

Minnesota Attorney General: Administrative Rules Proceedings

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DEPARTMENT Attorney General

Office Memorandum

TO 287 : RULES GIVEN TO BILL DALY AND NOT TO AGENCY-JOEL WERTH

DATE: January 24, 1977

FROM : Michael B. Miller
Special Assistant Attorney General

PHONE: 296-4632

SUBJECT: Rules as Approved - State Department of Public Safety governing the Emergency Services (Civil Defense) Political Activity Regulations and Merit System Compensation Plan, Minn. Rules DPS 90, 91, 94, 104 and 141

Enclosed herewith are the rules you have submitted for approval. These rules have been approved by this office and filed with the Secretary of State. Note that they have NOT been filed with the State Register; this must be done promptly by your agency.

Upon receipt and before transmittal to your agency, however, it is important that you recheck these rules as to:

1. Affixation of the stamps of the Attorney General and Secretary of State to the last page of the rules;

2. Coverage by these stamps of all rules submitted; and

3. Inclusion of all pages of the rules in the approved set.

Directly following the approved rules is a complete set of required documents and transcript which must be retained with the rules by you or your agency.

If you have any questions in this regard, please contact me.

MBM/pl

Enclosures

NEW RULES AS ADOPTED

CHANGES AND ADDITIONS INDICATED BY *ITALICS*, DELETION BY ~~STRIKE-OUT~~

DES 90 Definitions

A. The following definitions apply throughout these rules, unless the context clearly requires another meaning:

1. "Allocation" means the original assignment of a position to an appropriate class on the basis of the kind, difficulty, and responsibility of the work performed in the position.

2. "Appointing authority" means the County Board of Commissioners, the town board, the mayor, or other officer or board authorized by statute or lawfully delegated authority to make appointments to positions under the Merit System for Civil Defense.

3. "Class" means one or more positions sufficiently similar in the duties performed, degree of supervision exercised or required, requirements of training, experience, or skill, and such other characteristics that the same title, the same tests of fitness, and the same schedule of compensation may be applied with equity to all of the positions.

4. "Classified service" means all positions covered by these rules as provided in Rule 1125.

5. "Commissioner of Public Safety or Commissioner" means the administrative head of the State Department of Public Safety.

6. "Council" means the Merit System Council.

7. "County register" means the sub-register established for a county from a state-wide register, either competitive or promotional, containing the names of persons who have legal residence in the county or, in the event of a promotional examination, who are employed by the local agency.

8. "Day" means calendar day except where otherwise specified in the specific rule.

9. "Demotion" means a change by an employee from a position in one class

to a position in another class with less responsible duties and a lower salary range.

10. "Desirable qualifications" means the requirements of training and experience desired but not necessary to qualify for a given class of positions in the classification plan.

11. *"Disabled veteran" means a veteran who is rated or certified as disabled, in accordance with the provisions of Minn. Stat. 43.30.*

~~11.~~ *12.* "Dismissal" means the termination of employment of an employee for cause.

~~12.~~ *13.* "Eligible or eligible person" means any person whose name is on a register.

~~13.~~ *14.* "Emergency appointment" means an appointment required by a state of emergency as described in Rule 1353.

~~14.~~ *15.* "Employee" means any person employed by a local Civil Defense agency in a position covered by these rules (Rule 1125) who is paid a salary or wage.

16. "Exclusive representative" has the meaning given in Minn. Stat. § 179.63, Subd. 6.

17. "Facsimile" means a replica, e.g., facsimile of DPW 141 is a chart showing each of the salary rates adopted by an agency divided into monthly and hourly rates and either daily rates and bi-weekly or four week rates if paid on this basis or the daily rate based on the number of working days in the month--20, 21, 22, or 23 days if paid on a monthly basis.

18. "General adjustment" means the merit system recommended salary adjustment based on the annual salary survey.

19. "Intermittent employee" means an employee who works whenever needed or on a schedule which cannot be predicted in advance.

~~15.~~ *20.* "Layoff" means the termination of employment because of shortage of funds or curtailment of services.

~~16.~~ *21.* "Limited-term appointment" means an appointment from a register for a period not to exceed six months as described in Rule 1354.

~~17.~~ *22.* "Local agency" means the organization created to carry out the functions and programs of the jurisdiction's Civil Defense responsibilities.

~~18.~~ *23.* "Local Civil Defense authority" means the governing board, commission, council, or mayor under whose authority a county, town, village, or borough establishes a local Civil Defense agency.

24. "Merit increase" means a salary increase given to an individual employee based on meritorious job performance.

~~19.~~ *25.* "Military leave" means the leave of absence granted by state law to employees entering active duty in the armed forces of the State of Minnesota or the United States of America.

~~20.~~ *26.* "Minimum qualifications" means the requirements of training and experience necessary to qualify for a given class.

~~21.~~ *27.* "Original appointment" means a regular appointment of an individual to a local Civil Defense staff through selection from an open-competitive register and is the beginning point of the probationary period (sometimes referred to as Probationary Appointment).

~~22.~~ *28.* "Permanent employee" means an employee who has successfully completed his/*her* probationary period or who has attained permanent status upon the installation of the Merit System.

~~23.~~ *29.* "Position" means a group of current duties and responsibilities assigned or delegated by competent authority requiring the full or part-time employment of one person.

30. "Probationary employee" means an employee who is serving a probationary period in a class to which they have been appointed from an eligible list.

~~24.~~ *31.* "Probationary period" means the first six-month working test period during which a new appointee is required to demonstrate his fitness for the position to which he is appointed by actual performance of the duties of the position.

~~25.~~ *32.* "Promotion" means a change of an employee from a position in one class to a position in another class with more responsible duties and a higher salary range.

~~26.~~ *33.* "Provisional appointment" means an appointment of a person not on a register to fill a position pending the establishment of a register for such position in accordance with the provisions of Rule 1352.

~~27.~~ *34.* "Reallocation" means a reassignment, or change in allocation, of a position by raising it to a higher class of positions, reducing it to a lower class of positions, or moving it to another class of positions at the same level, on the basis of significant changes in the kind, difficulty, or responsibility of the work performed in the position.

~~28.~~ *35.* "Register" means an officially established list of eligibles for a particular class.

~~29.~~ *36.* "Resignation" means the termination of employment made at the request of the employee.

37. "Salary adjustment" means an increase given to employees due to cost-of-living factors, going rates for similar jobs, and/or labor market conditions.

~~30.~~ *38.* "State agency" means the Governor acting through the State Department of Public Safety, Division of Civil Defense, which is responsible for the administration and supervision of the Civil Defense programs in the State of Minnesota.

~~31.~~ *39.* "Supervisor" means the Merit System Supervisor.

~~32.~~ *40.* "Suspension" means an enforced leave of absence with or without pay, for disciplinary purposes or pending investigation of charges made against an employee.

41. "Temporary employee" means an employee who has been appointed to a position from an eligible register but the appointment has a definite ending date.

~~33.~~ *42.* "Transfer" means ~~a change~~ *the movement of an employee* from one posiion to another in the same class or in another class having the same salary range and usually involving the performance of similar duties and requiring essentially the same qualifications of training and experience.

~~34.~~ *43.* "Veteran" means all persons defined as veterans by Minnesota Statutes, Section 197.46.

~~35.~~ *44.* "Veteran's preference" means that preference granted to veterans by Minnesota Statutes, Section 43.30.

DES 91 Statement of Policy and Means of Effecting Policy

F. Political Activity

1. No employee shall use his or her offical authority or influence for the purpose of interfering with or affecting the results of an election or nomination for office.

2. No employee shall directly coerce, attempt to coerce, command, or advise a Merit System employee to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for political purposes.

3. No employee shall be a candidate in a partisan election for any public office ~~or for any political party office~~ which is obtained through a partisan election. *Candidacy for political party office is not prohibited.*

4. An employee continues to be covered by the Federal Hatch Act restrictions including all the restrictions listed in DES 91 (1) through (5) while on annual leave, sick leave, leave without pay or administrative leave. Any employee shall resign from the service upon filing as a candidate for public office, except as provided in DES 91 (f) (5).

5. Any employee may be a candidate in nonpartisan elections. These are elections in which none of the candidates is to be nominated or elected as representing a political party whose candidates for presidential ~~election~~ *elector* received votes at the last preceding presidential election.

6. All prohibitions of political activity provided in the Federal Hatch Act apply to employees under the Merit System.

DES 94 Compensation Plan

A. Preparation and adoption

1. The Governor, through the Commissioner of Public Safety shall formally adopt and make effective a comprehensive compensation plan *(DES 140)* for all classes of positions *which shall apply to all agencies covered by the Merit System except as otherwise negotiated for employees in a bargaining unit in agencies where there is an exclusive representative or in those limited instances where the requirements of DPW 116 C. have been satisfied.* The plan shall include salary ranges for the various classes, with the salary of each class consistent with the duties and responsibilities outlined in the class specifications. Minimum, intervening, and maximum rates of pay for each class shall be established to provide for steps in salary advancement without change of duty, in recognition of meritorious service. The advice and suggestions of appointing authorities, prevailing rates in other similar employments, and other relevant factors shall be taken into consideration in arriving at such salary ranges.

2. The proposed compensation plan and any subsequent amendments shall be submitted to the Council for review and recommendation in relation to the Merit System program of recruitment and examination.

B. Selection of salary ranges by local Civil Defense authority

1. The local Civil Defense authority shall select a salary plan *for all employees except those in a bargaining unit where a salary schedule has been negotiated by the board and the exclusive representative. Such a plan shall be selected* from each of the following salary schedules *provided under DES 140*: Professional--A, B, C,; Clerical--A, B, C, D, E, F.

2. Such rates, as provided for in DES 94 B. 1., shall be identified by alphabetical designation, and adjustment of the plan as provided in Rule DES 94 D. shall not serve to amend the alphabetically designated rates selected as the county plan.

3. The designation of the rates selected from the plan in each case shall be by resolution of the local Civil Defense authority. The Commissioner of Public Safety and the Supervisor shall be promptly notified of the rates selected by each jurisdiction.

4. The alphabetically designated rates selected by the local Civil Defense authority shall become the official plan for the local Civil Defense agency until amended by the salary setting authority as provided in Rule DES 94 C.

5. Salary rates for incumbents of positions shall be established in accordance with the provisions of Rules DPW 116 B. 1. and 2. on the basis of the plan adopted by the local Civil Defense authority as provided above.

C. Amendment of salary ranges selected by local Civil Defense authority

1. The local Civil Defense authority may amend the official plan for the jurisdiction by the selection of a different salary schedule as provided in DES 94 B.

2. The Merit System Supervisor shall be notified by letter of the official action of the local authority to amend the plan for the jurisdiction at least ten days in advance of the effective date of such amended plan, *unless such change results from the signing of a contract by the board and the exclusive representative.*

D. Adjustment of the ~~plan~~ *official salary schedule of the Minnesota Merit System*

1. The compensation plan provided in Rule DES 140 shall be adjusted for changes in the level of salary rates in business and government for similar and competing types of employment.

2. The Merit System Supervisor shall conduct each year a review of the changes in the level of salary rates in the labor market since the time of the survey preceding the most recent adjustment of the compensation plan. This review shall utilize the data and findings of other labor market surveys and shall, to the extent possible, be based upon similar surveys and data each succeeding year. The Supervisor shall complete this study and report ~~his~~ *the* findings to the Commissioner of Public Safety on or before July 31 each year.

3. If the report of the Supervisor reveals an increase or decrease in salary rates in the labor market for similar and/or competing employment of four per cent or more, the Governor, through the Commissioner of Public Safety, shall announce a public hearing for a general adjustment of the compensation plan. If the changes in the labor market are less than four per cent or differ significantly for various types of employment,

the Governor, through the Commissioner of Public Safety, may announce a public hearing to adjust the compensation plan in whole or in part.

4. The announcement of the public hearing to the affected agencies shall include the proposed compensation plan, an explanation of the adjustment proposed, and a summary of the findings of the survey upon which the proposed adjustment is based. Such information shall also be available to any other individual or group requesting the information.

5. The public hearing shall provide opportunity for all interested individuals and groups to present evidence, testimony, and views on the proposed compensation plan. Following the public hearing and after consideration of all of the evidence, the Governor, through the Commissioner of Public Safety, shall make his decision. An amended compensation plan ~~may~~ *shall not* be ~~permitted to become~~ effective ~~prior to~~ *until* the next succeeding January 1. ~~but such plan shall not be mandatory upon the agencies until the next succeeding January 1.~~

6. The local Civil Defense authority may implement an adjusted compensation plan by adjusting the salaries of the employees to the same numerically designated salary rate on the adjusted plan that such employees were paid under the former plan.

E. Negotiation of a salary schedule

1. In those agencies where employees have elected an exclusive representative the appointing authority and the exclusive representative may negotiate their own salary schedules for employees in the bargaining unit by class, with the salary for each class consistent with the functions outlined in the class specifications. Initial, intervening, and maximum rates of pay for each class shall be established to provide for steps in salary advancement without change of duty, in the recognition of meritorious service. When a new classification not previously used in the agency is established in the middle of the contract period and such class falls within the bargaining unit and no provision exists in the contract for establishing such salaries, the Supervisor shall establish the salary level for the class until such time as the contract is again negotiated. In so doing the Supervisor shall consider the salaries for the other classes in the agency as negotiated and the minimum qualifications for the new class.

2. A complete copy of the adopted salary schedule must be filed with the Supervisor within ten days after the signing of the contract or agreement. If the contract or agreement calls for succeeding increases in the salary schedule which change the original minimum and maximum salaries or intervening steps a new adjusted salary schedule must be filed with the Supervisor within ten days after the effective date of any such succeeding adjustment.

~~E.~~ *F.* Administration of the plan

1. *On either the official salary schedule of the Minnesota Merit System or the negotiated salary schedules,* the entrance salary for any new employee shall be at the minimum salary for the class of positions to which ~~he~~ *the employee* is appointed, except that the entrance salary may be above the minimum rate, provided that:

a. Such appointment at a higher rate is justified by the exceptional qualifications of the individual and that others having similar qualifications are offered the same rate.

OR

b. Such appointment at a higher rate has first been offered to all individuals standing higher on the register who have been offered the appointment.

AND

c. Such appointment under a. or b. above shall be made at one of the regularly established steps in the salary range.

d. When such appointment, except appointments under a. above, is made by the appointing authority at other than the minimum of the range, all employees having probationary or permanent status in the same class in the local unit shall be at or above the point in the range at which the appointment is made, or they shall be raised to that point.

e. Such appointments under a. or b. above shall be subject to the prior approval of the Merit System Supervisor upon submittal by the appointing authority of a written statement of the reasons for the higher rate.

(Delete entire existing DES [redacted] Compensation Plan and DES 141 [redacted]tandard Table and insert the following pages.)

Due to the numerous changes in the previous rules they are not shown by ~~strike-out~~; only the new rules are shown.

DES 140 Compensation Plan

A. Professional

1. Plan A

a. Class of Positions	1	2	3	4	5	6	7	8
Local Civil Defense Director I	723	755	789	826	863	902	944	987
Local Civil Defense Director II	826	863	902	944	987	1032	1079	1126
Local Civil Defense Director III	944	987	1032	1079	1126	1177	1232	1290
Local Civil Defense Director IV	1177	1232	1290	1348	1409	1472	1538	1609
Local Civil Defense Director V	1683	1760	1839	1923	2013	2105	2200	2297
County Civil Defense Director I	902	944	987	1032	1079	1126	1177	1232
County Civil Defense Director II	1032	1079	1126	1177	1232	1290	1348	1409
County Civil Defense Director III	1177	1232	1290	1348	1409	1472	1538	1609
County Civil Defense Director IV	1683	1760	1839	1923	2013	2105	2200	2297
Ass't. Civil Defense Director I	631	660	691	723	755	789	826	863
Ass't. Civil Defense Director II	755	789	826	863	902	944	987	1032
Ass't. Civil Defense Director III	902	944	987	1032	1079	1126	1177	1232
Ass't. Civil Defense Director IV	1079	1126	1177	1232	1290	1348	1409	1472
Administrative Officer	944	987	1032	1079	1126	1177	1232	1290
Public Information Officer	944	987	1032	1079	1126	1177	1232	1290
Safety Service Coordinator	944	987	1032	1079	1126	1177	1232	1290
Operations Officer	944	987	1032	1079	1126	1177	1232	1290
Radiological Defense Officer	826	863	902	944	987	1032	1079	1126
Communication Officer	826	863	902	944	987	1032	1079	1126

A. Professional

2. Plan B

a. Class of Positions	1	2	3	4	5	6	7	8
Local Civil Defense Director I	723	755	789	826	863	902	944	987
Local Civil Defense Director II	826	863	902	944	987	1032	1079	1126
Local Civil Defense Director III	944	987	1032	1079	1126	1177	1232	1290
Local Civil Defense Director IV	1177	1232	1290	1348	1409	1472	1538	1609
Local Civil Defense Director V	1683	1760	1839	1923	2013	2105	2200	2297
County Civil Defense Director I	902	944	987	1032	1079	1126	1177	1232
County Civil Defense Director II	1032	1079	1126	1177	1232	1290	1348	1409
County Civil Defense Director III	1177	1232	1290	1348	1409	1472	1538	1609
County Civil Defense Director IV	1683	1760	1839	1923	2013	2105	2200	2297
Ass't. Civil Defense Director I	660	691	723	755	789	826	863	902
Ass't. Civil Defense Director II	789	826	863	902	944	987	1032	1079
Ass't. Civil Defense Director III	944	987	1032	1079	1126	1177	1232	1290
Ass't. Civil Defense Director IV	1126	1177	1232	1290	1348	1409	1472	1538
Administrative Officer	987	1032	1079	1126	1177	1232	1290	1348
Public Information Officer	987	1032	1079	1126	1177	1232	1290	1348
Safety Services Coordinator	987	1032	1079	1126	1177	1232	1290	1348
Operations Officer	987	1032	1079	1126	1177	1232	1290	1348
Radiological Defense Officer	863	902	944	987	1032	1079	1126	1177
Communication Officer	863	902	944	987	1032	1079	1126	1177

A. Professional

3. Plan C

a. Class of Positions	1	2	3	4	5	6	7	8
Local Civil Defense Director I	723	755	789	826	863	902	944	987
Local Civil Defense Director II	826	863	902	944	987	1032	1079	1126
Local Civil Defense Director III	944	987	1032	1079	1126	1177	1232	1290
Local Civil Defense Director IV	1177	1232	1290	1348	1409	1472	1538	1609
Local Civil Defense Director V	1683	1760	1839	1923	2013	2105	2200	2297
County Civil Defense Director I	902	944	987	1032	1079	1126	1177	1232
County Civil Defense Director II	1032	1079	1126	1177	1232	1290	1348	1409
County Civil Defense Director III	1177	1232	1290	1348	1409	1472	1538	1609
County Civil Defense Director IV	1683	1760	1839	1923	2013	2105	2200	2297
Ass't. Civil Defense Director I	691	723	755	789	826	863	902	944
Ass't. Civil Defense Director II	826	863	902	944	987	1032	1079	1126
Ass't. Civil Defense Director III	987	1032	1079	1126	1177	1232	1290	1348
Ass't. Civil Defense Director IV	1177	1232	1290	1348	1409	1472	1538	1609
Administrative Officer	1032	1079	1126	1177	1232	1290	1348	1409
Public Information Officer	1032	1079	1126	1177	1232	1290	1348	1409
Safety Services	1032	1079	1126	1177	1232	1290	1348	1409
Operations Officer	1032	1079	1126	1177	1232	1290	1348	1409
Radiological Defense Officer	902	944	987	1032	1079	1126	1177	1232
Communications Officer	902	944	987	1032	1079	1126	1177	1232

B. Clerical

1. Plan A

a. Class of Positions	1	2	3	4	5	6	7	8	9
Clerk I	389	406	422	438	454	473	494	515	536
Clerk II	454	473	494	515	536	557	578	601	627
Clerk III	536	557	578	601	627	654	681	710	741
Clerk-Typist I	406	422	438	454	473	494	515	536	557
Clerk-Typist II	454	473	494	515	536	557	578	601	627
Clerk-Typist III	536	557	578	601	627	654	681	710	741
Clerk-Steno I	422	438	454	473	494	515	536	557	578
Clerk-Steno II	494	515	536	557	578	601	627	654	681
Clerk-Steno III	536	557	578	601	627	654	681	710	741

2. Plan B

a. Class of Positions	1	2	3	4	5	6	7	8	9
Clerk I	406	422	438	454	473	494	515	536	557
Clerk II	473	494	515	536	557	578	601	627	654
Clerk III	557	578	601	627	654	681	710	741	773
Clerk-Typist I	422	438	454	473	494	515	536	557	578
Clerk-Typist II	473	494	515	536	557	578	601	627	654
Clerk-Typist III	557	578	601	627	654	681	710	741	773
Clerk-Steno I	438	454	473	494	515	536	557	578	601
Clerk-Steno II	515	536	557	578	601	627	654	681	710
Clerk-Steno III	557	578	601	627	654	681	710	741	773

3. Plan C

a. Class of Positions	1	2	3	4	5	6	7	8	9
Clerk I	422	438	454	473	494	515	536	557	578
Clerk II	494	515	536	557	578	601	627	654	681
Clerk III	578	601	627	654	681	710	741	773	805
Clerk-Typist I	438	454	473	494	515	536	557	578	601
Clerk-Typist II	494	515	536	557	578	601	627	654	681
Clerk-Typist III	578	601	627	654	681	710	741	773	805
Clerk-Steno I	454	473	494	515	536	557	578	601	627
Clerk-Steno II	536	557	578	601	627	654	681	710	741
Clerk-Steno III	578	601	627	654	681	710	741	773	805

B. Clerical

4. Plan D

a. Class of Positions	1	2	3	4	5	6	7	8	9
Clerk I	438	454	473	494	515	536	557	578	601
Clerk II	515	536	557	578	601	627	654	681	710
Clerk III	601	627	654	681	710	741	773	805	839
Clerk-Typist I	454	473	494	515	536	557	578	601	627
Clerk-Typist II	515	536	557	578	601	627	654	681	710
Clerk-Typist III	601	627	654	681	710	741	773	805	839
Clerk-Steno I	473	494	515	536	557	578	601	627	654
Clerk-Steno II	557	578	601	627	654	681	710	741	773
Clerk-Steno III	601	627	654	681	710	741	773	805	839

