

HOUSE No. 201

By Mr. O'Rourke of Northampton, petition of John J. O'Rourke for legislation relative to promotions for certain state employees. Public Service.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-One.

AN ACT FURTHERING THE OPPORTUNITIES FOR PROMOTION FOR STATE EMPLOYEES.

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

1 Chapter 30 of the General Laws is hereby amended
2 by inserting after section 50 the following section: —
3 *Section 50A.* In the interest of the public good and
4 public welfare no position in the commonwealth
5 above the lowest grade shall be filled except in ac-
6 cordance with the provisions of this act.

7 (1) The appointing authority shall promote in the
8 same department, division or institution of a depart-
9 ment one of the first three employees senior in length
10 of service, qualified and willing to accept the position
11 and such position shall not be open in succession to
12 those in the next lower grades until all employees in
13 the department as a whole, in the next lower grade,
14 senior in length of service, qualified and willing to
15 accept the position have been properly notified of the

16 opening. Only employees who have had at least one
17 year of service in the next lower grade shall be con-
18 sidered.

19 (2) No such positions shall be open to persons out-
20 side the employ of said department until first opened
21 in succession to all employees in said department in
22 the next lower grades as set forth herein.

23 (3) In case of an emergency which could not have
24 been foreseen and where the public welfare or public
25 safety is affected, an appointing authority may make
26 an emergency appointment to continue for not more
27 than sixty days.

28 (4) This act shall not affect civil service positions
29 or those positions filled by appointment by the gov-
30 ernor with approval of the governor and council.