



General Assembly

February Session, 2022

Raised Bill No. 439

LCO No. 3210



Referred to Committee on GOVERNMENT ADMINISTRATION
AND ELECTIONS

Introduced by:
(GAE)

***AN ACT CONCERNING HUMAN RESOURCE ADMINISTRATION AND
THE STATE PERSONNEL ACT.***

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Section 5-196 of the 2022 supplement to the general statutes
2 is repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2022*):

4 As used in this chapter, unless the context otherwise requires:

5 (1) "Agency" means a department, board, institution or commission
6 established by statute, not a part of any other department, board,
7 institution or commission.

8 (2) "Allocation" means the official assignment of a position in the
9 classified service to the appropriate standard class of the classification
10 plan.

11 (3) "Appointing authority" means a board, commission, officer,
12 commissioner, person or group of persons or the designee of such

13 board, commission, officer, commissioner, person or group of persons
14 having the power to make appointments by virtue of a statute or by
15 lawfully delegated authority.

16 (4) "Candidate list" means a list of the names of persons based on
17 merit as determined under the provisions of this chapter, which persons
18 have been found qualified through suitable examinations for
19 employment in positions allocated to a specified class, occupational
20 group or career progression level.

21 (5) "Class", "class of positions" or "position classification" means a
22 position or group of positions in the state classified service established
23 under this chapter that share general characteristics and are categorized
24 under a single title for administrative purposes.

25 (6) "Classified service" means every office or position in the state
26 service, whether full-time or part-time, for which compensation is paid,
27 except those offices and positions specified in section 5-198, as amended
28 by this act, or otherwise expressly provided by statute.

29 (7) "Compensation" means the salary, wages, benefits and other
30 forms of valuable consideration earned by and provided to an employee
31 in remuneration for services rendered.

32 (8) "Compensation schedule" or "compensation plan" means a list or
33 lists specifying a series of compensation steps and ranges.

34 (9) "Eligible" or "eligible person" means a person who has either (A)
35 met the requirements of the class and been determined qualified by the
36 Commissioner of Administrative Services, or (B) been placed on a
37 candidate list by an examination administered by or at the direction of
38 the Department of Administrative Services.

39 (10) "Employee" or "state employee" means any person holding a
40 position in state service subject to appointment by an appointing
41 authority.

42 (11) "Examination" means [an assessment device or technique

43 yielding scores or ratings designed to determine the fitness of
44 candidates for positions allocated to a specified class, occupational
45 group or career progression level] any act, event, process or technique
46 intended to measure the knowledge, skills, abilities and fitness of
47 applicants for employment, including, but not limited to, experience
48 and training determinations, interviews, assessment centers,
49 performance exercises, background checks and associated suitability.

50 (12) "Full-time employee" means an employee holding a position
51 normally requiring thirty-five hours or more of service in each week.

52 (13) "Good standing" means the status of an employee whose
53 employment in the state service has been terminated other than as a
54 result of disciplinary action or during a period when disciplinary action
55 was pending.

56 (14) "Grade" or "pay grade" means a relative level, numerically
57 expressed, to which one or more classes may be assigned according to
58 the degree of their complexity, importance and value, and which refers
59 to a single pay range in the compensation schedule.

60 [(15) "Minimum earned rating" means the lowest score or rating that
61 entitles a candidate to pass the examination.]

62 [(16)] (15) "Officer" or "state officer" means any person appointed to a
63 state office established by statute, including appointing authorities.

64 [(17)] (16) "Part-time employee" means an employee holding a
65 position normally requiring less than thirty-five hours of service in each
66 week.

67 [(18)] (17) "Permanent appointment" means appointment to a
68 position in the classified service following successful completion of the
69 required working test.

70 [(19)] (18) "Permanent employee" means an employee holding a
71 position in the classified service under a permanent appointment or an
72 employee holding a position in unclassified service who has served in

73 such a position for a period of more than six months, except employees
74 in positions funded in whole or in part by the federal government as
75 part of any public service employment program, on-the-job training
76 program or work experience program.

77 [(20)] (19) "Permanent position" means any position in the classified
78 service which requires or which is expected to require the services of an
79 incumbent without interruption for a period of more than six months,
80 except positions funded in whole or in part by the federal government
81 as part of any public service employment program, on-the-job training
82 program or work experience program.