5. Plan E

a. Class of Positions	1	2	3	4	5	6	7	8
Clerk I	473	494	515	536	557	578	601	627
Clerk II	557	578	601	627	654	681	710	741
Clerk III	654	681	710	741	773	805	839	876
Clerk-Typist I	494	515	536	557	578	601	627	654
Clerk-Typist II	557	578	601	627	654	681	710	741
Clerk-Typist III	654	681	710	741	773	805	839	876
Clerk-Steno I	515	536	557	578	601	627	654	681
Clerk-Steno II	601	627	654	681	710	741	773	805
Clerk-Steno III	654	681	710	741	773	805	839	876

6. Plan F

a. Class of Positions	1	2	3	4	5	6	7	8
Clerk I	515	536	557	578	601	627	654	681
Clerk II	578	601	627	654	681	710	741	773
Clerk III	681	710	741	773	805	839	876	913
Clerk-Typist I	536	557	578	601	627	654	681	710
Clerk-Typist II	578	601	627	654	681	710	741	773
Clerk-Typist III	681	710	741	773	805	839	876	913
Clerk-Steno I	557	578	601	627	654	681	710	741
Clerk-Steno II	627	654	681	710	741	773	805	839
Clerk-Steno III	681	710	741	773	805	839	876	913

DES 141

EMERGENCY SERVICES SALARY SCHEDULE

FOR PROFESSIONAL CLASSES

STANDARD TABLE FOR COMPUTING LESS-THAN-FULL-TIME SALARY, BI-WEEKLY, AND FOUR-WEEK SALARY RATES

Monthly Salary	Hourly Rate*	Salary Per Working Day for Month with the Following Number of Working Days Plus Holidays. (For Agencies That Pay by the Month or Twice a Month.)**				For Agencies Operating on a Two or Four-Week Payroll Period.		
		20 Days	21 Days	22 Days	23 Days	Daily Rate	Bi-Weekly Rate***	Four Weeks
$379	$2.18	$18.95	$18.05	$17.23	$16.48	$17.44	$174.40	$348.80
388	2.23	19.40	18.48	17.64	16.87	17.84	178.40	356.80
396	2.28	19.80	18.86	18.00	17.22	18.24	182.40	364.80
404	2.32	20.20	19.24	18.36	17.57	18.56	185.60	371.20
412	2.37	20.60	19.62	18.73	17.91	18.96	189.60	379.20
423	2.43	21.15	20.14	19.23	18.39	19.44	194.40	388.80
433	2.49	21.65	20.62	19.68	18.83	19.92	199.20	398.40
444	2.55	22.20	21.14	20.18	19.30	20.40	204.00	408.00
454	2.61	22.70	21.62	20.64	19.74	20.88	208.80	417.60
465	2.67	23.25	22.14	21.14	20.22	21.36	213.60	427.20
475	2.73	23.75	22.62	21.59	20.65	21.84	218.40	436.80
486	2.79	24.30	23.14	22.09	21.13	22.32	223.20	446.40
496	2.85	24.80	23.62	22.55	21.57	22.80	228.00	456.00
507	2.91	25.35	24.14	23.05	22.04	23.28	232.80	465.60
517	2.97	25.85	24.62	23.50	22.48	23.76	237.60	475.20
528	3.03	26.40	25.14	24.00	22.96	24.24	242.40	484.80
538	3.09	26.90	25.62	24.45	23.39	24.72	247.20	494.40
551	3.17	27.55	26.24	25.05	23.96	25.36	253.60	507.20
564	3.24	28.20	26.86	25.64	24.52	25.92	259.20	518.40
577	3.32	28.85	27.48	26.23	25.09	26.56	265.60	531.20
590	3.39	29.50	28.10	26.82	25.65	27.12	271.20	542.40
604	3.47	30.20	28.76	27.45	26.26	27.76	277.60	555.20
617	3.55	30.85	29.38	28.05	26.82	28.40	284.00	568.00
631	3.63	31.55	30.05	28.68	27.43	29.04	290.40	580.80
644	3.70	32.20	30.67	29.27	28.00	29.60	296.00	592.00
660	3.79	33.00	31.43	30.00	28.70	30.32	303.20	606.40
675	3.88	33.75	32.14	30.68	29.35	31.04	310.40	620.80
691	3.97	34.55	32.90	31.41	30.04	31.76	317.60	635.20

Monthly Salary	Hourly Rate*	Salary Per Working Day for Month with the Following Number of Working Days Plus Holidays. (For Agencies That Pay by the Month or Twice a Month.)**				For Agencies Operating on a Two or Four-Week Payroll Period.		
		20 Days	21 Days	22 Days	23 Days	Daily Rate	Bi-Weekly Rate***	Four Weeks
$707	$4.06	$35.35	$33.67	$32.14	$30.74	$32.48	$324.80	$649.60
723	4.16	36.15	34.43	32.86	31.43	33.28	332.80	665.60
739	4.25	36.95	35.19	33.59	32.13	34.00	340.00	680.00
755	4.34	37.75	35.95	34.32	32.83	34.72	347.20	694.40
771	4.43	38.55	36.71	35.05	33.52	35.44	354.40	708.80
789	4.53	39.45	37.57	35.86	34.30	36.24	362.40	724.80
807	4.64	40.35	38.43	36.68	35.09	37.12	371.20	742.40
826	4.75	41.30	39.33	37.55	35.91	38.00	380.00	760.00
844	4.85	42.20	40.19	38.36	36.70	38.80	388.00	776.00
863	4.96	43.15	41.10	39.23	37.52	39.68	396.80	793.60
881	5.06	44.05	41.95	40.05	38.30	40.48	404.80	809.60
902	5.18	45.10	42.95	41.00	39.22	41.44	414.40	828.80
923	5.30	46.15	43.95	41.95	40.13	42.40	424.00	848.00
944	5.43	47.20	44.95	42.91	41.04	43.44	434.40	868.80
965	5.55	48.25	45.95	43.86	41.96	44.40	444.00	888.00
987	5.67	49.35	47.00	44.86	42.91	45.36	453.60	907.20
1008	5.79	50.40	48.00	45.82	43.83	46.32	463.20	926.40
1032	5.93	51.60	49.14	46.91	44.87	47.44	474.40	948.80
1055	6.06	52.75	50.24	47.95	45.87	48.48	484.80	969.60
1079	6.20	53.95	51.38	49.05	46.91	49.60	496.00	992.00
1102	6.33	55.10	52.48	50.09	47.91	50.64	506.40	1012.80
1126	6.47	56.30	53.62	51.18	48.96	51.76	517.60	1035.20
1150	6.61	57.50	54.76	52.27	50.00	52.88	528.80	1057.60
1177	6.76	58.85	56.05	53.50	51.17	54.08	540.80	1081.60
1203	6.91	60.15	57.29	54.68	52.30	55.28	552.80	1105.60
1232	7.08	61.60	58.67	56.00	53.56	56.64	566.40	1132.80
1261	7.25	63.05	60.05	57.32	54.83	58.00	580.00	1160.00
1290	7.41	64.50	61.43	58.64	56.09	59.28	592.80	1185.60
1319	7.58	65.95	62.81	59.95	57.35	60.64	606.40	1212.80
1348	7.75	67.40	64.19	61.27	58.61	62.00	620.00	1240.00
1377	7.91	68.86	65.57	62.59	59.87	63.28	632.80	1265.60
1409	8.10	70.45	67.10	64.05	61.26	64.80	648.00	1296.00
1440	8.28	72.00	68.57	65.45	62.61	66.24	662.40	1324.80
1472	8.46	73.60	70.10	66.91	64.00	67.68	676.80	1353.60
1503	8.64	75.15	71.57	68.32	65.35	69.12	691.20	1382.40

Monthly Salary	Hourly Rate*	Salary Per Working Day for Months with the Following Number of Working Days Plus Holidays. (For Agencies That Pay by the Month or Twice a Month.)**				For Agencies Operating on a Two or Four-Week Payroll Period.		
		20 Days	21 Days	22 Days	23 Days	Daily Rate	Bi-Weekly Rate***	Four Weeks
$ 1538	$8.84	$76.90	$73.24	$69.91	$66.87	$70.72	$707.20	$1414.40
1572	9.03	78.60	74.86	71.45	68.35	72.24	722.40	1444.80
1609	9.25	80.45	76.62	73.14	69.96	74.00	740.00	1480.00
1646	9.46	82.30	78.38	74.82	71.57	75.68	756.80	1513.60
1683	9.67	84.15	80.14	76.50	73.17	77.36	773.60	1547.20
1720	9.89	86.00	81.90	78.18	74.78	79.12	791.20	1582.40
1760	10.11	88.00	83.81	80.00	76.52	80.88	808.80	1617.60
1799	10.34	89.95	85.67	81.77	78.22	82.72	827.20	1654.40
1839	10.57	91.95	87.57	83.59	79.96	84.56	845.60	1691.20
1878	10.79	93.90	89.43	85.36	81.65	86.32	863.20	1726.40
1923	11.05	96.15	91.57	87.41	83.61	88.40	884.00	1768.00
1968	11.31	98.40	93.71	89.45	85.57	90.48	904.80	1809.60
2013	11.57	100.65	95.86	91.50	87.52	92.56	925.60	1851.20
2057	11.82	102.85	97.95	93.50	89.43	94.56	945.60	1891.20
2105	12.10	105.25	100.24	95.68	91.52	96.80	968.00	1936.00
2152	12.37	107.60	102.48	97.82	93.57	98.96	989.60	1979.20
2200	12.64	110.00	104.76	100.00	95.65	101.12	1011.20	2022.40
2247	12.91	112.35	107.00	102.14	97.70	103.28	1032.80	2065.60
2297	13.20	114.85	109.38	104.41	99.87	105.60	1056.00	2112.00
2347	13.49	117.35	111.76	106.86	102.04	107.92	1079.20	2158.40
2398	13.78	119.90	114.19	109.00	104.26	110.24	1102.40	2204.80
2448	14.07	122.40	116.57	111.27	106.43	112.56	1125.60	2251.20
2503	14.39	125.15	119.19	113.77	108.83	115.12	1151.20	2302.40
2558	14.70	127.90	121.81	116.27	111.22	117.60	1176.00	2352.00
2616	15.03	130.80	124.57	118.91	113.74	120.24	1202.40	2404.80
2674	15.37	133.70	127.33	121.54	116.26	122.96	1229.60	2459.20
2734	15.71	136.70	130.19	124.27	118.87	125.68	1256.80	2513.60
2794	16.06	139.70	133.05	127.00	121.48	128.48	1284.80	2569.60
2857	16.42	142.85	136.05	129.86	124.22	131.36	1313.60	2627.20
2920	16.78	146.00	139.05	132.73	126.96	134.24	1342.40	2684.80
2986	17.16	149.30	142.19	135.73	129.83	137.28	1372.80	2745.60
3051	17.53	152.55	145.29	138.68	132.65	140.24	1402.40	2804.80
3127	17.97	156.35	148.90	142.14	135.96	143.76	1437.60	2875.20

Monthly Salary	Hourly Rate*	Salary Per Working Day for Month with the Following Number of Working Days Plus Holidays. (For Agencies That Pay by the Month or Twice a Month.)**				For Agencies Operating on a Two or Four-Week Payroll Period.		
		20 Days	21 Days	22 Days	23 Days	Daily Rate	Bi-Weekly Rate***	Four Weeks
$3188	$18.32	$159.40	$151.81	$144.91	$138.61	$146.56	$1465.60	$2931.20
3260	18.74	163.00	155.24	148.18	141.74	149.92	1499.20	2998.40
3333	19.15	166.65	158.71	151.50	144.91	153.20	1532.00	3064.00
3408	19.59	170.40	162.29	154.91	148.17	156.72	1567.20	3134.40
3485	20.03	174.25	165.95	158.41	151.52	160.24	1602.24	3204.80

*Hourly rates are based on 2088 hours in a year.

**To compute the number of days in the month for which payment is to be made, count the working days plus the holidays. Do not count Saturdays or Sundays. After determining this number, find the appropriate working-day rate for the month salary rate at which the employee is currently being paid.

Multiply the rate per day by the number of days the employee worked (and/or was on approved vacation, sick leave, or holiday leave) in order to compute the payment for the pay period. Formula: Rate per working day X number of days worked = salary payment.

***To compute a partial payment on the bi-weekly rate, divide the bi-weekly rate by ten to find the daily rate. Multiply the daily rate by the number of days the employee worked (and/or was on approved vacation, sick leave, or holiday leave.) Formula: Rate per working day X number of days worked = salary payment. Hourly rate is as shown in column two headed "Hourly Rate."

EMERGENCY SERVICES SALARY SCHEDULE

FOR CLERICAL CLASSES

STANDARD TABLE FOR COMPUTING LESS-THAN-FULL-TIME SALARY, BI-WEEKLY, AND FOUR-WEEK SALARY RATES

Monthly Salary	Hourly Rate*	Salary Per Working Day for Months with the Following Number of Working Days Plus Holidays. (For Agencies That Pay by the Month or Twice a Month.)**				For Agencies Operating on a Two or Four-Week Payroll Period.		
		20 Days	21 Days	22 Days	23 Days	Daily Rate	Bi-Weekly Rate***	Four Weeks
$381	$2.19	$19.05	$18.14	$17.32	$16.56	$17.52	$175.20	$350.40
389	2.24	19.45	18.52	17.68	16.91	17.92	179.20	358.40
398	2.29	19.90	18.95	18.09	17.30	18.32	183.20	366.40
406	2.33	20.30	19.33	18.45	17.65	18.64	186.40	372.80
414	2.38	20.70	19.71	18.82	18.00	19.04	190.40	380.80
422	2.43	21.10	20.10	19.18	18.35	19.44	194.40	388.80
430	2.47	21.50	20.48	19.55	18.70	19.76	197.60	395.20
438	2.52	21.90	20.86	19.91	19.04	20.16	201.60	403.20
446	2.56	22.30	21.24	20.27	19.39	20.48	204.80	409.60
454	2.61	22.70	21.62	20.64	19.74	20.88	208.80	417.60
462	2.66	23.10	22.00	21.00	20.09	21.28	212.80	425.60
473	2.72	23.65	22.52	21.50	20.57	21.76	217.60	435.20
483	2.78	24.15	23.00	21.95	21.00	22.24	222.40	444.80
494	2.84	24.70	23.52	22.45	21.48	22.72	227.20	454.40
504	2.90	25.20	24.00	22.91	21.91	23.20	232.00	464.00
515	2.96	25.75	24.52	23.41	22.39	23.68	236.80	473.60
525	3.02	26.25	25.00	23.86	22.83	24.16	241.60	483.20
536	3.08	26.80	25.52	24.36	23.30	24.64	246.40	492.80
546	3.14	27.30	26.00	24.82	23.74	25.12	251.20	502.40
557	3.20	27.85	26.52	25.32	24.22	25.60	256.00	512.00
567	3.26	28.35	27.00	25.77	24.65	26.08	260.80	521.60
578	3.32	28.90	27.52	26.27	25.13	26.56	265.60	531.20
588	3.38	29.40	28.00	26.73	25.57	27.04	270.40	540.80
601	3.45	30.05	28.62	27.32	26.13	27.60	276.00	552.00
614	3.53	30.70	29.24	27.91	26.70	28.24	282.40	564.80
627	3.60	31.35	29.86	28.50	27.26	28.80	288.00	576.00
640	3.68	32.00	30.48	29.09	27.83	29.44	294.40	588.80
654	3.76	32.70	31.14	29.73	28.43	30.08	300.80	601.60

Monthly Salary	Hourly Rate*	Salary Per Working Day for Months with the Following Number of Working Days Plus Holidays. (For Agencies That Pay by the Month or Twice a Month.)**				For Agencies Operating on a Two or Four-Week Payroll Period.		
		20 Days	21 Days	22 Days	23 Days	Daily Rate	Bi-Weekly Rate***	Four Weeks
$667	$3.83	$33.35	$31.76	$30.32	$29.00	$30.64	$306.40	$612.80
681	3.91	34.05	32.43	30.95	29.61	31.28	312.80	625.60
694	3.99	34.70	33.05	31.55	30.17	31.92	319.20	638.40
710	4.08	35.50	33.81	32.27	30.87	32.64	326.40	652.80
725	4.17	36.25	34.52	32.95	31.52	33.36	333.60	667.20
741	4.26	37.05	35.29	33.68	32.22	34.08	340.80	681.60
757	4.35	37.85	36.05	34.41	32.91	34.80	348.00	696.00
773	4.44	38.65	36.81	35.14	33.61	35.52	355.20	710.40
789	4.53	39.45	37.57	35.86	34.30	36.24	362.40	724.80
805	4.63	40.25	38.33	36.59	35.00	37.04	370.40	740.80
821	4.72	41.05	39.10	37.32	35.70	37.76	377.60	755.20
839	4.82	41.95	39.95	38.14	36.48	38.56	385.60	771.20
857	4.93	42.85	40.81	38.95	37.26	39.44	394.40	788.80
876	5.03	43.80	41.71	39.82	38.09	40.24	402.40	804.80
894	5.14	44.70	42.57	40.64	38.87	41.12	411.20	822.40
913	5.25	45.65	43.48	41.50	39.70	42.00	420.00	840.00
931	5.35	46.55	44.33	42.32	40.48	42.80	428.00	856.00
952	5.47	47.60	45.33	43.27	41.39	43.76	437.60	875.20
973	5.59	48.65	46.33	44.23	42.30	44.72	447.20	894.40
994	5.71	49.70	47.33	45.18	43.22	45.68	456.80	913.60
1015	5.83	50.75	48.33	46.14	44.13	46.64	466.40	932.80
1037	5.96	51.85	49.38	47.14	45.09	47.68	476.80	953.60
1058	6.08	52.90	50.38	48.09	46.00	48.64	486.40	972.80
1082	6.22	54.10	51.52	49.18	47.04	49.76	497.60	995.20
1106	6.36	55.30	52.66	50.27	48.09	50.88	508.80	1017.60
1131	6.50	56.55	53.86	51.41	49.17	52.00	520.00	1040.00
1156	6.64	57.80	55.05	52.54	50.26	53.12	531.20	1062.40

*Hourly rates are based on 2088 hours in a year.

**To compute the number of days in the month for which payment is to be made, count the working days plus the holidays. Do not count Saturdays or Sundays. After determining this number, find the appropriate working-day rate for the month salary rate at which the employee is currently being paid.

Multiply the rate per day by the number of days the employee worked (and/or was on approved vacation, sick leave, or holiday leave) in order to compute the payment for the pay period. Formula: Rate per working day X number of days worked = salary payment.

***To compute a partial payment on the bi-weekly rate, divide the bi-weekly rate by ten to find the daily rate. Multiply the daily rate by the number of days the employee worked (and/or was on approved vacation, sick leave, or holiday leave). Formula: Rate per working day X number of days worked = salary payment. Hourly rate is as shown in column two headed "Hourly Rate."

APPROVED AS TO FORM AND LEGALITY
JAN 24 1977 19
WARREN SPANNAUS, ATTORNEY GENERAL
BY /s/ Michael B. Miller
SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
JAN 24 1977 - 11:15 am
Joan Anderson Growe
Secretary of State

STATEMENT OF COMPLIANCE WITH

MANUAL OF RULE MAKING PROCEDURES

I, Special Assistant Attorney General Joel Watne, do hereby declare that I have examined the proposed rules and all related documents and that, based on them and my personal familiarity with the applicable procedures, the Manual of Rule Making Procedures has been followed.

Joel Watne
Special Assistant Attorney General

Dated: 1-6-77

NEW RULES AS PROPOSED

DES 90 Definitions

A. The following definitions apply throughout these rules, unless the context clearly requires another meaning:

1. "Allocation" means the original assignment of a position to an appropriate class on the basis of the kind, difficulty, and responsibility of the work performed in the position.

2. "Appointing authority" means the County Board of Commissioners, the town board, the mayor, or other officer or board authorized by statute or lawfully delegated authority to make appointments to positions under the Merit System for Civil Defense.

3. "Class" means one or more positions sufficiently similar in the duties performed, degree of supervision exercised or required, requirements of training, experience, or skill, and such other characteristics that the same title, the same tests of fitness, and the same schedule of compensation may be applied with equity to all of the positions.

4. "Classified service" means all positions covered by these rules as provided in Rule 1125.

5. "Commissioner of Public Safety or Commissioner" means the administrative head of the State Department of Public Safety.

6. "Council" means the Merit System Council.

7. "County register" means the sub-register established for a county from a state-wide register, either competitive or promotional, containing the names of persons who have legal residence in the county or, in the event of a promotional examination, who are employed by the local agency.

8. "Day" means calendar day except where otherwise specified in the specific rule.

9. "Demotion" means a change by an employee from a position in one class

to a position in another class with less responsible duties and a lower salary range.

10. "Desirable qualifications" means the requirements of training and experience desired but not necessary to qualify for a given class of positions in the classification plan.

11. *"Disabled veteran" means a veteran who is rated or certified as disabled, in accordance with the provisions of Minn. Stat. 43.30.*

~~11.~~ *12.* "Dismissal" means the termination of employment of an employee for cause.

~~12.~~ *13.* "Eligible or eligible person" means any person whose name is on a register.

~~13.~~ *14.* "Emergency appointment" means an appointment required by a state of emergency as described in Rule 1353.

~~14.~~ *15.* "Employee" means any person employed by a local Civil Defense agency in a position covered by these rules (Rule 1125) who is paid a salary or wage.

16. "Exclusive representative" means an employee union, association or group which have been certified by the State Bureau of Mediation.

17. "Facsimile" means a replica, e.g., facsimile of DPW 141 is a chart showing each of the salary rates adopted by an agency divided into monthly and hourly rates and either daily rates and bi-weekly or four week rates if paid on this basis or the daily rate based on the number of working days in the month--20, 21, 22, or 23 days if paid on a monthly basis.

18. "General adjustment" means the merit system recommended salary adjustment based on the annual salary survey.

19. "Intermittent employee" means an employee who works whenever needed or on a schedule which cannot be predicted in advance.

~~15.~~ *20.* "Layoff" means the termination of employment because of shortage of funds or curtailment of services.

~~16.~~ *21.* "Limited-term appointment" means an appointment from a register for a period not to exceed six months as described in Rule 1354.

~~17.~~ *22.* "Local agency" means the organization created to carry out the functions and programs of the jurisdiction's Civil Defense responsibilities.

~~18.~~ *23.* "Local Civil Defense authority" means the governing board, commission, council, or mayor under whose authority a county, town, village, or borough establishes a local Civil Defense agency.

