

State Civil Service Act

FORTY-THIRD LEGISLATIVE ASSEMBLY
—REGULAR SESSION

ENGROSSED

House Bill No. 294

(As Amended)

Introduced by Representatives BENNETT
and E. HILL and Senators BOOTH and
McKENNA and read first time
February 2, 1945

A BILL

For an act to establish a merit system of personnel administration for the civil service of the state; providing penalties, and providing a saving clause, and appropriating money therefor.

Be It Enacted by the People of the State of Oregon:

Section 1. This act shall be known as the "State Civil Service Act."

Section 2. The general purpose of this act is to establish for the state a system of personnel administration based on merit principles and scientific methods, governing the appointment, promotion, transfer, lay-off, removal and discipline of its officers and employes, and other incidents of state employment. Except as hereinafter specified, all appointments and promotions to positions in the state service shall be made on the basis of merit and fitness, to be ascertained by competitive examinations.

Section 3. As used in this act, unless the context clearly requires otherwise:

1. "Department" means the department of civil service.

2. "Director" means the merit system director.

3. "Commission" means the civil service commission.

4. "State service" means all offices and positions in the employ of the state, other than the military and naval services.

5. "Appointing authority" means an officer or agency having power to make appointments to positions in the state service.

6. "Division" or "Division of the service" means a state department or any division or branch thereof, or any agency of the state government, or branch of the state service, all the positions in which are under the same appointing authority.

7. "Class" or "Class of positions" means a group of positions in the state classified service sufficiently alike in duties, authority and responsibilities that the same qualification may reasonably be required for, and the same schedule of pay can be equitably applied to, all positions in the group.

8. "Entrance test" means a test for positions in a particular class, admission to which is not limited to persons employed in the state service.

9. "Promotion test" means a test for positions in a particular class, admission to which is limited to employes in the classified service who have held a position in another class for a period of not less than six months.

10. "Employment list" means a list of persons who have been found qualified by an entrance test for appointment to a position in a particular class.

11. "Promotion list" means a list of per-

sons who have been found qualified by a promotion test for appointment to a position in a particular class.

12. "Reemployment list" means a list of persons who have been regular employes in a particular class and who are entitled to have their names certified for appointment to a position in that class.

13. "List" means an employment list, a promotion list or a reemployment list.

14. "Eligible" means a person whose name is on a list.

15. "Regular employe" means an employe who has been appointed to a position in the classified service in accordance with this act after completing his trial service period.

Section 4. There shall be in the state government a department of civil service which shall be governed by a civil service commission of three members.

Section 5. The members of the commission shall be citizens of the state known to be in sympathy with the application of merit principles to public employment and of recognized standing and known interest in public administration and in the development of efficient methods of selecting and administering personnel. No member of the commission shall hold, or be a candidate for, any public office. No person shall be appointed as a member of the commission who has held an elective public office or an appointive public office of a political nature, or position in a political party, within six months immediately preceding his appointment. No member of the commission shall have been an employe of any of the divisions within one year prior to his appointment.

The members of the commission shall be appointed by the governor, and the first members shall be appointed within 10 days after the effective date of this act. Of the members first appointed, one shall be appointed for a term ending June 30, 1948, one for a term ending June 30, 1949, and one for a term ending June 30, 1950. Thereafter, each member shall be appointed for a term ending three years from the date of the expiration of the term for which his predecessor was appointed, except that a person appointed to fill a vacancy occurring prior to the expiration of such term shall be appointed for the remainder of the term. Each member of the commission shall hold office until his successor is appointed and qualifies.

Members of the commission shall receive no salary but shall be paid a per diem of ten dollars (\$10) for each day or portion thereof that they are necessarily in session for the transaction of business of the commission. They shall also be reimbursed for necessary travel and other expenses incurred in the performance of their duties in accordance with state procedures and practices.

A member of the commission shall be removable by the governor only for cause, after being given a copy of charges against him and an opportunity to be heard publicly on such charges before the governor. A copy of the charges and a transcript of the record of the hearing shall be filed with the secretary of state.

Section 6. 1. The commission shall elect one of its members chairman. It shall meet