83 [(21)] (20) "Position" means a group of duties and responsibilities
84 currently assigned or designated by competent authority to require the
85 services of one employee.

86 [(22)] (21) "Public member" means a member of a board or
87 commission who does not hold any office or position in the state service.

88 [(23)] (22) "Reemployment list" means a list of names of persons
89 arranged in the order prescribed by the provisions of this chapter and
90 by regulations issued in accordance with this chapter, which persons
91 have occupied positions allocated to any class in the classified service,
92 and are no longer in such class and are entitled to have their names
93 certified to appointing authorities when vacancies in such class are to be
94 filled, in preference to those whose names are on the candidate list for
95 such class.

96 [(24)] (23) "State service" means occupancy of any office or position
97 or employment in the service of the state, but not of local governmental
98 subdivisions thereof, for which compensation is paid.

99 [(25)] (24) "Temporary position" means a position in the state service
100 which is expected to require the services of an incumbent for a period
101 not in excess of six months.

102 [(26)] (25) "Unclassified service" means any office or position in the
103 state service which is not in the classified service.

104 [(27)] (26) "Working test" means a trial working period made a part
105 of the selective process under the provisions of this chapter and by
106 regulations issued in accordance with this chapter, during which the
107 work and conduct of the employee shall be noted by the appointing
108 authority or his authorized agent and reported upon to determine
109 whether such employee merits permanent appointment.

110 [(28)] (27) "Veteran", when used in this chapter and in section 5-180,
111 as amended by this act, [has the same meaning as provided in section
112 27-103, and (B)] means a veteran, as defined in section 27-103, who has
113 performed [such] service in time of war, as defined in said section,
114 except that the final date for service in time of war during World War II
115 shall be December 31, 1947.

116 [(29)] (28) "Managerial employee" means any person presently
117 covered by the existing managerial compensation plan pursuant to
118 subsection (g) of section 5-270.

119 [(30)] (29) "Career progression level" means the following career
120 levels in which each class of positions shall be categorized as
121 determined by the Commissioner of Administrative Services based on
122 general job characteristics and minimum requirements for knowledge,
123 skill and ability, including, but not limited to, education, employment
124 history and special skills: (A) Entry, (B) working, (C) lead, (D)
125 supervisor, and (E) manager.

126 [(31)] (30) "Occupational group" means broad occupational areas in
127 which each class of positions shall be categorized as determined by the
128 Commissioner of Administrative Services.

129 Sec. 2. Section 5-198 of the general statutes is repealed and the
130 following is substituted in lieu thereof (*Effective July 1, 2022*):

131 The offices and positions filled by the following-described
132 incumbents shall be exempt from the classified service:

133 (1) All officers and employees of the Judicial Department;

- 134 (2) All officers and employees of the Legislative Department;
- 135 (3) All officers elected by popular vote;
- 136 (4) All agency heads, members of boards and commissions and other
137 officers appointed by the Governor;
- 138 (5) All persons designated by name in any special act to hold any state
139 office;
- 140 (6) All officers, noncommissioned officers and enlisted men in the
141 military or naval service of the state and under military or naval
142 discipline and control;
- 143 (7) (A) All correctional wardens, as provided in section 18-82, and (B)
144 all superintendents of state institutions, the State Librarian, the
145 president of The University of Connecticut and any other commissioner
146 or administrative head of a state department or institution who is
147 appointed by a board or commission responsible by statute for the
148 administration of such department or institution;
- 149 (8) The State Historian appointed by the State Library Board;
- 150 (9) Deputies to the administrative head of each department or
151 institution designated by statute to act for and perform all of the duties
152 of such administrative head during such administrative head's absence
153 or incapacity;
- 154 (10) Executive assistants to each state elective officer and each
155 department head, as defined in section 4-5, provided (A) each position
156 of executive assistant shall have been created in accordance with section
157 5-214, and (B) in no event shall the Commissioner of Administrative
158 Services or the Secretary of the Office of Policy and Management
159 approve more than four executive assistants for a department head;
- 160 (11) One personal secretary to the administrative head and to each
161 undersecretary or deputy to such head of each department or
162 institution;

163 (12) All members of the professional and technical staffs of the
164 constituent units of the state system of higher education, as defined in
165 section 10a-1, of all other state institutions of learning, of the Board of
166 Regents for Higher Education, and of the agricultural experiment
167 station at New Haven, professional and managerial employees of the
168 Department of Education and the Office of Early Childhood and
169 teachers certified by the State Board of Education and employed in
170 teaching positions at state institutions;

