

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 600 Session of
2007

INTRODUCED BY ORIE, M. WHITE, RHOADES, PICCOLA, REGOLA, GORDNER,
RAFFERTY, COSTA, BROWNE AND BRUBAKER, MARCH 20, 2007

REFERRED TO COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT,
MARCH 20, 2007

AN ACT

1 Amending Title 4 (Amusements) of the Pennsylvania Consolidated
2 Statutes, providing personnel policies relating to employment
3 with the Pennsylvania Gaming Control Board.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Title 4 of the Pennsylvania Consolidated Statutes
7 is amended by adding a section to read:

8 § 1202.2. Personnel policies.

9 (a) Prospective employees.--The board shall institute and
10 strictly enforce the following policies with regard to
11 prospective employees of the board:

12 (1) Every prospective employee of the board shall be
13 required to submit, along with the application for
14 employment, a complete criminal history including convictions
15 and current charges for all felonies, misdemeanors and
16 summary offenses except:

17 (i) traffic violations which are not subject to a
18 sentence of imprisonment and for which no points were

1 assessed against the prospective employee's driving
2 record;

3 (ii) offenses committed while the prospective
4 employee was less than 18 years of age and which were
5 adjudicated in juvenile court under a youth offender law;

6 (iii) charges which have been expunged by order of
7 court; and

8 (iv) charges as to which the prospective employee
9 successfully completed a program of accelerated
10 rehabilitative disposition.

11 (2) Every final candidate for employment with the board
12 shall be required to undergo testing which detects the
13 presence of illegal substances in the blood.

14 (3) The board shall conduct identification, employment
15 and education verification checks of prospective employees of
16 the board and obtain three personal references.

17 (4) An application for employment with the board shall
18 be rejected if the prospective employee:

19 (i) is habituated to the intemperate use of
20 alcoholic beverages or harmful drugs;

21 (ii) has been convicted of any crime bearing a close
22 relationship to duties and responsibilities of the
23 position for which employment is sought;

24 (iii) has been dismissed from any other employment
25 for delinquency or gross misconduct;

26 (iv) has made a false statement concerning a
27 material fact in connection with the process of seeking
28 employment with the board;

29 (v) has an unsatisfactory past employment record
30 which affects expected job performance in the position

1 for which employment is sought;

2 (vi) tests positive for illegal substances during
3 testing conducted pursuant to paragraph (2); or

4 (vii) gave false information on the application or
5 otherwise in relation to the process of securing
6 employment with the board.

7 (5) The following persons shall not be hired as
8 employees of the board:

9 (i) a person related by blood or adoption to a
10 member of the board within any of the degrees of
11 consanguinity described in 23 Pa.C.S § 1304(e) (relating
12 to restrictions on issuance of license);

13 (ii) the spouse of any person described in
14 subparagraph (i); or

15 (iii) a person whose background check pursuant to
16 paragraph (3) has not been completed.

17 (b) Employee.--The board shall institute and strictly
18 enforce the following policies with regard to employees of the
19 board:

20 (1) An employee who is charged with commission of a
21 felony or a misdemeanor, or a summary offense for which a
22 sentence of imprisonment may be imposed, shall be suspended
23 from employment immediately and referred to the appropriate
24 authorities in accordance with the law.

25 (2) Disciplinary action shall be instituted promptly
26 against any employee who, while on duty or off duty, engages
27 in scandalous or disgraceful conduct which may bring the
28 service of this Commonwealth into disrepute.

29 (3) The board shall dismiss any employee if it is
30 determined that the employee gave false information on any

1 application for employment with this Commonwealth.

2 (4) All employees of the board shall be prohibited from
3 the unlawful manufacture, distribution, dispensation,
4 possession and use of alcohol or an illegal controlled
5 substance while on duty or while in any State workplace.

6 (5) Any employee determined to be unfit either while on
7 duty or while in any State workplace as a result of alcohol
8 or use of an illegal controlled substance shall be subject to
9 disciplinary action.

10 (6) Any employee convicted of violating a controlled
11 substance law shall be required to report the conviction in
12 writing to his or her supervisor within five days. If the
13 employee is not terminated, the employee shall be required to
14 participate in the State Employee Assistance Program as a
15 condition of continued employment.

16 (7) Any employee suspected of having a problem related
17 to alcohol or controlled substances shall be referred
18 immediately to the State Employee Assistance Program.

19 (8) All employees shall be required to complete an
20 education and training program relating to the substance
21 abuse policy of the Commonwealth, the dangers of substance
22 abuse and the availability of counseling and rehabilitation
23 through the State Employee Assistance Program.

24 Section 2. The addition of 4 Pa.C.S. § 1202.2 shall apply to
25 all current employees of the Pennsylvania Gaming Control Board
26 and to all prospective employees regardless of the date of
27 filing of the application for employment.

28 Section 3. This act shall take effect immediately.