24. "Merit increase" means a salary increase given to an individual employee based on meritorious job performance.

~~19.~~ *25.* "Military leave" means the leave of absence granted by state law to employees entering active duty in the armed forces of the State of Minnesota or the United States of America.

~~20.~~ *26.* "Minimum qualifications" means the requirements of training and experience necessary to qualify for a given class.

~~21.~~ *27.* "Original appointment" means a regular appointment of an individual to a local Civil Defense staff through selection from an open-competitive register and is the beginning point of the probationary period (sometimes referred to as Probationary Appointment).

~~22.~~ *28.* "Permanent employee" means an employee who has successfully completed his/*her* probationary period or who has attained permanent status upon the installation of the Merit System.

~~23.~~ *29.* "Position" means a group of current duties and responsibilities assigned or delegated by competent authority requiring the full or part-time employment of one person.

30. "Probationary employee" means an employee who is serving a probationary period in a class to which they have been appointed from an eligible list.

~~24.~~ *31.* "Probationary period" means the first six-month working test period during which a new appointee is required to demonstrate his fitness for the position to which he is appointed by actual performance of the duties of the position.

~~25.~~ *32.* "Promotion" means a change of an employee from a position in one class to a position in another class with more responsible duties and a higher salary range.

~~26.~~ *33.* "Provisional appointment" means an appointment of a person not on a register to fill a position pending the establishment of a register for such position in accordance with the provisions of Rule 1352.

~~27.~~ *34.* "Reallocation" means a reassignment, or change in allocation, of a position by raising it to a higher class of positions, reducing it to a lower class of positions, or moving it to another class of positions at the same level, on the basis of significant changes in the kind, difficulty, or responsibility of the work performed in the position.

~~28.~~ *35.* "Register" means an officially established list of eligibles for a particular class.

~~29.~~ *36.* "Resignation" means the termination of employment made at the request of the employee.

37. "Salary adjustment" means an increase given to employees due to cost-of-living factors, going rates for similar jobs, and/or labor market conditions.

~~30.~~ *38.* "State agency" means the Governor acting through the State Department of Public Safety, Division of Civil Defense, which is responsible for the administration and supervision of the Civil Defense programs in the State of Minnesota.

~~31.~~ *39.* "Supervisor" means the Merit System Supervisor.

~~32.~~ *40.* "Suspension" means an enforced leave of absence with or without pay, for disciplinary purposes or pending investigation of charges made against an employee.

41. "Temporary employee" means an employee who has been appointed to a position from an eligible register but the appointment has a definite ending date.

~~33.~~ *42.* "Transfer" means ~~a change~~ *the movement of an employee* from one posiion to another in the same class or in another class having the same salary range and usually involving the performance of similar duties and requiring essentially the same qualifications of training and experience.

~~34.~~ *43.* "Veteran" means all persons defined as veterans by Minnesota Statutes, Section 197.46.

~~35.~~ *44.* "Veteran's preference" means that preference granted to veterans by Minnesota Statutes, Section 43.30.

DES 91 Statement of Policy and Means of Effecting Policy

F. Political Activity

1. No employee shall use his or her offical authority or influence for the purpose of interfering with or affecting the results of an election or nomination for office.

2. No employee shall directly coerce, attempt to coerce, command, or advise a Merit System employee to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for political purposes.

3. No employee shall be a candidate in a partisan election for any public office ~~or for any political party office~~ which is obtained through a partisan election. *Candidacy for political party office is not prohibited.*

4. An employee continues to be covered by the Federal Hatch Act restrictions including all the restrictions listed in DES 91 (1) through (5) while on annual leave, sick leave, leave without pay or administrative leave. Any employee shall resign from the service upon filing as a candidate for public office, except as provided in DES 91 (f) (5).

5. Any employee may be a candidate in nonpartisan elections. These are elections in which none of the candidates is to be nominated or elected as representing a political party whose candidates for presidential ~~election~~ *elector* received votes at the last preceding presidential election.

6. All prohibitions of political activity provided in the Federal Hatch Act apply to employees under the Merit System.

DES 94 Compensation Plan

A. Preparation and adoption

1. The Governor, through the Commissioner of Public Safety shall formally adopt and make effective a comprehensive compensation plan *(DES 140)* for all classes of positions *which shall apply to all agencies covered by the Merit System except as otherwise negotiated for employees in a bargaining unit in agencies where there is an exclusive representative or in those limited instances where the requirements of DPW 116 C. have been satisfied.* The plan shall include salary ranges for the various classes, with the salary of each class consistent with the duties and responsibilities outlined in the class specifications. Minimum, intervening, and maximum rates of pay for each class shall be established to provide for steps in salary advancement without change of duty, in recognition of meritorious service. The advice and suggestions of appointing authorities, prevailing rates in other similar employments, and other relevant factors shall be taken into consideration in arriving at such salary ranges.

2. The proposed compensation plan and any subsequent amendments shall be submitted to the Council for review and recommendation in relation to the Merit System program of recruitment and examination.

B. Selection of salary ranges by local Civil Defense authority

1. The local Civil Defense authority shall select a salary plan *for all employees except those in a bargaining unit where a salary schedule has been negotiated by the board and the exclusive representative. Such a plan shall be selected* from each of the following salary schedules *provided under DES 140*: Professional--A, B, C,; Clerical--A, B, C, D, E, F.

2. Such rates, as provided for in DES 94 B. 1., shall be identified by alphabetical designation, and adjustment of the plan as provided in Rule DES 94 D. shall not serve to amend the alphabetically designated rates selected as the county plan.

3. The designation of the rates selected from the plan in each case shall be by resolution of the local Civil Defense authority. The Commissioner of Public Safety and the Supervisor shall be promptly notified of the rates selected by each jurisdiction.

4. The alphabetically designated rates selected by the local Civil Defense authority shall become the official plan for the local Civil Defense agency until amended by the salary setting authority as provided in Rule DES 94 C.

5. Salary rates for incumbents of positions shall be established in accordance with the provisions of Rules DPW 116 B. 1. and 2. on the basis of the plan adopted by the local Civil Defense authority as provided above.

C. Amendment of salary ranges selected by local Civil Defense authority

1. The local Civil Defense authority may amend the official plan for the jurisdiction by the selection of a different salary schedule as provided in DES 94 B.

2. The Merit System Supervisor shall be notified by letter of the official action of the local authority to amend the plan for the jurisdiction at least ten days in advance of the effective date of such amended plan, *unless such change results from the signing of a contract by the board and the exclusive representative.*

D. Adjustment of the ~~plan~~ *official salary schedule of the Minnesota Merit System*

1. The compensation plan provided in Rule DES 140 shall be adjusted for changes in the level of salary rates in business and government for similar and competing types of employment.

2. The Merit System Supervisor shall conduct each year a review of the changes in the level of salary rates in the labor market since the time of the survey preceding the most recent adjustment of the compensation plan. This review shall utilize the data and findings of other labor market surveys and shall, to the extent possible, be based upon similar surveys and data each succeeding year. The Supervisor shall complete this study and report ~~his~~ *the* findings to the Commissioner of Public Safety on or before July 31 each year.

3. If the report of the Supervisor reveals an increase or decrease in salary rates in the labor market for similar and/or competing employment of four per cent or more, the Governor, through the Commissioner of Public Safety, shall announce a public hearing for a general adjustment of the compensation plan. If the changes in the labor market are less than four per cent or differ significantly for various types of employment,

the Governor, through the Commissioner of Public Safety, may announce a public hearing to adjust the compensation plan in whole or in part.

4. The announcement of the public hearing to the affected agencies shall include the proposed compensation plan, an explanation of the adjustment proposed, and a summary of the findings of the survey upon which the proposed adjustment is based. Such information shall also be available to any other individual or group requesting the information.

5. The public hearing shall provide opportunity for all interested individuals and groups to present evidence, testimony, and views on the proposed compensation plan. Following the public hearing and after consideration of all of the evidence, the Governor, through the Commissioner of Public Safety, shall make his decision. An amended compensation plan ~~may~~ *shall not* be ~~permitted to become~~ effective ~~prior to~~ *until* the next succeeding January 1. ~~but such plan shall not be mandatory upon the agencies until the next succeeding January 1.~~

6. The local Civil Defense authority may implement an adjusted compensation plan by adjusting the salaries of the employees to the same numerically designated salary rate on the adjusted plan that such employees were paid under the former plan.

E. Negotiation of a salary schedule

1. In those agencies where employees have elected an exclusive representative the appointing authority and the exclusive representative may negotiate their own salary schedules for employees in the bargaining unit by class, with the salary for each class consistent with the functions outlined in the class specifications. Initial, intervening, and maximum rates of pay for each class shall be established to provide for steps in salary advancement without change of duty, in the recognition of meritorious service. When a new classification not previously used in the agency is established in the middle of the contract period and such class falls within the bargaining unit and no provision exists in the contract for establishing such salaries, the Supervisor shall establish the salary level for the class until such time as the contract is again negotiated. In so doing the Supervisor shall consider the salaries for the other classes in the agency as negotiated and the minimum qualifications for the new class.

2. *A complete copy of the adopted salary schedule must be filed with the Supervisor within ten days after the signing of the contract or agreement. If the contract or agreement calls for succeeding increases in the salary schedule which change the original minimum and maximum salaries or intervening steps a new adjusted salary schedule must be filed with the Supervisor within ten days after the effective date of any such succeeding adjustment.*

~~E.~~ *F.* Administration of the plan

1. *On either the official salary schedule of the Minnesota Merit System or the negotiated salary schedules,* the entrance salary for any new employee shall be at the minimum salary for the class of positions to which ~~he~~ *the employee* is appointed, except that the entrance salary may be above the minimum rate, provided that:

a. Such appointment at a higher rate is justified by the exceptional qualifications of the individual and that others having similar qualifications are offered the same rate.

OR

b. Such appointment at a higher rate has first been offered to all individuals standing higher on the register who have been offered the appointment.

AND

c. Such appointment under a. or b. above shall be made at one of the regularly established steps in the salary range.

d. When such appointment, except appointments under a. above, is made by the appointing authority at other than the minimum of the range, all employees having probationary or permanent status in the same class in the local unit shall be at or above the point in the range at which the appointment is made, or they shall be raised to that point.

e. Such appointments under a. or b. above shall be subject to the prior approval of the Merit System Supervisor upon submittal by the appointing authority of a written statement of the reasons for the higher rate.

DES 104 LEAVES OF ABSENCE

A. In General

1. ~~Vacation and sick~~ Leave policies stated in ~~Rules 1442 and 1443~~ *this rule* are minimum standards and shall apply to all local Civil Defense agency personnel except when raised by adoption of an optional vacation and sick leave policy by the appointing authority, *or unless otherwise negotiated by the appointing authority with an exclusive representative. At the discretion of the appointing authority, such negotiated benefits may be applied to all employees of the agency.* Any such amended policy shall be submitted to the Merit System Supervisor. ~~for approval before it becomes effective, and it shall not be retroactive.~~

DES 140 Compensation Plan

A. Professional

1. Plan A

a. Class of Positions	1	2	3	4	5	6	7	8
Local Civil Defense Director I	723	755	789	826	863	902	944	987
Local Civil Defense Director II	826	863	902	944	987	1032	1079	1126
Local Civil Defense Director III	944	987	1032	1079	1126	1177	1232	1290
Local Civil Defense Director IV	1177	1232	1290	1348	1409	1472	1538	1609
Local Civil Defense Director V	1683	1760	1839	1923	2013	2105	2200	2297
County Civil Defense Director I	902	944	987	1032	1079	1126	1177	1232
County Civil Defense Director II	1032	1079	1126	1177	1232	1290	1348	1409
County Civil Defense Director III	1177	1232	1290	1348	1409	1472	1538	1609
County Civil Defense Director IV	1683	1760	1839	1923	2013	2105	2200	2297
Ass't. Civil Defense Director I	631	660	691	723	755	789	826	863
Ass't. Civil Defense Director II	755	789	826	863	902	944	987	1032
Ass't. Civil Defense Director III	902	944	987	1032	1079	1126	1177	1232
Ass't. Civil Defense Director IV	1079	1126	1177	1232	1290	1348	1409	1472
Administrative Officer	944	987	1032	1079	1126	1177	1232	1290
Public Information Officer	944	987	1032	1079	1126	1177	1232	1290
Safety Service Coordinator	944	987	1032	1079	1126	1177	1232	1290
Operations Officer	944	987	1032	1079	1126	1177	1232	1290
Radiological Defense Officer	826	863	902	944	987	1032	1079	1126
Communication Officer	826	863	902	944	987	1032	1079	1126

A. Professional

2. Plan B

a. Class of Positions	1	2	3	4	5	6	7	8
Local Civil Defense Director I	723	755	789	826	863	902	944	987
Local Civil Defense Director II	826	863	902	944	987	1032	1079	1126
Local Civil Defense Director III	944	987	1032	1079	1126	1177	1232	1290
Local Civil Defense Director IV	1177	1232	1290	1348	1409	1472	1538	1609
Local Civil Defense Director V	1683	1760	1839	1923	2013	2105	2200	2297
County Civil Defense Director I	902	944	987	1032	1079	1126	1177	1232
County Civil Defense Director II	1032	1079	1126	1177	1232	1290	1348	1409
County Civil Defense Director III	1177	1232	1290	1348	1409	1472	1538	1609
County Civil Defense Director IV	1683	1760	1839	1923	2013	2105	2200	2297
Ass't. Civil Defense Director I	660	691	723	755	789	826	863	902
Ass't. Civil Defense Director II	789	826	863	902	944	987	1032	1079
Ass't. Civil Defense Director III	944	987	1032	1079	1126	1177	1232	1290
Ass't. Civil Defense Director IV	1126	1177	1232	1290	1348	1409	1472	1538
Administrative Officer	987	1032	1079	1126	1177	1232	1290	1348
Public Information Officer	987	1032	1079	1126	1177	1232	1290	1348
Safety Services Coordinator	987	1032	1079	1126	1177	1232	1290	1348
Operations Officer	987	1032	1079	1126	1177	1232	1290	1348
Radiological Defense Officer	863	902	944	987	1032	1079	1126	1177
Communication Officer	863	902	944	987	1032	1079	1126	1177

A. Professional

3. Plan C

a. Class of Positions	1	2	3	4	5	6	7	8
Local Civil Defense Director I	723	755	789	826	863	902	944	987
Local Civil Defense Director II	826	863	902	944	987	1032	1079	1126
Local Civil Defense Director III	944	987	1032	1079	1126	1177	1232	1290
Local Civil Defense Director IV	1177	1232	1290	1348	1409	1472	1538	1609
Local Civil Defense Director V	1683	1760	1839	1923	2013	2105	2200	2297
County Civil Defense Director I	902	944	987	1032	1079	1126	1177	1232
County Civil Defense Director II	1032	1079	1126	1177	1232	1290	1348	1409
County Civil Defense Director III	1177	1232	1290	1348	1409	1472	1538	1609
County Civil Defense Director IV	1683	1760	1839	1923	2013	2105	2200	2297
Ass't. Civil Defense Director I	691	723	755	789	826	863	902	944
Ass't. Civil Defense Director II	826	863	902	944	987	1032	1079	1126
Ass't. Civil Defense Director III	987	1032	1079	1126	1177	1232	1290	1348
Ass't. Civil Defense Director IV	1177	1232	1290	1348	1409	1472	1538	1609
Administrative Officer	1032	1079	1126	1177	1232	1290	1348	1409
Public Information Officer	1032	1079	1126	1177	1232	1290	1348	1409
Safety Services	1032	1079	1126	1177	1232	1290	1348	1409
Operations Officer	1032	1079	1126	1177	1232	1290	1348	1409
Radiological Defense Officer	902	944	987	1032	1079	1126	1177	1232
Communications Officer	902	944	987	1032	1079	1126	1177	1232

B. Clerical

1. Plan A

a. Class of Positions	1	2	3	4	5	6	7	8	9
Clerk I	389	406	422	438	454	473	494	515	536
Clerk II	454	473	494	515	536	557	578	601	627
Clerk III	536	557	578	601	627	654	681	710	741
Clerk-Typist I	406	422	438	454	473	494	515	536	557
Clerk-Typist II	454	473	494	515	536	557	578	601	627
Clerk-Typist III	536	557	578	601	627	654	681	710	741
Clerk-Steno I	422	438	454	473	494	515	536	557	578
Clerk-Steno II	494	515	536	557	578	601	627	654	681
Clerk-Steno III	536	557	578	601	627	654	681	710	741

2. Plan B

a. Class of Positions	1	2	3	4	5	6	7	8	9
Clerk I	406	422	438	454	473	494	515	536	557
Clerk II	473	494	515	536	557	578	601	627	654
Clerk III	557	578	601	627	654	681	710	741	773
Clerk-Typist I	422	438	454	473	494	515	536	557	578
Clerk-Typist II	473	494	515	536	557	578	601	627	654
Clerk-Typist III	557	578	601	627	654	681	710	741	773
Clerk-Steno I	438	454	473	494	515	536	557	578	601
Clerk-Steno II	515	536	557	578	601	627	654	681	710
Clerk-Steno III	557	578	601	627	654	681	710	741	773

3. Plan C

a. Class of Positions	1	2	3	4	5	6	7	8	9
Clerk I	422	438	454	473	494	515	536	557	578
Clerk II	494	515	536	557	578	601	627	654	681
Clerk III	578	601	627	654	681	710	741	773	805
Clerk-Typist I	438	454	473	494	515	536	557	578	601
Clerk-Typist II	494	515	536	557	578	601	627	654	681
Clerk-Typist III	578	601	627	654	681	710	741	773	805
Clerk-Steno I	454	473	494	515	536	557	578	601	627
Clerk-Steno II	536	557	578	601	627	654	681	710	741
Clerk-Steno III	578	601	627	654	681	710	741	773	805

B. Clerical

4. Plan D

a. Class of Positions	1	2	3	4	5	6	7	8	9
Clerk I	438	454	473	494	515	536	557	578	601
Clerk II	515	536	557	578	601	627	654	681	710
Clerk III	601	627	654	681	710	741	773	805	839
Clerk-Typist I	454	473	494	515	536	557	578	601	627
Clerk-Typist II	515	536	557	578	601	627	654	681	710
Clerk-Typist III	601	627	654	681	710	741	773	805	839
Clerk-Steno I	473	494	515	536	557	578	601	627	654
Clerk-Steno II	557	578	601	627	654	681	710	741	773
Clerk-Steno III	601	627	654	681	710	741	773	805	839

5. Plan E

a. Class of Positions	1	2	3	4	5	6	7	8
Clerk I	473	494	515	536	557	578	601	627
Clerk II	557	578	601	627	654	681	710	741
Clerk III	654	681	710	741	773	805	839	876
Clerk-Typist I	494	515	536	557	578	601	627	654
Clerk-Typist II	557	578	601	627	654	681	710	741
Clerk-Typist III	654	681	710	741	773	805	839	876
Clerk-Steno I	515	536	557	578	601	627	654	681
Clerk-Steno II	601	627	654	681	710	741	773	805
Clerk-Steno III	654	681	710	741	773	805	839	876

6. Plan F

a. Class of Positions	1	2	3	4	5	6	7	8
Clerk I	515	536	557	578	601	627	654	681
Clerk II	578	601	627	654	681	710	741	773
Clerk III	681	710	741	773	805	839	876	913
Clerk-Typist I	536	557	578	601	627	654	681	710
Clerk-Typist II	578	601	627	654	681	710	741	773
Clerk-Typist III	681	710	741	773	805	839	876	913
Clerk-Steno I	557	578	601	627	654	681	710	741
Clerk-Steno II	627	654	681	710	741	773	805	839
Clerk-Steno III	681	710	741	773	805	839	876	913

DES 141

EMERGENCY SERVICES SALARY SCHEDULE

FOR PROFESSIONAL CLASSES

STANDARD TABLE FOR COMPUTING LESS-THAN-FULL-TIME SALARY, BI-WEEKLY, AND FOUR-WEEK SALARY RATES

Monthly Salary	Hourly Rate*	Salary Per Working Day for Month with the Following Number of Working Days Plus Holidays. (For Agencies That Pay by the Month or Twice a Month.)**				For Agencies Operating on a Two or Four-Week Payroll Period.		
		20 Days	21 Days	22 Days	23 Days	Daily Rate	Bi-Weekly Rate***	Four Weeks
$379	$2.18	$18.95	$18.05	$17.23	$16.48	$17.44	$174.40	$348.80
388	2.23	19.40	18.48	17.64	16.87	17.84	178.40	356.80
396	2.28	19.80	18.86	18.00	17.22	18.24	182.40	364.80
404	2.32	20.20	19.24	18.36	17.57	18.56	185.60	371.20
412	2.37	20.60	19.62	18.73	17.91	18.96	189.60	379.20
423	2.43	21.15	20.14	19.23	18.39	19.44	194.40	388.80
433	2.49	21.65	20.62	19.68	18.83	19.92	199.20	398.40
444	2.55	22.20	21.14	20.18	19.30	20.40	204.00	408.00
454	2.61	22.70	21.62	20.64	19.74	20.88	208.80	417.60
465	2.67	23.25	22.14	21.14	20.22	21.36	213.60	427.20
475	2.73	23.75	22.62	21.59	20.65	21.84	218.40	436.80
486	2.79	24.30	23.14	22.09	21.13	22.32	223.20	446.40
496	2.85	24.80	23.62	22.55	21.57	22.80	228.00	456.00
507	2.91	25.35	24.14	23.05	22.04	23.28	232.80	465.60
517	2.97	25.85	24.62	23.50	22.48	23.76	237.60	475.20
528	3.03	26.40	25.14	24.00	22.96	24.24	242.40	484.80
538	3.09	26.90	25.62	24.45	23.39	24.72	247.20	494.40
551	3.17	27.55	26.24	25.05	23.96	25.36	253.60	507.20
564	3.24	28.20	26.86	25.64	24.52	25.92	259.20	518.40
577	3.32	28.85	27.48	26.23	25.09	26.56	265.60	531.20
590	3.39	29.50	28.10	26.82	25.65	27.12	271.20	542.40
604	3.47	30.20	28.76	27.45	26.26	27.76	277.60	555.20
617	3.55	30.85	29.38	28.05	26.82	28.40	284.00	568.00
631	3.63	31.55	30.05	28.68	27.43	29.04	290.40	580.80
644	3.70	32.20	30.67	29.27	28.00	29.60	296.00	592.00
660	3.79	33.00	31.43	30.00	28.70	30.32	303.20	606.40
675	3.88	33.75	32.14	30.68	29.35	31.04	310.40	620.80
691	3.97	34.55	32.90	31.41	30.04	31.76	317.60	635.20

