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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# SENATE BILL

No. **687** Session of  
1961

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MESSRS. WEINER, SEYLER AND PECHAN, IN PLACE,  
MAY 24, 1961.

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AS AMENDED ON THIRD READING, JULY 17, 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 subdivisions of the Commonwealth in matters relating

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

to civil service defining certain crimes and misdemeanors imposing penalties making certain appropriations and repealing certain acts and parts thereof" providing exceptions to certain provisions of the act when professional and technical positions concerned with the administration of the Public Assistance Law and related statutes are being considered

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

1 Section 1 Section 402 act of August 5 1941 (P L 752) known as  
2 the "Civil Service Act" is amended to read

3 Section 402 Rates of Pay Following the adoption of the schedule  
4 of compensation for any class the rate of compensation for any em-  
5 ploye upon appointment to a position in the class shall be at the mini-  
6 mum rate prescribed for the class except that where the appointee is  
7 already in the classified service in a position in the same or another  
8 class his compensation upon appointment to the new position shall be  
9 the same as that received before such new appointment

10 Notwithstanding the provisions of this section the appointing  
11 authority may recommend to the Governor and he may approve appoint-  
12 ment above the minimum for professional and technical positions ex-

1 clusively concerned with the administration of the Public Assistance  
2 Law and related statutes if the labor market or the qualifications or  
3 experience of the appointee support such recommendation

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

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

1 have been legal residents of the Commonwealth for a period of not less  
2 than one year and in the district in which such office having jurisdiction  
3 thereof is located for a period of not less than six months before mak-  
4 ing application These COMMONWEALTH AND DISTRICT RESI-  
5 DENCE requirements shall not apply to applicants for professional  
6 and technical positions concerned exclusively with the administra-  
7 tion of the Public Assistance Law and related statutes if the Execu-  
8 tive Board approves a recommendation of waiver from the Civil  
9 Service Commission because of scarcity of qualified applicants for such  
10 positions who are residents of the Commonwealth or of the district The  
11 director shall prepare the proper State and district employment and  
12 promotion eligible lists when necessary Provided That after an examina-  
13 tion has been conducted for any class of positions if there is no person  
14 with such legal residence in any administrative district remaining on  
15 the register the director may certify and the appointing authority may  
16 make the appointment or promotion from the names of persons on an  
17 appropriate eligible list for the same class of positions of other adminis-  
18 trative districts Limitations as to age sex health moral character experi-  
19 ence and other qualifications may be specified in the rules of the com-

1 mission and in the announcements of the examinations All applications  
2 for positions in the classified service shall be under oath As far as is  
3 in the judgment of the commission consistent with the best interest  
4 of the Commonwealth vacancies shall be filled by promotion The com-  
5 mission may limit competition in promotion examinations to employes  
6 in the classified service who have completed their probationary period  
7 in a class or classes designated in the public notice of the examinations  
8 and may permit promotions to be accomplished by any one of the two  
9 following plans (1) by appointment from open competitive lists or  
10 (2) by achieving a place on an eligible list after a promotional examina-  
11 tion such examination having been given at the request of the appoint-  
12 ing authority The commission shall permit promotions based upon  
13 meritorious service and seniority to be accomplished by appointment  
14 without examination if the person has completed his probationary  
15 period in the next lower position and if he meets the minimum require-  
16 ments for the higher position

17 Section 3 Section 502 of the act amended June 21 1947 (P L 835)

18 is amended to read

19 Section 502 Nature of Examinations The director shall give  
20 examinations to establish employment and promotion lists The tests

1 in such examination may be written and may also include oral tests or  
2 a demonstration of skill or a combination of these which shall fairly  
3 appraise and determine the merit qualifications fitness and ability of  
4 competitors Such tests shall be practical in character and shall relate  
5 to the duties and responsibilities of the position for which the applicant  
6 is being examined and shall fairly test the relative capacity and fitness  
7 of persons examined to perform the duties of the class of positions to  
8 which they seek to be appointed or promoted but except for applicants  
9 for professional and technical positions concerned exclusively with the  
10 administration of the Public Assistance Law and related statutes no  
11 applicant shall be required to be possessed of any scholastic education  
12 in order to be permitted to take any competitive examination or to be  
13 appointed or promoted to any position PROVIDED HOWEVER THAT  
14 SCHOLASTIC EDUCATION MAY BE REQUIRED OF APPLI-  
15 CANTS FOR POSITIONS CONCERNED EXCLUSIVELY WITH  
16 THE ADMINISTRATION OF THE PUBLIC ASSISTANCE LAW  
17 AND RELATED STATUTES WHEN UPON RECOMMENDATION  
18 OF THE EXECUTIVE DIRECTOR OF THE CIVIL SERVICE  
19 COMMISSION THE EXECUTIVE BOARD DECLARES SUCH

1 POSITIONS TO BE PROFESSIONAL OR TECHNICAL, IN NA-  
2 TURE No greater credit for experience gained during a provisional  
3 emergency or temporary appointment under this act or acts repealed  
4 hereby shall be given to any person in any examination than is given  
5 in such examination for experience in the same type of work performed  
6 in a similar position not under the provisions of this act or acts repealed  
7 hereby In evaluating experience in order to compute the final rating  
8 in any examination to establish employment and promotion lists persons  
9 other than dishonorably discharged after active service during any war  
10 in which the United States engaged from any branch of the armed  
11 service of the United States or from any women's uniformed service  
12 directly connected therewith shall not be given less credit for experience  
13 than would be given for continued experience in the position held at  
14 the time of induction in the service No question in any examination shall  
15 relate to the race religion or political or labor union affiliation of the  
16 candidate

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

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Chief Clerk, Senate

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President pro tempore, Senate

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Speaker, House of Representatives

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

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Governor