

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 employes 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

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

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

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

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

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

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

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

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.