

Minnesota Attorney General: Administrative Rules Proceedings

Copyright Notice:

This material may be protected by copyright law (U.S. Code, Title 17). Researchers are liable for any infringement. For more information, visit www.mnhs.org/copyright.

Version 3
August 20, 2018

Our File #5[illegible]7 A.1.
Public Safety

12/28 JJ notified re spelling error + date of effectiveness
1/31 correction memo rec'd

Permanent Rule X

Temporary Rule _____

RULES REVIEW CHECKLIST

DATE RULES RECEIVED 12/19 DUE DATE 1/8

Resubmitted and Received _____

a. Returned to Agency w/o Filing w/Secretary of State _____
b. Approved _____ Date Sent Back to Agency _____

- -

5 4 1. Rules as Adopted ✓

+2 / 2. Rules as Proposed ✓

3. Certificate of Board's Authorizing Resolution, where applicable N/A

/ 4. Order for Hearing ✓

/ 5. Notice of Hearing 9.21.79 ✓
Sufficiency ?

6. Secretary of State's List ✓ (one copy only)

+2 / 7. Certificate of Acquisition of Secretary of State's List 13th ✓ date inconsistent with No. 8

/ 8. Secretary of State's Certification of Delivery of Secretary of State's List to Agency 14th ✓ date inconsistent with No. 7

/ 9. Affidavit of Mailing ✓
At least 30 days prior to hearing ✓

+2 10. Publication in State Register ✓ no copy submitted
At least 30 days prior to hearing ✓ see H.E. report

/ 11. Statement of Need and Evidence ✓

/ 12. Hearing Examiner's Report ✓

2 13. Agency's Findings of Fact incorporated in No. 15 - order adopting

14. Certificate of Board's Resolution Adopting Rules, where applicable N/A

2 15. Order Adopting ✓ spelling error in title "Ten Year" instead of "Tenure"

/ 16. Report of Chief Hearing Examiner ✓

17. Order Approving Incorporation by Reference, where applicable N/A

/ 18. Certificate of Compliance with Rulemaking Procedures ✓

/ 19. Copy of Notice of Intent to Solicit Outside Opinion, where applicable ✓ 8.13.79

20. Petition by Public, where applicable N/A

Exhibit D

11 MCAR § 1.2093 Classification Plan

D. Incumbents of Reallocated Positions

1. When a position in one class is reallocated to a different class, the incumbent shall not be deemed eligible to continue in this position unless he is eligible for original appointment, promotion, transfer, or demotion to the new class of positions. If he is ineligible to continue in such a position, he may be transferred, promoted, or demoted by appropriate action of the appointing authority in accordance with such provisions of these rules as may be deemed to be applicable. If ineligibility of a permanent or probationary incumbent of a reallocated position arises from the existence of an eligible register established from an examination that the incumbent did not take, he may be permitted to take the same or equivalent examination from which the existing register was established, provided that his name is not on the existing register; he did not take and fail the examination from which the existing register was established; and he was eligible to take the examination at the time it was given. The names of successful candidates examined under this rule shall be placed on the existing register in accordance with the score attained. In any case in which the incumbent is ineligible to continue in the position and he is not transferred, promoted, or demoted, the provisions of these rules about layoff shall apply. Any transfer, promotion, demotion or layoff in accordance with such provisions of these rules must occur within sixty days of the notification of reallocation of the position.

2. The Commissioner of Public Safety may authorize the reallocation of a position from one classification to a higher designated classification when the duties to be performed in the higher class are not significantly different from those performed in the lower class and where both classifications are in the same occupational grouping. Incumbents of positions so reallocated must meet the specified minimum qualifications for the higher designated class and promotions shall be made following a non-competitive promotional examination which shall include an evaluation by the appointing authority of the incumbents' ability to perform in the higher class.

If the incumbent examined in accordance with the above procedure successfully completes the examination process, notwithstanding the provisions of 12 MCAR § 2.498 C. 2., the Supervisor may certify only the name of the eligible incumbent to the appointing authority. Notwithstanding the provisions of 12 MCAR § 2.500 B. 1. a., an employee appointed under the provisions of this rule will not be required to serve a new probationary period in the higher classification.

DPW-80-009-HC

STATE OF MINNESOTA

DEPARTMENT OF PUBLIC SAFETY

IN THE MATTER OF THE PROPOSED ADOPTION OF NEW RULES AND AMENDMENTS OF EXISTING RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING THE COMPENSATION PLAN; THE CLASSIFICATION PLAN; SEPERATION, TEN YEAR AND REINSTATEMENT; AND LEAVES OF ABSENCE

ORDER ADOPTING RULES

The above entitled matter was heard by Harry Seymore Crump, Hearing Examiner from the State Office of Hearing Examiners on September 21, 1979, at 9:30 a.m. in the Administration Building, Room 116, 50 Sherburne Avenue, in the County of Ramsey, State of Minnesota.

Proper notice required by Minn. Stat. § 15.0412 (1978) was served upon all persons, associations, and other interested groups registered with the Secretary of State for that purpose.

At said hearing, new rules as well as proposed amendments to existing rules were considered as originally proposed and shown in Exhibit A attached hereto. Ralph Corey, Supervisor of the Minnesota Merit System, made the agency presentation at the hearing. The hearing continued until all interested persons and groups had an opportunity to be heard. Based upon all the records and proceedings the Examiner issued a Report of Hearing Examiner dated November 5, 1979, a copy of which is attached hereto as Exhibit B. The Examiner's Report contained findings of fact, conclusions and a recommendation.

Pursuant to Minn. Stat. § 15.0412, subd. 4 (1978), the Examiner's Report has been available to all affected persons for over five days subsequent to the date of the Report.

After affording interested persons an opportunity to submit written and/or oral statements, having reviewed all of the testimony, having considered all of the evidence adduced, having considered the Report of the Hearing Examiner, and upon all of the proceedings and testimony herein and applicable standards and criteria, and having

determined the need for and reasonableness of the above-captioned rules,

NOW THEREFORE, it is ordered that the Commissioner hereby adopts and incorporates herein the Report of Hearing Examiner, dated November 5, 1979.

IT IS FURTHER ORDERED THAT the above-captioned rules from and after this day of November 27, 1979, shall read in their entirety as set forth in the attached Exhibit D.

Dated: November 27, 1979.

STATE OF MINNESOTA
DEPARTMENT OF PUBLIC SAFETY

JOHN P. SOPSIC
Commissioner

ALBERT H. QUIE
Governor

PW-80-009-HC

STATE OF MINNESOTA
OFFICE OF HEARING EXAMINERS

FOR THE MINNESOTA MERIT SYSTEM

IN THE MATTER OF THE PROPOSED ADOPTION OF NEW RULES AND AMENDMENTS OF EXISTING RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING THE COMPENSATION PLAN; THE CLASSIFICATION PLAN; SEPARATION, TENURE AND REINSTATEMENT; AND LEAVES OF ABSENCE.

REPORT OF THE CHIEF HEARING EXAMINER

WHEREAS, a hearing was held on September 21, 1979, before Harry S. Crump, 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 Minnesota Merit System on November 5, 1979; and

WHEREAS, the Minnesota Merit System has now determined to adopt rules pursuant to Minn. Stat. § 15.0412, subd. 4; and

WHEREAS, the Minnesota Merit System has submitted said rules to the Chief Hearing Examiner for review pursuant to Minn. Stat. § 15.052, subd. 4, and 9 MCAR § 2.110; and

WHEREAS, the Chief Hearing Examiner finds that the final proposed rules are not substantially different from those proposed at the public hearing and that the Minnesota Merit System has met all requirements of Minn. Stat. § 15.0412, subd. 4.