171 (13) Physicians, dentists, student nurses in institutions and other
172 professional specialists who are employed on a part-time basis;

173 (14) Persons employed to make or conduct a special inquiry,
174 investigation, examination or installation;

175 (15) Students in educational institutions who are employed on a part-
176 time basis;

177 (16) Forest fire wardens provided for by section 23-36;

178 (17) Patients or inmates of state institutions who receive
179 compensation for services rendered therein;

180 (18) Employees of the Governor including employees working at the
181 executive office, official executive residence at 990 Prospect Avenue,
182 Hartford and the Washington D.C. office;

183 (19) Persons filling positions expressly exempted by statute from the
184 classified service;

185 (20) Librarians employed by the State Board of Education or any
186 constituent unit of the state system of higher education;

187 (21) All officers and employees of the Division of Criminal Justice;

188 (22) Professional employees in the education professions bargaining
189 unit of the Department of Aging and Disability Services;

190 (23) Lieutenant colonels in the Division of State Police within the

191 Department of Emergency Services and Public Protection;

192 (24) The Deputy State Fire Marshal within the Department of
193 Administrative Services;

194 (25) The chief administrative officer of the Workers' Compensation
195 Commission;

196 (26) Employees in the education professions bargaining unit;

197 (27) Disability policy specialists employed by the Council on
198 Developmental Disabilities;

199 (28) The director for digital media and motion picture activities in the
200 Department of Economic and Community Development; and

201 (29) Any Director of Communications 1, Director of Communications
202 1 (Rc), Director of Communications 2, Director of Communications 2
203 (Rc), Communications Manager, Legislative Program Manager,
204 Communications and Legislative Program Manager, Director of
205 Legislation, Regulation and Communication, Legislative and
206 Administrative Advisor 1, or Legislative and Administrative Advisor 2
207 as such positions are classified within the Executive Department.

208 Sec. 3. Section 5-215a of the general statutes is repealed and the
209 following is substituted in lieu thereof (*Effective July 1, 2022*):

210 When the appointing authority receives approval to fill a vacancy in
211 any permanent position in the classified service, the appointing
212 authority shall request the Commissioner of Administrative Services to
213 provide a candidate list. The candidate list certified by the commissioner
214 shall [contain the final earned rating of each candidate] be comprised of
215 candidates who meet the minimum qualifications of such position. The
216 appointing authority shall fill the vacant position by selecting any
217 candidate on the candidate list. In the event that fewer than five names
218 are available on the candidate list to fill a position, the Commissioner of
219 Administrative Services may authorize a new examination based on
220 documented need. The appointing authority may fill the position from

221 either the new or original candidate list in accordance with the
222 provisions of this section.

223 Sec. 4. Section 5-216 of the general statutes is repealed and the
224 following is substituted in lieu thereof (*Effective July 1, 2022*):

225 (a) The Commissioner of Administrative Services shall hold
226 examinations for the purpose of establishing candidate lists for the
227 various classes of positions in the classified service, except as provided
228 in sections 5-227b, as amended by this act, and 5-233, as amended by
229 this act. Such examinations may be held on a continuous basis [or at
230 such time or times as the commissioner deems necessary] to supply the
231 needs of the state service. [In establishing any candidate list following
232 examinations, the commissioner shall place on the list, in the order of
233 their ratings, the names of persons who show they possess the
234 qualifications which entitle them to be considered eligible for
235 appointment when a vacancy occurs in any position allocated to the
236 class for which such examination is held or for which such candidate list
237 is held to be appropriate. Such ratings may take such form as the
238 commissioner deems appropriate to describe the performance of any
239 candidate on any examination.]

240 (b) Where the needs of the service indicate that continuous
241 recruitment is justified, the commissioner may defer announcing a
242 closing date for filing applications for the examination. Announcements
243 of such examinations shall specify that recruitment is continuous and
244 that applications may be filed until further notice. [Such examination
245 may be graded on a pass-fail basis in order to expedite certification and
246 appointment.]