Monthly Salary	Hourly Rate*	Salary Per Working Day for Month with the Following Number of Working Days Plus Holidays. (For Agencies That Pay by the Month or Twice a Month.)**				For Agencies Operating on a Two or Four-Week Payroll Period.		
		20 Days	21 Days	22 Days	23 Days	Daily Rate	Bi-Weekly Rate***	Four Weeks
$707	$4.06	$35.35	$33.67	$32.14	$30.74	$32.48	$324.80	$649.60
723	4.16	36.15	34.43	32.86	31.43	33.28	332.80	665.60
739	4.25	36.95	35.19	33.59	32.13	34.00	340.00	680.00
755	4.34	37.75	35.95	34.32	32.83	34.72	347.20	694.40
771	4.43	38.55	36.71	35.05	33.52	35.44	354.40	708.80
789	4.53	39.45	37.57	35.86	34.30	36.24	362.40	724.80
807	4.64	40.35	38.43	36.68	35.09	37.12	371.20	742.40
826	4.75	41.30	39.33	37.55	35.91	38.00	380.00	760.00
844	4.85	42.20	40.19	38.36	36.70	38.80	388.00	776.00
863	4.96	43.15	41.10	39.23	37.52	39.68	396.80	793.60
881	5.06	44.05	41.95	40.05	38.30	40.48	404.80	809.60
902	5.18	45.10	42.95	41.00	39.22	41.44	414.40	828.80
923	5.30	46.15	43.95	41.95	40.13	42.40	424.00	848.00
944	5.43	47.20	44.95	42.91	41.04	43.44	434.40	868.80
965	5.55	48.25	45.95	43.86	41.96	44.40	444.00	888.00
987	5.67	49.35	47.00	44.86	42.91	45.36	453.60	907.20
1008	5.79	50.40	48.00	45.82	43.83	46.32	463.20	926.40
1032	5.93	51.60	49.14	46.91	44.87	47.44	474.40	948.80
1055	6.06	52.75	50.24	47.95	45.87	48.48	484.80	969.60
1079	6.20	53.95	51.38	49.05	46.91	49.60	496.00	992.00
1102	6.33	55.10	52.48	50.09	47.91	50.64	506.40	1012.80
1126	6.47	56.30	53.62	51.18	48.96	51.76	517.60	1035.20
1150	6.61	57.50	54.76	52.27	50.00	52.88	528.80	1057.60
1177	6.76	58.85	56.05	53.50	51.17	54.08	540.80	1081.60
1203	6.91	60.15	57.29	54.68	52.30	55.28	552.80	1105.60
1232	7.08	61.60	58.67	56.00	53.56	56.64	566.40	1132.80
1261	7.25	63.05	60.05	57.32	54.83	58.00	580.00	1160.00
1290	7.41	64.50	61.43	58.64	56.09	59.28	592.80	1185.60
1319	7.58	65.95	62.81	59.95	57.35	60.64	606.40	1212.80
1348	7.75	67.40	64.19	61.27	58.61	62.00	620.00	1240.00
1377	7.91	68.86	65.57	62.59	59.87	63.28	632.80	1265.60
1409	8.10	70.45	67.10	64.05	61.26	64.80	648.00	1296.00
1440	8.28	72.00	68.57	65.45	62.61	66.24	662.40	1324.80
1472	8.46	73.60	70.10	66.91	64.00	67.68	676.80	1353.60
1503	8.64	75.15	71.57	68.32	65.35	69.12	691.20	1382.40

Monthly Salary	Hourly Rate*	Salary Per Working Day for Months with the Following Number of Working Days Plus Holidays. (For Agencies That Pay by the Month or Twice a Month.)**				For Agencies Operating on a Two or Four-Week Payroll Period.		
		20 Days	21 Days	22 Days	23 Days	Daily Rate	Bi-Weekly Rate***	Four Weeks
$ 1538	$8.84	$76.90	$73.24	$69.91	$66.87	$70.72	$707.20	$1414.40
1572	9.03	78.60	74.86	71.45	68.35	72.24	722.40	1444.80
1609	9.25	80.45	76.62	73.14	69.96	74.00	740.00	1480.00
1646	9.46	82.30	78.38	74.82	71.57	75.68	756.80	1513.60
1683	9.67	84.15	80.14	76.50	73.17	77.36	773.60	1547.20
1720	9.89	86.00	81.90	78.18	74.78	79.12	791.20	1582.40
1760	10.11	88.00	83.81	80.00	76.52	80.88	808.80	1617.60
1799	10.34	89.95	85.67	81.77	78.22	82.72	827.20	1654.40
1839	10.57	91.95	87.57	83.59	79.96	84.56	845.60	1691.20
1878	10.79	93.90	89.43	85.36	81.65	86.32	863.20	1726.40
1923	11.05	96.15	91.57	87.41	83.61	88.40	884.00	1768.00
1968	11.31	98.40	93.71	89.45	85.57	90.48	904.80	1809.60
2013	11.57	100.65	95.86	91.50	87.52	92.56	925.60	1851.20
2057	11.82	102.85	97.95	93.50	89.43	94.56	945.60	1891.20
2105	12.10	105.25	100.24	95.68	91.52	96.80	968.00	1936.00
2152	12.37	107.60	102.48	97.82	93.57	98.96	989.60	1979.20
2200	12.64	110.00	104.76	100.00	95.65	101.12	1011.20	2022.40
2247	12.91	112.35	107.00	102.14	97.70	103.28	1032.80	2065.60
2297	13.20	114.85	109.38	104.41	99.87	105.60	1056.00	2112.00
2347	13.49	117.35	111.76	106.86	102.04	107.92	1079.20	2158.40
2398	13.78	119.90	114.19	109.00	104.26	110.24	1102.40	2204.80
2448	14.07	122.40	116.57	111.27	106.43	112.56	1125.60	2251.20
2503	14.39	125.15	119.19	113.77	108.83	115.12	1151.20	2302.40
2558	14.70	127.90	121.81	116.27	111.22	117.60	1176.00	2352.00
2616	15.03	130.80	124.57	118.91	113.74	120.24	1202.40	2404.80
2674	15.37	133.70	127.33	121.54	116.26	122.96	1229.60	2459.20
2734	15.71	136.70	130.19	124.27	118.87	125.68	1256.80	2513.60
2794	16.06	139.70	133.05	127.00	121.48	128.48	1284.80	2569.60
2857	16.42	142.85	136.05	129.86	124.22	131.36	1313.60	2627.20
2920	16.78	146.00	139.05	132.73	126.96	134.24	1342.40	2684.80
2986	17.16	149.30	142.19	135.73	129.83	137.28	1372.80	2745.60
3051	17.53	152.55	145.29	138.68	132.65	140.24	1402.40	2804.80
3127	17.97	156.35	148.90	142.14	135.96	143.76	1437.60	2875.20

Monthly Salary	Hourly Rate*	Salary Per Working Day for Month with the Following Number of Working Days Plus Holidays. (For Agencies That Pay by the Month or Twice a Month.)**				For Agencies Operating on a Two or Four-Week Payroll Period.		
		20 Days	21 Days	22 Days	23 Days	Daily Rate	Bi-Weekly Rate***	Four Weeks
$3188	$18.32	$159.40	$151.81	$144.91	$138.61	$146.56	$1465.60	$2931.20
3260	18.74	163.00	155.24	148.18	141.74	149.92	1499.20	2998.40
3333	19.15	166.65	158.71	151.50	144.91	153.20	1532.00	3064.00
3408	19.59	170.40	162.29	154.91	148.17	156.72	1567.20	3134.40
3485	20.03	174.25	165.95	158.41	151.52	160.24	1602.24	3204.80

*Hourly rates are based on 2088 hours in a year.

**To compute the number of days in the month for which payment is to be made, count the working days plus the holidays. Do not count Saturdays or Sundays. After determining this number, find the appropriate working-day rate for the month salary rate at which the employee is currently being paid.

Multiply the rate per day by the number of days the employee worked (and/or was on approved vacation, sick leave, or holiday leave) in order to compute the payment for the pay period. Formula: Rate per working day X number of days worked = salary payment.

***To compute a partial payment on the bi-weekly rate, divide the bi-weekly rate by ten to find the daily rate. Multiply the daily rate by the number of days the employee worked (and/or was on approved vacation, sick leave, or holiday leave.) Formula: Rate per working day X number of days worked = salary payment. Hourly rate is as shown in column two headed "Hourly Rate."

EMERGENCY SERVICES SALARY SCHEDULE

FOR CLERICAL CLASSES

STANDARD TABLE FOR COMPUTING LESS-THAN-FULL-TIME SALARY, BI-WEEKLY, AND FOUR-WEEK SALARY RATES

Monthly Salary	Hourly Rate*	Salary Per Working Day for Months with the Following Number of Working Days Plus Holidays. (For Agencies That Pay by the Month or Twice a Month.)**				For Agencies Operating on a Two or Four-Week Payroll Period.		
		20 Days	21 Days	22 Days	23 Days	Daily Rate	Bi-Weekly Rate***	Four Weeks
$381	$2.19	$19.05	$18.14	$17.32	$16.56	$17.52	$175.20	$350.40
389	2.24	19.45	18.52	17.68	16.91	17.92	179.20	358.40
398	2.29	19.90	18.95	18.09	17.30	18.32	183.20	366.40
406	2.33	20.30	19.33	18.45	17.65	18.64	186.40	372.80
414	2.38	20.70	19.71	18.82	18.00	19.04	190.40	380.80
422	2.43	21.10	20.10	19.18	18.35	19.44	194.40	388.80
430	2.47	21.50	20.48	19.55	18.70	19.76	197.60	395.20
438	2.52	21.90	20.86	19.91	19.04	20.16	201.60	403.20
446	2.56	22.30	21.24	20.27	19.39	20.48	204.80	409.60
454	2.61	22.70	21.62	20.64	19.74	20.88	208.80	417.60
462	2.66	23.10	22.00	21.00	20.09	21.28	212.80	425.60
473	2.72	23.65	22.52	21.50	20.57	21.76	217.60	435.20
483	2.78	24.15	23.00	21.95	21.00	22.24	222.40	444.80
494	2.84	24.70	23.52	22.45	21.48	22.72	227.20	454.40
504	2.90	25.20	24.00	22.91	21.91	23.20	232.00	464.00
515	2.96	25.75	24.52	23.41	22.39	23.68	236.80	473.60
525	3.02	26.25	25.00	23.86	22.83	24.16	241.60	483.20
536	3.08	26.80	25.52	24.36	23.30	24.64	246.40	492.80
546	3.14	27.30	26.00	24.82	23.74	25.12	251.20	502.40
557	3.20	27.85	26.52	25.32	24.22	25.60	256.00	512.00
567	3.26	28.35	27.00	25.77	24.65	26.08	260.80	521.60
578	3.32	28.90	27.52	26.27	25.13	26.56	265.60	531.20
588	3.38	29.40	28.00	26.73	25.57	27.04	270.40	540.80
601	3.45	30.05	28.62	27.32	26.13	27.60	276.00	552.00
614	3.53	30.70	29.24	27.91	26.70	28.24	282.40	564.80
627	3.60	31.35	29.86	28.50	27.26	28.80	288.00	576.00
640	3.68	32.00	30.48	29.09	27.83	29.44	294.40	588.80
654	3.76	32.70	31.14	29.73	28.43	30.08	300.80	601.60

Monthly Salary	Hourly Rate*	Salary Per Working Day for Months with the Following Number of Working Days Plus Holidays. (For Agencies That Pay by the Month or Twice a Month.)**				For Agencies Operating on a Two or Four-Week Payroll Period.		
		20 Days	21 Days	22 Days	23 Days	Daily Rate	Bi-Weekly Rate***	Four Weeks
$667	$3.83	$33.35	$31.76	$30.32	$29.00	$30.64	$306.40	$612.80
681	3.91	34.05	32.43	30.95	29.61	31.28	312.80	625.60
694	3.99	34.70	33.05	31.55	30.17	31.92	319.20	638.40
710	4.08	35.50	33.81	32.27	30.87	32.64	326.40	652.80
725	4.17	36.25	34.52	32.95	31.52	33.36	333.60	667.20
741	4.26	37.05	35.29	33.68	32.22	34.08	340.80	681.60
757	4.35	37.85	36.05	34.41	32.91	34.80	348.00	696.00
773	4.44	38.65	36.81	35.14	33.61	35.52	355.20	710.40
789	4.53	39.45	37.57	35.86	34.30	36.24	362.40	724.80
805	4.63	40.25	38.33	36.59	35.00	37.04	370.40	740.80
821	4.72	41.05	39.10	37.32	35.70	37.76	377.60	755.20
839	4.82	41.95	39.95	38.14	36.48	38.56	385.60	771.20
857	4.93	42.85	40.81	38.95	37.26	39.44	394.40	788.80
876	5.03	43.80	41.71	39.82	38.09	40.24	402.40	804.80
894	5.14	44.70	42.57	40.64	38.87	41.12	411.20	822.40
913	5.25	45.65	43.48	41.50	39.70	42.00	420.00	840.00
931	5.35	46.55	44.33	42.32	40.48	42.80	428.00	856.00
952	5.47	47.60	45.33	43.27	41.39	43.76	437.60	875.20
973	5.59	48.65	46.33	44.23	42.30	44.72	447.20	894.40
994	5.71	49.70	47.33	45.18	43.22	45.68	456.80	913.60
1015	5.83	50.75	48.33	46.14	44.13	46.64	466.40	932.80
1037	5.96	51.85	49.38	47.14	45.09	47.68	476.80	953.60
1058	6.08	52.90	50.38	48.09	46.00	48.64	486.40	972.80
1082	6.22	54.10	51.52	49.18	47.04	49.76	497.60	995.20
1106	6.36	55.30	52.66	50.27	48.09	50.88	508.80	1017.60
1131	6.50	56.55	53.86	51.41	49.17	52.00	520.00	1040.00
1156	6.64	57.80	55.05	52.54	50.26	53.12	531.20	1062.40

*Hourly rates are based on 2088 hours in a year.

**To compute the number of days in the month for which payment is to be made, count the working days plus the holidays. Do not count Saturdays or Sundays. After determining this number, find the appropriate working-day rate for the month salary rate at which the employee is currently being paid.

Multiply the rate per day by the number of days the employee worked (and/or was on approved vacation, sick leave, or holiday leave) in order to compute the payment for the pay period. Formula: Rate per working day X number of days worked = salary payment.

***To compute a partial payment on the bi-weekly rate, divide the bi-weekly rate by ten to find the daily rate. Multiply the daily rate by the number of days the employee worked (and/or was on approved vacation, sick leave, or holiday leave). Formula: Rate per working day X number of days worked = salary payment. Hourly rate is as shown in column two headed "Hourly Rate."

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE EDWARD G. NOVAK

COMMISSIONER OF PUBLIC SAFETY

In the Matter of the Proposed Adoption of Rules of the State Department of Public Safety Governing the Emergency Services (Civil Defense) Political Activity Regulations and Merit System Compensation Plan, Minn. Rules DES 90, 91, 94, 104, 140 and 141

ORDER FOR HEARING

The Commissioner of the Minnesota Department of Public Safety deems it necessary to consider the adoption of the proposed rules captioned above pursuant to the authority vested in me by M.S. 12.22, Subdivision 3.

NOW, THEREFORE IT IS ORDERED this 31ST day of AUGUST, 1976, that a public hearing on the proposed regulations captioned above be held in the Auditorium of the State Office Building, St. Paul, Minnesota, on Friday, October 22, 1976, commencing at 9:30 A.M., and continuing until all representatives of associations or other groups of persons or individuals have had an opportunity to be heard.

IT IS FURTHER ORDERED, that notice of said hearing be given to all representatives of associations or other interested groups or persons who have registered their names with the Secretary of State for that purpose and all persons who are presently members of the Minnesota Legislature.

STATE OF MINNESOTA
DEPARTMENT OF PUBLIC SAFETY

Edward G. Novak
COMMISSIONER OF PUBLIC SAFETY

DATED: August 31, 1976

Exhibit No. E-1

File No.

Date

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE EDWARD G. NOVAK

COMMISSIONER OF PUBLIC SAFETY

In the matter of Proposed Amendments to Rules DES 90, 91, 94, 104, 140, 141 of the Minnesota Department of Public Safety Governing the Emergency Services Merit System.

NOTICE OF HEARING

Notice is hereby given that a public hearing will be held pursuant to Minnesota Statutes 15.0412, subd. 4 (1974), as amended by Laws 1975, Chapter 380, in the above-entitled matter, in the auditorium of the State Office Building, Wabasha Street (between Aurora and Fuller), St. Paul, Minnesota, on Friday, October 22, 1976, commencing at 9:30 A.M., and continuing until all representatives or other interested groups or persons have had an opportunity to be heard concerning adoption of the proposed amendments of the rules first captioned-above by submitting either oral or written data, statements or arguments. Statements or briefs may be submitted without appearing at the hearing.

Under Minnesota Statutes 10A.01, subd. 11 (1974), any individual representing persons or associations attempting to influence administrative action, such as promulgation of amendments to these rules, must register with the State Ethics Commission as a lobbyist within five (5) days of the commencement of such activity by the individual. (The State Ethics Commission is located at Room 410, State Office Building, St. Paul, Minnesota 55155.)

This hearing will be held in conjunction with the Minnesota Department of Health and the Minnesota Department of Public Welfare. Some similar amendments to administrative rules of these agencies will be considered.

One proposal involves adjustment of the Emergency Service (Civil Defense) Merit System Compensation Plan for positions in the Emergency Services (Civil Defense) Agencies (Minn. Rule DES 140). As a result of the salary survey completed July 31, 1976, it is recommended that the salaries for the classes on the Professional Salary Schedules A, B and C be adjusted one step (approximately 4.5%) at minimum and maximum; that the salaries for the classes on the Clerical Salary Schedules A, B, C and D be adjusted one-half step (approximately 2%) at minimum and one and one-half steps (approximately 6%) at maximum and that the salaries for the classes on the Clerical Salary Schedules E and F be adjusted one and one-half steps (approximately 6%) at minimum and maximum. The proposed effective date of these adjustments is the effective date of these rules.

Revisions to Minn. Rule DES 141 are proposed to reflect the adjustments proposed in Minn. Rule DES 140 and to show methods of payment on a monthly, hourly or two or four week payroll period to employees. The proposed effective date of this rule is the effective date of these rules.

Under Minn. Rule DES 91 B. 2. and 3., Minn. Rule DPW 116 and 117 also apply to employees covered under the Emergency Services Merit System. Revisions to Minn. Rule DPW 116 and 117 will also be considered at this hearing.

The Ramsey County District Court Order of August 26, 1976, invalidated the 1975 and 1976 amendments to Minn. Rule DPW 116 and the 1976 amendments to Minn. Rule DPW

117. In order to eliminate confusion on these rules, it is proposed to delete Minn. Rule DPW 116 and 117 as they exist after the court order invalidated the amendments and adopt entirely new rules. Some portions of these proposed rules are identical to the rule in effect in 1974 for Minn. Rule DPW 116 and to the rule in effect in 1975 for Minn. Rule DPW 117, which in effect are as the rules currently read due to the court order.

Under the proposed Minn. Rule DPW 116, salary adjustments to incumbents resulting from the adoption of a new salary schedule January 1 of each year are required only to place these persons at least at minimum salary. The proposal makes the further granting of the general salary adjustments to incumbents discretionary with the appointing authority. The recommended general adjustments to incumbents in 1977, under this rule are one step for employees on the Professional Salary Schedule and one and one-half steps for employees on the Clerical Salary Schedule. In addition the proposal contains a provision for the appointing authority in those unique situations where the appointing authority determines the general adjustment adopted is inappropriate for their employees, to give a different adjustment to their employees other than the general adjustment adopted or in the case of agencies where there is an exclusive representative, for the appointing authority and the exclusive representative to negotiate salary adjustments. Other parts of this proposed rule cover merit increase and salary decrease provisions.

Under the proposed Minn. Rule DPW 117, the establishment of the length of pay periods is left to the discretion of the appointing authority, or in the case of agencies where there is an exclusive representative, length of pay periods may be a negotiable item. Also under this provision, employees can be paid either at a monthly rate or an hourly rate at the discretion of the appointing authority or as negotiated. The rule further provides methods for payment on a full-time, part-time or hourly basis and for payment of vacation, sick leave and overtime. Another provision of the rule regulates part payment from another source.

Amendments to Minn. Rule DES 94 are proposed to allow the appointing authority and employees with an exclusive representative to negotiate their own salary schedules if they so desire for employees in the bargaining unit.

Amendments to Minn. Rule DES 90 are proposed to establish definitions for "disabled veteran", "exclusive representative", "facsimile", "general adjustment", "intermittent employee", "merit increase", "probationary employee", "salary adjustment", and "temporary employee". These definitions are needed to add clarity to the existing rules.

Amendments to Minn. Rule DES 104 are proposed to allow those agencies with an exclusive representative to negotiate their own leave benefits without any restrictions as to minimums or maximums.

Another proposal is to amend Minn. Rule DES 91, to conform to changes in the U.S. Civil Service Commission's interpretation of the federal Hatch Act as of September, 1975. This change allows employees to be candidates in a partisan election for political party office. Candidacy in a partisan election for a public office continues to be prohibited.

Testimony or other evidence to be submitted for consideration should be pertinent to the matter at hand and may be presented either orally or in writing at the public hearing or by mailing a statement to Mr. Steve Mihalchick, Office of Hearing Examiner, 1745 University Avenue, St. Paul, Minnesota 55104, prior to or within twenty (20) days following the conclusion of the hearing. For those persons wishing

to submit written statements or exhibits, it is requested that they furnish three copies of each item to the Hearings Officer.

A copy of the Notice of Hearing for the Minnesota Departments of Health and Public Weflare are attached hereto for your information. Copies of the proposed amendments and the salary survey are now available and may be obtained by writing to:

Merit System Supervisor
Minnesota Merit System
Fourth Floor, Centennial Office Building
St. Paul, Minnesota 55155

If you are not interested in all the proposed rule changes, it would be appreciated if you would specify the particular rules you desire when you request copies. Additional copies of the rules and the salary survey will be available at the door on the date of the hearing.