NOW, THEREFORE, upon receipt of this Report, the Minnesota Merit System has the responsibility of submitting the complete hearing record and the rules as adopted by the System to the Attorney General, notifying all persons who requested to be informed that the hearing record has been submitted to the Attorney General, and publishing in the State Register, all pursuant to Minn. Stat. § 15.0412, subd. 4.

Dated this 17th day of December, 1979.

Duane R. Harves

DUANE R. HARVES
Chief Hearing Examiner

PROPOSED

11 MCAR § 1.093 Classification Plan.

D. Incumbents of Reallocated Positions.

1. When a position in one class is reallocated to a different class, the incumbent shall not be deemed eligible to continue in this position unless he is eligible for original appointment, promotion, transfer, or demotion to the new class of positions. If he is ineligible to continue in such a position, he may be transferred, promoted, or demoted by appropriate action of the appointing authority in accordance with such provisions of these rules as may be deemed to be applicable. If ineligibility of a permanent or probationary incumbent of a reallocated position arises from the existence of an eligible register established from an examination that the incumbent did not take, he may be permitted to take the same or equivalent examination from which the existing register was established, provided that his name is not on the existing register; he did not take and fail the examination from which the existing register was established; and he was eligible to take the examination at the time it was given. The names of successful candidates examined under this rule shall be placed on the existing register in accordance with the score attained. In any case in which the incumbent is ineligible to continue in the position and he is not transferred, promoted, or demoted, the provisions of these rules about layoff shall apply. Any transfer, promotion, demotion or layoff in accordance with such provisions of these rules must occur within sixty days of the notification of reallocation of the position.

2. The Commissioner of Public Safety may authorize the reallocation of a position from one classification to a higher designated classification when the duties to be performed in the higher class are not significantly different from those performed in the lower class and where both classifications

are in the same occupational grouping. Incumbents of positions so reallocated must meet the specified minimum qualifications for the higher designated class and promotions shall be made following a non-competitive promotional examination which shall include an evaluation by the appointing authority of the incumbents' ability to perform in the higher class.

If the incumbent examined in accordance with the above procedure successfully completes the examination process, notwithstanding the provisions of 12 MCAR § 2.498 C. 2., the Supervisor may certify only the name of the eligible incumbent to the appointing authority. Notwithstanding the provisions of 12 MCAR § 2.500 B. 1. a., an employee appointed under the provisions of this rule will not be required to serve a new probationary period in the higher classification.

STATE OF MINNESOTA

DEPARTMENT OF PUBLIC SAFETY

IN THE MATTER OF THE PROPOSED ADOPTION
OF RULES OF THE MINNESOTA MERIT SYSTEM
GOVERNING THE CLASSIFICATION PLAN; NOTICE OF HEARING
SEPARATION, TENURE AND REINSTATEMENT;
AND LEAVES OF ABSENCE

Notice is hereby given that a public hearing in the above-entitled matter will be held pursuant to Minn. Stat. § 15.0412, subd. 4, in the Administration Building, Room 116, 50 Sherburne Avenue (between Cedar and Capitol Boulevard), St. Paul, Minnesota, on September 21, 1979, commencing at 9:30 A.M.

All interested or affected persons will have an opportunity to participate concerning the rules captioned above. Statements may be made orally and written material may be submitted. In addition, whether or not an appearance is made at the hearing, written statements or material may be submitted to either before the hearing or within five (5) working days after the close of the hearing. The hearing examiner may keep the record open for a longer period not to exceed 20 calendar days. All such statements will be entered into and become part of the record.

Proposed revisions to 11 MCAR § 1.093 D. authorize the Commissioner of Public Safety to reallocate positions to certain designated classes under certain circumstances, provides for the administration of non-competitive promotional examinations in such situations, the certification of only the name of the eligible incumbent and elimination of the need for the employee promoted under this provision to serve a new probationary period in the higher classification.

11 MCAR § 1.091 B. 1. c. makes 12 MCAR § 2.495 through 12 MCAR § 2.510, which are rules of the Department of Public Welfare Merit System, applicable to county and local emergency service agencies. If the Department of Public Welfare adopts proposed changes to 12 MCAR § 2.503 and 12 MCAR § 2.504, these rules will also apply to emergency services agencies. This hearing will be held in conjunction with the Minnesota Department of Public Welfare and Minnesota Department of Health. A copy of the Notice of Hearing for the Minnesota Departments of Health and Public Welfare are attached for your information.

None of these proposed rule changes will result in increased expenditures for the appointing authority. The authority for the proposed rule amendments is contained in Minn. Stat. § 12.22 subd. 3.

Copies of the proposed rule are now available and at least one free copy may be obtained by writing to Ralph Corey, Merit System, Department of Public Welfare, Centennial Building, St. Paul, Minnesota, 55155, telephone: 612/296-3996. Additional copies will be available at the door on the date of the hearing.

Notice is hereby given that 25 days prior to the hearing a statement of need and reasonableness will be available for review at the agency and at the Office of Hearing Examiners. This statement of need and reasonableness will include a summary of all of the evidence which will be presented by the agency at the hearing justifying both the need for and the reasonableness of the proposed and amended rules. Copies of the statement of need and reasonableness may be obtained from the Office of Hearing Examiners at a minimal charge.

Any person may request notification of the date on which the hearing examiner's report will be available, after which date the commissioner may not take any final action on the rules for a period of five (5) working days. Any person may request notification of the date on which the hearing record has been submitted to the Attorney General by the agency. If you desire to be so notified, you may so indicate at the hearing. After the hearing, you may request notification by sending

a written request to the hearing examiner, in the case of the hearing examiner's report, or to the agency, in the case of the agency's submission or resubmission to the Attorney General.

In addition, please be advised that Minn. Stat. Ch. 10A requires each lobbyist to register with the State Ethical Practices Board within five (5) days after he commences lobbying. A lobbyist is defined in Minn. Stat. Sect. 10A.01, Subd. 11 as any individual:

(a) Engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than $250, not including his own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or

(b) Who spends more than $250, not including his own traveling expenses and membership dues, in any year for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials.

The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, St. Paul, Minnesota 55155, telepnone 612/296-5615.

August 2, 1979

John P. Sopsic
James K. Pedersen, asst. Comr
for Commissioner of Public Safety

STATE OF MINNESOTA

DEPARTMENT OF PUBLIC SAFETY

IN THE MATTER OF THE PROPOSED ADOPTION OF
RULES OF THE MINNESOTA MERIT SYSTEM
GOVERNING THE CLASSIFICATION PLAN;
SEPARATION, TENURE AND REINSTATEMENT;
AND LEAVES OF ABSENCE

ORDER FOR HEARING

IT IS HEREBY ORDERED that a public hearing on the above captioned rules be held in the Administration Building, Room 116, 50 Sherburne Avenue (between Cedar and Capitol Boulevard), St. Paul, Minnesota, on September 21, 1979, commencing at 9:30 A.M. and continuing until all persons have had an opportunity to be heard.

IT IS FURTHER ORDERED that a Notice of Hearing be mailed to all persons, representatives of associations, or other interested groups, who have registered their names with the Secretary of State for that purpose.

IT IS FURTHER ORDERED that the Notice of Hearing be published in the State Register.

