

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 391 Session of  
2005

INTRODUCED BY CRUZ, YOUNGBLOOD, TANGRETTI, THOMAS, CORRIGAN,  
CALTAGIRONE, BUXTON, EACHUS, JOSEPHS, CAWLEY, DALEY AND  
WHEATLEY, FEBRUARY 9, 2005

REFERRED TO COMMITTEE ON STATE GOVERNMENT, FEBRUARY 9, 2005

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," further providing for nature  
14 of examinations.

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

17 Section 1. Section 502 of the act of August 5, 1941  
18 (P.L.752, No.286), known as the Civil Service Act, amended  
19 November 27, 2002 (P.L.1129, No.140), is amended to read:

20 Section 502. Nature of Examinations.--The director shall  
21 give examinations in English and in spanish to establish  
22 employment and promotion lists. Such examinations may be written  
23 or oral, or a demonstration of skill, or an evaluation of

1 experience and education, or a combination of these, which shall  
2 fairly appraise the fitness and ability of competitors. Such  
3 examinations shall be practical in character and shall relate to  
4 the duties and responsibilities of the position for which the  
5 applicant is being examined and shall fairly test the relative  
6 capacity and fitness of persons examined to perform the duties  
7 of the class of positions to which they seek to be appointed or  
8 promoted. An applicant may be required to possess scholastic  
9 education qualifications only if the position for which the  
10 applicant is being examined requires professional or technical  
11 knowledges, skills and abilities or if such scholastic  
12 qualifications are required to assure the continued eligibility  
13 of the Commonwealth for Federal grants-in-aid. No greater credit  
14 for experience gained during a provisional, emergency or  
15 temporary appointment under this act or acts repealed hereby  
16 shall be given to any person in any examination than is given in  
17 such examination for experience in the same type of work  
18 performed in a similar position not under the provisions of this  
19 act or acts repealed hereby. In evaluating experience in order  
20 to compute the final rating in any examination to establish  
21 employment and promotion lists, persons discharged other than  
22 dishonorably, after active service during any war or armed  
23 conflict in which the United States engaged, from any branch of  
24 the armed service of the United States, or from any women's  
25 uniformed service directly connected therewith, shall not be  
26 given less credit for experience than would be given for  
27 continued experience in the position held at the time of  
28 induction in the service. No question in any examination shall  
29 relate to the race, gender, religion or political or labor union  
30 affiliation of the candidate.

1 Section 2. This act shall take effect in 60 days.