STATE OF MINNESOTA
DEPARTMENT OF PUBLIC SAFETY

Edward G. Novak
EDWARD G. NOVAK
COMMISSIONER

DATED: August 31, 1976

STATE OF MINNESOTA

COUNTY OF RAMSEY

In the Matter of the Proposed Adoption of Rules of the State Department of Public Safety Governing the Division of Emergency Services (Civil Defense) Political Activity Regulations and Merit System Compensation Plan, Minn. Rules DES 90, 91, 94, 104, 140 and 141

AFFIDAVIT OF MAILING

Patricia Flatten, being first duly sworn, deposes and says:

That on the 17 day of Sept., 1976, at the City of St. Paul, County of Ramsey, State of Minnesota, (s)he served the attached Notice of Hearing by depositing in the United States mail at said City of St. Paul, a true and correct copy thereof, properly enveloped, with postage prepaid, to all persons and associations at the addresses listed on the attached Certificate of the Secretary of State as well as to all persons listed on the attached sheet as being members of the Minnesota Legislature.

Patricia Flatten

Subscribed and sworn to before
me on this 17 day of
Sept, 1976.

Lorraine C Pfeffer

LORRAINE C. PFEFFER
Notary Public, Ramsey Co., Minn.
My Comm. Expires

Exhibit No. E-3

File No.

Date

STATE OF MINNESOTA

COUNTY OF RAMSEY

In the Matter of the Proposed Adoption of Rules of the State Department of Public Safety Governing the Emergency Services (Civil Defense) Political Activity Regulations and Merit System Compensation Plan, Minn. Rules DES 90, 91, 94, 104 and 141

CERTIFICATE

I hereby certify that the attached 504 labels and 1 sheets for Emergency Services (Civil Defense) constitute the complete list of persons, associations, and other interested groups who, as of 2:10 o'clock P.M., this 16th day of September, 1976, have requested pursuant to M.S. 1971, Section 15.0412, that their names be placed on file with the Secretary of State for the purpose of receiving notice of public hearing on proposed rules on the subject captioned above.

SECRETARY OF STATE

Joan Anderson Growe

By Virginia Daniels

Exhibit No. E-4

File No.

Date

PUBLIC SAFETY

Berry, Ed, Box 144, Emmons, Mn. 56029

Dawson, James M., Felhaber,Larson et al, W-1080 ist Natl Bk Bldg.,St.Paul, Mn 5510

Matthias, Dr. Howard, 329 Brown Hall, St.Cloud State College, St.Cloud, Mn. 56301