247 (c) The commissioner may consolidate, continue or cancel candidate
248 lists and may remove names from such lists for good cause. [The
249 commissioner may apply an examination score from one examination
250 to the candidate list established for another examination, provided such
251 examinations are the same or equivalent forms of the same examination,
252 such provision is publicized on appropriate examination notices and the
253 candidate satisfies all other statutory requirements.]

254 [(d) Upon written request from a candidate on a form and in a
255 manner prescribed by the Department of Administrative Services, the
256 commissioner shall apply the candidate's most recent score from an
257 examination held for a promotional appointment, in accordance with
258 subsection (b) or (c) of section 5-228, to the candidate list established for
259 a subsequent examination for the same classification, provided: (1) The
260 subsequent examination is in the same or equivalent form as the
261 previous examination; (2) such provision is publicized on appropriate
262 examination notices; (3) the candidate satisfies all other requirements
263 for the classification and the examination; and (4) not more than seven
264 years have elapsed from the date of the candidate's most recent
265 examination.

266 (e) Nothing in this section shall prevent the department from
267 applying scores from one examination to the candidate list established
268 for a subsequent examination for the same classification, provided: (1)
269 Such examinations are in the same or equivalent forms; (2) such
270 provision is publicized on appropriate examination notices; and (3) the
271 candidates on the list satisfy all other requirements for the classification
272 and the examination.

273 (f) The provisions of subsections (d) and (e) of this section shall not
274 apply to any promotional examination held for classifications in the
275 department's police-protective services occupational group.]

276 Sec. 5. Section 5-218 of the general statutes is repealed and the
277 following is substituted in lieu thereof (*Effective July 1, 2022*):

278 [(a)] Except for an examination that has been waived pursuant to
279 section 5-227b, as amended by this act, the Commissioner of
280 Administrative Services shall [prepare lists of preliminary requirements
281 and subjects of examination for positions in the classified service and
282 publicize each such examination in such manner as the nature of the
283 examination requires, including posting examination notices in state
284 agencies in locations accessible to state employees at least two weeks
285 prior to the application closing date. All competitive examinations shall
286 be held at such times and places as in the judgment of the Commissioner

287 of Administrative Services most nearly meet the convenience of
288 applicants and needs of the service. In no event shall any other
289 examination be given by an agency for a position subject to the
290 examination procedure of the Department of Administrative Services]
291 provide initial notice of examination for positions in the classified
292 service in such form and manner as to supply the needs of state service.

293 [(b) The Commissioner of Administrative Services shall give public
294 notice of such examinations for positions in the classified service at least
295 six business days in advance by posting, or causing to be posted, an
296 appropriate notice on the Internet web site of the department and by
297 submitting the notice to the director of the state employment service.
298 Such notice shall set forth the time and place of the examination and
299 shall be accompanied by a copy of the official description of the position,
300 and provide the work location, salary and weights to be given for the
301 weighted parts of the examination, if applicable, provided once such
302 notice has been given, the weights established in the notice for the
303 weighted parts of the examination shall not be altered in any manner.]

304 Sec. 6. Section 5-219 of the general statutes is repealed and the
305 following is substituted in lieu thereof (*Effective July 1, 2022*):

306 [(a)] Examinations shall be [in such form and of such character and
307 shall relate to such matters as will fairly test and determine the
308 qualifications, fitness and ability of the persons tested to perform the
309 duties of the class or position to which they seek appointment.
310 Examinations shall be formulated in cooperation with agencies
311 appointing specific classes of employees and shall be competitive and
312 open to all persons who may be lawfully appointed to any position in
313 the class for which examinations are held, with such limitations as to
314 age, residence, health, habits, character, sex and qualifications as are
315 considered desirable by the Commissioner of Administrative Services
316 and as are specified in the public announcement of the examination,
317 provided no such limitation shall be made as to age or sex except in the
318 case of a bona fide occupational qualification or need. Formal education
319 requirements may be considered as a condition for the taking of such

320 examinations. Possession of a professional license or degree, or
321 satisfactory completion of an accreditation, certificate or licensure
322 program may serve as the sole basis for appointment, provided such
323 credentials are a mandatory requirement for employment in a position.
324 Examinations may take the form of written or oral tests, demonstration
325 of skill or physical ability, experience and training evaluation, or in the
326 case of promotional examinations, evaluation of prior performance, or
327 any other assessment device or technique deemed appropriate to
328 measure the knowledge, skills or abilities required to successfully
329 perform the duties of the job. All persons competing for placement on
330 any one candidate list shall be administered the same or equivalent
331 forms of the same examination or examination phases, except as
332 necessary to comply with the federal Americans with Disabilities Act
333 and section 4-61nn, and be required to achieve passing scores on each
334 successive phase and for the examination as a whole in order to remain
335 in competition. The provisions of this section shall be the sole
336 determinant for qualification and no other examination shall be
337 permitted by any agency head to further qualify persons seeking
338 appointment except as authorized by the commissioner] job-related and
339 administered consistently and fairly to determine the qualifications,
340 fitness and ability of the persons seeking appointment.