Dated: August 2, 1979

James R. Pedersen, Asst. Comm.
for John P. Sopsic
Commissioner

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE ARTHUR E. NOOT
COMMISSIONER OF PUBLIC WELFARE

BEFORE GEORGE R. PETTERSEN, M.D.
COMMISSIONER OF HEALTH

BEFORE JOHN P. SOPSIC
COMMISSIONER OF PUBLIC SAFETY

IN THE MATTER OF THE PROPOSED ADOPTION OF NEW RULES AND AMENDMENTS OF EXISTING RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING THE COMPENSATION PLAN; THE CLASSIFICATION PLAN; SEPARATION, TENURE AND REINSTATEMENT: AND LEAVES OF ABSENCE

STATEMENT OF NEED AND REASONABLENESS

The following considerations constitute the statutory and regulatory authority upon which the above-cited rule amendments are based:

1. 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. 42 USC Ch. 62. 1/

1/ Also see sections of the United States Code cited hereinafter where the following programs have a statutory requirement for the establishment and maintenance of personnel standards on a merit basis:

Aid to Families With Dependent Children - "AFDC" [42 USC § 602 (a) (5) (A)]
Food Stamps [7 USC § 2020 (e) (6) (B)]
Medical Assistance = "MA" [42 USC § 1396a (a) (4) (A)]
Social Services [42 USC § 1397b (d) (1) (D)]
Comprehensive Mental Health Services [42 USC § 2689T (a) (1) (d)]
Aid to the Blind [42 USC § 1202 (a) (5) (A)]
Aid to the Permanently and Totally Disabled [42 USC § 1352 (a) (5) (A)]
Aid to the Aged, Blind or Disabled [42 USC § 1382 (a) (5) (A)]
Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation [42 USC § 4573 (a) (5)]
Drug Abuse Prevention [21 USC § 1176 (e) (8)]
Comprehensive Health Planning [42 USC 300M-1(b) (4) (B)]
Health Resources Development [42 USC § 300o-2(b)]
Civil Defense Personnel and Administrative Expenses [50 USC Appx. § 2286(a) (4)]
Medical Facilities Assistance [42 USC § 300o-1(b)]

Maternal and Child Health Services/Crippled Children Services
[42 USC § 705(a) (3) (a)]
Developmental Disabilities Services and Facilities Construction
[42 USC § 6063(b) (7)]
State and Community Programs on Aging [12 USC § 3027(a) (4)]
Nutrition Programs for the Elderly [42 USC § 3045d (a) (3)]

2. Pursuant to such Congressional action the U.S. Department of Health, Education and Welfare (HEW), Department of Labor and Department of Defense promulgated 5 CFR Part 900, Subpart F which imposes upon the State of Minnesota general requirements for a merit system of personnel administration. Those standards require that in order to be eligible for federal grant-in-aid funds the Minnesota Merit System must specifically include, among other things, a position classification plan (5 CFR § 900.604-1), a comprehensive compensation plan (5 CFR § 900.604-1), and an active recruitment, selection and appointment program (5 CFR §§ 900.602-900.603).

3. Under the aforementioned grant-in-aid programs the State of Minnesota, through its appropriate agencies, is the grantee of federal program and administrative funds and, accordingly, the State is under an affirmative obligation to insure that such monies are properly and efficiently expended in compliance with applicable federal standards.

4. In conformance with 5 CFR Part 900, Subpart F, the Minnesota Legislature enacted Minn. Stat. § 12.22 subd. 3, § 144.071 and § 393.07 subd. 5, which respectively authorize the commissioner of public safety, the commissioner of health, and the commissioner of public welfare to adopt necessary methods of personnel administration for implementing merit systems within their individual agencies. Collectively, the resulting programs are referred to as the "Minnesota Merit System".

5. Pursuant to such statutory authority those state agencies have adopted comprehensive administrative rules which regulate administration of the Minnesota Merit System. 2/

2/ 12 MCAR §§ 2.490-2.841, 11 MCAR §§ 1.2090-1.2141 and 7 MCAR §§ 1.235-1.315.

6. The above-cited proposed rule amendments are promulgated in accordance with the provisions of applicable Minnesota statutes and expressly guarantee the rights of public employers and Minnesota Merit System employees in conformance with the terms of the state's Public Employment Labor Relation Act [Minn. Stat. §§ 179.61-179.77].

7 The Minnesota Supreme Court has expressly recognized the authority of the Commissioner of Public Welfare and, implicitly, the similar authority of the Commissioner of Public Safety and the Commissioner of Health, to adopt such rules by declaring:

> . . . it is clear that the Director of Social Welfare 3/ was clearly right in adopting and promulgating a merit plan which includes 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 program nor the determination of his tenure of office and individual compensation.

State ex rel. Hennepin County Welfare Board and another v. Robert F. Fitzsimmons, et al., 239 Minn. 407, 420, 58 N.W. 2d 882, 890 (1953). (Footnote added.)

3/ The "Director of Social Service" was the former title of the current office of "Commissioner of Public Welfare".

II. The justification establishing the reasonableness of the specific substantive provisions of the proposed rules, all of which concern the Minnesota Merit System operation, is as follows:

A. PERSONNEL POLICIES AND PROCEDURES

1. 12 MCAR § 2.493, 7 MCAR § 1.238, and 11 MCAR § 1.2093

These rules deal with the classification plan. The proposed amendments to MCAR § 2.493, 7 MCAR § 1.238 and 11 MCAR § 1.2093 relate to incumbents of positions which are reallocated under junior-senior plans currently in existence (Social Worker I to II, Financial Worker I to II, and Case Aide to Senior Case Aide). The proposed changes establish provisions to allow the incumbent of a position reallocated under a junior-senior plan to take a non-competitive promotional examination. They also provide for certification of only the name of the eligible incumbent whose position is reallocated and removes the requirement that the incumbent serve a new probationary period subsequent to appointment in the higher classification. Much of the content of the proposed amendments represent what already is practiced by the Merit System with respect to reallocations under junior-senior plans. These proposed amendments are necessary to establish in rule form authority for this procedure rather than to continue the present practice without support from the rules.

A minor amendment is proposed to 7 MCAR 1.238 A. 1. to change "State Board of Health" to "Commissioner". This revision is necessary to bring the language into conformity with Minn. Laws 1977, Chapter 305 which eliminates all references to the Board of Health and to the Secretary and Executive Officer. Minn. Laws 1977 § 305.39 amended Minn. Stat. § 144.011 (1976) by abolishing the State Board of Health and transferring all powers and duties to the Commissioner of Health.

2. 12 MCAR § 2.503, 7 MCAR § 1.249

These rules deal with separation, tenure, and reinstatement. (Under the provisions of 11 MCAR § 1.2091 B., the Department of Public Welfare Rules 12 MCAR §§ 2.495-2.510 also apply to the Department of Public Safety's county and local agencies.)

One of the proposed changes in 12 MCAR § 2.503 and 7 MCAR § 1.249 relates to the matter of layoff and includes the deletion of existing language and insertion of entirely new language which outlines procedures for agencies to follow in the event of layoff. The proposed amendment provides for an order of layoff, a definition of seniority for layoff purposes, a method of breaking ties where seniority is equal, a bumping provision, a notification requirement, placement of names of laid-off employees on a reemployment list as well as a layoff list, return from layoff in the event of a subsequent vacancy and a section that excludes the provisions of the proposed rule if they are otherwise provided in a collective bargaining agreement. This amendment is necessary in order to establish a clear and orderly procedure to be followed in the event of layoff.