Ostern, Bill, 513 South Section, Spring Valley, Mn. 55975

Pure Power Company, 5917 View Lane, Mpls., Mn. 55436

Shields, J.B., Driver Ed. Range, 1000 N. Snelling Ave., St.Paul, Mn. 55108

St.Paul Motorcycle Escort Club, Inc., PO Box 3264, St.Paul, Mn. 55101

Thorson, Mork & Henefield, Attorneys, 1st Natl Bank Bldg, Blooming Prairie 55917

ALBERT,AA CALDER CORP
366 JACKSON ST
ST PAUL MN
55101

ALLENDORF MARSHALL
220 GRAIN EX 400 S 4TH
MPLS MN
55415

AMER CAMPING ASSN
3639-21/2 ST N.E.
MPLS MN
55418

AM INST PROF GEOLOGISTS
2201 PRINCETON AVE
ST PAUL MN
55105

ANCHOR BLOCK COMPANY
PO BOX 3360
ST PAUL MN
55165

ANDERSON MARY
4425 RUTLEDGE AVE
EDINA MN
55436

ANDERSON STANFORD P
14600 MINNETONKA BLVD
MINNETONKA MN
55343

ANDREW MARK STATE SENATE
235 STATE CAPITOL
ST PAUL MN
~~N5515~~ 55155

ANTHONY DICK WDSM RADIO
230 E SUPR ST
DULUTH MN
55102

ANTI-TRUST DIV.ATTY GEN.
160 STATE OFF BLDG
ST PAUL MN
55155

ARNOLD ROBERT MESPA
41 SHERBURNE
ST PAUL MN
55103

ARROWHEAD REG. DEV COMM.
211 W 2ND ST
DULUTH M
N5580

ARROWHEAD REGIONAL DEV COMM
200 ARROWHEAD PLACE
DULUTH MN
55802

ARVER JOHN A
2467 COHANCY
ST PAUL MN
55113

ASMUSSEN,DENNIS,MPIRG
3036 UNIV AVE SE
MPLS MN
55414

ASSOCIATED GEN CONTROF MN
48 E 8TH STREET
ST PAUL MN
55101

ASSN OF MINN COUNTIES
55 SHERBURNE AVE #203
ST PAUL MN
55103

ASSN RESIDENCES FOR RETARDED
459 RICE SUITE 301
ST PAUL MN
55103

AUTOMOBILE MFRS ASSN INC
55 SHERBURNE AVE
ST PAUL MN
55103

ANDERSON GRAHAM
951 E HENN
MPLS MN
55414

ANDERSON HERBERT
418 8TH ST. SO.
VIRGINIA MN
55792

ANDERSON HAROLD
BOX 3047
MANKATO MN
56001

ANDERSON JAMES
7703 NORMANDALE RD
MPLS MN
55435

BABCOCK LOCHER NELSON ET AL
118 E MAIN ST
ANOKA MN
55303

BADALICH JOHN P
2025 THOMPSON AVE
SO ST PAUL MN
55075

BARRETT FRED
ST LOUIS CO COURT HOUSE
DULUTH MN

BEGALKA D REV
212 N ELK ST
BELLE PLAINE MN
56011

BEMIDJI STATE COLLEGE
PLACEMENT BUR. J.C. BRADY
BEMIDJI MN
56601

BENSONI PETER USW OF AM.
609 PROVIDENCE BLDG.
DULUTH MN

BERGERUD ALF
300 ROANOKE BLDG
MPLS MN
55402

BERGSETH THOMAS
1011 NICOLLET MALL
MPLS MN
55403

BERGUSON & LOFGREN
MN GAS 700 LINDEN W
MPLS MN
55403

BEST FLANAGAN ET AL
4040 IDS CENTER
MPLS MN
55402

BEUTEL ROBERT
2200 SILVER LAKE RD
NEW BRIGHTON MN
55112

LANDIN PAPER CO W J LICKE
115 1ST ST SW
GRAND RAPIDS MN
~~55744~~ 55744

BLOMQUIST BARRY L

NORTH BRANCH MN
55056

BLOOMINGTON CITY CLERK
2215 W OLD SHAKOPEE RD
BLOOMINGTON MN
55431

BOLTON MALCOLM
422 ALDRICH AVE NO
MPLS MN
55405

BOWMAN & BRUNS ATTN R MASON
1616 PIONEER BLDG
ST PAUL MN
~~55110~~ 55101

BREHL JAMES W
332 HAMM BLDG
ST PAUL MN
55102

BRICK PHILIP D
807 SELLWOOD BLDG
DULUTH MN
55802

BRIGGS & MORGAN - B F FRI
2200 W 1ST NATL BK BLDG
ST PAUL MN
55101

BRIGHAM E M III
RR4
RED WING MN
55066

BROEKER JOHN
2850 METRO DR. SUITE 504
BLOOMINGTON MN
55420

BROOKS WILLIAM F JR
854 MIDLAND BK BLDG
MPLS MN
55401

BROWN D M GOODRIDGE PUB S
IND DIST #561
GOODRIDGE MN
56725

BROWN H D
4961 KINGSBERRY LANE
MINNETONKA MN
55343

BRUBACHER RICHARD COMM ADM
208 ADM BLDG
ST PAUL MN
55101

BRUNING C.R. DEPT. CLINIC. EXP.
BURTON HALL
MPLS. MN
55455

BUCHHOLTZ CHARLES
5044 BRENT AVE E
INV GRV HTS MN
55075

BURGER ALBERT
600 DEGREE OF HONOR BLD
ST PAUL MN
55101

BUR. ENGR. IND. DIV. MR. KIBIGER
219 N. 2ND ST.
MPLS. MN

BUR NATL AFFAIRS INC
1231 25TH ST NW
WASHINGTON DC
20037

BUSCH NOEL
3131 FERNBROOK LANE N
MPLS MN
55441

CABLE COMM SYST-H SARRAZIN
BOX 777
HECTOR MN
55342

CAIN RUTH
730 E 38TH ST
MPLS MN
55407

CAIRNS JOHN A
47TH FLR IDS CENTER
MPLS MN
55402

CARLSON CARL L
7515 80TH ST S
COTTAGE GROVE MN
55016

CARLSON VERNE E
BOX 755 CITY HALL
WILLMAR MN
56201

CARRISON DALE K
MANKATO STATE COLLEGE
MANKATO MN
56001

CENTRAL BUSINESS DATA
BENSON RADIO ARCADE BLD
BENSON MN
56215

CENTRAL MN REG DEV COMM
1139 FRANKLIN AVE
SAUK RAPIDS MN
~~N552I~~ 56379

CHAMBER OF COMMERCE
30 SO 1ST AVE EAST
ELY MN
55731

CHAMBERLAIN JOHN L
PO BOX 241
MPLS MN
55440

CHERCHES CHRIS CITY MGR
5005 MTKA BLVD
ST LOUIS PARK MN
55416

CHRISTIAN SCI COMM ON PUB
1821 UNIV AVE SUITE 271
ST PAUL MN
55104

CHRISTIANSEN FREDRIK
RM 505 CAPITOL SQ BLDG
ST PAUL MN
55155

CHRYSALIS CENTER FOR WOMEN
2104 STEVENS AVE S
MPLS MN
55404

CITY CLERK
386 CITY HALL
ST PAUL MN
55102

CITIZENS LEAGUE
530 SYNDICATE BLDG
MPLS MN
55402

CITY OF ROBBINSDALE
C LARSON 4221 LAKE RD
ROBBINSDALE MN
55422

CLARKSON J.B.
2350 I.D.S. CENTER
MINNEAPOLIS MN
55402

CLAUSEN PHILLIP
2307 STANDISH ST
ST PAUL MN
55108

CLAWSON CONNIE
HELP CT 317-17TH AV SE
MPLS MN

COLEMAN NICHOLAS
208 STATE CAPITOL
ST PAUL M
N5515

COLLIN LAURENCE
RT 2
ISANTI MN
55040

COMMUNITY DESIGN CENTER
118 E 26TH ST
MPLS MN
55404

CONCORDIA COLLEGE
DEAN
MOORHEAD MN
56560

CONSUMER SERVICES DEPT COMM
5TH FLR METRO SQ BLDG
ST PAUL MN
55101

COUNTY ATTYS COUNCIL
95 SHERBURNE AVE S203
ST PAUL MN
55103

CRAVEN NORMAN
10637 THOMAS AVE S
BLOOMINGTON MN
55431

CROW WING CO PLANNING & ADV
COURT HOUSE
BRAINERD MN
56401

CUSHMAN J S DAYTON HUDSON
700 NICOLLET MALL
MPLS MN
55402

DAHLKE LOIS M
118 S EAGLE ST
BELLE PLAINE MN
56011

[illegible] THOMAS ECONOMICS LAB
[illegible] MARSHALL ST
[illegible] MN

DAK CO MENTAL HEALTH CENTER
744 19TH AVE N
SO ST PAUL MN
N5507 55075

DANKERS, KENNETH
1200 WEST FOURTH STREET
RED WING MN
55066

DANIELSON RODNEY L
418 AUDITORIUM
ST PAUL MN
55102

DAILEY THOMAS ECONOMICS LAB
370 WABASHA ST
ST PAUL MN
55102

DAK CO MENTAL HEALTH CENTER
744 19TH AVE N
SO ST PAUL MN
~~N5507~~ 55075

DANKERS, KENNETH
1200 WEST FOURTH STREET
RED WING MN
55066

DANIELSON ROONEY L
418 AUDITORIUM
ST PAUL MN
55102

DAYTON CHAS SIERRA CLUB
800 MIDLAND BANK BLDG
MPLS MN
55401

DEVELOP DISABILITIES PROGRAM
STATE PLAN 101 CAP SQ
ST PAUL MN
55155

DICKINSON MRS JOANNE
BOX 1065
MARSHALL MN
56258

DIEHL JOHN
26 KENWOOD PKWY
ST PAUL MN
55105

DISPATCH PIONEER PRESS
PRESS RM STATE CAPITOL
ST PAUL MN
55101

DORSEY MARQUART
2400 1ST NATL BANK BLDG
MPLS MN
55402

DOUGLAS BELL ET AL
2212 AM.NATL BK BLDG
ST PAUL MN
55102

DOW CHEMICAL
47 BLDG
MIDLAND MI
48640

DUDLEY F H
RT 7 BOX 122
EXCELSIOR MN
55331

DUNN OLIVER PLUMBERS LOC 15
708 SO 10TH ST
MPLS MN
55404

DZUGAN KEN ST PAUL PLANNING
421 WABASHA ST
ST PAUL MN
55102

E CENTRAL REG. DEV. COMM
COURTHOUSE 18 N VINE ST
MORA MN
~~N5505~~ 55051

EBELING EDWARD H.
161 W. MAIN
PERHAM MN
56573

EICHTEN DANIEL
3794 HAZEL
WHITE BEAR LK MN
~~N5511~~ 55110

ELDER DR JAMES B
11140 WASHBURN AVE SO
BLOOMINGTON MN
55431

ELDRED R W ARMOUR & CO
UNION STOCK YARDS
SO ST PAUL MN
55075

ELMER EDWIN W
2901 PLEASANT AVE
MPLS MN
55408

EMERICK RICHARD A
1908 IDS CENTER
MPLS MN
55402

ENGELBRECHT DOUGLAS
809 RANGE ST
NO MANKATO MN
56001

ENNIS A F BOISE CASCADE
PO BOX 713
INTL FALLS MN
56649

ENV SERV-GEN RESOURCE CORP
6340 INDUSTRIAL DR
HOPKINS MN
55343

ERDMAN ROGER TENNANT CO
701 N LILAC DR
MPLS MN
55441

ERNEST K LEHMANN & ASSOC.
1409 WILLOW ST.
MPLS MN
55403

ESSE KENNETH
4801 W 50TH ST
EDINA MN
55424

ETHICS COMM
RM 410 STATE OFF BLDG
ST PAUL MN
55155

EVANS CHAS.L. PRENTICE-HALL
ENGELWOOD CLIFFS
NEW JERSEY

EVERETT JERRY NW PETRO AS
512 NICOLLET MALL RM917
MPLS MN
55402

EWALD DOUGLAS MINN HOSP ASSN
2333 UNIV AVE SE
MPLS MN
55414

EWING MRS WM
42 ASTAR RD
BABBITT MN
55706

FAEGRE & BENSON ATTN LIBR
1300 NW BANK BLDG
MPLS MN
55402

FARMERS ELEVATOR ASSN
852 GRAIN EXCH BLDG
MPLS MN
55415

FARRELL FRANK BUR NOR
RM 1180 176 E 5TH ST
ST PAUL MN
55101

FELHABER R S
W 1ST NATL BANK BLDG
ST PAUL MN
55101

FILTER LOREN
BOX 36
BRITT MN
55701

[illegible]NLEY JAMES F
[illegible]0 MINN BLDG
ST PAUL MN
55101

FINNEGAN J.R.
55 E. 4TH
ST.PAUL MN
55101

FITZGERALD DR BOB
3007 LYNDALE AVE SO
MPLS MN
55408

FLEMING FREDERICK A
1860 HIGHLAND PARKWAY
ST PAUL MN
55116

FLADLAND CLINT MN L&P BUR
795 RAYMOND AVE
ST PAUL MN
55114

FORBES GORDON MINN RRS ASSN
203 HANOVER 480 CEDAR
ST PAUL MN
55101

FORSBERG AGR SERV
518 SUMMIT AVE
NEW ULM MN
56073

FOX W.E. LINDQUIST & VENN
4200 IDSCTR 80 S.8TH ST
MINNEAPOLIS MN
55402

FRANKLIN ROBERT B MPLS TRIB
426 PORTLAND
MPLS MN
55415

FREDIN CONRAD M
811 FIRST NATL BK BLDG
DULUTH MN
55802

FREDLUND MRS PHYLLIS
RR 4 BOX 37
CANBY MN
~~N5622~~ 56220

FREDRIKSON BYRON ET AL
47TH FLR IDS CENTER M
PLS MN
55402

FRISON FRANK NECA
RM 305 200 SO ROBERT
ST PAUL MN
~~N5510~~ 55107

GALVIN M J JR
W2162 1ST NATL BK BLDG
ST PAUL MN
55101

GARDNER HDW - R A JOHNSON
515 WASHINGTON AVE N
MPLS MN
55401

GEBERT K L
220 GRAIN EXCH
MPLS MN
55415

GEO A HORMEL & CO LAW DEPT
PO BOX 800
AUSTIN MN
55912

GIEL DAVID
RM B-28 STATE CAPITOL
ST PAUL MN
55155

GLEESON MICHAEL
909 SOC SC BLDG U OF M
MPLS MN
55455

GLEN. HILLS HOSP.R.VAN HAUER
3901 GOLDEN VALLEY RD.
MPLS. MN
55422

GODIN RALPH J
3824 47TH AVE SO
MPLS MN
55406

GOODMAN DF TEL CABLE TV
302 E SUPERIOR
DULUTH MN
55802

GRAHAM THOS H
854 MIDLAND BK BLDG
MPLS MN
55401

GRANATH MARVIN -HONEYWELL
2701 4TH AVE SO
MPLS MN
55408

GREATER MET AREA HOSPITALITY
5152 CEDAR AVE S
MPLS MN
55417

GREEN DEL CITY MGR
BLOOMINGTON CITY HALL
BLOOMINGTON MN
55431

GREEN GARY J
41 SHERBURNE AVE
ST PAUL MN
55102

GREEN JANET
9773 N SHORE DR
DULUTH MN
55804

GRUMMERT REV DONALD
1435 ADAMS ST
MPLS MN
55413

GUSTAFSON DAN-LABOR TEMPLE
312 CENTRAL
MPLS MN
55414

GUSTAFSON WALLACE
BOX 567
WILLMAR MN
56201

H B FULLER CO
2400 KASOTA AVE
ST PAUL MN
55108

HAFNER DR A J
BOX393 MAYO U OF M
MPLS MN
~~N5545~~ 55455

HANFT PHILIP M
1200 ALWORTH BLDG
DULUTH MN
55802

HANSON ETHEL
2813 85TH AVE N
MPLS MN
55444

HAROLD J WESTIN CONSTRUCTORS
45 E 8TH ST
ST PAUL MN
55101

HALLBERG LEE & MCCABE
4927 34TH AVE S
MPLS MN
55417

HAUN DR J W GEN MILLS
PO BOX 1113
MPLS MN
55440

HAYES, THOMAS W
700 SELLWOOD BLG
DULUTH MN
55812

HEALTH MANPOWER C LARSON
717 DELAWARE ST SE
MPLS MN
55440

HART PATRICK V
112 E LIBERTY BOX 3271
MANKATO MN
56001

HARTFELDT WILL
434 HAMM BLDG
ST PAUL MN
55102

HAVEN ROBT TWIN TN TREATMENT
1706 UNIV AVE
ST PAUL MN
55104

HEAD & TRUHN
1007 SOO LINE BLDG
MPLS MN
55402

HEADWATERS REG DEV. COMM
BOX 584 MENTAL HEALTH
BEMIDJI MN
~~N5660~~ 56601

HEANEY BILL
30 W SUPERIOR ST
DULUTH MN
55802

HEARING EX.OFF. M GREENBERG
1745 UNIV AVE
ST PAUL MN
55104

HEIM PAUL
1320 SOO LINE BLDG
MPLS MN
55402

HEINTZ MARY ELLEN
PO BOX 599
CINCINNATI OH
45201

HEISENFELT WM
BOX 516
BEMIDJI MN
56601

HELTZER JAMES CAYTON HUDSON
777 NICOLLET MALL
MPLS MN
N5540 55402

HENDRICKSON A WM
100 FREEMAN DRIVE
ST PETER MN
56082

HILL JIM ASSOC.MILK PROD.
7850 METRO PARKWAY
MINNEAPOLIS MN
55420

HINRICHSEN PATRICK
MANKATO FREE PRESS
MANKATO MN
56001

HOLCAHL SCOTT
380 N BLDG GRAIN EXCH
MPLS MN
55415

HOLEY GEO AERONAUTICS
DOWNTOWN AIRPORT
ST PAUL MN
55107

HOLMES EUSTIS ET AL
4610 IDS CENTER
MPLS MN
55402

HOPKINS WM.B. DIR.MISCCA
3915 GOLDEN VALLEY ROAD
GOLDEN VALLEY MN
55422

HORNER WALDORF - KAZIUKEWICZ
PO BOX 3260
ST PAUL MN
55165

HOULE MELVIN
881 W HWY 96
SHOREVIEW MN
55112

HOUSE APPROPRIATIONS COMM
RM 109 STATE CAPITOL
ST PAUL MN
55101

HOUSE RESEARCH
RM 17 STATE CAPITOL
ST PAUL MN
55155

HULSTRAND ANDERSON & LARSON
PO BOX 130
WILLMAR MN
56201

HUMAN RIGHTS
200 CAPITOL SQ BLDG
ST PAUL MN
55101

HUMAN SERVICES
414 LAFFAYETTE RD 5THFL
ST PAUL MN
55101

HUSEBYE, CRAIG J.
5036 FRANCE S.
EDINA MN
55410

HUNT JAMES P JR
11470 GALTIER DR
BURNSVILLE MN
55378

HUTCHISON R.M. ANOKA CO.COMP
COURT HOUSE
ANOKA MN
55303

HYDROLOGIST
CHIPPEWA NATL FOREST
CASS LAKE MN
56633

HYLAND DEAN
1501 W 50TH ST
MPLS MN
55419

ILLINGWORTH ROBERT C
6750 FRANCE AVE S RM290
MPLS MN

INGEBRIGTSEN DR K H
23 SE 4TH ST
MPLS MN
55414

INGVALSON VERN MN.FARM BU
3110 WOODDALE DR PO 337
OST PAUL MN
55165

INS FED OF MINN
902 SOO LINE BLDG
MPLS MN
55402

INTERSTATE POWER RW STEELE
1000 MAIN ST
DUBUQUE IA
52001

IUOE LOC 49 CHAS SWENSON
2580 UNIV AVE
ST PAUL MN
55101

IVERSON DR JOS DEPT ED
ST OLAF COLLEGE
NORTHFIELD MN
55057

IZAAK WALTON MN DIV
111 E FRANKLIN RM-210
MPLS MN
55404

JACKMAN DONALD G
4023 E LAKE ST
MPLS MN
55406

JAIN NIRMAL ENIV PROCESS
1220 GLENWOOD AVE
MPLS MN
55405

JENCS INC
525 LAKE AVE SO
DULUTH MN
55801

JENSEN ARTHUR,CITY CLK
2215 W OLD SHAKOPEE RD
BLOOMINGTON MN
55431

JENSEN CARL A
127 E MAIN ST
SLEEPY EYE MN
56085

JENSEN MRS GAYNOLD
111 WEST 107TH ST
MPLS MN
55420

JOHANSEN BUS SERV INC
19 DAYTON RD
CHAMPLIN MN
55316

JOHNSON & SANDERSON
ST MARYS HOSPITAL
ROCHESTER MN
55901

JOHNSON CLARENCE IBEW LU. 292
3615 37TH AVE S
MPLS MN
55406

JOHNSON G ROBERT
4344 IDS CENTER
MPLS MN
~~N5540~~ 55402

JOHNSON LEROY
9939 BLUEBIRD ST NW
COON RAPIDS MN
55433

JOHNSON M.D. FRUNDT & FRUNDT

BLUE EARTH MN
56013

JOHNSON LANCE J
265 S LAFAYETTE RD
ST PAUL MN
55107

KABLE RICHARD W

BETHEL MN
55006

KAVANEY RICHARD
1220 NORTHERN FED BLDG
ST PAUL MN
55102

KEABLE MIKE
909 6TH AVE N
ST CLOUD MN
56301

KEENAN RICHARD J
4444 IDS BLDG
MPLS MN
55402

KEILY CANILE
3549 V2 PLEASANT AVE
MPLS MN
55408

KIMBALL ROBERT
647 CAPITOL SQ BLDG
ST PAUL MN
55101

KJERVIK DIANE
4302 POWEL HALL U OF M
MPLS MN

KLOSTER MARION PEAVEY CO
730 2ND AVE S
MPLS MN
55402

KLUZ STEVEN J
1910 1ST NATL BK BLDG
MPLS MN
55402

KNAPP J A
RM 3 CAPITOL
ST PAUL MN
5515

KNOPP TIMOTHY
COLLEGE FORESTRY U OF M
ST PAUL MN
55108

KNUTSON DR KEITH, BIOLOGY
ST CLOUD STATE
ST CLOUD MN
56301

KNUTSON R N GRANNIS ETAL
F J SCHULT BLDG
ST ST PAUL MN
55075

KNUDSON ROBT
4375 BROWNDALE AVE
MPLS MN
55424

KOLLER MR & MRS ERWIN A
1568 DULUTH ST
ST PAUL MN
55108

KOPP MRS VERNON
2050 65TH ST E
INVER GR HGHT MN
55075

KRAMER ERNEST W
717 DELAWARE ST SE
MPLS MN
55440

KROEGER CHARLES
122 NW 7TH STREET
FARIBAULT MN
55021

KRONLOKKEN J E
10048 NORD RD
BLOOMINGTON MN
55437

KROON H CLIFTON
210 E WALNUT
MANKATO MN
56001

KUHL CARL
4421 4TH ST NE
COL HEIGHTS MN
55421

KVB ENGINEERING INC
600 S CO RD 18
MPLS MN
55426

LABELLE JUANITA MRS
5816 AQUILA AVE NO
NEW HOPE MN
55428

LAKE SUPERIOR INDUSTRIAL BUR
828 FIRST AM. BK. BLDG.
DULUTH MN
55802

LANAHAN E F - SIBLEY CO
184 E 6TH ST
ST PAUL MN
55101

LANGVIN DAVID
7500 80TH ST S
COTTAGE GROVE MN
55016

LANSING & OAKES
400 SIBLEY ST
ST PAUL MN
55101

LAPP LAZAR LAURIE ET AL
1200 BUILDERS EXCHANGE
MINNEAPOLIS MN
55402

LARSON C L
3800 MINNEHAHA AVE SO
MPLS MN
55406

LARSON HANS P DIV HOSP SERV
717 DELAWARE ST SE
MPLS MN
55440

LEAGUE MN MUNIC
300 HANOVER 480 CEDAR
ST PAUL MN
55101

LEAGUE WOMEN VOTERS OF MINN
555 WABASHA
ST PAUL MN
55102

LEG.REF.LIB-Z. DEWITT
RM 111 STATE CAPITOL
ST PAUL MN
55155

LEWIS DR.G.M JR.
ABBOTT 110 E 18TH ST
MPLS MN
~~N5540~~ 55403

LIBBEY LEONARD
BOX 17011 NOKOMIS STA
MPLS MN
55417

LINDALL & JONATHAN DEVELOP.
VILLAGE ONE CENTER
CHASKA MN
55318

LOCKNER GARY
R R 1 BOX 23
BAUDETTE MN
56623

LOOS CALVIN J
6809 LYNDALE AVE SO
MPLS MN
55423

LOWE DOUG
2701 N LEXINGTON AVE
ROSEVILLE MN
55113

LUTH SOC SERVICE OF MN
2414 PARK AVE
MPLS MN
~~N5540~~ 55404

LYNCH DONALD SIBLEY.CO
184 E 6TH ST
ST PAUL MN
55102

MALONE E I COMM LABOR & INDU
444 LAFAYETTE RD 5TH FL.
ST PAUL MN
55101

MANKATO STAT STUDENT SENATE
CENTENNIAL STUDENT UN
MANKATO MN
56001

MANKATO STATE STUDENT ASSN
BOX 58 MANKATO COLLEGE
MANKATO MN
56001

MANSFIELD LARRY HCARC
1800 CHICAGO AVE S
MPLS MN
~~N5540~~ 55404

MANTHEY T J PICKANDS MATHER
1100 SUPERIOR AVE
CLEVELAND OH
44114

MARRINAN MARGARET M
1117 COMMERCE BLDG
ST PAUL MN
55101

MASTOR & MATTSON LTD
315 PEAVEY BLDG
MPLS MN
55402

MAUL WARREN E
320 S 4TH ST
MPLS MN
55415

MAYO FOUNDATION G ORWOLL
200 FIRST AVE NW
ROCHESTER MN
55901

MCDONALD PHILIP M
2077 SELBY AVE
ST PAUL MN
55104

MCFADDEN G H DISPATCH-PRESS
55 E 4TH ST
ST PAUL MN
55101

MCKIBBON MRS SHIRLEY
11 EVERGREEN LN
BABBITT MN
55706

MCLELLAN LARKIN
215 ADM BLDG ST CAPITOL
ST PAUL MN
55101

MECCA
867 GRAND AVE
ST PAUL MN
55105

MET. WASTE CONTOL COMM.
350 METRO SQ BLG
ST PAUL MN
~~N5510~~ 55101

MEIEROTTO, JOAN
1794 SO LEXINGTON
ST PAUL MN
55118

MERRITT GRANT POLLUTION CONT
1935 W CO RD 32
ROSEVILLE MN
55113

MET TFR MEN ASSN A ROSENTHAL
1821 UNIV AVE
ST PAUL MN
55104

METROPOLITAN COUNCIL LIBRARY
300 METRO SQUARE
ST PAUL MN
55155

MEYER HERBERT
10824 ZENITH AVE S
BLOOMINGTON MN
55431

MIDLAND GLASS-HD SPURLING
PO BOX 69
SHAKOPEE MN
55379

MILLER PAUL J PHARMACY SERV
ST MARYS HOSP
ROCHESTER MN
55901

MILLER RICHARD A
1020 PLYMOUTH BLDG
MPLS MN
55402

MILLER TOM
2311 PILLSBURY AVE S
MPLS MN
55404

MINN APT ASSN
GRIGGS-MIDWAY BLDG
ST PAUL MN
55104

MINN ASPHALT PAVEMENT ASSN
555 WABASHA RM 209
ST PAUL MN
55102

MINN ASSN COOPERATIVES
55 SHERBURNE AVE
ST PAUL MN
55103

MINN ASSN ELEC COOPERA
4901 W 77TH ST
MPLS MN
55435

MINN. ASSN. PET RETAILERS
1115 2ND AVE. SO.
MINNEAPOLIS MN
55403

MINN ASSN VOL SOC SERVICE
1821 UNIV SUITE 389
ST PAUL MN
~~N5511~~ 55114

MINN ASSN WATERSHED DIST'S
ADA MN
56510

MINN AUTOMOBILE DEALE
GRIGGS MIDWAY BLDG
ST PAUL MN
55104

MINN COMM FOR HANDICAPPED
METRO SQ 492 7TH & ROBT
ST PAUL MN
55101

MINN COMMUNITY DEVELOP SERV
512 ROSSMOR BLDG
ST PAUL MN
55101

MINN COUNCIL STATE EMP NO 6
475 RICE ST
ST PAUL MN
55103

MINN DEPT HEALTH J C
717 DELAWARE S E
MPLS MN
55440

MINN FARMERS UNION PRES OFF
1275 UNIV AVE
ST PAUL MN
55104

MINN FOOD RETAILERS ASSN
555 WABASHA
ST PAUL MN
55101

MINN HEREFORD-LJ SCHAFER
BUFFALO LAKE MN
55314

MINN. HOTEL & MTR. AS
2001 UNIVERSITY AVE
ST PAUL MN

MINN HOUSING INST N T CARTER
7801 METRO PKWY
MPLS MN
55420

MINN HWYS MANAGEMENT SERVICE
407 HWY BLDG
ST PAUL MN
55101

MINN LAND USE COMMITTEE
4344 IDS CENTER
MPLS MN
55402

MINN LP GAS ASSN
7515 WAYZATA BLVD 105
MPLS MN
55426

MINN POLLUTION CONTR

MINNE MINE CREDIT UNION
3000 HUDSON PK S 100
ST PAUL MN
55119

MINN.MTR.TRANSP. .J.N.DENN
1821 UNIV.
ST.PAUL MN
55104

MINN PETROLEUM COUNCIL
1020 NORTHERN FED BLDG
ST PAUL MN
55102

MINN POLLUTION CONTROL
1935 W CO RD B2
ROSEVILLE MN
N5511 55113

MINN POULTRY & HATCHERY ASSN
BOX 158
MADELIA MN
56062

MN REP STATE CENTRAL COMM
555 WABASHA AVE
ST PAUL MN
55102

MINN RESTAURANT ASSN
2001 UNIVERSITY AVE.
ST PAUL MN 55
104

MINN RETAIL FED INS
131 METRO SP
ST PAUL MN
55101

MINN RETAIL HARDWARE ASSN
3033 EXCELSIOR BLVD 313
MPLS MN
55416

MINN SOCIETY ARCHITECTS AIA
NW NATL BK BLDG
ST PAUL MN
55101

MINN SOC CERTIFIED PUB ACCTS
1102 WESLEY TEMPLE BLDG
MPLS MN
55403

MINN STATE BAR ASSN
100 MINN FED BLDG
MPLS MN
55402

MINN STATE BD DENTISTRY
717 SE DELAWARE
MPLS MN
N5541 55414

MINN STATE BD PHARMACY
717 DELAWARE ST SE #351
MPLS MN
55414

MINN STATE MED ASSN
375 JACKSON ST
ST PAUL MN
55101

MINN STATE RETIREMENT SY
529 JACKSON ST
ST PAUL MN
55101

MINN TEAMSTERS CREDIT UNION
2021 HENN AVE E
MPLS MN
55413

MINN TBR PRODUCERS ASSN
200 CHRISTIE BLDG
DULUTH MN
55802

MINN.TURKEY GROWERS ASSN
2383 UNIV AVE
ST PAUL MN
55114

MINN VETERANS MED ASSN
2175 W HWY 36
ROSEVILLE MN
55113

MINN WATER RESOURCES BD
RM 206 555 WABASHA ST
ST PAUL MN
55102

MINN-WISC BOUNDARY AREA COMM
600 2ND ST
HUDSON WI
54016

MN. ASN.C&IND H.D.PETERSON
480 CEDAR ST.
ST.PAUL MN
55101

MN AFL-CIO L.O. LASHOMB
175 AURORA
ST PAUL MN
55103

MN.BD OF NURSING
717 DELAWARE ST SE
MPLS MN
55414

MN ELECTRICAL ASSN
3100 HUMBOLT SO
MPLS MN
55408

MN PUB INT RESEARCH GROUP
3036 UNIV AVE SE
MPLS MN
55414

MN SOC SERV ASS J HOOD
614 PORTLAND
ST PAUL MN
55102

MN STATE SER BLIND-K NATARDY
1745 UNIVERSITY AVE
ST PAUL MN
55104

MOFFITT R C
RM 301 M MPLS CITYHALL
MPLS MN
55415

MOOD R BLOOMINGTON HLTH DEPT
10200 PENN SO
BLOOMINGTON MN
55431

MORTON BUILDINGS INC
R #1
FOLEY MN
56329

MPIRG
BOX 45 ST MARYS COLLEGE
WINONA MN
55987

MPLS ASSN RETARDED CITIZENS
3100 W LAKE ST
MPLS MN
~~N5541~~ 55416

MPLS CITY ATTORNEY
325M CITY HALL
MPLS MN
55415

MPLS STAR PRESS ROOM
STATE CAPITOL
ST PAUL MN
55101

MPLS TRIBUNE CITY DESK
425 PORTLAND AVE
MPLS MN
55415

MT OLIVET ROLLING ACRES
R 1 BOX 576
EXCELSIOR MN
~~N5533~~ 55331

MURPHY DIANA E
4200 IDS-LINDQUIST VENN
MPLS MN
55402

NASS GEO V HENN CO GEN HOSP
5TH AND PORTLAND AVE
MPLS MN
55415

NATL CAR RENTAL ATT D MITZEL
5501 GREEN VALLEY DR
MPLS MN
55437

NATL COUNCIL JEWISH WOMEN
4330 CEDAR LK RD
MPLS MN
55416

NATL FAMILY INS CO
2147 UNIV AVE
ST PAUL MN
55114

NAT'L SOLID WASTES-R. GRASSO
1730 RHODE ISLAND AV.NW
WASHINGTON DC
20036

NCEC INC C/O DR DAHLBERG
CONCORDIA COLLEGE
MOORHEAD MN
56560

NEDELL HAROLD - MEINEKE
6300 W LOOP S SUITE 200
BELLAIRE TX
77401

NEREN MADONNA
376 NEAL AVE S
AFTON MN
55001

NEUMAN RALPH W
RT 2 BOX 125
EMBARRASS MN
55732

NIELSEN STOCK & BLACKBURN
415 730 BLDG
MPLS MN

NO SUB MONTESSORI-S SADDLER
2487 HELEN COURT
NO ST PAUL MN
55109

NORTH CENTRAL ELEC ASSN
PO BOX 202
BATTLE LAKE MN
56515

NUGENT, CYNTHIA L.
3581 OWASSO ST #209
ST PAUL MN
~~N5511~~ 55112

NW COUNTRY ELEVATOR ASSN
802 GRAIN EXCH BLDG
MPLS MN
55415

NURSING HOME ADMRS BD EXAMRS
RM 340 717 DELAWARE SE
MPLS MN
55414

NURSING HOME RES ADV CO.
111 E FRANKLIN S210
MPLS MN
~~N5540~~ 55404

NUTTER JULIA
743 W MONTANA
ST PAUL MN
55117

NW BELL TEL CO LEGAL DEPT
224 S 5TH ST RM 2000
MPLS MN
55402

NW REG. DEV. COMM
425 WOODLAND AVE
CROOKSTON MN
~~N5671~~ 56716

NYQUIST DEAN A
3707 53RD PL N
BROOKLYN CTR MN
55429

O'BRIEN J.DENNIS
1100 1ST NATL.BANK BLDG
MINNEAPOLIS MN
55402

OFFICE OF THE GOVERNOR
130 STATE CAPITOL
ST PAUL MN
55101

OLD COLONY GAS & OIL CORP
17TH AVE N AT 2ND ST
MPLS MN
55411

OLOFSON ARTHUR MBO & MAINC
927 SOO LINE BLDG
MPLS MN
55402

OLSON KATHLEEN
192 SEYMOUR AVE SE
MPLS MN
~~N5541~~ 55414

OSTRUM DONALD E
PO BOX 33163
COON RAPIDS MN
55433

OTTER TAIL POWER CO.
215 S. CASCADE ST.
FERGUS FALLS MN
56537

PATTISON ORVIS
BOX 645
WILLMAR MN
56201

PAYNE COL ALVIN

DEGRAFF MN
56233

PAYNE WM B
2400 FIRST NATL BK BLDG
MPLS MN
55402

PETERSON GARY
854 MIDLAND BK BLDG
MPLS MN
55401

PFEIFER AND SHULTZ, INC
1433 UTICA AVE S
MPLS MN
55416

PHAR MFGRS ASSN WM D PATTON
1155 15TH ST NW
WASHINGTON DC DC
20005

PHILLIPS LEGISLATIVE SERV
459 RICE ST
ST PAUL MN
55103

PINNETTI NICK M HALEY & ASS.
40 CENTRAL PARK S
NEW YORK NY
10019

POPOVICH PETER S
314 MINN BLDG
ST PAUL MN
55101

PORTER DAVID
5217 27TH AVE S
MPLS MN
~~N5541~~ 55417

PORTER LYLE O

TRACY MN
56175

PORT AUTH CITY OF ST PAUL
330 MINNESOTA BLDG
ST PAUL MN
55101

POSS DONALD G
6301 SHINGLE CREEK PKWY
BROOKLYN CTR MN
55430

POYZER ROBT
BOX 675
FERGUS FALLS MN
56357

PRAUSE JOS.C.
2220 105TH AVE.N.W.
COON RAPIDS MN
55433

PROCTOR&GAMBLE L THEOHAROUS
IVORYDALE TECH CENTER
CINCINNATI OH
45217

PULSCHER RBT SPRINGSTED INC
813 OSBORN BLDG
ST PAUL MN
55102

RADMAN RICHARD-LABOR TEMPLE
418 AUDITORIUM
ST PAUL MN
55102

RALPH BURKE ASSOCIATES
7710 COMPUTER =S101
MPLS MN
~~N5543~~ 55435

RANALLO CLARENCE
800 CENTRAL AVE N E
MPLS MN
55413

RAMSEY CO MEDICAL SOC
908 AM NATL BK BLDG
ST PAUL MN
~~N5510~~ 55101

RAUENHORST CORP-C ANDERSON
7900 XERXES S. S-2200
MPLS MN
55431

REAGAN MICHAEL
% MINN LEARNING CTR
BRAINERD MN
56401

REARDON MRS HELEN
1125 S E 6TH ST
WILLMAR MN
56201

REID DAVID H
6469 N GRAHAM RD
INDIANAPOLIS I
N4622

RED OWL STORES INC
215 E EXCELSIOR AVE
HOPKINS MN
55343

REGION FIVE REG. DEV. COMM.
102 6TH ST N
STAPLES MN
~~N5647~~ 56479

REGION NINE DEV. COMM.
709 N FRONT ST
MANKATO MN
~~N5600~~ 56001

REINO O LAINE 3M COMPANY
3M CENTER
ST PAUL MN
55101

RENNER R.H. ST PAUL AREA CC
300 OSBORN BLDG.
ST PAUL MN
55102

RENQUIST ARTHUR NSP CO
414 NICOLLET MALL
MPLS MN
55401

RICHARDSON THOS
7851 METRO PKWY S 103
MPLS MN
55420

RICHARDS MONTGOMERY ET AL
1430 RAND TOWER
MPLS MN
55402

RIEKE DAVID R
P O BX 509
THIEF RIV FLS MN
56701

RIERSON G
1335 WHITE BEAR AVE
ST PAUL MN
~~N5516~~ 55106

ROE DAVID
175 AURORA
ST PAUL MN
55103

ROBBIE JOSEPH
904 CARGILL BLDG NO CTR
MPLS MN
55402

ROBERTS DR ALAN
BOX 297 MAYO U OF M
MPLS MN
N5545 55455

ROBERTS DAVID E
1260 NW NATL BK BLDG
ST PAUL MN
55101

ROSS ALFRED
6356 WARE RD
LINO LAKES MN
55014

ROSS ROY J
CLK TREAS
LITCHFIELD MN
55355

RUDY FLOYD
118 AVE C
CLOQUET MN
55720

SAN SIMEON DEVELOP CORP
OLD 1ST STATE BK BLDG
PAYNESVILLE MN

SANFORD S M
7000 PORTLAND AVE
RICHFIELD MN
55423

SATHRE, HARVEY
375 MARION STREET
ST PAUL MN
55103

SAX DOVE & STENSON
310 ENDICOTT BLDG
ST PAUL MN
55101

SE MN REG DEV COMM
301 MARQ BK BLDG
ROCHESTER MN
~~N5590~~ 55901

ST PAUL ASSN PLBG HTG MEC
614 AM NATL BK
ST PAUL MN

ST PAUL BUR HLTH DR P COX
555 CEDAR ST
ST PAUL MN
55101

ST PAUL FOOD RETAILERS ASSN
1220 ARCADE
ST PAUL MN
55106

SW REGIONAL DEV COMM
2811 BDWY
SLAYTON MN
~~N5617~~ 56172

SCARBOROUGH WILLIAM
DIV.FD. U.M.
MORRIS MN
56267

SCHLICHT REV ROBT
611 W MAIN ST
BELLE PLAINE MN
56011

SCHMIDT D R MN ASSN REALTORS
6101 WAYZATA BLVD
MPLS MN
55416

SCHMIDT H W TCHRS RETIREMENT
302 CAPITOL SQ BLDG
ST PAUL MN
55101

SCHMIDT LARRY WCCO-TV NEW
50 S 9TH ST
MPLS MN
55402

SCHMIDT WARREN WELLCOME MH5
GARDEN CITY MN
~~N5603~~ 56034

SCHNEIDER MAHLON
GREEN GIANT
LESUEUR MN
56058

SCHUTZ LINDA
RM 328 CAPITOL BLDG
ST PAUL MN
55155

SCHWARTAU NEAL METH HOSP
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ROCHESTER MN
55901

SCHWERMAN EARL JR
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55901

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MPLS. MN
55402

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56201

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ST PAUL MN
55104

SELECTVISION INC FR VALENTIN
245 PARK AVE
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10017