341 [(b) The commissioner may charge any person not employed by the
342 state a reasonable fee for taking an examination, provided such fee shall
343 not exceed the cost of developing and administering such examination.
344 The commissioner may waive any such fee for any person who applies,
345 in the form and manner prescribed by the commissioner, for a waiver of
346 such fee and demonstrates that he or she is financially unable to pay
347 such fee. Before charging any fees authorized by this subsection, the
348 commissioner shall adopt regulations, in accordance with the
349 provisions of chapter 54, to establish reasonable fees.]

350 Sec. 7. Subsection (a) of section 5-221 of the general statutes is
351 repealed and the following is substituted in lieu thereof (*Effective July 1,*
352 *2022*):

353 (a) The Commissioner of Administrative Services may reject the
354 application of any person [for admission to an examination for] when
355 establishing a candidate list for the classified service, or refuse to
356 examine any applicant for such service, who (1) has been found to lack
357 any of the established qualifications for the position for which such
358 applicant applies or for which such applicant has been examined, (2) is
359 physically or medically unfit to perform effectively the duties of the
360 position in which he or she seeks employment, (3) is addicted to the
361 habitual use of drugs or intoxicating liquors, (4) has been dismissed
362 from the public service for delinquency, incompetency, misconduct or
363 neglect of duty, or (5) has made a false statement of any material fact or
364 practiced or attempted to practice any deception or fraud in his or her
365 application, in his or her examination or in securing his or her eligibility
366 or appointment.

367 Sec. 8. Section 5-224 of the general statutes is repealed and the
368 following is substituted in lieu thereof (*Effective July 1, 2022*):

369 [Any veteran who served in time of war, if such veteran is not eligible
370 for disability compensation or pension from the United States United
371 States Department of Veterans Affairs, or the spouse of such veteran
372 who by reason of such veteran's disability is unable to pursue gainful
373 employment, or the unmarried surviving spouse of such veteran, and if
374 such person has attained at least the minimum earned rating on any
375 examination held for an original appointment for the purpose of
376 establishing a candidate list to fill a vacancy in accordance with
377 subsection (d) of section 5-228, shall have five points added to his or her
378 earned rating. Any such veteran, or the spouse of such veteran who by
379 reason of such veteran's disability is unable to pursue gainful
380 employment, or the unmarried surviving spouse of such veteran, if such
381 person is eligible for such disability compensation or pension and if
382 such person has attained at least the minimum earned rating on any
383 such examination held for an original appointment for the purpose of
384 establishing a candidate list to fill a vacancy in accordance with
385 subsection (d) of section 5-228, shall have ten points added to his or her
386 earned rating. Any veteran who has served in a military action for which

387 such person received or was entitled to receive a campaign badge or
388 expeditionary medal, shall have five points added to his or her earned
389 rating if such person has attained at least the minimum earned rating on
390 any such examination held for an original appointment for the purpose
391 of establishing a candidate list to fill a vacancy in accordance with
392 subsection (d) of section 5-228 and such person is not otherwise eligible
393 to receive additional points pursuant to this section. Any person who is
394 a member of the armed forces, as defined in section 27-103, and who is
395 in the final year of an enlistment contract with any branch of the armed
396 forces shall have five points added to his or her earned rating if such
397 person has attained at least the minimum earned rating on any such
398 examination held for an original appointment for the purpose of
399 establishing a candidate list to fill a vacancy in accordance with
400 subsection (d) of section 5-228. Names of any such persons shall be
401 placed upon the candidate lists in the order of such augmented ratings.
402 Credits shall be based upon examinations with a possible rating of one
403 hundred points] A person's military service shall be counted, if
404 appropriate, on a prorated basis toward meeting the minimum
405 qualifications of a position. An appointing authority shall provide due
406 consideration for original appointment to any veteran, as defined in
407 section 27-103, who is placed on a candidate list by the Commissioner
408 of Administrative Services.

