

OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 23-194—sSB 984

Labor and Public Employees Committee

AN ACT ACCELERATING THE STATE HIRING PROCESS

SUMMARY: This act makes various changes in the State Personnel Act, which governs hiring employees for the state employee classified service (i.e., positions subject to various civil service exams and other hiring and promotion procedures).

Among other things, the act allows an appointing (i.e., hiring) authority to:

1. immediately fill a position with someone on a candidate list, if doing so would maintain operational efficiency and productivity, and complete any pre-employment checks during the new employee's working test period;
2. fill a position, under certain circumstances, with someone on a candidate list for a comparable position class; and
3. begin the screening process as soon as the applicable job opening is posted.

The act also requires an appointing authority to notify the Department of Administrative Services (DAS) commissioner when a position becomes vacant because its previous holder was promoted and the appointing authority determines that it should be filled.

EFFECTIVE DATE: July 1, 2023

FILLING PERMANENT POSITION VACANCIES

Candidate Lists (§ 1)

By law, when an appointing authority receives approval to fill a vacancy in a permanent position in the state classified service, the authority must ask the DAS commissioner for a certified candidate list with each candidate's final earned rating (i.e., a list of who has passed an examination for a position and their final scores). The law requires the authority to fill the position with any candidate on the list, and the act further specifies that this candidate must be the one determined most qualified and suitable for the position.

Under the act, and regardless of any provisions of the State Personnel Act, once an appointing authority selects a candidate from a candidate list, it may immediately fill the position with the candidate if it believes that doing so would maintain operational efficiency and productivity or would comply with a lawful order. Under these conditions, any pre-employment check or other requirement may be completed during the candidate's working test period.

By law, if a candidate list has less than five names, the DAS commissioner may hold a new examination. Prior law allowed the appointing authority to then fill the position with someone on either the new or original list. The act more broadly allows the appointing authority, under these circumstances, to fill the position with someone from the new list or any candidate list for the same or comparable class.

OLR PUBLIC ACT SUMMARY

Screening Process (§ 2)

The act allows an appointing authority, regardless of the State Personnel Act's provisions or any employment requirement, to begin the screening process as soon as the applicable job opening is posted.

Vacancies Due to Promotions (§ 3)

By law, when a vacancy in a permanent position in the classified service is to be filled, the appointing authority must notify the DAS commissioner about it. To the extent possible, and in the state's best interest, the position must be filled by reemployment of laid off state employees, promotions from within the agency, and service-wide promotions or transfers. The authority, with the commissioner's approval, decides whether to fill the vacancy from within the agency, from a state-wide employment list, transfer, or if these are not possible, by original appointment.

Under the act, if a position becomes vacant because its previous holder was promoted, the appointing authority must assess whether the position should be filled. Then he or she must notify the DAS commissioner as required by existing law.

BACKGROUND

Related Act

PA 23-1, § 13, allows the DAS commissioner to place people on a candidate list for the various classified service position classes if she finds that posting job openings is warranted to provide regular, updated candidate pools for specific examined and non-examined positions.