SEMHSA R C MELIN
1903 S BDWY
ROCHESTER MN
~~N5590~~ 55901

SENATE COUN OFF ROOM 24
STATE CAPITOL
ST PAUL MN
55101

SENATE FINANCE COMMITTEE
113 STATE CAPITOL
ST PAUL MN
55101

SENATE GOV OP COMM
RM 303 STATE CAPITOL
ST PAUL MN
55155

SHABATURA EUGENE H
2833 LAKE AVE SO
DULUTH MN
55811

SHARP BOB
4125 HIGHWOOD RD
ST LOUIS PK MN
55416

SHAW ROBERT M
616 MOBIL OIL BLDG
MPLS MN
55402

SILVERMAN JUDITH
8545 W 28TH ST
ST LOUIS PARK MN
~~N5542~~ 55426

SITE ENGINEERS INC
900 REDWELL LANE
APPLE VALLEY MN
55124

SIX EAST REG. DEV. COMM.
311 W 6TH ST
WILLMAR MN
~~N5620~~ 56201

SIX W REG. DEV. COMM
128 W SORENSON
APPLETON MN
~~N5620~~ 56208

SMERIKA WN.
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INTL FALLS MN
56649

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STATE REGISTER
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ST PAUL MN
~~N5510~~ 55103

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55410

STEELWORKERS CREDIT UNION
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BABBITT MN
55706

SUMMIT NATL BANK D L MORRILL
205 AURORA AVE
ST PAUL MN
55103

SWANSON GERALD H
212 CITY HALL
ROCHESTER MN
55901

TATE VERN 3M CO
3M CENTER 220/6W
ST PAUL MN
55101

TOUCHE ROSS & CO K H STOCKE
780 NORTHSTAR CNTR
MPLS MN
55402

VAN EVERA MUNDT ET AL
700 TORREY BLDG
DULUTH MN
55802

VOLDNESS PERRY
105 8TH & MARQUETTE
MPLS MN
55402

STOLPESTAD BROWN & SMITH
1550 NW BK BLDG
ST PAUL MN
55101

SUSSEL CO.ATTN:TED SCHWENKER
1850 COMO AVE.
ST PAUL MN
55108

SWANSON MORTIMER C
5824 FRANCE AVE S
EDINA MN
55410

THOMPSON CONRAD
1107 23RD ST NW
ROCHESTER MN
55901

TWIN CITY RETAIL DRUGGIST AS
2388 UNIV AVE
ST PAUL MN
55104

VANDERVOORT T J MET WASTE
350 METRO SQUARE BLDG
ST PAUL MN
55101

VERRILL JOHN E
DEPT SECONDARY ED UOF M
DULUTH MN
55812

VOSS REV GORDON O
11120 NE 7TH ST
BLAINE MN
55434

STUPKA & MOREM
MIDTOWN BLDG
AUSTIN MN
55912

SWANSON BURT E
W-2162 1ST NATL BK BLDG
ST PAUL MN
55101

SWEITZER R L HONEYWELL INC
2701 4TH AVE S
MPLS MN
55408

THOMPSON HESSIAN ET AL
1500 MIDWEST PLAZA BLDG
MPLS MN
55402

VAN CLEVE JOHN H
2101 HENN AVE
MPLS MN
55405

VIITALA, W.C. HONEYWELL
HONEYWELL PLAZA
MPLS MN
55408

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PO BOX 200
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83701

SWANSON DALE
P O BOX 339
FOREST LAKE MN
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TIMESAVERS INC ATT R S VC
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MPLS MN
55422

UNION STOCK YARDS
ATTN PRES
SO ST PAUL MN
55075

VAN DRAKE STEPHEN R
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56572

VILLAGE OF WOODBURY
2100 RADIO DRIVE
WOODBURY MN
55042

WALD JEAN
5746 SANDER DR
MPLS MN
55417

WALTERS THOS H
4510 W 77TH ST STE 235
MPLS MN
55435

WANQUIST ALLEN
RM 252 FEDERAL BLDG
ST PAUL MN
55101

WATERS, DONNA M.
110506 WINDMILL COURT
CHASKA MN
55318

WELK G V NORTHERN STATES
414 NICCLLET MALL
MPLS MN
55401

WELLINGTON R R SKELLY OIL
PO BOX 1650
TULSA OK
75102

WEST CENTRAL REG. DEV.
ADM BLDG, COMMUNITY COLL
FERGUS FALLS MN
~~N5653~~ 56537

WESTIN CHAS W
220 MEDICAL ARTS BLDG
DULUTH MN
55802

WHITING RALPH
555 WABASHA SUITE 204
ST PAUL MN
55102

WHITLOCK A G
ECON LAB OSBORN BLDG
ST PAUL MN
55102

WILCOX J PATRICK
1220 NORTHERN FED BLDG
ST PAUL MN
55102

WM.MITCHEL COLLEGE LAW LI
2100 SUMMIT AVE.
ST.PAUL MN
55105

WILEY ENTERPRISES
101 5TH AVE SE
OSSEO MN
55369

WILLIAMS THOS W
4915 W 35TH ST
MPLS MN
55416

WILSON R GARY PPG INDUSTR
1 GATEWAY CENTER
PITTSBURGH PA
15222

WIS FEEDER PIG MARKET CO-

FRANCIS CREEK WI

WOLKERSTORTER THEODORE
676 17TH AVE NW
NEW BRIGHTON MN
55112

WOZNIAK D D
401 FIRST FED BLDG
ST PAUL MN
55101

WYANT CLINTON W ATTY

ATKIN MN
56431

ZIMMERMAN & OFFERMAN
CAMBRIDGE STATE HOSP
CAMBRIDGE MN
~~N5500~~ 55008

STATE OF MINNESOTA
OFFICE OF HEARING EXAMINERS

FOR THE DEPARTMENT OF PUBLIC WELFARE,
THE BOARD OF HEALTH and
THE DEPARTMENT OF PUBLIC SAFETY

In the Matter of Proposed Amendments to Minn. Rules DPW 90, 91, 94, 104, 116, 117, 125-128, 140 and 141; Minn. Rules MHD 200, 201, 204, 215, 230, 231, 250 and 251; and Minn. Rules DES 90, 91, 94, 140 and 141, Governing Certain Procedures of the Minnesota Merit System.

REPORT OF HEARING EXAMINER

The above-entitled matter came on for hearing on October 22, 1976 at St. Paul before Steve M. Mihalchick, Hearing Examiner appointed by the Chief Hearing Examiner.

This is a rules hearing pursuant to Minn. Stat. Ch. 15, to determine whether the proposed amendments captioned above should be adopted. For reasons stated below, the Examiner recommends that they be adopted with only minor modifications.

Barbara Sundquist, Merit System Supervisor, made the Agency presentation at the hearing. The following persons also appeared at the hearing on behalf of the affected agencies:

Dan Gustafson, Chairman, Merit System Council;
Helen Blomquist, Merit System Council;
Marianne Short, Special Assistant Attorney General, Department of Public Welfare;
Jack Anderson, Chief of Intergovernmental Personnel Programs Division, U. S. Civil Service Commission, Chicago Region;
Joel Watne, Special Assistant Attorney General, Department of Public Safety;
Bernie Johnson, Special Assistant Attorney General, Department of Public Safety;
James Dehn, Special Assistant Attorney General, Department of Public Safety;
Jack McKasy, Personnel Director, Department of Health;
Jim Ware, Personnel Director, Department of Public Safety;
Don O'Neal, Affirmative Action Director, Department of Public Welfare;
Victor Grossman, Assistant Director of Affirmative Action and Assistant Personnel Director, Department of Public Welfare;
William Daly, Assistant Supervisor, Minnesota Merit System;
Betty Carlson, Minnesota Merit System Staff; and
Kirk Hyatt, intern, Minnesota Merit System Staff.

Sixty-eight persons attending the hearing signed the register. Ten non-agency persons made statements at the hearing which continued until all interested groups and persons had an opportunity to be heard.

Pursuant to Minn. Stat. §§ 15.0412, subd. 4, and 15.052, subd. 4 (Supp. 1975), this report shall be available to all affected individuals upon request for at least ten days before the Agencies take any final action on the proposed amendments.

The Agencies shall, if they propose to adopt the rules as originally proposed or amended, submit the complete hearing record to the Chief Hearing Examiner no earlier than ten days subsequent to the receipt of this Report. They shall include the rules as originally proposed and the rules as proposed for adoption in final form. The Chief Hearing Examiner shall complete his review and submit his report to the Agencies on the issues of substantial changes in the rules and compliance with Minn. Stat. § 15.0412 within ten calendar days. Thereafter, the Agencies will be responsible for filing the rules with the Attorney General.

Because the Minnesota Merit System (the System) administers the statewide merit systems for three separate agencies, these proposed rules amendments are a joint effort. The adopting agencies are the Department of Public Welfare (DPW), the Board of Health and its Department of Health (MHD), and the Department of Public Safety and its Division of Emergency Services (DES). Throughout this report, these agencies will be referred to collectively as the "Agency" or "Agencies". Each has an essentially parallel set of rules and unless specifically noted otherwise all comments refer to all parallel rules. Ultimately, each agency must adopt its own amendments.

Based upon the proceedings herein, the Examiner makes the following:

FINDINGS OF FACT

PROCEDURAL REQUIREMENTS

1. On September 17, 1976, the System mailed the Agencies' Notices of Hearing to all persons and associations who had registered their names with the Secretary of State for the purpose of receiving such notice.

2. On September 21, 1976, copies of the Agencies' Notices of Hearing and the proposed rules were published at 1 State Register 416.

3. On September 27, 1976, the System filed with the Office of Hearing Examiners the following documents:

(a) The Order for Hearing for each Agency;
(b) The Notice of Hearing as mailed for each Agency;
(c) The Secretary of State's Certificate for each Agency;
(d) The Secretary of State's list;
(e) The Affidavit of Mailing for each Agency;
(f) The Statement of Need for each Agency;
(g) A statement of System personnel who would make the hearing presentation and a list of materials to be placed into evidence.

(h) Copies of the materials referred to in (g), namely:
(1) Minnesota Merit System Salary Survey, 7-31-76.
(2) Memorandum of May 13, 1976 by Judge Hyam Segell in AFSCME, et al v. Likins, et al.
(3) Second amended Findings of Fact, Conclusions of Law, and Order for Judgment, August 26, 1976, in the same case.
(4) Title 45, Code of Federal Regulations, Part 70, Standards for a Merit System of Personnel Administration.
(5) Summary statement regarding political activity, U. S. Civil Service Commission.

4. On October 5, 1976, the System filed copies of the proposed rules with the Office of Hearing Examiners.

5. On October 21, 1976, the System filed the following documents with the Office of Hearing Examiners:

(a) A Statement of Justification;
(b) A comparison of nurses' salaries;
(c) The 1976 Department of Manpower Services Comparison of state public health salaries;
(d) A table showing the renumbering of the MHD rules. (The notice and this report use the old system, the rules will be renumbered upon adoption);
(e) A job analysis of social welfare supervisors and directors;
(f) A Department of Personnel report, September, 1974, "Selecting and Promoting Minnesota Social Workers: A Test Validation Study";
(g) A Department of Personnel report, August, 1976, "Concurrent Validation of Written Tests for Entry-Level Financial Workers: An Interjurisdictional Study"; and
(h) A report, "Job Analysis of the Homemaker I, Homemaker II and Homemaker Coordinator I Classes."

6. The documents were available for inspection at the Office of Hearing Examiners from the date of filing to the date of the hearing. No person inspected them nor did anyone object to the adequacy of the prefiled documents.

7. The Notices of Hearing contained explanations of the proposed amendments and summaries of the reasons for the changes as required by Minn. Rule DPW 94 D.4.

8. The record remained open through November 12, 1976, for the receipt of written comments. Thirtyeight written comments were received. A great majority of the comments expressed general support for the proposed amendments and for the authority of the System to limit the wages paid by the counties. These comments were from employees (Exs. B, C, H, L, N, O, P, Q, R, S, T, U, V, W, X, Y, Z, AA, BB, CC, DD, EE, FF, GG, HH and JJ), and from County Welfare Boards and Directors (Exs. D, E, J, K and M). One comment, a legal memorandum, challenged the authority of the Agencies to specify wage limits (Ex. II). This and other specific comments will be considered further below.

9. The adoption of the proposed rules will require an expenditure of public moneys by local public bodies in amounts less than $100,000 in each of the two years following adoption. (Ex. 23, attachment).

STATUTORY AUTHORITY

10. The Agencies base their authority to adopt these amendments on Minn. Stat. §§ 12.22, subd. 3; 144.071 and 393.07, subd. 5. (T. 11-12; Ex. 14, p. 2).

Minn. Stat. § 12.22, subd. 3, provides:

> "The governor shall have authority to establish rules and regulations in accordance with the law for the proper and efficient operation and administration of the civil defense program including methods relating to the establishment and maintenance of personnel standards on a merit basis for all employees of local civil defense agencies, provided, however, that the governor shall exercise no authority with respect to the selection, tenure of office, and compensation of any individual employed in accordance with such methods.
>
> "The governor may, by rule or regulation, cooperate with the federal government in any manner as may be necessary to qualify for federal aid to carry out the provisions herein expressed. The governor may, by rule or regulation, also cooperate with other political units or subdivisions in establishing and maintaining personnel standards on a merit basis."

Existing rules provide that merit system rule amendments will be adopted by the Governor, "through the Commissioner of Public Safety." See, Minn. Rule DES 94 A.1, and DES 94 D.5.

Minn. Stat. § 144.071 provides:

> "The Board [of health] may establish a merit system for employees of county or municipal health departments or public health nursing services or health districts, and

may promulgate rules and regulations governing the administration and operation thereof. In the establishment and administration of the merit system authorized by this section, the board may utilize facilities and personnel of any state department or agency with the consent of such department or agency. The board may also, by rule or regulation, cooperate with the federal government in any manner necessary to qualify for federal aid"

Minn. Stat. § 393.07, subd. 5, provides in relevant part:

"The commissioner of public welfare shall have authority to require such methods of administration as are necessary for compliance with requirements of the federal social security act, as amended, and for the proper and efficient operation of all welfare programs. This authority to require methods of administration includes methods relating to the establishment and maintenance of personnel standards on a merit basis as concerns all employees of county welfare boards except those employed in an institution, sanatorium, or hospital. The commissioner of public welfare shall exercise no authority with respect to the selection, tenure of office, and compensation of any individual employed in accordance with such methods. The adoption of methods relating to the establishment and maintenance of personnel standards on a merit basis of all such employees of the county welfare boards and the examination thereof, and the administration thereof shall be directed and controlled exclusively by the commissioner of public welfare."

Authority is also found in Minn. Stat. § 393.07, subds. 2, 3 and 4.

11. Federal law requires that in order for Minnesota to be eligible to receive federal grant-in-aid funds for its various public welfare, public health and civil defense programs, it must establish and maintain a merit system for personnel administration. See, e.g., 84 Stat. 1909, §§ 202-203, and statutes cited in Ex. 14, n. 1. The statutes referred to in Finding No. 10 incorporate the requirement that the merit systems follow the Federal law and regulations.

12. In 1941, the legislature enacted Minn. Stat. § 393.07, subd. 5, to conform with requirements of the federal Social Security Act and the rules and regulations of the Federal Security Agency, Social Security Administration. State ex rel. Hennepin County Welfare Board, et al. v. Fitzsimmons et al, 239 Minn. 407, 58 N.W. 2d 882, 889 (1953) (hereinafter Fitzsimmons). The statute has not been amended as relevant here except to change the title of the Commissioner of Public Welfare.

13. Pursuant to the authority granted by § 393,07, subds. 4 and 5, the Commissioner [then Director] of Public Welfare adopted

rules for a merit system for employees of county welfare boards. In Fitzsimmons, the right of the Commissioner to impose maximum salaries was challenged. The court held:

> ". . . it is clear that the Director of Social Welfare was clearly right in adopting and promulgating a merit plan which included initial, intervening, and maximum rates of pay for each class of position of the county welfare board system included within the plan and that the plan so adopted was binding upon all county welfare boards within the state. . . . In our opinion the federal and state acts, properly construed, provide that the Federal Security Administrator as well as the Director of Social Welfare shall have authority to adopt rules and regulations with respect to the selection, tenure of office and compensation of personnel within initial, intervening and maximum rates of pay but shall have no authority or voice in the selection of any particular person for a position in the state welfare programs nor the determination of his tenure of office and individual compensation."

14. Since 1953, there have been some relevant changes in the Federal law and regulations and in Minnesota law. (Ex. II at 6, T. 36) The Federal regulations, formerly found in the "Handbook of Public Assistance Administration" (Fitzsimmons at 888) are now found almost word for word in 45 C.F.R. Part 70 (Ex. 12). Changes have been made in the federal regulations to promote flexibility and encourage innovation. (45 C.F.R., Part 70, Introduction) Thus, 45 C.F.R. § 70.8, Compensation, no longer requires that "The salary range for each class will consist of minimum, intervening, and maximum rates of pay to provide for salary adjustments within the range." as it did in the prior Handbook (Fitzsimmons at 888). That is now optional with the State.

15. One other significant change has been the adoption of the Public Employment Labor Relations Act, Minn. Stat. §§ 179.61-179.77 in 1971. (PELRA) In 1976, a declaratory judgment action was brought to declare certain amendments to the System rules invalid because they violated bargaining rights obtained under PELRA. The action was joined by certain counties who challenged the authority of the Agencies to set salary limits at all. The court in its memorandum (Ex. 10) seems to have upheld both challenges to the Agencies' authority. However, its Second Amended Findings of Fact, Conclusions of Law and Order for Judgment (Ex.11) seem to invalidate the amendments only so far as they are contrary to PELRA. This is the interpretation placed upon the Order by the

Agencies (T. 37, Exs. 14, p. 4 and 23, p. 4). Throughout the proposed amendments, the Agencies have attempted to eliminate any conflict with rights provided under PELRA. The plaintiff counties disagree with this interpretation (Ex. II). The district court did not discuss the effect of Fitzsimmons or of the other statutes relied on by the court in Fitzsimmons; namely, Minn. Stat. § 397.07, subds. 2, 3 and 4. The relevant parts of those subdivisions, and subdivision 5, significantly, have not changed since 1941.

GENERAL NEED FOR THE PROPOSED AMENDMENTS

16. Testimony by the Agencies indicates that the proposed rule amendments are necessary to reflect changes in the cost of living as indicated in the annual Minnesota Merit System Salary Survey and changes in public employment relations brought about by the enactment of PELRA. The rule amendments recommend increases consistent with the finding of the annual salary survey. Consistent with PELRA, the proposed amendments (1) remove all mandatory aspects of the annual salary adjustment process; (2) give appointing authorities greater discretion in determining the amount of salary adjustment they wish to grant; and (3) allow agencies and employees with an exclusive representative to negotiate their salary adjustments without any interference from the System.

DPW 90, DES 90 and MHD 200

17. This is the definitions section, and the new or amended definitions proposed are necessary and reasonable to provide uniform understanding of the terms used elsewhere in the rules. In DPW 90 only, the human services board is included as an equivalent to the county welfare board. This is a result of recent legislation authorizing this alternate form of administration of social services. Changes in the veterans preference law, Minn. Stat. §§ 43.30 and 197.46, require the changes of definition of "veteran" and "veterans' preference." Several definitions are required because of the changes in the rules relating to PELRA. Definitions of different types of employee status are added because they are

not presently defined, which has caused some confusion in the past. Likewise, there has been confusion about the meaning of "salary increase." Therefore, definitions of "merit increase" and "salary adjustment" are added to alleviate the confusion.

The definition of "exclusive representative" does not comply squarely with the definition given in PELRA, as was intended. The definition should be modified to read:

> "'Exclusive representative' has the meaning given in Minn. Stat. § 179.63, subd. 6."

DPW 91 F., DES 91 F., and MHD 201 F.

18. The proposed change would allow merit system employees to be candidates for political party office. System employees are subject to the Federal Hatch Act and this amendment is reasonable and necessary to comply with recent changes in the Act and the U. S. Civil Service Commission's regulations thereunder (Ex. 13).

DPW 94, DES 94 and MHD 204.

19. This is the rule that says the Agency shall adopt a compensation plan and that the county authority may select one of a number of salary schedules adopted by the Agency. The District Court Order did not affect this rule. However, changes are proposed in sections A, B, D and F of the rule to make it clear that the compensation plan and alternate salary plans are not binding on the local authority where they are otherwise negotiated under PELRA. Existing section C allows the local authority to reselect a different salary plan upon advance notice to the System supervisor. An amendment is proposed to allow retroactive adjustments in salary plans negotiated under PELRA. These amendments are necessary and reasonable to comply with the spirit of the District Court Order and to remove any interference with bargaining rights granted by PELRA.

20. A new section E is added to the rule which imposes some necessary and reasonable standards on compensation plans and salary plans negotiated under PELRA. The standards go to the form and mechanics of the plans rather than to their substantive content. Three standards are imposed on negotiated salaries: They must (1) be set by class; (2) be consistent with the

functions outlined in the class specifications; and (3) establish initial, intervening and maximum steps for salary advancement in recognition of meritorious service. Standards 1 and 2 are clearly required by 45 C.F.R. § 70.8. Standard 3 is no longer required by the Federal regulation, as noted above. However, the Agencies presented substantial evidence and sound argument showing that a step plan remains one of the best ways to meet the requirement of the Federal regulations for salary advancement based on quality and length of service. The plaintiff union in the District Court case had no particular objection to the proposed amendments (T. 29). Another provision of section E requires that a copy of the adopted plan be filed with the System supervisor. Section E of the rule is necessary and reasonable because it interferes minimally with the bargaining process under PELRA while insuring that the results of such a process meet the Federal standards. The U.S. Civil Service Commission has reviewed and approved the proposed amendments (Ex. 22, T. 22-48).

DPW 104 A. and MHD 215 A

21. While DES 104 was indicated as being revised in the Notice of Hearing for Public Safety, this was an error. There is no DES 104. Under DES 91 B.2. and 3., DPW 104 A. also applies to Emergency Services employees covered by the System. These sections have to do with leaves of absence. Under the current rule, the System vacation and sick leave policies are minimum standards. A local agency can not grant less than 12 days of vacation a year accumulative to 24 days, or 12 days of sick leave accumulative to 100 days. Any local agency can expand on the minimums stated. Under PELRA, vacation and sick leave are terms and conditions of employment subject to negotiation. Therefore, the introductory section of the rule is necessarily amended to except negotiated leave policies from the stated minimums. A further amendment is made to allow the local authority to apply negotiated vacation and sick leave policies to non-union employees. This provision is necessary and reasonble because some local authorities and employee representatives have, in the past, negotiated lesser sick leave for greater sickness and accident insurance coverage. It may be prohibitive

for a local authority to offer the insurance coverage to only the unionized employees. This fact may have a coercive effect on the bargaining process, and the exception is necessary to prevent any interference with the negotiating process.