409 Sec. 9. Section 5-225 of the general statutes is repealed and the
410 following is substituted in lieu thereof (*Effective July 1, 2022*):

411 All persons competing in [any] an examination to be placed on a
412 candidate list established by the Commissioner of Administrative
413 Services shall be given written notice of [their final earned ratings and
414 the minimum earned rating necessary to pass the examination] the
415 result. Not later than thirty days after the issuance of the [final earned
416 rating] result, a person who [has not achieved a passing rating may
417 inspect his or her papers, markings, background profiles and other
418 items used in determining the final earned ratings, other than] took the
419 examination but did not achieve a passing result may inspect his or her
420 examination results, but not the examination questions and other

421 materials constituting the examination itself, subject to such regulations
422 as may be issued by the Commissioner of Administrative Services. Not
423 later than ten days after [inspecting his or her papers, a] such inspection,
424 such person may, in writing, appeal to the Commissioner of
425 Administrative Services the accuracy of his or her [final earned rating]
426 examination results, as based on [the] such person's original
427 examination [paper or] responses or examination results. The
428 commissioner shall render a final decision on the person's appeal within
429 thirty days thereafter and correct candidate lists as appropriate.

430 Sec. 10. Subsection (a) of section 5-227b of the general statutes is
431 repealed and the following is substituted in lieu thereof (*Effective July 1,*
432 *2022*):

433 (a) Examinations for positions may be waived by the Commissioner
434 of Administrative Services under any of the following conditions: (1)
435 Where the possession of a professional license or degree or satisfactory
436 completion of an accreditation, certificate or licensure program is a
437 mandatory requirement for appointment or promotion to a position in
438 state service; (2) where the appointment or promotion to a job
439 classification that is utilized by a single state agency is limited in number
440 and has few vacancies in the professional or managerial series; (3) when
441 the qualifications for a position within the managerial class are so
442 specialized or unique that an examination for a general job classification
443 would not result in a list of candidates possessing such qualifications
444 and would not be cost effective; or (4) when the number of applicants
445 meeting the minimum qualifications for admission to an announced
446 promotional examination is five or less. The positions under this
447 subsection shall be deemed nonexamined.

448 Sec. 11. Subsections (c) to (e), inclusive, of section 5-228 of the general
449 statutes are repealed and the following is substituted in lieu thereof
450 (*Effective July 1, 2022*):

451 (c) If a vacancy is to be filled by promotion from a [service-wide]
452 state-wide candidate list, the commissioner shall certify to the
453 appointing authority the names of all candidates on that candidate list

454 in accordance with the provisions of section 5-215a, as amended by this
455 act, or if an examination is waived, in accordance with the provisions of
456 section 5-227b, as amended by this act.

457 (d) If a vacancy is to be filled by an original appointment, the
458 commissioner shall certify to the appointing authority the names of all
459 candidates on that candidate list in accordance with the provisions of
460 section 5-215a, as amended by this act, or if an examination is waived,
461 in accordance with the provisions of section 5-227b, as amended by this
462 act.

463 (e) [Appointees] Permanent employees promoted to any position in
464 the classified service shall be required to serve the working test period
465 provided for in this chapter. Any [promotional appointee from within
466 the agency] such permanent employee who is dismissed from the
467 position to which he or she was promoted during such working test
468 period, or at the conclusion thereof, shall be restored to a position in the
469 same class and same agency in which he or she had been employed prior
470 to his or her promotion, [Any other appointee who was employed in
471 the classified service prior to his or her appointment and who is
472 dismissed from the position to which he or she was appointed during
473 such working test period or at the conclusion thereof, shall be restored
474 to a vacancy in the same class, or a vacancy in a comparable class or a
475 vacancy in any other position the employee is qualified to fill, in the
476 agency in which he or she had been employed prior to his or her
477 appointment, or shall have his or her name placed on a reemployment
478 list. No provision of this section shall be construed to prevent any
479 employee in the unclassified service from competing for positions in the
480 classified service if he or she possesses the minimum qualifications
481 established by the commissioner. In the certification of names of persons
482 eligible for appointment, sex shall be disregarded except when
483 otherwise provided by statute or upon request of the appointing
484 authority, subject to the approval of the commissioner] except that if no
485 such restoration is possible, the name of such permanent employee shall
486 be placed on the reemployment list for the appropriate class in
487 accordance with subsection (b) of section 5-241, as amended by this act.

