CHAPTER 606. PROHIBITIONS, PENALTIES AND ENFORCEMENT

Subchapter A. OFFICE OF ADMINISTRATION REVIEW OF LEGALITY OF EMPLOYMENT

Each appointing authority shall promptly report to the Office of Administration an appointment or change in position, status or residence of an employee in the classified service under its jurisdiction, or a permanent change in the salary or other basis upon which an employee is paid and the effective date of the change.

§ 606.2. Action on appointment or personnel change.
Whenever the Office of Administration determines that an appointment or personnel change is not in accordance with the act and this subpart, the Office of Administration will notify the appointing authority in writing, including the reasons for the determination and the required corrective action.

§ 606.3. Effect of out-of-class work.
When it is determined that an employee is filling a position under a job other than that for which examined and certified, or is performing duties or assuming responsibilities which do not properly belong to the position for which examined and certified, except during an emergency period, the Office of Administration may take appropriate action consistent with the act.

Subchapter B. POLITICAL ACTIVITY

Sec.
606.4. Prohibited political activities; exception and applicability.
606.5. Complaint procedure.
606.6. Complaint content.
§ 606.4. Prohibited political activities; exception and applicability.

(a) Notwithstanding the political activities expressly prohibited by the act, classified service employees are permitted to seek and accept appointment, nomination and election to the office of school board director. This exception applies only to the employee who is the candidate. For other civil service employees, the restrictions on political activity remain in effect for school board director elections.

(b) The provisions of the act which expressly prohibit certain political activities do not apply to the classified service employee who has been furloughed or who is on a regular unpaid leave of absence, a leave of absence to take a noncivil service position, or a leave of absence subject to Chapter 53 of the State Employees' Retirement Code in 71 Pa.C.S. § 5302(b) (relating to credited State service). An employee on any other type of paid leave of absence shall continue to comply with the political activity restrictions while on leave. Upon return to the classified service the employee shall immediately cease the political activities prohibited by the act. An employee elected to public office while on leave, who returns to the classified service, may serve out the remaining portion of the present term of office if the duties of the office are not among those prohibited by the act. The employee may not seek and accept appointment, nomination and election for a new term in office.

§ 606.5. Complaint procedure.

A complaint against a classified service employee for engaging in prohibited political activity shall be addressed to the Office of Administration and will be promptly investigated.

§ 606.6. Complaint content.

A complaint must contain sufficient details of the alleged prohibited political activity so as to enable proper investigation by the Office of Administration.

Subchapter C. REMOVAL AND DISQUALIFICATION OF OFFICERS AND EMPLOYEES

Sec.
606.7. Falsification or concealment of material information.
606.8. Notice of violation of act or regulations.
606.9. Penalty for violation.

§ 606.7. Falsification or concealment of material information.

Whenever the Office of Administration determines that an employee has been appointed or promoted as a result of having furnished false information or concealed material information, the Office of Administration will give written notice
of the determination to the appropriate appointing authority. The notice will con-
tain a reference to 71 Pa.C.S. § 2706 (relating to removal and disqualification of
officers and employees) and will include instructions as to the remedial actions
to be taken by the appointing authority.

§ 606.8. Notice of violation of act or regulations.
Whenever the Office of Administration determines that an employee has vio-
lated the act or this subpart, the Office of Administration will give written notice
to the appropriate appointing authority of the determination, including appropri-
ate corrective actions.

§ 606.9. Penalty for violation.
If after due inquiry, an employee has been found to have violated the act or this
subpart and has been penalized by removal from the classified service under 71
Pa.C.S. § 2706 (relating to removal and disqualification of officers and employ-
ees), the employee shall be ineligible for reappointment to any position in the
classified service for a period of time determined by the Office of Administration.
In setting the period of ineligibility, the Office of Administration may, in its dis-
cretion, determine that permanent ineligibility is appropriate.