

HOUSE No. 2612

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act to provide for the permanent appointment of certain provisional employees who have rendered satisfactory service..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 12 of Chapter thirty one of the general laws is hereby amended by
2 adding after the third paragraph of said section a new paragraph four to read as follows:

3 In the event that an appointing authority fails to request or the administrator fails to
4 establish an eligible list within two years of the making of a provisional appointment or
5 promotion, the employee so appointed or promoted shall be deemed to be permanently appointed
6 or promoted to said position at such time that the employee receives two consecutive
7 performance evaluations pursuant to section 6A in which the employee receives an overall rating
8 of satisfactory or higher. Such employee shall not be required to complete any further
9 probationary period under section 34.

10 Section 2: The seniority date of an employee who receives a permanent appointments or
11 promotions pursuant to the provisions of this act shall be calculated under Section 33 of chapter
12 thirty one of the general laws to include all service after the date on which he or she first met the
13 criteria contained in section one above.