CHAPTER 93. CIVIL SERVICE COMMISSION AND EXECUTIVE DIRECTOR

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§ 93.1. Meetings of Commission.
(a) The Commission will meet at least once each month, consistent with the act, at its offices in Harrisburg, Pennsylvania, or at other places as will best serve the public interest. Meetings may be cancelled with appropriate public notice.
(b) One member of the Commission will be designated as secretary by the Chairperson.
(c) Not less than 48 hours’ notice of the date, time and place of a meeting shall be given to each member of the Commission.
(d) The Director will be responsible for preparing the agenda of the Commission meeting.
(e) Minutes of Commission meetings will be filed and maintained in the executive office of the Commission.

Source

§ 93.2. Powers and duties of the Director.
(a) Duties mandated by rules. No provisions of this section mandating action by the Director shall be construed as limiting the statutory duties, responsibilities, and powers of the Director.
(b) Promulgation of regulations. The Director may, subject to the prior approval of the Commission, promulgate, as Subpart B, reasonable regulations as shall be appropriate for carrying out the responsibilities imposed by law or this subpart.
(c) Periodic review of laws and rules. The Director will periodically review the laws and rules applicable to the classified service and recommend to the Commission changes desirable for the most appropriate, efficient, and economical compliance with the act.

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(d) **Editing and publishing laws and rules.** The Director will periodically compile and publish provisions of the act, related laws, rules, and appropriate regulations applicable to the classified service.

(e) **Research and staff development.** The Director will undertake appropriate study and research to develop methods for the most efficient and economical administration of the work of the Commission. Within available funds therefor the Director will seek to develop the fullest capabilities of staff through appropriate training, including attendance at, and participation in, the programs of professional conferences and institutes.

**Source**


§ 93.3. [Reserved].

**Source**


§ 93.4. **Public hearings.**

(a) **Time and place of certain hearings.**

(1) The Commission shall hold public hearings in connection with its adoption or amendment of rules, or amendments or cancellation of eligible lists on account of illegality or fraud.

(2) These hearings shall be held in Harrisburg or other locations as the Commission shall determine necessary to insure proper balance of potential interests.

(3) Public notice shall be given of the time and place of hearings and continuations thereto.

(b) **Participation at hearings.**

(1) Those desiring to participate in the hearing or to speak or present their views on the subject to be covered at the hearing shall, not later than the regular closing time of the previous business day, so notify the Director, specifying whether attendance will be as individuals or as representatives of a named group.

(2) Speakers at hearings shall be required to identify themselves and the organizations they represent, if any.

(3) The Commission may limit the time granted to any one speaker or to successive speakers on the same subject.
(4) Briefs, and pertinent written material, in typewritten or printed form, presented at hearings by a speaker who announces the presentation, shall be made a part of the record.

(c) Minutes of hearings. The proceedings of the hearings shall be recorded stenographically or electronically, as determined by the Commission. The minutes shall be transcribed promptly and filed in the office of the Director, where they shall be open for public reference.

(d) Determination of the Commission. The Commission may accept or reject recommendations made at the public hearings and shall endeavor to make its determination and notify interested parties thereof promptly after the conclusion of the hearings and the review of the record established.

Source


§ 93.5. Oaths.

Authorization of an employe or agent of the Commission to administer oaths or affirmations in matters pertaining to the work of the Commission shall be in writing and filed in the executive office of the Commission as a public record.

Source


§ 93.6. Records open to the public.

(a) An employe of the Commission shall be present at the inspection of records open to the public.

(b) Test material shall be held confidential and may not be subject to inspection, except as provided in this subpart.

(c) A person may not have the privilege of making notes of or copying any type of test material.

Source


§ 93.7. Receiving funds and allocating or apportioning costs.

The Director shall report periodically to the Commission the receipt of any funds for the administration of the act and the allocation among the departments and agencies thereunder of the cost of administering the act or any part thereof.
§ 93.8 Service to departments, boards and commissions, agencies and political subdivisions; cooperation with other civil service agencies.

(a) Acquisition of services. The services and facilities of the Commission and its staff shall be available to departments, boards, commissions, or agencies, and political subdivisions of the Commonwealth under the following terms and conditions:

(1) Formal application for extension of the services of the Commission shall be made in writing and shall be signed by the executive head of the requesting department, or by the chairman of the board, commission, or agency, accompanied by a proper resolution adopted by the board, commission, or agency, or by the proper official of the political subdivision, as appropriate.

(2) Applications for the extension of the services of the Commission shall state in detail the particular services requested, if less than a complete merit system is desired. If the applying agency desires the Commission to administer a complete merit system, the application shall so state and shall specify desired exceptions to the application of the act.

(3) Granting of the application shall be evidenced by a formal written contract or agreement, consistent with this section, between the applicant and the Commission, a copy of which shall be retained by the Commission as a public record.

(4) Applications for the requested extension of services may be granted in whole or in part at the discretion of the Commission.

(5) The Director will maintain, and make available to prospective applicants on request, a list of classes of positions in the classified service and of classes of positions to which the services of the Commission have been extended.

(6) In the case of a contract between an agency and the Commission extending a complete merit system to a class of positions, the legally applicable provisions of the act and this part shall be deemed incorporated in the contract, unless the contract specifies otherwise.

(b) Reimbursement for services. Reimbursement shall be as follows:

(1) The Commission shall be reimbursed for the actual cost of preparing, administering and rating examinations; and for the semi-annual cost of services and facilities made available, in the proportion which the cost of the services and facilities bears to the total cost of these services and facilities of the Commission, based on the ratio of its employees in the classified service to those of all the agencies serviced by the Commission.
(2) The number of employees in the classified service in each agency served shall be reported to or tabulated by the Director on the last working day of each month.

(c) Personnel actions by political subdivisions. Personnel actions taken by political subdivisions under contract with the Commission shall conform to the act, this part, and the contract, unless the action would have an impossible or unreasonable result, in which case the Director shall determine the appropriate action to be taken.

Source

Notes of Decisions
Because a contract between a county and an agency specifically provided that the county should adhere to its prevailing practices as to retirement, the contract controls, pursuant to the provisions of 4 Pa. Code § 93.8(6), over the Commission’s interpretation of the Civil Service Act, and the county correctly adhered to its prevailing practice of requiring an employee to retire at age 65. Delaware County Child Care Services v. Goodley, 417 A.2d 868, 870 (Pa. Cmwlth. 1980).