A second proposed change to 12 MCAR § 2.503 and 7 MCAR § 1.249 establishes a reemployment list for former permanent or probationary Merit System employees who resign in good standing. Current Merit System rules provide only for reinstatement of former employees and the former employee is totally responsible for seeking out job opportunities on his/her own. The proposed change allows for referral of names from the reemployment list automatically to appropriate vacancies for which former employees are qualified, interested and available. The names referred from the reemployment list would not affect the number of names an appointing authority could consider from the regular eligible list. This proposed amendment is necessary in order to allow appointing authorities to consider another source of applicants; namely, those with previous experience in similar positions and to establish an orderly system of referring former satisfactory employees to current vacancies.

3. 12 MCAR § 2.504 and 7 MCAR § 1.250

These rules deal with leaves of absence. (Under the provisions of 11 MCAR § 1.2091 B., the Department of Public Welfare Rules 12 MCAR § 2.495-2.510 also apply to the Department of Public Safety's county and local agencies.)

The revisions proposed to 12 MCAR § 2.504 and 7 MCAR § 1.250 serve to identify minimum and optional leave policies and place them in separate subdivisions of the rule. Within the current rule, minimum leave policies which agencies must provide for employees are grouped together with those leave policies which are optional, or those which agencies may or may not adopt. These changes are necessary to clarify and better identify which leave policies are those which an agency must provide and those which are optional.

A significant proposed change in 12 MCAR § 2.504 and 7 MCAR § 1.250 deletes the current language on educational leave and establishes, under the optional subdivision, a policy to allow educational leave to be granted with or without pay. The language of the current rule suggests that educational leave may be granted only without pay. This specific proposal is necessary in order to comply with federal requirements relative to state plans for staff development (45 CFR § 205.202). A copy of these regulations are expressly incorporated herein by reference.

B. CLASSIFICATION PLAN AND COMPENSATION PLAN

1. 12 MCAR §§ 2.581, 2.586, 2.588, 2.592, 2.593, 2.621, 2.622, 2.623, 2.624, 2.625, 2.626, 2.640, 2.646, 2.654

The authority for the classification changes contained herein is Merit System Rule 12 MCAR § 2.493 A. 1. and 2. which states in part: The Commissioner of Public Welfare shall formally adopt and make effective a comprehensive classification plan for all positions. The plan shall be based on investigation and analysis of the duties and responsibilities of each position, and each position shall be allocated to its proper class in the classification plan. The plan shall be developed after consultation with supervisory officials, classification specialists, and persons technically familiar with the character of the work. When complete, the classification plan shall include for each class of positions an appropriate class title, a description of the duties and responsibilities, and the minimum requirements of training, experience and other qualifications.

These proposals are necessary to revise eleven existing class specifications and to establish three new classifications. The revisions in the existing specifications and the contents of the proposed new class specifications are primarily based on recommendations made by committees of incumbents and their supervisors and final review of the draft of the class specifications by groups of incumbents and their supervisors. The Merit System Council has held hearings on all of these class specification proposals and, as a result of these hearings, some additional changes have been made.

a. 12 MCAR §§ 2.592 and 2.654 (Adult Day Care Center Supervisor and Adult Day Care Center Program Coordinator)

The establishment of these classifications under the Public Welfare Merit System is a result of a need expressed by the Carver County Family Service Department. Carver County operates a day care center for physically and emotionally handicapped adults which recently came under the jurisdiction of the Merit System and currently has individuals employed at the Supervisor and Program Coordinator levels. The Merit System staff was assisted by staff of the Carver County Family Service Department in developing the proposed specifications. It is reasonable to establish these classes to ensure that the Merit System classification plan properly reflects the duties and responsibilities being performed by Merit System employees and is in conformance with the federal standards for a Merit System of Personnel Administration which require maintenance of a classification plan on a current basis.

b. 12 MCAR § 2.5[redacted] (Center Coordinator)

This classification is being established under the Public Welfare Merit System as a result of a need expressed by the St. Louis County Social Service Department. The classification will be used in day care centers for both adults and children. St. Louis County currently has an individual employed in this classification. The proposed class specification was reviewed and approved by incumbents and supervisory personnel in St. Louis County. Again, it is reasonable to establish this class to ensure that the Merit System classification plan properly reflects the duties and responsibilities being performed by Merit System employees and to conform with the federal Standards for a Merit System of Personnel Administration which require maintenance of a classification plan on a current basis.

c. 12 MCAR § 2.623 (Financial Assistance Specialist)

The proposed changes in the class specification for Financial Assistance Specialist serve to clarify the major duties and responsibilities of positions in this classification. Financial Assistance Supervisors in the agencies assisted Merit System staff in suggesting changes in the illustrative examples of work, in the knowledges and abilities required, and in developing the minimum qualifications of education and experience. Currently, the Merit System class of Financial Assistance Specialist is used for individuals spending a large percentage of time performing intake in one or more financial assistance programs, which includes screening and/or initial determination of eligibility; acting as lead worker in one or more of the financial assistance programs; or performing quality control functions. Since the existing class specification, which was last reviewed in 1973, does not accurately reflect the duties performed by Financial Assistance Specialists, the revisions are necessary to adequately describe the class. The proposed additions to the "knowledges and abilities required" section add some knowledges and abilities that are considered essential. Certain knowledges and abilities were revised or deleted because they were considered inappropriate and not necessary for an individual to possess prior to being hired in the classification.

The major proposed change in the minimum requirements of education and experience allows for experience as either a Financial Worker I or II, rather than restricting the experience to one year as a Financial Worker II (formerly Senior Case Aide). The proposed minimum requirements also allow for substitution of education for experience which is consistent with the existing minimum qualifications for Financial Worker II. This is reasonable in light of the fact that the current minimum experience requirement was felt to be unnecessarily high by those Financial Assistance Supervisors who assisted Merit System staff in developing the proposed changes and are most knowledgeable relative to the skills, knowledges and abilities necessary to perform satisfactorily on the job.

d. 12 MCAR §§ 2.622 and 2.640 (Financial Worker II and Senior Case Aide)

The major proposed change in the class specification for Financial Worker II is in the minimum qualifications of education and experience, reducing the number of years of experience from three years to two years with a high school diploma, and from two years to eighteen months with two years of college. This change is necessary due to the proposed change reducing the minimum qualifications of education and experience for Financial Assistance Specialist and is also consistent with the minimum amount of experience necessary to be promoted from Social Worker I to Social Worker II, which is another existing junior-senior plan.

Additional changes in the class specification serve to update the terminology used.

Similar proposed changes in the minimum qualifications and knowledges and abilities required in the class specification for Senior Case Aide are necessary in order to update the terminology and also to make this classification consistent with the Financial Worker II specification.

e. 12 MCAR § 2.62[redacted] (Financial Worker I)

The proposed changes in the class specification for Financial Worker I update the terminology used in the kind of work and examples of work. The changes are necessary in order to conform to the terminology in the proposed Financial Worker II class specification.

f. 12 MCAR § 2.626 (Coordinator of Aging)

The proposed changes in this class specification result from suggestions made by a committee of incumbents and supervisory personnel who reviewed the class specification. Most of the changes in the illustrative examples of work section involve an updating of terminology and clarifying the appropriate responsibilities of the Coordinator of Aging classification. These changes are reasonable and necessary to ensure maintenance of the classification plan on a current basis.

The changes proposed in the "knowledges and abilities required" section include deletion of those knowledges and abilities considered inappropriate and not necessary for an individual to possess prior to being hired in the classification, updating of language, and addition of abilities that are felt to be necessary for an individual to possess prior to being hired in the classification.

