

THE GENERAL ASSEMBLY OF PENNSYLVANIA

# HOUSE BILL

## No. 2418

Session of  
1976

INTRODUCED BY PERRY AND BARBER, MAY 25, 1976

REFERRED TO COMMITTEE ON STATE GOVERNMENT, MAY 25, 1976

AN ACT

1 Amending the act of August 5, 1941 (P.L.752, No.286), entitled  
2 "An act regulating and improving the civil service of certain  
3 departments and agencies of the Commonwealth; vesting in the  
4 State Civil Service Commission and a Personnel Director  
5 certain powers and duties; providing for classification of  
6 positions, adoption of compensation schedules and  
7 certification of payrolls; imposing duties upon certain  
8 officers and employees of the Commonwealth; authorizing  
9 service to other State departments or agencies and political  
10 subdivisions of the Commonwealth in matters relating to civil  
11 service; defining certain crimes and misdemeanors; imposing  
12 penalties; making certain appropriations, and repealing  
13 certain acts and parts thereof," further providing for  
14 demotions.

15 The General Assembly of the Commonwealth of Pennsylvania  
16 hereby enacts as follows:

17 Section 1. Section 706, act of August 5, 1941 (P.L.752,  
18 No.286), known as the "Civil Service Act," amended August 27,  
19 1963 (P.L.1257, No.520), is amended to read:

20 Section 706. Demotions.--An appointing authority may demote  
21 to a vacant position in a lower class any employe in the  
22 classified service (1) who does not satisfactorily perform the  
23 duties of the position to which he was appointed or promoted and  
24 who is able to perform the duties of the lower class, or (2)

1 whose position is reallocated to a lower class by reason of a  
2 change in the employee's duties and responsibilities. In case of  
3 [such] demotion for unsatisfactory performance of duties, but  
4 not for reallocation of position, the employee shall have all  
5 rights of appeal as provided in this act. No employee shall be  
6 demoted because of his race, religion or political, partisan or  
7 labor union affiliation. A demotion may also be made by an  
8 appointing authority with the approval of the director upon the  
9 written petition of the employee stating the reasons therefor and  
10 supported by such evidence as the director may require to show  
11 that the employee is able to perform the duties of the class of  
12 position to which he petitions that he be demoted.

13       Section 2. This act shall take effect immediately.