

Accompanying the first recommendation of the Division of Personnel Administration (House, No. 146). Public Service.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty.

AN ACT IMPLEMENTING THE FEDERAL COMPREHENSIVE EMPLOYMENT AND TRAINING ACT AND OTHER FEDERAL OR STATE TRAINING PROGRAMS.

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. Notwithstanding the provisions of section six and
2 section twenty-eight of chapter thirty-one of the General Laws, an
3 appointment to a position subject to said Chapter may be made to
4 a position in the lowest title in a series as determined by the
5 personnel administrator, provided that the appointee has success-
6 fully completed a work-training program for disadvantaged per-
7 sons. The secretary of the executive office of manpower affairs
8 shall certify which work-training programs meet the qualifications
9 and work specifications of the positions and adequately prepare
10 the trainee to perform the duties of said positions, and shall furnish
11 a list of the approved programs to the personnel administrator;
12 provided that such training programs shall have been advertised to
13 the public and made available to permanent employees of the
14 commonwealth and its political subdivisions who meet the criteria
15 as hereinafter stated for disadvantaged persons and such training
16 programs shall have been sponsored or conducted by, or in cooper-
17 ation with, the commonwealth, a political subdivision thereof or
18 the federal government.

19 Prior to appointment under this act, persons so trained shall
20 have passed an examination for the position administered by the
21 personnel administrator. If more than one person eligible for an
22 appointment under this act shall satisfactorily pass the examina-
23 tion, the names of the disadvantaged persons shall be placed in the
24 order of their passing grade, subject to section twenty-six, or

25 section 28 for labor service, of chapter thirty-one of the General
26 Laws, upon an eligible list hereafter called a special eligible list.

27 When an eligible list already exists for the position for which
28 such examination has been given, the personnel administrator
29 shall certify names alternately from such eligible list and the special
30 eligible list until the required number of eligibles is certified, pro-
31 vided that persons on such list shall be grouped according to the
32 provisions of chapter thirty-one of the General Laws, and that
33 nothing in this act shall change the provisions of chapter thirty-one
34 concerning promotional examinations. Names from a departmen-
35 tal promotional list shall be certified before names from a special
36 eligible list.

37 For the purpose of this act a disadvantaged person shall be a
38 person whose annual family net income, in relation to family size
39 and location, does not exceed low-income guidelines established
40 by the federal government, and who is a person lacking a high
41 school education or its equivalent or belonging to a minority group
42 or under twenty-one years of age or forty-five years of age or older,
43 or is handicapped; provided that a permanent state or municipal
44 employee who otherwise meets the foregoing criteria shall not be
45 barred from consideration as a disadvantaged person by reason of
46 his receiving a salary from the commonwealth or its political
47 subdivisions and provided further that a public service employ-
48 ment enrollee who is unsuitably employed as defined by regula-
49 tions promulgated pursuant to the Comprehensive Employment
50 and Training Act shall not be barred from consideration as a
51 disadvantaged person by reason of the amount of his salary.

52 The provisions of this act shall not apply to positions in the
53 police or fire services.

54 The division of personnel administration shall be available to
55 assist in designing training programs to meet stated specifications
56 of the positions for which person referred to in this act are trained.

1 SECTION 2. This Act shall cease to be operative on June thir-
2 tieth, nineteen hundred and eighty-two.