

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1831

Session of
1995

INTRODUCED BY STETLER, STEELMAN, ROONEY, MILLER, READSHAW, PESCI
AND BELFANTI, JUNE 20, 1995

AS REPORTED FROM COMMITTEE ON URBAN AFFAIRS, HOUSE OF
REPRESENTATIVES, AS AMENDED, MAY 7, 1996

AN ACT

1 Amending the act of May 31, 1933 (P.L.1108, No.272), entitled,
2 as amended, "An act providing for the appointment, promotion,
3 reduction, removal and reinstatement of paid officers,
4 firemen and employes of fire departments and of fire alarm
5 operators and fire box inspectors in the bureaus of
6 electricity in cities of the third class; defining the powers
7 and duties of civil service commissions for such purposes;
8 and fixing penalties," further providing for applicants for
9 any position in the fire department.

10 The General Assembly of the Commonwealth of Pennsylvania
11 hereby enacts as follows:

12 Section 1. Section 4 of the act of May 31, 1933 (P.L.1108,
13 No.272), entitled "An act providing for the appointment,
14 promotion, reduction, removal and reinstatement of paid
15 officers, firemen and employes of fire departments and of fire
16 alarm operators and fire box inspectors in the bureaus of
17 electricity in cities of the third class; defining the powers
18 and duties of civil service commissions for such purposes; and
19 fixing penalties," is amended to read:

20 Section 4. (a) All examinations for positions or promotions

1 shall be practical in their character, and shall relate to such
2 matters, and include such inquiries, as will fairly and fully
3 test the comparative merit and fitness of the persons examined
4 to discharge the duties of the employment sought by them. All
5 examinations shall be open to all applicants who have fulfilled
6 the preliminary requirements required by this act. All
7 applicants for any position in the fire department and as fire
8 alarm operators and fire box inspectors in the bureau of
9 electricity shall, subject to regulations adopted by the civil
10 service commission, be required to submit to a physical
11 examination before being admitted to the regular examinations
12 held by the commission. [Each applicant shall have been a
13 resident of the city in which he seeks employment for one year
14 next preceding date of his application.] Adequate public notice
15 of the time and place of every examination held under the
16 provisions of this act, together with information as to the kind
17 of position or place to be filled, shall be given at least one
18 week prior to such examinations. The commission shall adopt
19 reasonable regulations for permitting the presence of
20 representatives of the press at the examinations. The commission
21 shall post, in a public place at its office, the eligible lists,
22 containing the names and grades of those who have passed
23 examinations, and shall indicate thereon such appointments as
24 may be made from said lists.

25 (b) (1) A EXCEPT AS PROVIDED IN CLAUSE (2), A city of the <—
26 third class may, at its option, by ordinance, impose a residency
27 requirement upon officers and employes hired under this act. If
28 so imposed, an applicant for employment under this section must
29 have resided within the city for one year next preceding the
30 date of his application for employment. The ordinance may exempt

1 from the residency requirement an applicant who establishes to
2 the satisfaction of the civil service commission of the city
3 that the applicant has performed active firefighting service on
4 a consistent basis for a volunteer fire company during the
5 three-year period immediately preceding application. The
6 ordinance provision allowing exemption for active firefighting
7 service may require such an applicant to become a resident of
8 the city within ninety days from the date of employment.

9 (2) THE CIVIL SERVICE COMMISSION OF A CITY OF THE THIRD <—
10 CLASS MAY PROMULGATE APPLICATION REQUIREMENTS IN PLACE OF THOSE
11 PROMULGATED BY THE CITY UNDER CLAUSE (1). THESE REQUIREMENTS
12 SHALL INCLUDE ONE OR MORE OF THE FOLLOWING:

13 (I) FIREFIGHTING SERVICE ON A CONSISTENT BASIS FOR A
14 VOLUNTEER FIRE COMPANY DURING THE THREE-YEAR PERIOD IMMEDIATELY
15 PRECEDING APPLICATION.

16 (II) MILITARY EXPERIENCE OR TRAINING IN FIREFIGHTING
17 EQUIVALENT TO THAT IN SUBCLAUSE (I).

18 (III) EXPERIENCE SIMILAR TO THAT IN SUBCLAUSES (I) OR (II).

19 ~~(2)~~ (3) This subsection shall apply prospectively to <—
20 persons hired after the effective date of this subsection.
21 Nothing in this subsection shall be deemed to affect or impair
22 the employment status of any person currently employed under
23 this act on the effective date of this subsection.

24 Section 2. This act shall take effect immediately.