The proposed changes in the minimum qualifications of education and experience reduce the number of years of experience from five to two, clarify the type of experience necessary, and also specify the type of college training which may be substituted for the experience. The proposed changes in the minimum qualifications are necessary to conform to the United States Office of Personnel Management's Standards for a Merit System of Personnel Administration, which require that job-related minimum requirements be established wherever they are needed for entrance to a classification. Job-related minimum requirements serve to ensure that candidates have a reasonable chance for success in the position and that artifically high qualifications are not established for entrance to the position. Copies of the standards are expressly incorporated herein by reference.

g. 12 MCAR § 2.5[illegible] (Collection Services Supervisor II)

The major proposed change in the class specification for Collection Service Supervisor II is in the minimum qualifications of education and experience. The change allows for substitution of relevant experience for education in qualifying to take promotional examinations. This change is necessary to conform to the Standards for a Merit System of Personnel Administration so that job-related minimum requirements exist for this position and that artifically high qualifications do not exist. Other proposed changes in the class specification are necessary to update the language used in the specification.

h. 12 MCAR § 2.646 (Developmental Achievement Center Teacher)

The only proposed revision to this class specification is to eliminate the requirement for possession of a valid Minnesota teaching certificate. This change is necessary to be consistent with the federal Standards for a Merit System of Personnel Administration by establishing job-related minimum requirements and avoiding artifically high entrance qualifications.

This classification is to be used by various human service agencies covered by the Merit System and most individuals currently employed as teachers in developmental achievement centers within these human service agencies do not possess teaching certificates. Since there is no requirement that such teachers possess a valid Minnesota teaching certificate, it is not reasonable to require applicants for the position to possess the certificate.

i. 12 MCAR §§ 2.624, 2.625, 2.588, and 2.586 (Homemaker I, Homemaker II, Homemaker Coordinator I, Homemaker Coordinator II)

The major proposed revisions to these class specifications involve the following title changes: Homemaker I to Family Service Aide I, Homemaker II to Family Service Aide II, Homemaker Coordinator I to Family Service Coordinator I, and Homemaker Coordinator II to Family Service Coordinator II. These changes were suggested by a committee of

incumbents and supervisors who felt that the current classification title of "Homemaker" is inappropriate and does not adequately describe the duties of the class because of a wide variety of duties performed by these individuals. The titles have caused problems for incumbents in making their position responsibilities clearer to the general public and the clients served.

Other proposed changes in the class specifications primarily involve reducing the minimum qualifications of education and experience. Within the Homemaker I classification, the requirement of a high school diploma is being deleted in order to make the classification consistent with the Public Health Merit System classification of Home Health Aide.

Another proposal is to allow substitution of college coursework for homemaking experience on a one year for two basis without the current limit of two years. Under the present qualifications, individuals with college degrees in home economics and little or no homemaking experience are not able to qualify for the examination.

Within the Homemaker II specification, one proposed change is the deletion of the requirement of the high school diploma and another includes the reduction of the number of years of experience from ten to seven, as ten is felt to be excessive in relation to the minimum experience required at the Homemaker I level. Again, a change to allow for substitution of college coursework for homemaking experience is being proposed.

A proposal to delete the high school diploma requirement for Homemaker Coordinator I is being made to conform to the proposed changes in the minimum qualifications of education and experience in the Homemaker I and II class specifications.

The above changes in the minimum qualifications are necessary in order to ensure that minimum qualifications for entrance to these positions are job-related and do not screen out those individuals who would be successful in these positions.

Other proposed minor changes in the class specifications involve updating the terminology in order to make it consistent with the proposed title changes and to reflect the current responsibilities and duties of each of these classes of positions.

2. 12 MCAR § 2.840 A. and B.

This rule sets the compensation plan for the various classes under the Public Welfare Merit System. Revisions to this rule are necessary to set salary ranges for the remainder of 1979 for all of the aforementioned new classes. The proposed salaries are based primarily on comparison with Merit System salary ranges for existing classes with equivalent minimum qualifications and duties and responsibilities and, where possible, on comparison with salary rates for similar jobs in other jurisdictions. The proposed salaries provide for fair and equitable salary rates and are reasonable.

a. The proposed salary range for Adult Day Care Center Supervisor has been established by examining the duties and minimum qualifications required in comparison to other Merit System classes, since a comparable classification is not evident in other civil service jurisdictions. The proposed range for Adult Day Care Center Supervisor was set at the same salary range as that of the Developmental Achievement Center Instructor classification since the responsibilities, as well as the minimum qualifications of education and experience, are comparable.

b. The proposed salary range for Center Coordinator has been set at the Social Worker III salary level, since a master's degree in social work is required for both positions.

c. The Adult Day Care Center Program Coordinator proposed salary range was established by reviewing the minimum qualifications required in comparison to other Merit System classes, as well as by examining the pay scale for the State of Minnesota classification of Human Service Specialist, which is the level at which certified occupation therapy assistants in the state hospitals are hired. The salary range for Human Service Specialist is $842 to $1037 per month. The 1979 proposed C plan salary range for Adult Day Care Center Program Coordinator is $779 to $1111 per month.

The aforegoing authorities and comments are submitted in justification of final adoption of the above cited proposed rule amendments.

Ralph W. Corey
Merit System Supervisor

DATED: August 17, 1977.

STATE OF MINNESOTA
OFFICE OF HEARING EXAMINERS

FOR THE MINNESOTA MERIT SYSTEM

In the Matter of the Proposed Adoption of New Rules and Amendments of Existing Rules of the Minnesota Merit System Governing the Compensation Plan; the Classification Plan; Separation, Tenure and Reinstatement; and Leaves of Absence.

REPORT OF HEARING EXAMINER

The above-entitiled matter came on for hearing before Harry Seymour Crump, Hearing Examiner from the State Office of Hearing Examiners, on September 21, 1979, at 9:30 a.m. in the Administration Building, Room 116, 50 Sherburne Avenue in the City of Saint Paul, County of Ramsey, State of Minnesota.

The agency panel consisted of the following: James Jorgenson, Special Assistant Attorney General assigned to the Department of Public Welfare, appeared on behalf of the Merit System; Eleanor Hoover, Personnel Director for the DPW; Minnesota Merit System Council members Dan Gustafson, Chairman, and Kenneth Maas; John McKasy from the Department of Health; Edmund Jasinski, Training Director, Department of Public Safety; Betty Carlson, Assistant Merit Supervisor; and Dudley Younkin, staff member of the Merit System. Ralph Corey, Supervisor of the Minnesota Merit System, testified in support of the proposed rules and amendments. (Minnesota Merit System is a collective title for the programs of implementing statewide merit systems within the individual agencies of the Department of Public Welfare, Department of Health, and Department of Public Safety.)

Approximately 20 people attended the hearing. Nine persons signed the register. One person spoke at the hearing. The hearing continued until all interested persons and groups had an opportunity to be heard.

This proceeding is a rules hearing held pursuant to Minn. Stat. Ch. 15 to determine whether the proposed rules should be adopted and given the force of law. Copies of this Report are available for review from the Office of the Merit System Supervisor and the Office of Hearing Examiners.

Pursuant to Minn. Stat. § 15.0412, subd. 4, this Report shall be available for review to all affected individuals upon request for at least five days.

Because the Minnesota Merit System (hereinafter the "System") administers the statewide merit systems for three separate agencies, these proposed rule amendments are a joint effort. The adopting agencies are the Department of Public Welfare, the Department of Health, and the Department of Public Safety. 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.

