

NORTH CAROLINA GENERAL ASSEMBLY
1961 SESSION

CHAPTER 929
HOUSE BILL 1100

AN ACT TO AMEND CHAPTER 144 OF THE PUBLIC-LOCAL LAWS OF 1937,
AS AMENDED, RELATING TO THE CIVIL SERVICE ACT OF THE CITY OF
HIGH POINT.

The General Assembly of North Carolina do enact:

Section 1. That Section 1 under Sec. 3, Article XIV of Chapter 144 of the Public Local Laws of 1937, as amended, be and the same is hereby rewritten to read as follows:

"Section 1. There is hereby created a Civil Service Commission of the City of High Point, which Commission shall be composed of seven (7) members who shall be appointed by the Council of the City of High Point. The present members of the Civil Service Commission shall serve out their present terms of office. When the terms of the present members expire their successors shall be appointed by the Council of the City of High Point for terms of four years. No person appointed on said Commission shall be eligible for reappointment on said Commission until after the lapse of two years following the expiration of his term, except that this provision shall not apply to members appointed to fill out unexpired terms. Each of the two major political parties in High Point shall have at least two members on said Commission; in event of death or resignation of a member of said Commission the Council of the City of High Point shall appoint, after consultation with the remaining members of such Commission, a new member to fill out the unexpired term."

Sec. 2. That Section 3 under Sec. 3, Article XIV of Chapter 144, Public-Local Laws of 1937, as amended, be and the same is hereby rewritten to read as follows:

"Sec. 3. The compensation of each member of the Civil Service Commission shall be five dollars (\$5.00) for each meeting of the Commission attended, and in no case more than twenty-five dollars (\$25.00) per month. The secretary shall hold office at the pleasure of the Commission and shall receive such salary as may be fixed by the Council of the City of High Point. The members of said Commission and the secretary shall possess the general qualifications now required of an elector of the City of High Point, and shall take a similar oath (or affirmation) of office as is now required of City Councilmen, to be administered by the Judge of the Municipal Court of the City of High Point. In the event any person appointed as a member of the Civil Service Commission by the Council of the City of High Point shall fail or refuse to qualify by taking the oath (or affirmation) required by this Section within three days after such appointment, the

Council of the City of High Point may appoint another member to fill the vacancy created by such failure or refusal to qualify."

Sec. 3. That Section 5 under Sec. 3, Article XIV of Chapter 144 Public-Local Laws of 1937, be and the same is hereby amended by striking out in lines 2 and 3 the following words: "for promoting efficiency in the classified service of the city and", and by deleting the period at the end of Subsection (7) of said Section 5 and adding in lieu thereof the words "subject to Sec. 15".

Sec. 4. That Section 6 under Sec. 3, Article XIV of Chapter 144 of the Public-Local Laws of 1937, as amended, be further amended by adding in line 5 between the words "Court" and "and", the words "Personnel Director".

Sec. 5. That Section 12 under Sec. 3, Article XIV of Chapter 144 of the Public-Local Laws of 1937, be and the same is hereby amended to read as follows:

"Sec. 12. The treasurer shall not pay, nor shall any officer or employee of the city issue a check for the payment of, nor pay any salary or compensation to any person holding, or claiming to hold a position in the classified service, as defined by this Act, unless the payroll or account of such salary or compensation shall bear a certificate of some person designated by the City Manager stating that the persons named therein have been appointed or employed in accordance with the civil service provisions of this Act and the rules established hereunder, that their names appear upon the service register for the time for which such salary or compensation is claimed and that the salary or compensation is at the rate indicated on such register, but no such certificate shall be required in connection with the payment of salary or compensation to the officers and employees which are specifically exempt from the provisions of this Act by Section 6 of Article XIV. No such certificate shall include the name of any officer or employee during layoff, suspension or pending the public hearing provided herein, but should any such officer or employee be reinstated after such public hearing, full compensation shall be paid for such period. If the treasurer or any officer or employee of the city shall wilfully violate any of the provisions of this Section he and the sureties on his bond shall be liable to the city for the amount thereof and actions may be brought therefor by any taxpayer for the use of the city without giving notice previous to institution of suit."

Sec. 6. That Section 14 of Sec. 3, Article XIV of Chapter 144 of the Public-Local Laws of 1937, as amended, be and the same is hereby rewritten to read as follows:

"Sec. 14. Notice of the time and place of every examination shall be given once a week by the Civil Service Commission by publication for two (2) weeks immediately preceding such an examination in a daily newspaper published in the City of High Point, and such notice shall be posted in a conspicuous place in the office of the Civil Service Commission and on the bulletin boards in the Municipal Building of the City of High Point for at least two (2) weeks next preceding such an examination. The said Civil Service Commission shall prepare and keep as a permanent record of the Commission a register of all persons successfully passing such examinations to be known as the register of eligibles. The names of such eligibles shall be arranged in classified lists according to the type of employment sought. The name of no person shall

remain on the register of eligibles for more than two (2) years without a new application and a new examination. When an appointment is to be made by the City of High Point, the Civil Service Commission shall be notified by the appointing authority as set out in Sec. 13 and it shall certify to the City Manager or the department head, as the case may be, the names and addresses of five (5), or less if five are not available, eligibles on the list for the class or grade to which such position belongs. One of the persons so certified shall be appointed to fill the vacancy. No appointment of a department head made by the City Manager shall be submitted to the City Council for approval and no appointment made by department heads shall be submitted to the City Council for approval."

Sec. 7. That Section 19 of Sec. 3, of Article XIV of Chapter 144 of the Public-Local Laws of 1937, be and the same is hereby amended by changing the word "shall" in line 6 to the word "may".

Sec. 8. That Section 21 of Sec. 3, Article XIV of Chapter 144 of the Public-Local Laws of 1937, be and the same is hereby amended by changing the word and figure "three (3)" in line 12 of said Section to the word and figure "five (5)".

Sec. 9. All laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 10. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 16th day of June, 1961.