

THE GENERAL ASSEMBLY OF PENNSYLVANIA

**HOUSE BILL**  
**No. 1287** Session of  
1975

INTRODUCED BY DeMEDIO, NOVAK, COLE, ZELLER, MRKONIC, CIMINI,  
HOPKINS AND SHUMAN, MAY 7, 1975

REFERRED TO COMMITTEE ON MILITARY AND VETERANS AFFAIRS,  
MAY 7, 1975

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," changing the provisions  
14 relating to qualifications of veterans for certain positions.

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

17 Section 1. Section 501, 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 501. Examinations Requisite for Appointment and  
21 Promotion.--Except as otherwise provided in this act,  
22 appointments of persons entering the classified service or  
23 promoted therein shall be from eligible lists established as the

1 result of examinations given by the director to determine the  
2 relative merit of candidates. Such examinations may be written  
3 and shall be competitive and open to all persons who may be  
4 lawfully appointed to positions within the classes for which the  
5 examinations are held. Persons applying for positions or  
6 promotions in the classified service shall be citizens of the  
7 United States and residents of the Commonwealth and where  
8 applicable to the administrative district. Notwithstanding any  
9 of the provisions of this act or existing rules and regulations,  
10 whenever an honorably discharged veteran fulfills the experience  
11 qualification for a position, he shall not be denied the  
12 opportunity to qualify for such position solely on the ground  
13 that he does not have certain educational requirements.  
14 Notwithstanding any of the provisions of this act, whenever an  
15 appointing authority finds a lack of a sufficient number of  
16 qualified personnel available for appointment to any particular  
17 class or classes of positions, he may present evidence thereof  
18 to the director who may waive the residence and citizenship  
19 requirements for such class or classes of positions. A  
20 noncitizen appointed pursuant to the provisions of this section  
21 shall not be eligible for continued employment unless he files  
22 an application for citizenship as soon as he is eligible  
23 therefor, and thereafter diligently prosecutes the same. The  
24 director shall prepare the proper State and district employment  
25 and promotion eligible lists: Provided, That after an  
26 examination has been conducted for any class of positions, if  
27 there is no person with such legal residence in any  
28 administrative district, remaining on the register the director  
29 shall certify and the appointing authority may make the  
30 appointment or promotion from the names of persons on an

1 appropriate eligible list for the same class of positions of  
2 other administrative districts. Limitations as to age, sex,  
3 health, moral character, experience and other qualifications may  
4 be specified in the rules of the commission and in the  
5 announcements of the examinations. All applications for  
6 positions in the classified service shall be under oath. As far  
7 as is in the judgment of the commission consistent with the best  
8 interest of the Commonwealth, vacancies shall be filled by  
9 promotion. The commission may limit competition in promotion  
10 examinations to employees in the classified service who have  
11 completed their probationary period in a class or classes  
12 designated in the public notice of the examinations, and may  
13 permit promotions to be accomplished by any one of the following  
14 plans: (1) by appointment from open competitive lists; or (2) by  
15 achieving a place on an eligible list after a promotional  
16 examination, such examination having been given at the request  
17 of the appointing authority; or (3) by promotion based upon  
18 meritorious service and seniority to be accomplished by  
19 appointment without examination, if (i) the person has completed  
20 his probationary period in the next lower position, (ii) he  
21 meets the minimum requirements for the higher position, and  
22 (iii) he receives the unqualified recommendation of both his  
23 immediate superior and the appointing authority of his  
24 department or agency.

25 Section 2. This act shall take effect immediately.