Thereafter, the Departments of Public Welfare, Health, and Public Safety, shall, if they propose to adopt the rules as originally proposed or amended,

submit a copy of the Order Adopting Rules, a copy of any additional agency findings, a copy of the rules as originally proposed, and a copy of the rules as adopted to the Chief Hearing Examiner for review pursuant to Minn. Stat. § 15.052, subd. 4 (1978). The submission to the Chief Hearing Examiner shall precede review by the Attorney General. 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 (1978) within ten calendar days. The Agencies will be responsible for filing the rules with the Attorney General and for notifying persons who have indicated that they wish to be notified of such filing.

Based upon all the records and proceedings herein, the Examiner makes the following:

FINDINGS OF FACT

Procedural Requirements

1. On August 2, 1979, the Merit System filed the following documents with the Hearing Examiner:

(a) A copy of the proposed rules.
(b) The Order for the Hearing proposed to be issued.
(c) The Notice of Hearing proposed to be issued.
(d) A Statement of the number of persons expected to attend the hearing and estimated length of the Agency's presentation.

2. On August 20, 1979, Notices of Hearing and copies of the proposed rules were published at 4 State Register 170 (Department of Health), 4 State Register 176 (Department of Public Safety), and 4 State Register 178 (Department of Public Welfare).

3. On August 15, 1979, the Merit System mailed the Notice of Hearing to all persons and associations who had registered their names with the Secretary of State for the purpose of receiving such notice.

4. On August 24, 1979, the Merit System filed the following documents:

(a) Order for Hearing.
(b) The Notice of Hearing as mailed.
(c) The Affidavit of Receipt of the Secretary of State's list.
(d) The Affidavit of Mailing the Notice to all persons on the Secretary of State's list.
(e) The Statement of Need and Reasonableness.
(f) The Secretary of State's Certificate.
(g) Pursuant to Minn. Stat. § 15.0412, subd. 6 (1978), notice seeking outside opinions was published in the State Register on May 7, 1979, at 3 State Register 2015. One comment was received by the Merit System on September 19, 1979, from the Personnel Director of Saint Louis County. See, Exhibit C. This letter was introduced at the hearing.
(h) The names of personnel who will represent the Merit System at the hearing together with the names of any other witnesses solicited to appear on its behalf.

The documents were available for inspection at the Office of Hearing Examiners from the date of filing to the date of the hearing.

5. The record remained open through October 11, 1979, for the receipt of written comments. Four prehearing comments were received. These were letters in support of the proposed rules and amendments. Four post-hearing comments were received and made part of the record herein.

Statutory Authority

6. The Agencies base their authority to adopt these amendments on Minn. Stat. §§ 12.22, subd. 3; 144.071 and 393.07, subd. 5.

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 regulations, 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 SCD 94 A.a. and SCD 94 D.5.

In Exhibit G, James A. Jorgensen, Special Assistant Attorney General, cites as further authority, 11 MCAR § 1.2091:

> If and when it appears desirable in the interest of good administration, the governor, through the Commissioner of Public Safety and with the advice and recommendation of the council, may amend these rules after compliance with the provisions of Minnesota Statutes, Chapter 15 . . . 11 MCAR §§ 1.2093 and 1.2094 and relate to the Classification and Compensation Plans, respectively.

The letter continues: "In order to allay any doubt which may exist concerning the effectiveness of the above cited rule provisions, the Merit System will have the governor and the commissioner of Public Safety co-sign the order adopting the Public Safety rules proposed in both the September 21, 1979 hearings."

The Hearing Examiner finds that although the language of the above-existing rules appear to delegate to the Commissioner of Public Safety authority to act on behalf of the Governor in matters relative to the Merit System for Public Safety personnel, this provision should not be construed to imply that one rule can be authority to adopt another rule. Furthermore, the Hearing Examiner urges in the future that an exhibit be submitted which was executed by the Governor indicating the Commissioner of Public Safety is acting for the Governor in the adoption of rules relative to the Merit System. As for the proposed rules, it is implicit that the Commissioner herein may adopt the proposed rules. However, as the counsel has stated, the Governor should co-sign the Order adopting the rules.

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.

Exhibit G also cites as authority of the Commissioner of DPW to promulgate rules for the Merit System Minn. Stat. § 256.01, subd. 4:

> The State agency shall:
>
> * * *
>
> (3) establish adequate standards for personnel employed by the counties and the state agency . . . and to make the necessary rules and regulations to maintain such standards.

The letter continues: ". . . [F]urther support for DPW's rulemaking authority is found in references to DPW Merit System rules and regulations. [See, e.g., Minn. Stat. §§ 375.62, 393.07, subd. 3 (1978).] In addition to all of the above, the Commissioner's authority is generally recognized in Minn. Stat. § 256.011. That section provides that federal grants-in-aid programs shall be administered 'pursuant to and in accordance with rules and regulations promulgated and adopted by the Commissioner of Public Welfare'. Eligibility for and continued receipt of federal grants-in-aid programs are conditioned upon the governmental units administering the programs being under an approved merit system operating according to the Standards for a Merit System of Personnel Administration. 44 FR 10245, 5 C.F.R. § 900.109 1.(a). Non-compliance with the standards can result in the Office of Personnel Management recommending grant termination proceedings to the appropriate federal agency. 44 FR (2/16/79), 5 C.F.R. § 900.612-620."

7. In conformance with 5 C.F.R. Part 900, Subpart F, the Minnesota Legislature enacted Minn. Stat. §§ 12.22, subd. 3, 144.071, and 393.07, subd. 5, which respectively authorize the commissioners to adopt methods of implementing merit systems within their individual agencies.

8. Pursuant to authority granted by Section 393.07, the Commissioner (then Director) of Public Welfare adopted rules for a merit system for employees of county welfare boards. In State ex rel. Hennepin County Welfare Board, et al. v. Fitzsimmons, et al., 239 Minn. 407, 58 N.W.2d 882, 889 (1953), the court held:

> . . . [I]t 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 or 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.

9. Since 1953, changes have been made in Federal law and regulations. The relevant regulations are now found in 45 C.F.C. Part 70. These standards require that in order to be eligible for federal grant-in-aid funds, the Minnesota Merit System must specifically include, among other things, a position classification plan (45 C.F.R. § 70.7), a comprehensive compensation plan (45 C.F.R. § 70.8), and an active recruitment, selection and appointment program (45 C.F.R. §§ 70.9, 70.10 and 70.11).

10. Minnesota adopted the Public Employment Labor Relations Act (PELRA), Minn. Stat. §§ 179.61-179.77 in 1971. Proposed rule amendments should not conflict with rights of public employees and System employees.

Need and Reasonableness

A. Personnel Policies and Procedures.

11. Proposed amendments to 12 MCAR § 2.493, 7 MCAR § 1.238, and 11 MCAR § 1.2093 authorize the respective Commissioners to reallocate positions under certain "junior-senior" plans of promotion by (a) allowing the incumbent to take non-competitive promotional examination, (b) certifying only the name of the eligible incumbent whose position is reallocated, and (c) removing the requirement of serving a new probationary period. The proposed amendments reflect current practice and would establish authority in rule form for the procedure. Exhibits A and B, letters from Wayne Larson, Chairman of the Welfare Directors Association, and Elwyn K. Boe, Director of Koochiching Family Services, indicate support for eliminating the probationary period for employees reallocated to a higher class.

By letter, the Personnel Director of St. Louis County, Anthony J. Bruno, Jr., suggested that "may" be inserted into 12 MCAR § 2.493 D.3., paragraph 2, so that the waiver of the probationary period be left to the discretion of the counties. (Exhibit C) By a post-hearing comment, Mr. Corey opposed the substitution of language which would make the serving of a probationary period optional with the appointing authority with no conditions attached. (Exhibit H)

Jerry Serfling, Business Representative for AFSCME Council 91, spoke in opposition to Mr. Bruno's suggestion saying there was no need for a new probationary period.

