

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 1404 Session of  
1975

INTRODUCED BY MESSRS. BITTLE, IRVIS, O'CONNELL, FINEMAN, BUTERA,  
MRS. CRAWFORD, MESSRS. VROON, PITTS, RYAN, DAVIES, M. E.  
MILLER JR., NOYE, POLITE, R. W. WILT, WAGNER, MANMILLER,  
WHELAN, MANDERINO, GLEASON AND PRATT, JUNE 4, 1975

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,  
FEBRUARY 4, 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," providing for the employment  
14 of severely handicapped, mentally retarded, developmentally  
15 disabled and physically handicapped through the State civil  
16 service system.

17 The General Assembly of the Commonwealth of Pennsylvania  
18 hereby enacts as follows:

19 Section 1. The act of August 5, 1941 (P.L.752, No.286),  
20 known as the "Civil Service Act," is amended by adding sections  
21 to read:

22 Section 508. Noncompetitive Placement.--(a) The commission  
23 shall establish a procedure and standards for the noncompetitive

placement of the severely handicapped, mentally retarded, and  
developmentally disabled in civil service positions.

(b) The Department of Labor and Industry, on a form approved  
by the commission, shall certify to the commission the persons  
eligible for noncompetitive placement.

(c) Persons so certified shall be evaluated by the  
commission and placed on noncompetitive lists of eligibles for  
those job titles in which the individual possesses the requisite  
minimum qualifications specified in the Classification Plan  
approved by the Executive Board.

(d) All State agencies may request noncompetitive  
certification of eligibles on a form approved by the commission  
and shall select on the basis of merit and fitness the most  
qualified for their position from among all certified eligibles.

Section 509. Limited-competitive Placement.--(a) The  
commission shall establish a procedure and standards for the  
limited-competitive placement of the physically handicapped who  
are so disabled as to have a substantive handicap to employment.  
SUCH PROCEDURES SHALL INCLUDE, BUT NOT BE LIMITED TO, AN  
AFFIRMATIVE ACTION PROGRAM.

(b) The Department of Labor and Industry, on a form approved  
by the commission, shall certify to the commission the persons  
eligible for limited-competitive placement.

(c) Persons so certified shall be required to compete in the  
regular examination process for any occupational area for which  
they possess the minimum qualifications as specified in the  
Classification Plan as approved by the Executive Board. The  
persons who successfully compete in the examination process  
shall be maintained on a list of eligibles for that class title  
in descending score order. All State agencies may request

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1 limited-competitive certification of eligibles on a form  
2 approved by the commission. Agencies shall be required to  
3 exercise normal appointment procedures when selecting eligibles  
4 under this section.

5 Section 510. Duties of Department of Labor and Industry.--  
6 The Department of Labor and Industry shall assist all State  
7 agencies in restructuring job assignments and work environments  
8 to accommodate all eligible persons under sections 508 and 509.  
9 Other State agencies shall furnish information from the sources  
10 to the Department of Labor and Industry in order to make  
11 determinations as to eligibility.

12 Section 2. This act shall take effect in 90 days.