DPW 116 and MHD 230.

22. Under the provisions of DES 91 B.2. and 3., DPW 116 also applies to the Emergency Services Merit System. This rule deals with salary adjustments and increases. The District Court Order dealt with the previously mandatory aspect of DPW 116, which required that all employees had to receive the salary adjustments adopted as amendments to the rule. They were declared prospectively invalid upon the adoption of the 1977 Merit System Compensation Schedules. The Order further declared immediately invalid the 1975 amendments to this rule which provided: (1) that optional salary adjustments received by employees in the preceding calendar year in excess of the general adjustment adopted could be deducted from the amount of the general adjustment adopted for the new year; and (2) that if employees did not receive a letter within two months following the 12-month period without a merit increase, that the employee would automatically receive a merit increase effective on the first day of the month following the expiration of the two-month grace period. Thus, the version of the rule currently in effect is the 1974 version. To avoid confusion, the entire rule was restated in the proposed amendments.

23. DPW 116 A. and MHD 230 A., as proposed, are identical to the existing rule and were not affected by the court order. They indicate that the appointing authority must have a statement on file that funds are available.

24. DPW 116 B. and MHD 230 B. describe how adjustments are to be made when the System adopts new compensation plans. These sections do not apply to local agencies where there is a negotiated salary schedule. They apply only to such agencies without organized employees. DPW 116 B.1.a. and b. and MHD 230 B.1.a. and b. read the same as the rule currently in existence, which is the 1974 version, and require adjustment only to the new minimum salary for each class. They further provide for optional adjustment

of employees whose salaries are above the new minimum salary.

25. DPW 116 B.1.c. and MHD 230 B.1.c. provide that if the local authority determines that the general adjustment adopted for a particular class of employees is inappropriate "based on extraordinary circumstances in their geographic area", he may give a different adjustment than that recommended. Historically, local authorities have repeatedly asked for a flat-rate salary adjustment. Their argument has been that a loaf of bread costs the same for a clerk typist as for the welfare director. The System had resisted such adjustments because they have the effect of compressing the salary ranges and reducing the amount of difference between steps. However, the System has now changed its mind and will allow flat rate adjustments within the System's existing minimum and maximum salaries for each class. Since this rule does not apply to organized employees, the proposed rule does not violate PELRA. 45 C.F.R. § 70.8 states:

> "The plan of compensation will include salary rates adjusted to the responsibility and difficulty of the work and will take into account the prevailing compensation for comparable positions in the recruiting area and in other agencies of the government and other relevant factors".

The System's annual salary survey takes special note of minimum and maximum salaries paid by other jurisdictions to similar positions. The minimum and maximum salaries are closely tied into the minimum qualifications for the job and the kind of work. Non-organized employees have no way to negotiate salaries. Without minimums and maximums, salaries could vary greatly and the principle of equal pay for equal work could be lost. The Agencies are responsible for the proper and efficient operation of all grant-in-aid programs. Wide variance in salary levels paid to employees could affect productivity. Without sufficient control, Federal approval of the merit systems could be lost.

26. Some objection was raised to allowing flat rate adjustments (Ex. I and GG). This objection was made by financial workers who would have to compute and prepare the salary schedules. They also mentioned that percentage adjustments were more equitable than flat rate adjustments. Another comment (Ex. CC) said just the opposite.

27. DPW 116 B.1.d. and e. and MHD 230 B.1.d. and e. are identical to the current rules in effect.

28. DPW 116 B.1.f. and MHD 230 B.1.f. provide that employees no longer have to be on a salary step. This proposal is made so that no salary adjustments are mandated above minimum salary.

29. DPW 116 B.2. and MHD 230 B.2. recommend that incumbents covered by the official Merit System Compensation Plan on the Professional and Support Salary Schedules receive a one-step (approximately 4.5%) adjustment in their monthly salary, or the new minimum for their class, whichever is greater, and that such incumbents on the Clerical and Maintenance and Trades Salary Schedules receive a one and one-half step (approximately 6%) increase in their monthly salary, or in the case of a flat hourly rate, the new rate. If the recommendations are adopted, the only requirement would be that employees, who are covered by the official Merit System Compensation Plan, be at least at the minimum salary for their class. The proposed increases are primarily based on the 5.9% increase in the Consumer Price index from June, 1975 to June, 1976, and upon the Merit System Salary Survey. The Consumer Price Index is based on urban blue collar and clerical employees' buying power, and this fact was taken into consideration in determining the amount of increase for the professional and support salary adjustments.

30. DPW 116 B.3. and MHD 230 B.3. are identical to the 1974 rule currently in effect pursuant to the court order. They provide that local authorities may give extra adjustments to maintain intra-agency salary differentials.

31. DPW 116 C.1. and MHD 230 C.1. are new and permit agencies and exclusive representatives to negotiate their salary adjustments under PELRA.

32. DPW 116 D and MHD 230 D provide that merit increases, if given, shall be by successive intervening steps of pay for the class. It pertains to negotiated salary schedules as well as to the Official Merit System Compensation Plan. This section is identical to the 1974 rule currently in effect except the consideration of a merit increase has been made permissive to conform with PELRA.

33. DPW 116 E and MHD 203 E, Salary Decreases, are identical to the current rules except that negotiated salaries do not fall within their provisions. The District Court Order guarantees current salary levels until the filing of the 1977 Merit System Compensation Plan. So as not to interfere with collective bargaining, unionized employees have no appeal to the Merit System if lesser salaries are negotiated. Non-organized employees' salaries can be reduced only for "just cause", and such employees have the right to appeal to the Merit System Council, as they do at present.

34. The amendments to DPW 116 and MHD 230 are reasonable and necessary because they: (1) remove all mandatory aspects of the annual salary adjustment process; (2) give local authorities greater discretion in determining the amount of salary adjustment they wish to grant and the opportunity to better equate welfare, public health and emergency services employees' salaries to the salaries of other county employees; (3) allow local agencies and employees with an exclusive representation to negotiate their salary adjustments without any interference from the System.

DPW 117 and MHD 231.

35. Under the provisions of DES 91 B.2. and 3., DPW 117 also applies to the Emergency Services Merit System. These rules deal with salary computation provisions for full and part-time employment, vacation and sick leave pay upon termination, partial pay periods, overtime, and part payment from another source. The District Court Order declared the January 1, 1976 amendments to Minn. Rule DPW 117(a), (b), (c), (d), (f) and (g)(2) immediately invalid. These were the provisions that required payment on an hourly rate basis and payroll periods at either two-week or four-week intervals. The rule as it was in 1975 is presently in effect. MHD 231 was not revised in 1975 and never provided for hourly rate pay or two or fourweek payroll periods. Clarification of both the 1975 rules is needed, so entirely new rules are proposed. Many of the aspects of the proposed rules are similar to the 1975 rule. Section A states that the length of payroll periods is at the discretion of the local authority or may be negotiated under PELRA.

Section B restates that the System compensation and salary plans are the standard unless negotiated differently under PELRA or unless flat rate adjustments are given under DWP 116 B.1.c. If the plans differ from the standards, the local authorities must submit their plans in a form like that set out in the standard plans. This is referred to as a "facsimile." Sections C, D, E and F provide guidelines for computing and reporting special payroll situations.

DPW 117 and MHD 231 are necessary and reasonable to provide guidelines so that methods of payments can be checked for accuracy by the System when the post-audit of the payroll is performed. The System is required to certify payrolls for conformance to merit system principles as to proper appointment, payment and elibility for Federal reimbursement. Local agencies under the System receive federal administrative reimbursement on a percentage basis for all their employee salaries, as well as state reimbursement for the majority of their employees based on one-half of the non-Federal share. In addition, all the agencies under the System receive Federal grant-in-aid money. If non-conformance is found, and conformance cannot be obtained, the System has the authority to notify the Federal auditor to withhold all Federal administrative reimbursement and all grant money. The proposed rules leave the actual payroll periods and increments of payment (hourly, daily, bi-weekly, or monthly) entirely to the appointing authority, which is consistent with the intent of the court's order and the provisions of PELRA.

DPW 140, DES 140 and MHD 250.

36. These rules are the updated standard compensation plans which, with some exceptions, raise professional and support salaries approximately 4.5%, and clerical and maintenance salaries approximately 6%. The adjustments are based upon the 1976 Salary Survey (Ex. 9), and on many other factors testified to by the System supervisor (T. 77-91, Ex. 14, pp. 14-20). Except for a general harangue by a union negotiator that the increase is grossly inadequate and based on incomplete data (T. 91-97), there was, amazingly, little comment on the amount of the increase. (T. 97-103) The many comments supporting the rules in general listed

above may be interpreted as supporting the amount of the increase in particular. The evidence presented demonstrates that the increases are reasonable and necessary. It is impractical to set forth all that evidence here, and the reader is referred to the testimony presented at the hearing (T. 77-103).

DPW 141, DES 141 and MHD 251.

37. These rules are tables that convert the standard monthly salaries to payment amounts for differnt pay periods. They are simply arithmetic computations but are necessary and reasonable to set forth because of their wide use. Without them, many payroll personnel around the state would have to make the long and tedious computations. Where the standard plans are not used, however, it is necessary to make the computations and provide the System with a copy.

DPW 125, 126, 127 and 128 (NO PARALLEL MHD or DES RULES).

38. These amendments revise some existing class specifications and establish three new class specifications in the County Welfare Merit System. A complete job analysis has been performed on all the classes where revisions in the existing class specifications are being proposed (Ex. 18, 19, 20, 21). Duties of the positions and skills, knowledges and abilities necessary to perform the jobs at the entry level were determined as a result of the job analyses. Committees of incumbents and their supervisors met with Merit System staff to consider revisions to the specifications. All the specifications have been considered at a Merit System Council hearing.

39. DPW 125 A., B., and C., Welfare Director I, II and III. Most changes proposed are of a housekeeping nature or an up-dating of terminology. Some changes are proposed to develop internal consistency between the welfare director positions. A few changes are proposed in the knowledges and abilities and are necessary and reasonable in light of the findings of the job analysis (Ex. 18). The Affirmative Action Office of DPW recommended an addition to the "Examples of Work" section of each specification (T. 106). Namely: "Implements and evaluates the Department Affirmative Action Plan." It was generally agreed that such an

addition would be proper. It does not appear to be a substantial change.

40. DPW 126 B. and C., Social Service Supervisor I and II. Retitling from Social Welfare Supervisor is one of the proposals as these supervisors work strictly in social service. The other changes proposed are of a housekeeping nature and an up-dating of terminology. Changes proposed in the knowledges and abilities are reasonable and necessary based on the findings of the job analysis (Ex. 18). Again, the Affirmative Action office recommended additions (T. 108). However, in this case, the recommended additions seem excessive and beyond Affirmative Action. It appears to the Examiner that only one of the suggestions is needed to insure implementation of Affirmative Action hiring. In DPW B.2, "Examples of work," amend the sentence reading "Assists in selecting adequate personnel for the division.", by adding the words, "taking into account the Department's Affirmative Action Plan."

41. DPW 126 T, Homemaker Coordinator I. The revisions to this class deal primarily with the addition of the supervision of homemakers as well as housekeepers and chore service personnel. Most of the changes are in the "Examples of Work" section and these duties were again determined based upon the results of the job analysis (Ex. 21) and are justified thereby.

Again, the Affirmative Action Office recommended an addition. They recommended an addition to the "Knowledge and abilities required" section. To an existing sentence, "Ability to accept many different life styles." they propose amendments to make it read, "Ability to <u>understand, relate to and</u> accept many different life styles <u>and ethnic backgrounds</u>. The System supervisor thought it was acceptable and merely clarified the existing sentence. The Examiner disagrees in regard to the first change. It is difficult, if not impossible, to require someone to "understand and relate to" a given situation. While it may be necessary to require a worker to accept such situations, a deeper, philosophical relation is not required. The requirement should not be added. The "ethnic backgrounds" addition is reasonable and may clarify "different life styles." Because this class is involved

in hiring, the Examiner would also recommend that the second sentence in the "Examples of work" section be modified to read: "Recruits homemakers, housekeepers, and/or chore service workers, taking into account the Department's Affirmative Action Plan."

42. DPW 127 C. and D., Social Service Worker I and II. Again, there are many housekeeping and up-dating of terminology changes in these specifications. Changes in record keeping duties and educational and experience requirements are justified by the findings of the job analysis (Ex. 19). The Affirmative Action Office suggested several additions (T. 115) which are not needed here because these classes do not have hiring responsibilities. Further, the suggested additions add nothing of substance to the delivery of service on a non-discriminatory basis requirement.

43. DPW 128B. and C (Financial Worker I and II) and DPW 128 T. and U (Case Aide and Senior Case Aide). Current classes of Case Aide and Senior Case Aide cover income maintenance staff involved in determining eligibility for financial programs and social service staff who assist social workers with social service cases. However, the tasks performed by financial staff vary considerably from the tasks assigned to social service personnel. Further, some of the knowledges, skills and abilities needed to perform the work in these two areas vary. In order to have valid job-related selection devices, two different tests are needed for these different classes. A need has existed for some time to split the duties into two classes and to correct the inaccurate title of case aide which the financial staff are carrying. They are not case aides. They actually carry a financial caseload which they handle completely. The amendments reasonably retitle the existing class of Case Aide and Senior Case Aide to Financial Worker I and II, remove any reference of social service duties from those class specifications, and establish an entirely new class of Case Aide and Senior Case Aide for work in social service programs. This will result in accurate job descriptions and valid examination of the persons in the classes. The change was specifically supported in Ex. EE. One comment stated that the educational and experience requirements were too strict and narrow

(Ex. G). The job analysis findings (Ex. 20) demonstrate that the proposed specifications are not unreasonable.

44. DPW 128 E., F., and V., Homemaker I and II and Housekeeper. The classes of Homemaker I and II are existing classes, and revisions to them are justified by the information in the job analysis (Ex. 21). The class of Housekeeper is a newly proposed class. A Housekeeper class existed in the past, but was abolished August 29, 1969, as there was no longer a need for it. Such a need has now been expressed by several local agencies. The establishment of this class reasonably provides a class for the local agency to use if it determines it wants to place a housekeeper on its payroll rather than contract for such services.

CONCLUSIONS

1. Due, timely and adequate legal notice of the hearing was properly served and published by the Agencies. The Statements of Need originally filed by the Agencies were inadequate in themselves to fully inform the public of the justifications for the amendments that the Agencies would present at the hearing. However, the Notices of Hearing were very detailed in this respect and probably provided better notice than is required because the Notices were mailed to all interested persons. That may well be the reason that nobody found it necessary to inspect the filings prior to the hearing. All other substantive and procedural requirements of statute or rule have been fulfilled.

2. The Agencies have demonstrated their statutory authority to adopt the proposed rules.

This authority is seriously challenged, as was noted in the Findings above, by the Metropolitan Inter-City Council (T. 31 and Ex. II). The Examiner concludes that the Agencies have met the legal arguments raised by the Council (See, Ex. 23). As to the authority to set minimum and maximum salaries, it appears that Fitzsimmons is controlling. The Council claims the case is old and that there have been substantial changes in Federal and state law since 1953. But a careful reading of the case shows that the Court relied on Federal regulations that are not substantially different from the current 45 C.F.R. Part 70. The current regulations do not require the State Agency to set salary limits for

all local agencies; they do allow it. The regulations relied on by the Fitzsimmons Court were identical in this respect. Further, and perhaps more importantly, the legislature has not significantly changed the merit system statutes in any relevant manner since they were adopted in 1941. (Except to add the Health and Emergency Services sections.) The District Court did conclude "That [the Agencies] have no authority to set the level of compensation for county employees," (Ex. 11), but the entire Order seems limited to the rule violating PELRA. The district court did not discuss or distinguish Fitzsimmons.

The Agencies have eliminated interference with PELRA negotiations in the amendments proposed here. The Council also argues that treating union and non-union employees differently somehow interferes with the negotiating process. (Ex. II at p. 4) The argument is circuitous, and the Examiner has difficulty finding any merit in it. It amounts to an attack on PELRA itself.

Because the other contentions are arguably of some merit, the Council is invited to submit additional arguments to the Attorney General who will make the final determination on legality. The System should notify the Council of the time and manner of submitting such arguments.

3. The Agencies have demonstrated the need for and reasonableness of the proposed rules by an affirmative presentation of facts.

RECOMMENDATION

The Hearing Examiner recommends that the proposed rules be modified as suggested in the Findings and that so modified, they be adopted.

Dated this 8th day of December, 1976.

STEVE M. MIHALCHICK
Hearing Examiner

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE EDWARD G. NOVAK
COMMISSIONER OF PUBLIC SAFETY

In the Matter of Proposed Amendments to Rules DES 90, 91, 94, 104, 140, 141 of the Minnesota Department of Public Safety Governing the Emergency Services Merit System

STATEMENT OF NEED

The above-captioned rules are amendments to existing rules of the Department of Public Safety governing the Emergency Services Merit System. The last time these rules were amended was: DES 90, 91, 94 and 104 - January 1, 1972; DES 140 and 141 - January 1, 1976.

Amendments to Minn. Rules DES 90, 94, 104, 140 and 141 are necessary to comply with the Ramsey County District Court Order of August 26, 1976, concerning the salary administration regulations of the Minnesota Merit System. Certain other changes were made in the definitions to add clarity to the existing rules and to provide other needed definitions.

An amendment to Minn. Rule DES 91 is necessary to conform to changes in the U.S. Civil Service Commission's interpretation of the federal Hatch Act as of September, 1975. This change allows employees to be candidates in a partisan election for political party office; our current rule prohibits such activity.

STATE OF MINNESOTA
DEPARTMENT OF PUBLIC SAFETY

Edward G. Novak
EDWARD G. NOVAK
COMMISSIONER

Dated: September 27, 1976

Exhibit No. E-5
File No.
Date

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE EDWARD G. NOVAK
COMMISSIONER OF PUBLIC SAFETY

In the Matter of the Proposed Amendments to Rules DES 90, 91, 94, 140 and 141 of the Minnesota Department of Public Safety Governing The Emergency Services Merit System Procedures

ORDER ADOPTING RULES

The above-entitled matter came on for hearing before the Minnesota Commissioner of Public Safety on the 22nd day of October, 1976, at 9:30 a.m. in the auditorium of the State Office Building, Wabasha Avenue (between Aurora and Fuller), St. Paul, Minnesota, after proper notice required by Minnesota Statutes 15.0412, Subd. 4 (1974) as amended by Laws 1975, Chapter 380, was served upon all persons, associations and other interested groups registered with the Secretary of State for that purpose.

After affording interested persons an opportunity to present written and oral data, statements and arguments, having heard all of the testimony, having considered all of the evidence adduced and upon the records, files and proceedings herein, and applicable statutory standards or criteria, and having confirmed the need for the above captioned rules, and with the recommendation of the Hearings Examiner to adopt the Rules as proposed with the minor modifications as suggested.

NOW, THEREFORE IT IS ORDERED, that these rules identified as Minnesota Merit System Rules are adopted this 22nd day of Dec., 1976, pursuant to the authority vested in me by Minnesota Statutes 12.22, Subd. 3.

STATE OF MINNESOTA
DEPARTMENT OF PUBLIC SAFETY

Edward G. Novak
COMMISSIONER OF PUBLIC SAFETY

DPW-77-016-SM

STATE OF MINNESOTA
OFFICE OF HEARING EXAMINERS

FOR THE DEPARTMENT OF PUBLIC SAFETY

IN THE MATTER OF THE PROPOSED AMENDMENTS TO RULES DES 90, 91, 94, 140 AND 141 OF THE MINNESOTA DEPARTMENT OF PUBLIC SAFETY GOVERNING THE EMERGENCY SERVICES MERIT SYSTEM PROCEDURES

REPORT OF THE CHIEF HEARING EXAMINER

WHEREAS, a hearing was held on October 22, 1976, before Steve M. Mihalchick, a Hearing Examiner of the State Office of Hearing Examiners, on the above-entitled matter in compliance with Minn. Stat. §15.0412, Subd. 4; and

WHEREAS, the Report of Hearing Examiner made pursuant to Minn. Stat. §15.052, Subd. 3, was issued to the Department of Public Safety on December 8, 1976; and

WHEREAS, the Department of Public Safety has now determined to adopt rules pursuant to Minn. Stat. §15.0412, Subd. 4; and

WHEREAS, the Department of Public Safety has submitted said rules to the Chief Hearing Examiner for review pursuant to Minn. Stat. §15.052, Subd. 4, and Rule HE 107; and

WHEREAS, the Chief Hearing Examiner finds that there are no substantial changes in said rules as origianlly proposed.

NOW, THEREFORE, upon receipt of this Report, the Department of Public Safety has the responsibility of submitting the complete hearing record and the rules as adopted by the Department to the Attorney General and to publish in the State Register, all pursuant to Minn. Stat. §15.0412, Subd. 4.

Dated this 22nd day of December, 1976.

Duane R. Harves

DUANE R. HARVES
Chief Hearing Examiner

STATE OF MINNESOTA

DEPARTMENT OF PUBLIC SAFETY

RULES AND REGULATIONS GOVERNING THE EMERGENCY SERVICES MERIT SYSTEM

PROCEDURES

DES 90 is amended to read as shown on the attached duplicated pages.

DES 91 (F) is amended to read as shown on the attached duplicated pages.

DES 94 is amended to read as shown on the attached duplicated pages.

DES 140 is amended to read as shown on the attached duplicated pages.

DES 141 is amended to read as shown on the attached duplicated pages.

SPECIAL NOTE: The Notice of Hearing for Public Safety indicated that DES 104 was being revised when in fact there is no DES 104. Under DES 91 (B) (2) and (B) (3), the provisions of DPW 104 apply to emergency services employees. Therefore, the reference to DES 104 has been removed from this filing. Refer to official Transcript, Page 54 and Hearings Examiner's Report, Page 9.

Dated at St. Paul, Minnesota

this 22nd day of Dec. 197 6

Edward G. Novak

Edward G. Novak
Commissioner of Public Safety

Notice of Public Hearing, September 17, 1976

Public Hearing, October 22, 1976

Approved for form and legality

this____ day of_____ 197__

Warren Spannaus, Attorney General

by_____
Assistant Attorney General