Exhibit H consists of a letter addressed to Arthur E. Noot, Commissioner of DPW, from C. E. Melberg, Beltrami County Welfare Director. The Beltrami County Welfare Board suggested that the junior-senior plan be removed completely and that there should be no probation and salary increases during the change to senior. By letter dated October 3, 1979, Mr. Corey stated that based on the support of 47 merit system agencies, the Merit System is not in a position to recommend discontinuance of the plans on a statewide basis. Mr. Corey stated also that the Merit System rules do not require a salary increase be granted upon promotion.

The Hearing Examiner finds that the rule, as proposed, is needed and reasonable.

12. A minor amendment to 7 MCAR § 1.238 A.1. would change "State Board of Health" to "Commissioner", thus bringing it into conformity with Minn. Laws 1977, Chapter 205 which abolished the State Board of Health and transferred all powers and duties to the Commissioner.

There were no comments made about this amendment.

The Hearing Examiner finds this amendment to be needed and reasonable.

13. Proposed amendments to 12 MCAR § 2.503 and 7 MCAR § 1.249 deal with separation, tenure and reinstatement including proposed language for an orderly system of lay-offs, tie-breaking methods, bumping provisions, notification requirement, reemployment list, return from lay off, and a provision (Paragraph 8 of 12 MCAR § 2.503 and 7 MCAR § 1.249) for exclusion of the proposed rule if otherwise provided in a collective bargaining agreement. The proposed rule is needed to provide for a system of considering applicants with previous experience in similar positions and referring former satisfactory employees to current vacancies.

Jerry Serfling suggested that language similar to the exclusionary provision in proposed Paragraph 8, above, be inserted into 12 MCAR § 2.493 D. as Paragraph 4. By post-hearing comment, Ralph Corey opposed this suggestion on the grounds that the junior-senior plan of promotion involves reclassification of positions, which authority he asserts, belongs by rule to the Merit System and is not a subject under a collective bargaining agreement. Mr. Corey stated that Mr. Serfling's proposal would substantially change the wording and intent of the proposed Merit System amendment to the rule.

The Hearing Examiner finds the amendment, as proposed, is needed and reasonable.

14. Proposed amendments to 12 MCAR § 2.504 and 7 MCAR § 1.250 deal with leaves of absence by identifying current minimum and optional leave policies. Existing languge relating to educational leaves is deleted and established in the optional subdivision of the rule. Educational leaves would be granted with or without pay, thus complying with federal requirements relative to state plans for staff development (45 C.F.R. § 205.202).

By letter (Exhibit E), the Counsel clarified that the citations of federal regulations were references to appropriate materials and not to be incorporated by reference into the rules; thus, there is no conflict with Minn. Stat. 15.0412, subd. 4 or 9 MCAR § 2.108.

In Exhibit G, Mr. Bruno suggested the insertion of the word "successful" into the proposed amendment relating to completion of a probationary period.

Responding to that suggestion, Mr. Corey proposed changes in the original language proposed by inserting the word "satisfactory"; thus, the proposed language of 12 MCAR § 2.504 B.3.a. becomes: "Upon the satisfactory completion . . . "; proposed language of 7 MCAR § 1.250 B.3.a. becomes: "Upon the satisfactory completion of . . . "; the proposed language of 12 MCAR § 2.504 B.3.d. becomes: ". . . with six full months of satisfactory service in the Merit System . . ."; and the proposed language of 7 MCAR § 1.250 B.3.d. becomes: ". . . with six full months of satisfactory service in the Merit System . . . ". These substitutions are acceptable to Mr. Bruno, according to Mr. Corey, who discussed them with him.

The Hearing Examiner finds that these proposed amendments, as modified, are needed and reasonable and appear not to constitute a substantial change.

Classification Plan and Compensation Plan

15. The second category of proposed amendments relate to new and revised class specifications. The rules affected are: 12 MCAR § 2.581, 12 MCAR § 2.586, 12 MCAR § 2.588, 12 MCAR § 2.592, 12 MCAR § 2.593, 12 MCAR § 2.621, 12 MCAR § 2.622, 12 MCAR § 2.623, 12 MCAR § 2.624, 12 MCAR § 2.625, 12 MCAR § 2.626, 12 MCAR § 2.640, 12 MCAR § 2.646, and 12 MCAR § 2.654.

These proposed amendments would revise eleven (11) existing class specifications and establish three new classifications. The revisions and additions are based on recommendations made by committees of incumbents and their supervisors with a final review of the draft of the class specifications by groups of incumbents and supervisors. Some additional changes were made after the Merit System Council held hearings.

The first two proposed amendments are for Adult Day Care Center Supervisor, 12 MCAR § 2.592, the Adult Day Care Program Coordinator, 12 MCAR § 2.654. The next proposed amendments are for Center Coordinator, 12 MCAR § 2.593, Financial Assistance Specialist, 12 MCAR § 2.623, Financial Worker II, 12 MCAR § 2.622, Senior Case Aide, 12 MCAR § 2.640, Financial Worker I, 12 MCAR § 2.621, Coordinator of Aging, 12 MCAR § 2.626, Collection Services Supervisor II, 12 MCAR § 2.581, and Developmental Achievement Center Teacher, 12 MCAR § 2.646. The changes involve updating of terminology, clarification of responsibilities for positions, in some cases addition of abilities, reduction of minimum experience requirements and specification of type of college training required. The changes in minimum qualifications are necessary to conform to the United States Office of Personnel Management's Standards for a Merit System of Personnel Administration, which require that job-related minimum requirements be established wherever they are needed for entrance to a classification. These standards, set forth in 45 C.F.R. Part 70, were incorporated by reference into the Statement of Need and Reasonableness, not the Rules, thus providing no conflict with Minn. Stat. § 15.0412 or 9 MCAR § 2.108.

There were no comments regarding these proposed rules.

The Hearing Examiner finds that these proposed rules are needed and reasonable.

16. The next four proposed amendments primarily involve the reduction in the minimum qualifications of education and experience including the following

title changes: Homemaker I to Family Service Aide I, 12 MCAR § 2.624; Homemaker II to Family Service Aide II, 12 MCAR § 2.625; Homemaker Coordinator I to Family Service Aide Coordinator I, 12 MCAR § 2.588; and Homemaker Coordinator II to Family Service Coordinator II, 12 MCAR § 2.586.

Mr. Corey introduced two letters: One, marked Exhibit D, from Barbara Wilkes, Vice-President of the Minnesota Homemakers Association, and one, previously introduced as Exhibit A from Wayne Larson. Both letters supported the proposed changes.

The Hearing Examiner adopts the portion of the Statement of Need and Reasonableness relative to the above amendments as facts herein, and finds these amendments are needed and reasonable.

17. Proposed amendments to 12 MCAR § 2.840 A. and B. incorporate the compensation plan for the various classes under the Public Welfare Merit System. The amendments establish salary ranges for the rest of 1979, for the three proposed new classifications and are based primarily on comparisons with Merit System salary ranges for existing classes with comparable minimum qualifications and duties and responsibilities, and where possible, on comparison with salary ranges for similar positions in other jurisdictions.

The Hearing Examiner finds that these amendments are needed and reasonable.

