retain his status  
2 as a probationary employe until the expiration of that probationary  
3 period If he successfully completes his probationary period he shall be  
4 come a classified service employe under the provisions hereof and con-  
5 tinue in that position unless separated therefrom as herein provided Any  
6 provisional employe holding a position in a bureau division board or  
7 department having a merit system under the law in force immediately  
8 preceding the effective date of this act shall become a provisional employe  
9 under the terms hereof All war-duration appointments reclassifications  
10 and promotions made pursuant to the provisions of the act approved the  
11 fourth day of June one thousand nine hundred forty-three (Pamphlet  
12 Laws 870) shall continue as war-duration appointments until appropriate  
13 eligible lists have been established and certifications made therefrom Any  
14 employe having accepted war-duration appointment reclassification or pro-  
15 motion shall have the right of return to his former position and status in  
16 the classified service] Persons who at the effective date of this amendment  
17 have held positions in the classified service for one year or more and  
18 who have not qualified therefor by examination and been regularly  
19 appointed thereto and persons who at the effective date of this amend-

1 ment have held positions for one year or more in the positions of  
2 the State service which by this amendment are placed in the classified  
3 service shall be accorded regular employe status as of the effective date  
4 of their appointments as though they had been regularly appointed as  
5 the result of competition examination and had completed a required  
6 probationary period any such persons who at any time within one year  
7 after the effective date of this amendment are found by the director to  
8 lack the necessary qualifications for the positions which they hold shall  
9 be declared by the director to have vacated such positions and thereafter  
10 no salary or other compensation payments shall be made to them for  
11 work rendered in such positions However in such cases the action of the  
12 director shall be reviewable upon application of the affected employe  
13 by the commission and the decision of the commission shall be final as  
14 to whether or not such persons shall be removed

15 Section 14 Section 703 of the act is amended to read

16 Section 703 Holidays Hours of Work Attendance and Leaves The  
17 director shall prepare and after approval by the commission and the

1 Executive Board of the Commonwealth shall administer regulations  
2 regarding holidays hours of work attendance and annual sick and special  
3 leaves of absence with or without pay for employes in the various classes  
4 of positions in the classified service Regulations covering hours of work  
5 shall prescribe seven and one-half hours for a normal work day and  
6 thirty-seven and one-half hours for a normal work week for State em-  
7 ployes Regulations covering sick leave and annual leave with pay shall  
8 provide for sick leave at the rate of one and one-fourth days of sick  
9 leave for each completed month of service Unused sick leave shall be  
10 cumulative to the credit of the employe Such regulations shall provide  
11 for annual leave with pay at the rate of one and one-half work days for  
12 each completed month of service Annual leave with pay shall not be  
13 cumulative beyond a total allowance equal to the allowance to which an  
14 employe is entitled for two full years of service

15 Section 15 Section 704 of the act amended June 21 1947 (P L 835)  
16 is amended to read

17 Section 704 Service Standards and Ratings In cooperation with  
18 appointing authorities the director shall establish and may from time to  
19 time amend standards of performance and output for employes in each

1 class of positions in the classified service or for groups of classes and a  
2 system of service ratings based upon such standards Service ratings shall  
3 be considered for such purposes as the rules of the commission shall  
4 provide Such rules shall not authorize the use of service ratings as a  
5 factor in determining the order of furlough for the order in which the  
6 names of furloughed employes shall be placed on reemployment lists

7 Section 16 Section 802 of the act amended September 29 1951  
8 (P L 1636) is amended to read

9 Section 802 Furlough In case a reduction in force is necessary in the  
10 classified service no employe shall be furloughed while any probationary  
11 or provisional employe is employed in the same classification and no  
12 probationary employe shall be furloughed while a provisional employe  
13 is employed in the same classification [an employe shall be furloughed  
14 only if at the time he is furloughed he is within the lowest quarter  
15 among all employes of the employer in the same classification on the  
16 basis of their last regular service ratings and within this quarter he shall  
17 be furloughed in the order of seniority provided That the appointing  
18 authority may limit the application of this provision in any particular  
19 instance to employes in the same classification with headquarters at a]

1 [particular municipality county or administrative district of the Com-  
2 monwealth

3 A furloughed employe shall have the right of return to any classi-  
4 fication and civil service status which he previously held provided such  
5 classification is contained in the current classification plan of the agency  
6 or to any classification and civil service status in the same or lower grade  
7 provided that he meets the minimum qualifications given in the classifica-  
8 tion plan of the agency The appointing authority shall promptly report  
9 to the director the names of employes furloughed together with the date  
10 the furlough of each is effective and the character of his services Under  
11 the rules a permanent employe furloughed shall for a period of one year  
12 be given preference for reemployment in the same class of position in  
13 the department from which he was furloughed and shall be eligible for  
14 appointment to a position of a similar class in other agencies under this  
15 act provided that in case of a promotion of another employe such prefer-  
16 ence shall not be effective if it necessitates furloughing such other  
17 employe] The order in which employes shall be furloughed shall be in  
18 inverse order to length of service in accordance with rules of the com-  
19 mission

1     The names of all regular employes who are separated from their  
2     positions by furlough and in accordance with the provisions hereof shall  
3     be placed on an appropriate reemployment list in accordance with seni-  
4     ority named in the service The length of time during which a name shall  
5     remain on a reemployment list shall be equal to the number of months  
6     such employe served regularly in a department or service as the case  
7     may be but shall not exceed two years except that the director or the  
8     commission may at his or its discretion allow an extension of time to  
9     not more than three years The director may strike the name of a person  
10    from a reemployment list or refuse to certify the name of such person  
11    for a position if he finds after giving the furloughed person notice and  
12    an opportunity to be heard that such a person is not qualified to per-  
13    form satisfactorily the duties of a position for which his place on the  
14    reemployment list entitled him to be certified

15     Section 17 Subsections (c) and (d) of section 807 of the act amended  
16     June 21 1947 (P L 835) are amended to read

17     Section 807 Removal

18     \* \* \*

1 (c) [Notwithstanding the provisions of this act the Governor may  
2 upon recommendation of the appointing authority suspend or remove  
3 the director and any employe if he deems such action to the best interests  
4 of the public service

5 (d)] Demoted or furloughed employes shall have such rights of  
6 notice and hearing similar to those provided under this section for re-  
7 moved employes as shall be prescribed in the rules of the commission

8 Section 18 This act shall take effect July 1 1961

We certify that this bill has passed the Senate and the House of  
Representatives.

.....  
Chief Clerk, Senate

.....  
President pro tempore, Senate

.....  
Speaker, House of Representatives

Approved The ..... day of ..... A. D. 1961.

.....  
Governor