



# RULES OF THE STATE PERSONNEL BOARD

## 478-1-.01 Organization of the Board

### **(1) Membership:**

Article IV, Section III, Paragraph I of the Constitution of the State of Georgia requires there shall be a State Personnel Board which shall consist of five members appointed by the Governor, subject to confirmation by the Senate. The members of the Board in office on June 30, 1983, shall serve out the remainder of their respective terms. As each term of office expires, the Governor shall appoint a successor as herein provided. All such terms of members shall be for five (5) years. Members shall serve until their successors are appointed and qualified. A member of the State Personnel Board may not be employed in any other capacity in state government. A chairman shall be selected by the members of the board from its membership.

- (a) The State Personnel Board shall provide direction by which the state's personnel policies shall be administered and may be vested with such additional powers and duties as provided by law. State personnel shall be selected as provided by law.

### **(2) Organization of the Board:**

The Board shall, at the regular meeting in December of each year or at such time as the Chair may determine, elect one member to act as Chair for a term of one year, or until a successor is duly elected. At the same time the Board shall elect one of its members to act as vice-chair for the same term and to act for the chair in his/her absence. If the office of chair is vacated because of death or resignation, or in any other manner, before the expiration of his/her term as Chair, the Board shall elect a successor at its next regular meeting, who shall serve for the unexpired term. Any member who has served a full term as chair or vice-chair of the Board shall not be eligible for reelection to the same office until an interval of one term has expired.

- (a) In December of each year or at such time as the Chair may determine, the Chair of the Board shall establish a schedule of the dates and meeting times for the regular meetings of the State Personnel Board for the following calendar year. The Commissioner will publish this schedule and make it available to any interested party upon request. Regular meetings of the Board shall normally be held in the offices of the Department of Administrative Services provided, however, that the chair may change the time, date and place of any meeting when deemed necessary. The board members, the Commissioner, the several appointing authorities and other appropriate parties shall be notified of the meetings as required by law, at least ten (10) days prior to the meetings.

## Rules of the State Personnel Board

- (b) Special meetings of the Board may be called by any member of the Board or by the Commissioner upon giving reasonable advance notice of the meeting and subjects expected to be considered at the meeting as required by Section 50-14-1 of the Georgia Code. Notice of such meetings shall be given to each member of the Board, the Commissioner, and other parties as required by Code Section 50-14-1.
- (c) Except as otherwise provided by law, all regular meetings of the Board shall be open to the public. The Board may meet in closed session when discussing or deliberating upon the appointment, employment, hiring, disciplinary action, dismissal, or performance of a public officer or employee.
- (d) The Board shall adopt procedures for the conduct of its activities. Meetings of the Board may be informal, subject to such rules of order as may be promulgated by the chair of the Board, and may be conducted by telecommunications conference when necessary provided that such meeting is conducted as required by Code Section 50-14-1.
- (e) Three members shall constitute a quorum. Only the votes of a majority of the members present shall be necessary for the transaction of any business or discharge of any duties of the State Personnel Board, provided there is a quorum.
- (f) The time and place of each meeting of the Board, names of the board members present, all official acts of the Board, the votes of each member except when the acts are unanimous, and when requested a board member's approval or dissent, with the member's reasons, shall be recorded in the minutes. The Commissioner shall cause the minutes to be transcribed and presented for approval or amendment at the next regular meeting. The minutes or a true copy thereof, certified by a majority of the Board, shall be open to inspection by the appointing authorities and the public.
- (g) All decisions, opinions, recommendations and other pertinent matters resulting from a hearing or investigation conducted by the Board, shall be typewritten, subscribed to by the board members concurring, and filed as a part of its proceedings with the minutes.
- (h) The Commissioner, as Executive Secretary to the Board, shall have the right to attend or be represented at, and to participate in, all meetings of the Board, but shall be without voting power.

# Rules of the State Personnel Board

## **(3) Functions, Powers and Duties of the Board; Compensation of Members:**

The Board shall hold regular meetings at least once each month or at such time as the Chair may determine and may hold additional meetings as may be required for the proper discharge of its duties. Members of the Board shall receive no salary but shall receive the same expense allowance per day as that received by a member of the General Assembly for each day such member is attending meetings or performing official business for the Board, plus reimbursement for actual transportation costs while traveling by public carrier or the legal mileage rate for the use of a personal automobile in connection with such attendance or official business.

(a) It shall be the specific duty and function of the State Personnel Board:

1. To represent the public interest in the improvement of personnel administration in the state departments covered by the Rules of the State Personnel Board.
2. At public hearings, to adopt and amend policies, rules, and regulations effectuating state personnel administration subject to approval of the Governor. The rules and regulations of the State Personnel Board in effect on the effective date of the Act shall remain in effect until amended, changed, modified or repealed by the Board. Notice of regular meetings of the State Personnel Board shall be released to all departments and agencies covered by the Rules of the State Personnel Board and shall be prominently posted at the office of the Department of Administrative Services at least ten days prior to each regular meeting.
3. To insure that a review is afforded on dismissals, other adverse personnel actions as defined by the rules and regulations of the State Personnel Board and other purported violations of the rules and regulations in the several departments which are included in the career service as well as in other matters under the Board's jurisdiction where the Board deems a review appropriate. All appeals determinations of the Board shall be written and documented as to findings of fact, basis for decisions, and prescribed remedies.
4. To assure the administration of state and federal laws relating to state personnel administration.
5. To promote public understanding of the purposes, policies, and practices of state personnel administration and to advise and assist the several state departments in securing the interest of institutions of learning and of civic, professional, and other organizations in the improvement of personnel standards.

## Rules of the State Personnel Board

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6. To extend, upon application, such services of the State Personnel Board, as may be agreed upon by the agency and the Board, to other governmental jurisdictions or agencies thereof not covered by the Rules of the State Personnel Board upon a fee basis.
7. To adopt and promulgate rules and regulations for the administration of the medical and physical fitness program and to perform such other actions as may be required by law.
8. To adopt and promulgate rules and regulations for administration of the suggestion system and to perform such other actions as may be required by law.
9. To adopt and promulgate rules and regulations for the administration of the service awards Program and to perform such other action as may be required by law.

**Authority:**

O.C.G.A. Secs. 20-2-798, 45-2-20, 45-20-1 to 45-20-3, 45-20-3.1, 45-20-4