

A BILL FOR AN ACT

To amend Title 33 of the Palau National Code to reinstate the National Civil Service Board, and for other related purposes.

THE PEOPLE OF PALAU REPRESENTED IN THE OLBIIL ERA KELULAU DO ENACT AS FOLLOWS:

1 **Section 1. Legislative Findings.** In 1997, a joint Executive-Legislative Advisory
2 Group on Boards, Commissions and Authorities was established to make
3 recommendations on the consolidation or elimination of boards, commissions, and
4 authorities in order to streamline the National Government. The core responsibilities and
5 functions performed by these entities were transferred to other government agencies,
6 resulting in cost-savings to the government. Among other boards, the National Civil
7 Service Board was eliminated by RPPL No. 5-7 when that law repealed sections 301
8 through 306 of Title 33 of the Palau National Code. The Olbiil Era Kelulau finds,
9 however, that there remains a need for the National Civil Service Board, which will serve
10 to ensure that government hiring is fair, objective, and free from influence.

11 **Section 2. Amendment.** 33 PNC § 103 is hereby amended to read as follows:

12 “§ 103. Definitions. In this division:

13 (a) ...

14 (b) “Board” means the National Civil Service Board, established pursuant to
15 Chapter 3 of this Title.

16 (c) ...

17 (d) “Chairman” means the chairman of the National Civil Service Board.

18 (e) ...

19 ...”

20 **Section 3. Amendment.** 33 PNC § 206 is hereby amended to read as follows:

21 “§ 206. Duties of the Director. The Director shall represent the public interest in
22 assuring compliance with basic policy concerning personnel administration, and in
23 ensuring that the integrity of the National Public Service System is preserved. To this end,
24 the Director shall have the following powers and duties:

1 (a) to formulate policies and promulgate regulations to carry out the provisions of
2 this division, including ~~but not limited to~~;

3 (1) regulations governing the recruitment, hiring, placement, and
4 promotion of employees;

5 (2) competitive and promotional examinations;

6 (3) eligibility criteria and qualifications for employment, including the
7 education, expertise, and professional experience necessary for each position;

8 (4) provisional, short-term and emergency appointments;

9 (5) termination of employees, reductions in force, a period of probationary
10 service which must be satisfied before an employee becomes a permanent
11 employee (which period may not exceed six months); and

12 (6) such other matters as may be within the purview of this division.

13 The National Public Service Board shall, pursuant to Section 305 of this Title, review each
14 decision to hire a new employee of the National Government not exempted by Section
15 205 of this Title or by other law, to insure the decision to hire the employee complies with
16 the rules and regulations promulgated under subdivision (3) of subsection (a) of this
17 Section. Otherwise, the appropriate management officials in the Executive Branch of the
18 national government, along with the Bureau of Public Service System, shall be responsible
19 for effectuation of regulations promulgated by the Director.

20”

21 **Section 3. Amendment.** 33 PNC Chapter 3 is hereby amended to read as follows:

22 **“Chapter 3**

23 **National Civil Service Board**

24 **§ 301. Establishment.** There is hereby established a National Civil Service Board
25 consisting of five (5) members appointed by the President of the Republic of Palau with
26 the advice and consent of the Senate of the Olbiil Era Kelulau. The President shall
27 designate one member to be the Chairman of the Board.

28 **§ 302. Term of appointment.** The term of office of board members shall be three
29 years; however, of the members initially appointed by the President, two shall serve for
30 two years, and three for three years. Thereafter, all appointments shall be for full three-
31 year terms. Any appointment to fill a vacancy occurring prior to the expiration of a

1 member's term shall be for the remainder of such term. The President may remove
2 members of the board for inability to perform or malfeasance in office.

3 § 303. Meetings. The Board shall meet at the call of the Chairman. The Chairman
4 shall designate the time and place of such meetings. Minutes of all meetings shall be
5 recorded. Three affirmative votes shall be required for any decision by the Board.

6 § 304. Expenses. A member of the Board who is an officer or employee of the
7 national government shall be granted administrative leave to attend to the business of the
8 Board, and shall receive his regular salary while on the business of the Board. In addition,
9 members will be pad travel expenses and per diem while on the business of the Board, at
10 standard national government Executive Branch rates, whenever applicable.

11 § 305. Office. The Director of the Bureau of Public Service System shall provide
12 office space for the Board. The Bureau of Public Service System shall provide technical
13 and administrative support upon request of the Board. The President shall include the
14 funding requirements of the Board in the annual Unified National Budget.

15 § 306. Powers and duties. The Board shall have the sole responsibility of
16 reviewing each decision to hire a new employee of the National Government not exempted
17 by Section 205 of this Title to insure the decision to hire that employee complies with the
18 requirements of the regulations promulgated under Section 206(a) of this Title. The Board
19 shall vote to approve each hiring decision pursuant to Section 303 of this Title.”

20 **Section 4. Effective Date.** This Act shall take effect upon its approval by the
21 President of the Republic of Palau or upon becoming law without such approval, except as
22 otherwise provided by law.

Date: 1-27-09

Introduced by: /s/
Hokkons Baules, Senator