

1920, ch. 41, sec. 15.

15. An employee may be permanently separated from the classified service through resignation, rejection on probation or removal, and may be temporarily separated through layoff, suspension or leave of absence.

The Commissioner shall by rule prescribe what shall constitute resignation.

The appointing authority may at any time before the expiration of a probation period, prescribe by the rules of the Commissioner which in no event shall exceed six months, reject any person appointed to a position in his department upon statement in writing to the Commissioner of the cause for rejection; providing that no appointing authority shall have power to remove a probationer who has been appointed by promotion from another class without the consent of the Commissioner; and provided further, that no appointing authority who has removed a probationer as hereinbefore set out shall have power to exercise such right of removal again with respect to any other probationer in a position of the same class within three calendar months after such removal. The employee so rejected shall be considered permanently separated from such position, but the Commissioner may keep the name of the person thus rejected on the eligible list from which he was appointed for future certification to another position in the class to which the list applies.

No employee who has completed his probation may be permanently removed from the classified service except for cause, upon written charges and after an opportunity to be heard in his own defense. Such charges may be filed by the appointing authority or by any citizen, provided, however, that no such charges may be filed by a citizen without the consent of the appointing authority or of the Commissioner, and such charge shall, within ninety days after filing, be heard, investigated and determined by the Commissioner or by some person or board appointed by the Commissioner to hear, investigate and determine the same.

The finding and decision of the Commissioner or of such person or board when approved by the Commissioner shall be final, and shall be certified to the appointing authority and shall be forthwith enforced by such authority.

The Commissioner shall, by rule, prescribe what may constitute cause for removal, but no removal shall be allowed because of the religious or political opinions or affiliations of any employee. The provisions of this section shall apply to the demotion of an employee as described in Section 14 of this Article.

1920, ch. 41, sec. 16.

16. An employee in a position that is to be abolished, discontinued, or vacated, because of change in departmental organization, or through stoppage or lack of work, shall be laid off and his name placed, in the order provided in the rules of the Commissioner, on the eligible list for the class of the position from which he was laid off.