

his employees that so long as their services are satisfactory they will be retained and no longer? I submit that it is contrary to business practice and altogether an un-American proposition. I contend that experience shows that the efficiency of employees varies inversely as the method of getting rid of them becomes more difficult.

If the Assembly decides to adopt a report at this time without further study and consideration, I offer the following substitute for Section 7 of the Law submitted in the majority report:—

Section 7.—Removals: “No person holding an office or place classified and graded under the provisions of this Act shall be laid off, removed, suspended, reduced in pay or grade, except for just cause, which shall not be religious or political. Further, no such person shall be laid off, removed, suspended, reduced in pay or grade until he shall have been furnished with a written statement of the reasons for such action and been allowed to give the appointing authority such a written answer as the person may desire. In every such case a copy of the statement of reasons therefor in sufficient detail to permit answer thereto, and of the written answer thereto shall be furnished to the Commission and entered upon its public records.”

Paragraph 3 of Section 4 of the majority report provides “the Commission shall refuse to certify the pay of any public officer or employee who shall wilfully, or through culpable negligence, violate, or fail to comply with the provisions of this Act, or of the rules of the Commission.” I dissent from the majority report on this point for the reason that it is an unusual method of punishment for the violation of laws or of rules. One of the functions of our system of courts is to punish violations of law or of rules which have the force of law. To be successful, Civil Service laws, or any other laws, must be made effective by faithful administration, supported by popular approval, rather than by unusual methods of compelling support. Suppose we had an arbitrary, vindictive Civil Service Commission possessed of this drastic power. My contention is that this provi-

sion is not only absolutely unnecessary for the reason given, but for the further reason that Section II. of the Act provides penalties for violation of the same, or of the rules. Moreover, this unique and unusual provision places unwarranted power in the hands of the Civil Service Commission, and does not even provide a hearing for the employee who is thus to be penalized.

Moreover, the majority report fails to contain specific provisions enabling the Commission to refuse to examine applicants, or, after examination, to refuse to certify them for good reasons. I have stated above that the primary function of the Civil Service Commission is the conducting of tests. In connection therewith, if the work is to be well done, there should be a character investigation, and the Commission should be authorized to withhold from the eligible list or refuse to examine persons who are proved guilty of certain delinquencies. I do not find anywhere in the majority report a provision enabling the Commission to do this most important thing. Indeed, to my mind, it is far more important that the Commission investigate the character of applicants and have power to refuse to certify them if found delinquent than it is for the Commission to exercise complete control of all dismissals from the service. To meet these objections some such provision as the following should be inserted in paragraph 5 of Section 5, if the law is to be adopted:—

“The Commission may refuse to examine an applicant, or, after examination, to certify an eligible, who is found to lack any of the established preliminary requirements for the examination, or position, or employment for which he applies; or who is physically so disabled as to be rendered unfit for the performance of the duties of the position to which he seeks appointment; or who is addicted to the habitual use of intoxicating liquors or drugs; or who has been guilty of any crime, or of infamous or notoriously disgraceful conduct; or who has been dismissed from the public service for delinquency or misconduct; or who has made a false statement of any material fact; or practiced or at-