

Chap. 213. AN ACT PROVIDING FOR THE TEMPORARY PROMOTION OF A PERMANENT EMPLOYEE SUBJECT TO A QUALIFYING, PROMOTIONAL EXAMINATION.

Be it enacted, etc., as follows:

Paragraph A of section 15 of chapter 31 of the General Laws is hereby amended by striking out the last sentence, as appearing in chapter 112 of the acts of 1967, and inserting in place thereof the following three sentences: — This paragraph shall not apply in any case where a promotion is required to be made as provided in section twenty nor in the case of a temporary promotion except where the director is satisfied that there is a likelihood of the position becoming permanent within a reasonable period of time. If a person has been so temporarily promoted the director may, upon the request of the appointing authority, approve the promotion on a permanent basis when the position becomes permanently vacated without requiring a further examination. The effective date of a permanent promotion under this paragraph shall be the date on which the person passed the qualifying examination; provided, however, if the appointing authority has not assigned the person to the higher duties pending the passing of the examination, the effective date of the promotion shall be the date on which the appointing authority certifies the person has assumed the higher duties.

Approved April 22, 1971.

Chap. 214. AN ACT FURTHER REGULATING PROVISIONAL APPOINTMENTS UNDER THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

Section 15 of chapter 31 of the General Laws is hereby amended by striking out the sixth paragraph, as amended by chapter 636 of the acts of 1968, and inserting in place thereof the following paragraph: —

Except as otherwise provided by this chapter, when there is no suitable eligible list, no person shall be appointed to an office or position by the appointing authority, and the director shall not authorize any provisional appointment to fill such an office or position, permanent or temporary, until the appointing authority has complied with the provisions of this chapter, including (1) the submission, in such form as the director shall prescribe, of a statement of the information the appointing authority believes necessary to conduct an examination, including: the duties of the office or position, the knowledges, skills and abilities necessary to perform said duties, and the entrance requirements of the office or position; (2) the certification to the director that in his opinion the person proposed to be provisionally appointed meets said qualifications and requirements; (3) the submission of a substantiating statement showing how the proposed appointee meets the entrance requirements; and (4) the submission of a proposal as to the type of examination to be held. The director shall review the statements, certification and proposal and if he determines them satisfactory may authorize a provisional appointment; provided, however, if he finds the proposed appointee does not possess the required qualifications and requirements he may refuse to authorize said provisional appointment. If the director and appointing authority are in agreement