488 Sec. 12. Section 5-233 of the general statutes is repealed and the
489 following is substituted in lieu thereof (*Effective July 1, 2022*):

490 For positions involving unskilled and semiskilled labor or for
491 positions involving domestic, attending or other housekeeping and
492 custodial services at state institutions or agencies or for other similar
493 classes where the character of the work, or the place of work, makes it
494 impracticable to secure at stated times a sufficient number of applicants
495 to supply the needs of the service, or where it is impracticable to
496 examine and secure such persons from candidate lists with sufficient
497 promptness to supply the needs of the service, the Commissioner of
498 Administrative Services may establish procedures which will permit the
499 registration and, in his discretion, the examination of applicants, singly
500 or in groups, at such times and places as meet the convenience of
501 applicants and needs of the service, without public notice as required in
502 this chapter. The positions under this section shall be deemed
503 noncompetitive.

504 Sec. 13. Section 5-234 of the general statutes is repealed and the
505 following is substituted in lieu thereof (*Effective July 1, 2022*):

506 The Commissioner of Administrative Services may provide for the
507 appointment, with or without examination, of qualified persons in a
508 class in which the incumbent serves for not more than three years in the
509 class as part of an established training program. Any person so
510 appointed to a professional or preprofessional training class may, upon
511 successful completion of the required minimum working test period
512 and training program, be reclassified to a position in the next higher
513 level class for which the training program is established, which position
514 shall be deemed noncompetitive. The provisions of this section shall not
515 apply to sections 5-224, as amended by this act, and 7-415 concerning
516 the veterans preference.

517 Sec. 14. Subsection (b) of section 5-180 of the general statutes is
518 repealed and the following is substituted in lieu thereof (*Effective July 1,*
519 *2022*):

520 (b) The war service before September 1, 1939, of a veteran who
521 became a member after September 1, 1939, and the war service or
522 military service during a national emergency declared by the President
523 of the United States on and after September 1, 1939, of a veteran who
524 became a member at any time, shall be counted as state service if the
525 member makes retirement contributions for each month of war service
526 as defined in section 27-103 and described in [subdivision (28) of]
527 section 5-196, as amended by this act, or for each month of such service
528 during a national emergency, as the case may be. Any veteran who
529 becomes a member on or after July 1, 1975, shall not receive credit for
530 such war or military service if such member has received or is entitled
531 to receive any retirement allowance for the same years of such service
532 from the federal government. Any veteran who is a member and who
533 has not made application for such credit prior to July 1, 1975, shall not
534 receive credit for such service if such member has received or is entitled
535 to receive any retirement allowance for the same years of such service
536 from the federal government unless such member makes application for
537 such credit to the Retirement Commission on or before October 1, 1975,
538 and makes retirement contributions for each month of such service in
539 accordance with the provisions of this subsection. The Comptroller of
540 the state may notify each employee of this provision on or before
541 September 1, 1975. Such contributions shall equal one-twelfth of four
542 per cent of his first year's salary as a state employee multiplied by the
543 total number of months of such war service or national emergency
544 service and, if such employee became a member after April 1, 1958, shall
545 be accompanied by interest at four per cent per year from the time such
546 war service was rendered or from September 1, 1939, whichever is later,
547 until the date of payment or January 1, 1962, whichever is earlier. Such
548 contributions may be paid by payroll deductions as determined by the
549 Retirement Commission over a period not to exceed thirty-six months,
550 interest thereon to be paid not later than the last day of the month
551 following the payment of the last of such deductions. Service credit for
552 retirement purposes shall not be granted unless payment of
553 contributions and interest is completed. No credit shall be given
554 hereunder for military service during a national emergency to any state

555 employee who has served less than ten years as a permanent full-time
556 state employee, nor for any such military service beyond a total period
557 of his compulsory service, if any, plus three years.

