

2025 -- H 5681

LC001079

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

A N A C T

RELATING TO PUBLIC OFFICERS -- MERIT SYSTEM

Introduced By: Representatives Chippendale, Finkelman, Fascia, Place, Newberry,
Nardone, Edwards, Paplauskas, Furtado, and Hull

Date Introduced: February 26, 2025

Referred To: House Labor

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 36-4-18 of the General Laws in Chapter 36-4 entitled "Merit System"

2 is hereby amended to read as follows:

3 **36-4-18. Competitive tests.**

4 (a) The competitive tests shall be designed to determine fairly the capacity of the persons
5 examined to perform the duties of the positions in the classes for which the lists are prepared. The
6 personnel administrator may waive the need for competitive testing to help fill temporary and
7 emergency positions. The competitive tests shall be open to applicants who are residents of the
8 state of Rhode Island; provided, that the personnel administrator may admit to competitive tests for
9 technical, professional, or unusual positions residents of other states. Any resident denied
10 admission to an examination on the grounds of insufficient qualifications as established in the class
11 specifications involved may, within five (5) calendar days of the mailing of the notices, appeal in
12 writing to the administrator of adjudication for a hearing or review of the denial. On the basis of
13 the review or hearing, the administrator of adjudication may direct the personnel administrator to
14 permit the appellant to take the examination. The tests may take into consideration elements of
15 character, education, aptitude, experience, knowledge, skill, personality, physical fitness,
16 professional license, or specialized training, and other pertinent matters, and may be written, oral,
17 physical, or in the form of demonstration of skill, or any combination of these types. Public notice
18 of every test shall be given in the manner prescribed by the personnel rules.

19 (b) Exam studying and preparation materials shall be made available to all test takers. The

1 [competitive test shall be available in Spanish and Portuguese.](#)

2 (c) Persons having a legitimate and proper interest in examination questions used in
3 connection with any examination shall be freely allowed to inspect the questions, when all phases
4 of the examination in which the questions were used have been completed under such conditions
5 as shall be specified in the personnel rules. The final earned rating of each person competing in any
6 test shall be determined by the weighted average of the earned rating on all phases of the test
7 according to weights for each phase established by the personnel administrator in advance of the
8 giving of the tests and published as part of the announcement of the examination. However, the
9 personnel administrator may discontinue the examination process for any competitor when it has
10 been determined that the required minimum final earned rating cannot be attained. All persons
11 competing in any test shall be given written notice of their standing on any employment list or of
12 their failure to attain a place upon the list. The personnel administrator may as deemed appropriate
13 establish broadband examinations for a wide variety of entry and/or other levels of positions which
14 would not be ranked in the traditional manner. The examinations would be ranked only upon
15 certification to an appropriate vacancy and subject to conditions established in the personnel rules
16 and the provisions of §§ 36-4-4 and 36-4-7 shall not apply to any appointments which are in the
17 unclassified service. When an appropriate vacancy exists, the appointing authority will certify as
18 to the appropriate knowledge, skills, and abilities required for successful performance in a
19 particular position or positions. The personnel administrator will then proceed to rank all eligibles
20 who have qualified and possess the requisite knowledge, skills, and abilities.

21 SECTION 2. Chapter 36-4 of the General Laws entitled "Merit System" is hereby amended
22 by adding thereto the following section:

23 **36-4-18.1. Personnel action requests.**

24 [The personnel administrator shall streamline the processing of personnel action requests to](#)
25 [reduce the time in which they are addressed.](#)

26 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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1 This act would authorize the personnel administrator to waive the need for competitive
2 tests to fill temporary and emergency positions. It would also require the State to make exams
3 studying and preparation material available to all test takers and that the competitive examination
4 would be printed in Spanish and Portuguese. This act would also require the streamlining of the
5 process of personnel action requests (PAR).

6 This act would take effect upon passage.

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