

HOUSE . . . . . No. 12

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**The Commonwealth of Massachusetts**

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DIVISION OF CIVIL SERVICE,  
STATE HOUSE, BOSTON 33, October 23, 1958.

*To the Honorable Senate and the House of Representatives.*

In accordance with the provisions of section 33 of chapter 30 of the General Laws, as amended, a copy of the recommendations for legislation is submitted, together with drafts of bills embodying the legislation recommended. The drafts of legislation have been submitted to the Counsel of the House, as required by law.

THOMAS J. GREEHAN,  
*Director of Civil Service.*

## RECOMMENDATIONS.

## 1. AN ACT RELATIVE TO CERTAIN RIGHTS OF EMPLOYEES SEPARATED FROM THE PUBLIC SERVICE.

Section 46I of chapter 31 of the General Laws as presently written does not set forth any specific period in which an employee may make request to be placed on the re-employment list after he has separated from a position in the official or labor service because of illness. There have been cases of requests for placement on a re-employment list which were received five and ten years after separation from service. A period of two years as recommended in this bill seems to give a person sufficient time in which to request placement on such list.

Section 46I also provides that an employee separated from a position in the official or labor service for any reason other than discharge or resignation may remain on a re-employment list for five years unless sooner appointed to a position from such a list or reinstated to a civil service position. It would seem that a period of two years is a reasonable period after separation from the service to continue a name on a re-employment list in view of the provision in the law which provides that a person whose position is abolished, or who is laid off for lack of work, is entitled to reinstatement in the department in which he was permanently employed, before the employment of anyone else may be approved.

Therefore the passage of the accompanying bill designated as Appendix A is recommended.

## 2. AN ACT PROTECTING RIGHTS OF PERSONS TAKING CIVIL SERVICE EXAMINATIONS.

The present law restricts only a person in the public service from doing certain things which would corruptly affect the results of an examination of a candidate in a civil service examination. It would appear that if any person did anything to "defeat, deceive or obstruct any person's right of examination" it should be considered

a violation of law whether such person was employed within or without the public service.

The passage of the accompanying bill designated as Appendix B is, therefore, recommended.

### 3. AN ACT RELATIVE TO THE POSTING OF NOTICES OF COMPETITIVE PROMOTIONAL EXAMINATIONS.

This legislation is for the purpose of clarifying section 8 of chapter 31 of the General Laws in so far as it governs the posting of notices in cases of competitive promotional examinations. The present law states that the Director “. . . shall cause copies of such notices to be posted in conspicuous places in the department and division of a department for which the examination is to be held.” It does not make it clear as to who is the responsible party for the posting of such notices. Under the wording as suggested the appointing authority is the person designated to cause such notices to be posted.

Therefore the passage of the accompanying bill designated as Appendix C is recommended.

### 4. AN ACT CLARIFYING INFORMATION REQUIRED ON PAY ROLLS OF CITIES AND TOWNS.

This legislation proposes an amendment to section 42 of chapter 41 of the General Laws. So many different interpretations are made by various departments as to what is the information required under the heading “Title of his office or specific nature of the labor which he was originally engaged to perform” that the information included by department heads is seldom of any use in checking pay rolls. Some interpret it as the title under which the employee was originally appointed; which is oftentimes many years ago. Others interpret it as the current title even though there may have been several changes in title since the original appointment. The change recommended is to require that the pay roll list the authorized title, and will not require that the specific nature of the labor which the employee has actually been engaged in since the submission of the last previous pay roll or the specific nature of the labor which he was originally engaged to perform be listed.

Therefore the passage of the accompanying bill designated as Appendix D is recommended.

5. AN ACT CLARIFYING INFORMATION ON LISTS TO BE FILED WITH  
THE DIVISION OF CIVIL SERVICE.

Section 31 of chapter 31 of the General Laws sets forth as a part of the information to be filed in the Division of Civil Service by appointing authorities of cities and towns the nature and brief description of services or labor which an employee has actually rendered during the month governed by report. The information included by department heads is seldom of any use because of the different interpretations of department heads. Some interpret it as the title under which the employee was originally appointed; which is oftentimes many years ago. Others interpret it as the current title since the original appointment. This information is not necessary and requires extra work on the part of local city and town authorities, and for this reason we recommend the passage of the attached bill designated as Appendix E.

6. AN ACT TO MAKE CERTAIN CORRECTIONS IN THE LISTING OF  
TITLES OF CORRECTIONAL INSTITUTIONS IN THE CIVIL SERVICE LAW.

Since the time employees at the State Prison, Massachusetts Reformatory, State Prison Colony and State Farm were placed under civil service the names of these correctional institutions have been changed to Massachusetts Correctional Institution, Walpole, Massachusetts Correctional Institution, Concord, Massachusetts Correctional Institution, Norfolk, and Massachusetts Correctional Institution, Bridgewater. This legislation is for the purpose of putting into the law the correct names of these institutions.

Therefore the passage of the accompanying bill designated as Appendix F is recommended.