



RULES OF THE STATE PERSONNEL BOARD

478-1-.01 Organization of the Board

(1) Establishment and Membership of the Board:

Article IV, Section III, Paragraph I of the Constitution of the State of Georgia establishes a State Personnel Board. The Board provides direction by which the State's personnel policies are administered, and may be vested with such additional powers and duties as provided by law.

The Board consists of five members appointed by the Governor for five-year terms, subject to confirmation by the Senate. Members shall serve until their successors are appointed and qualified. Vacancies arising from death or resignation shall remain vacant until such time that a successor is appointed and qualified. A member of the State Personnel Board may not be employed in any other capacity in state government.

(2) Applicability:

Rules adopted by the State Personnel Board and approved by the Governor have the force and effect of law and apply to departments and agencies as defined in Section 45-20-2 of the Georgia Code.

(3) Organization of the Board:

- (a) The Board shall, at the last regular meeting of each calendar 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 meeting, 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 or her absence. If the office of chair or vice-chair is vacated because of death or resignation, or in any other manner, the Board, at its next regular meeting, shall elect a successor, who shall serve for the unexpired term.
- (b) At the last regular meeting of each calendar year or at such time as the chair may determine, the Board shall establish a schedule of the dates and meeting times for the regular Board meetings 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; however, the chair may cancel or postpone, or change the time, date, and place of any meeting, when deemed necessary. Board members, the Commissioner, 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

- (c) 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 state law.
- (d) 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.
- (e) 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 teleconference, provided that such meeting is conducted as required by Code Section 50-14-1.
- (f) 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.
- (g) The minutes of each Board meeting shall include the time and place of the meeting, 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. 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.
- (h) All decisions, opinions, recommendations and other pertinent matters resulting from a hearing or investigation conducted by the Board, including the votes of each member except when the acts are unanimous, shall be recorded and filed as a part of its proceedings with the minutes.
- (i) 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

(4) Functions, Powers, and Duties of the Board; Compensation of Members:

- (a) The Board shall hold regular meetings at such times as the Chair may determine and may hold additional meetings as may be required for the proper discharge of its duties.

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.
 3. To review adverse personnel actions for employees of the classified service where the Board deems a review appropriate. All appeals determinations of the Board shall be written and documented as to findings of fact, bases 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 state departments in securing the interest of institutions of learning and of civic, professional, and other organizations in the improvement of personnel standards.
 6. To adopt and promulgate rules and regulations for the administration of the program for certification of medical and physical fitness of state employees and to perform such other actions as may be required to administer the program.
 7. To adopt and promulgate rules and regulations for administration of meritorious award programs, incentive compensation plans, goal-based plans, and the employee suggestion program and to perform such other actions as may be required to administer the programs.
 8. To perform such other actions as may be required by law.
- (b) 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

Rules of the State Personnel Board

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.

Authority:

O.C.G.A. §§, 45-20-2, 45-20-3, 45-20-3.1, and 45-20-4 (duties and functions of the State Personnel Board and Department of Administrative Services related to the Rules of the State Personnel Board)

State Law References:

Ga. Const. Art. IV, Sec. III, Para. I (creation of the State Personnel Board)

O.C.G.A. § 45-2-44 (authorization for the State Personnel Board to adopt rules for the medical and physical examination program)

O.C.G.A. § 45-20-1 (statement of legislative intent concerning state personnel administration)

O.C.G.A. § 45-20-2 (definitions related to the State Personnel Board)

O.C.G.A. § 45-21-2 (authorization for the State Personnel Board to adopt rules for meritorious award programs, incentive compensation plans, and goal-based plans)