558 Sec. 15. Subsection (b) of section 5-241 of the general statutes is
559 repealed and the following is substituted in lieu thereof (*Effective July 1,*
560 *2022*):

561 (b) An appointing authority desiring to lay off an employee shall give
562 him not less than two weeks' notice in writing, stating the reason for
563 such action, except that in the case of an employee, as defined in section
564 5-196, as amended by this act, who is not covered by a collective
565 bargaining agreement and who has been in the classified service for (1)
566 at least five but not more than ten years, the appointing authority shall
567 provide at least four weeks' notice, (2) more than ten but not more than
568 fifteen years, the appointing authority shall provide at least six weeks'
569 notice, (3) more than fifteen years, the appointing authority shall
570 provide at least eight weeks' notice. A copy of such notice shall
571 immediately be forwarded to the Commissioner of Administrative
572 Services. The commissioner shall arrange to have the employee
573 transferred to a vacancy in the same or a comparable class or in any
574 other position the employee is qualified to fill in any department,
575 agency or institution. If there is no vacancy available or the employee
576 refuses to accept the transfer, the commissioner shall cause the name of
577 such employee to be placed on the reemployment list for the
578 appropriate class for which such employee has attained permanent
579 status or has the ability to qualify, as determined by the commissioner.
580 During the period any employee is entitled to remain on the
581 reemployment list, such an employee shall be rehired in the
582 classification from which he or she was laid off or for which he or she is
583 qualified, as vacancies occur, in the reverse order of layoff. Any
584 employee who is rehired from a reemployment or other employment
585 list into a classification in which he or she had prior status shall not be
586 required to complete a new working test period, as defined in
587 [subdivision (27) of] section 5-196, as amended by this act.

588 Sec. 16. Subsection (a) of section 45a-54 of the general statutes is
 589 repealed and the following is substituted in lieu thereof (*Effective July 1,*
 590 *2022*):

591 (a) Any judge or employee who is not yet receiving a retirement
 592 allowance may apply to the Retirement Commission for credit for
 593 service as a member of the General Assembly and for military service,
 594 consisting of war service, as defined in section 27-103 and described in
 595 [subdivision (28) of] section 5-196, as amended by this act, and national
 596 emergency service as defined by law, provided credit for such military
 597 and General Assembly service shall not exceed three years in the
 598 aggregate. Any such application for credit for service as a member of the
 599 General Assembly must be filed within one year of the date upon which
 600 the judge or employee first becomes a member or within one year of
 601 October 1, 1986, whichever is later. Any such application for credit for
 602 military service must be filed within one year of the date upon which
 603 the judge or employee first becomes a member or within one year of
 604 October 1, 1994, whichever is later.

605 Sec. 17. Sections 5-199c and 5-223 of the general statutes are repealed.
 606 (*Effective July 1, 2022*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2022</i>	5-196
Sec. 2	<i>July 1, 2022</i>	5-198
Sec. 3	<i>July 1, 2022</i>	5-215a
Sec. 4	<i>July 1, 2022</i>	5-216
Sec. 5	<i>July 1, 2022</i>	5-218
Sec. 6	<i>July 1, 2022</i>	5-219
Sec. 7	<i>July 1, 2022</i>	5-221(a)
Sec. 8	<i>July 1, 2022</i>	5-224
Sec. 9	<i>July 1, 2022</i>	5-225
Sec. 10	<i>July 1, 2022</i>	5-227b(a)
Sec. 11	<i>July 1, 2022</i>	5-228(c) to (e)
Sec. 12	<i>July 1, 2022</i>	5-233
Sec. 13	<i>July 1, 2022</i>	5-234
Sec. 14	<i>July 1, 2022</i>	5-180(b)

Sec. 15	<i>July 1, 2022</i>	5-241(b)
Sec. 16	<i>July 1, 2022</i>	45a-54(a)
Sec. 17	<i>July 1, 2022</i>	Repealer section

Statement of Purpose:

To (1) redefine "examination", (2) eliminate the definition of "minimum earned rating" and certain other related provisions, (3) add "Communications Manager" to the list of positions exempt from classified service, (4) eliminate certain language regarding the manner in which candidate lists are created and examinations are noticed, (5) revise language concerning credit for military service, (6) specify that certain positions are deemed "nonexamined" and "noncompetitive", (7) provide that certain permanent employees dismissed from a position during or at the conclusion of a working test period shall be returned to their prior positions or placed on a reemployment list, and (8) eliminate the requirement for the Commissioner of Administrative Services to develop a human resource strategic plan, as such a plan has already been completed.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]