

**TITLE 1: GOVERNMENT**  
**DIVISION 8: PUBLIC EMPLOYMENT**

**§ 8117. Civil Service Commission: Rules and Regulations.**

Pursuant to the Administrative Procedure Act (1 CMC § 9101 et seq.), the Civil Service Commission shall prepare reasonable rules and regulations to carry out the provisions of this part. The rules and regulations shall:

(a) Regulate appointments, promotions, removals, and other personnel matters;

(b) Contain uniform provisions covering the method and manner of conducting examinations; on the job training programs; a uniform performance evaluation system, including the manner in which ratings are to be used in promotions; salary increases, suspensions and separations; and position classification;

(c) Provide procedures for original appointment or temporary appointment, promotion, transfer, the filling of vacancies, leaves of absence, layoffs, suspension, demotion, separation, reinstatement, and reemployment;

(d) Provide for the establishment, maintenance, consolidation, cancellation, and extension of eligibility lists and the removal of names from the lists;

(e) Provide for the establishment of desirable standards of training, experience, and other qualifications of applicants;

(f) Establish work test periods of not less than six nor more than twelve months before appointees acquire permanent civil service status;

(g) Establish procedures for grievance proceedings;

(h) Fix the procedure and the time within which appeals may be taken and heard;

(i) Establish the method of certification of eligibility for appointment and promotion. The appointing authorities shall be entitled to the certification of not less than five eligible applicants for each vacancy. If more than one vacancy is to be filled, an additional eligible applicant shall be certified for each additional vacancy.

(j) Special and different rules and regulations may be established for unskilled labor lists, reemployment lists, reinstatements, emergency employment, positions which are difficult to fill, and appointments and promotion for a limited period and for other positions and employees where status in the civil service is not obtained; and

(k) Prescribe conditions for the transfer of employees between departments, agencies and political subdivisions.

**Source:** PL 1-9, § 8; amended by PL 3-65, §§ 2, 3, modified; (i) amended by PL 15-119, § 2; repealed and reenacted by PL 17-80 § 3 (8117) (August 31, 2012), modified.

**Commission Comment:** The Commission replaced “this act” with “this part” in this section.

Public Law 15-119 was enacted into law by override on December 5, 2007, and contained the following findings in addition to and severability and savings provisions:

Section 1. Findings. The Legislature notes that the Civil Service Act, set forth at 1 CMC § 8101, et seq. states that “[i]t is the policy of the Commonwealth to encourage the professional, technical and skilled-trade

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education and training of resident citizens in filling positions in the government service, whether by appointment, recruitment, or promotion." The Legislature finds, however, that the Civil Service Commission, in attempting to fulfill the mandate of the Civil Service Act, has implemented rules and regulations that excessively restrict the ability of returning citizens to qualify for civil service positions by requiring that only those individuals with years of prior work experience in a related field can be certified as eligible for a civil service position. The Legislature finds, therefore, that it is necessary to amend 1 CMC § 8117(i) of the Civil Service Act to provide that the Civil Service Commission shall amend the Civil Service Rules and Regulations to remove any and all provisions requiring that persons seeking to be certified as eligible for a civil service position have prior work experience in a related field if such persons possess a Bachelor's, Masters, or Doctoral degree, in a field of expertise related to the civil service position for which the person has applied.