

【Commissioner】 *Secretary* or by some person or board appointed by the 【Commissioner】 *Secretary* to hear, investigate and determine the same.

The finding and decision of the 【Commissioner】 *Secretary* or of such person or board when approved by the 【Commissioner】 *Secretary* shall be final, and shall be certified to the appointing authority and shall be forthwith enforced by such authority.

The 【Commissioner】 *Secretary* shall, by rule, prescribe what may constitute cause for removal, but no removal shall be allowed because of the religious or political opinions or affiliations of any employee. The provisions of this section shall apply to the demotion of an employee as described in Section 31 of this article.

34.

The 【Commissioner】 *Secretary of Personnel* shall prescribe a form for reports by the appointing authority concerning any employee who has been separated from service or who has been transferred to some other State agency, voluntarily or involuntarily, because of alleged unsatisfactory work or conduct. In no case shall such report become part of such employee's official or permanent State employment record until after the 【Commissioner】 *Secretary* has given the employee an opportunity to answer it in writing. When and if such an answer is filed, it shall become part of the official and permanent record of the employee, and the 【Commissioner】 *Secretary* shall make use thereof in ruling upon such employee's suitability for future employment in State service or elsewhere. If such employee has at any time satisfactorily completed a probationary period, he may waive the opportunity to file a written answer and elect to be heard in his own defense; and in the event of such election, the 【Commissioner】 *Secretary* shall follow the same procedure as that provided in cases pertaining to removal and shall find whether none, all, or part of the unsatisfactory report shall remain on such employee's official State employment record to determine suitability for future employment.

35.

An employee in a position that is to be abolished, discontinued, or vacated, because of change in departmental organization, or through stoppage or lack of work, shall be laid off and his name placed, in the order provided in the rules of the 【Commissioner】 *Secretary of Personnel*, on the eligible list for the class of the position from which he was laid off.

36.

The appointing authority may for disciplinary purposes suspend an employee. Every such suspension shall be without pay; provided, however, that any employee who is suspended by the appointing authority may appeal his suspension to the 【Commissioner】 *Secretary of Personnel*, and in case of the 【Commissioner's】 *Secretary's* disapproval he shall have power to restore pay to the suspended employee. With respect to his employees the 【Commissioner】 *Secretary* shall be deemed the appointing authority and the Governor shall act in the place and stead of the 【Commissioner】 *Secretary* for the purpose of this section.