

By Mr. Frank of Boston, petition of Barney Frank, Royall H. Switzler and Andrew S. Natsios relative to certain disciplinary action against public employees under the civil service law. Public Service.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Eight.

AN ACT RELATIVE TO CERTAIN DISCIPLINARY ACTION UNDER CIVIL SERVICE LAWS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. A person holding office or employment under
2 civil service law may be removed, suspended or discharged upon
3 receipt of a written statement from his appropriate authority
4 stating the reason for its disciplinary action. Said employee may
5 request a hearing after notice of the pending action. The decision of
6 the authority, after a hearing, shall be final.

1 SECTION 2. Said employee may appeal to the superior court
2 on the grounds that said decision was based on political retaliation,
3 or racial, religious or nationality reasons.

1 SECTION 3. Agreements must be made through collective
2 bargaining relative to appeals from disciplinary action taken under
3 this act.

1 SECTION 4. Employees ranked in the top three per cent of
2 their department or agency shall be exempt from civil service
3 laws. Said persons shall also have a right of leave of absence from
4 said exempt provisions.

1 SECTION 5. This act shall be subject to acceptance by cities
2 and towns.