18. Any Findings herein which may be termed as Conclusions are hereby adopted as such.

Based upon the foregoing Findings of Fact, the Hearing Examiner makes the following:

CONCLUSIONS

1. The Minnesota Merit System gave proper notice of the promulgation of the proposed rule provisions.

2. The System has statutory authority, as cited, to take the action proposed, to wit, the promulgation, deletion and amendment of the proposed rules.

3. The System has fulfilled all relevant, substantive and procedural requirements of law or rule.

4. The System has demonstrated the need for and reasonbleness of the proposed rules and proposed amendments and deletions by an affirmative presentation of facts in the record.

Based upon the foregoing Conclusions, the Hearing Examiner makes the following:

RECOMMENDATION

It is recommended that the proposed rules be adopted by the Minnesota Merit System as recommended by the Hearing Examiner.

Dated: November 5, 1979.

Harry Seymour Crump

HARRY SEYMOUR CRUMP
Hearing Examiner

STATEMENT OF COMPLIANCE WITH
MANUAL OF RULE MAKING PROCEDURES

I, Special Assistant Attorney General James A. Jorgensen, 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. Any exceptions are noted below.

James A. Jorgensen
Special Assistant Att. General

Dated: 12/19/79

STATE OF MINNESOTA
DEPARTMENT OF PUBLIC WELFARE

IN THE MATTER OF THE PROPOSED ADOPTION OF NEW RULES AND AMENDMENT OF EXISTING RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING THE COMPENSATION PLAN; SALARY ADJUSTMENTS AND INCREASES; AND CLASSIFICATION PLAN

AFFIDAVIT OF MAILING

Linda M. Peterson, being first duly sworn, deposes and says:

That on the 19 day of December, 1979, at the City of St. Paul, County of Ramsey, State of Minnesota, she served the attached Notice 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 who requested to be notified when the above captioned rule(s) were submitted to the Attorney General's Office for review as to form and legality.

Linda M. Peterson

Subscribed and sworn to before me this

19 day of December, 1979

Notary Public,

Ramsey County, Minnesota

My Commissioner Expires

Sept 22, 1984

Margaret Holt

IN THE MATTER OF THE PROPOSED ADOPTION OF
NEW RULES AND AMENDMENT OF EXISTING RULES
OF THE MINNESOTA MERIT SYSTEM GOVERNING THE
COMPENSATION PLAN; SALARY ADJUSTMENTS AND
INCREASES; AND CLASSIFICATION PLAN

To all Interested Persons:

Pursuant to your request and in accordance with Minnesota Statutes, Section 15.0412, subdivision 4 and Rule HE 102, PLEASE TAKE NOTICE that the above-captioned rule(s) have been submitted to the Attorney General's Office on 12-19-79 for review as to form and legality. Pursuant to Rule ATTYGEN 305, any person may question the legality of the above-captioned rules within ten (10) days after receipt of the rule by the Attorney General. Thereafter, the Office of the Attorney General shall conduct its review. If you desire to question the legality of the above-captioned rules, you should direct your comments to the Attorney General's Office, G-25 Administration Building, 50 Sherburne Avenue, Saint Paul, Minnesota 55155.

If you are interested in determining what changes, if any, were made in the proposed rules after the hearing and before submission to the Attorney General you may contact James Jorgensen, Department of Public Welfare, 4th Floor, Centennial Office Building, St. Paul, MN 55155, 612-296-8404.

Robert J. Hampe
AUTHORIZED SIGNATURE

STATE OF MINNESOTA
DEPARTMENT OF PUBLIC SAFETY

IN THE MATTER OF THE PROPOSED ADOPTION OF RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING THE CLASSIFICATION PLAN; SEPARATION, TENURE AND REINSTATEMENT; AND LEAVES OF ABSENCE

CERTIFICATE OF DELIVERY
SECRETARY OF STATE'S
LIST

I hereby certify that the attached 326 labels 1 sheets constitute the complete list of persons, associations, and other interested groups who as of 2:45 o'clock P .M. this 14th day of August, 1979, have requested pursuant to M.S. _____ 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 Thomas Leet

STATE OF MINNESOTA
DEPARTMENT OF PUBLIC SAFETY

IN THE MATTER OF THE PROPOSED ADOPTION OF RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING THE CLASSIFICATION PLAN; SEPARATION, TENURE AND REINSTATEMENT; AND LEAVES OF ABSENCE

AFFIDAVIT OF RECEIPT OF THE SECRETARY OF STATE'S LIST

DIANE LYNN HIRTE, being first duly sworn, deposes and says:

1) That she is an employee of the Special Services Division, Department of Public Welfare, State of Minnesota.

2) That on the 13 day of August, 1979, she went to the Secretary of State's office for the State of Minnesota and requested a current list of all representatives of associations or other interested groups or persons who have registered their names with the Secretary of State for the purpose of obtaining notices of public hearings relating to the promulgation of rules pursuant to M.S. 15.0412.

3) That on the 13 day of August, 1979, in response to the above request, the Secretary of State provided her with such a list, a copy of which is attached hereto and incorporated by reference.

Further affaint sayeth not.

Diane L. Hirte

Subscribed and sworn to before me

this 20 day of August

1979.

Margaret Holt

MARGARET HOLT
NOTARY PUBLIC-MINNESOTA
RAMSEY COUNTY
My Comm. Expires Sept. 22, 1984

STATE OF MINNESOTA
DEPARTMENT OF PUBLIC SAFETY

IN THE MATTER OF THE PROPOSED ADOPTION
OF RULES OF THE MINNESOTA MERIT SYSTEM
GOVERNING THE CLASSIFICATION PLAN;
SEPARATION, TENURE AND REINSTATEMENT;
AND LEAVES OF ABSENCE

AFFIDAVIT OF MAILING

DIANE LYNN HIRTE, being first duly sworn, deposes amd says:

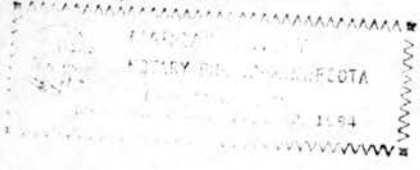
That on the 15 day of August, 1979 at the City of St. Paul, County of Ramsey, State of Minnesota, she served the attached Notice of Hearing by depositing in the United States mail at said City of St. Paul, a true and correct copy thereof, properly enveloped, with postage prepaid, to all persons and associations at the addresses listed on the attached Certificate of the Secretary of State.

Diane L. Hirte

Subcribed and sworn to before me

this 30 day of August 1979.

Margaret Holt



STATE OF MINNESOTA
DEPARTMENT OF PUBLIC SAFETY

IN THE MATTER OF THE PROPOSED ADOPTION OF RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING THE CLASSIFICATION PLAN; SEPARATION, TENURE AND REINSTATEMENT; AND LEAVES OF ABSENCE

AFFIDAVIT OF ADDITIONAL MAILING

DIANE LYNN HIRTE, being first duly sworn, deposes and says:

That on the 15 day of August, 1979, at the City of St. Paul, County of Ramsey, State of Minnesota, in addition to mailing the attached Notice of Hearing to all persons and associations listed on the Secretary of State's list, she also 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 the following agencies:

All Minnesota County Welfare Departments
All Minnesota Human Servie Boards
All Minnesota Area Mental Health Boards
All Minnesota State Hospitals
32 County Public Health Departments
3 County Public Health Departments
Headwaters Nutrition Project
Senior Staff Representatives

Diane L. Hirte

Subscribed and sworn to before me

this 20 day of August 1979.

Margaret Holt

STATE OF MINNESOTA

DEPARTMENT OF PUBLIC SAFETY

RECEIVED
AUG 24 1979
OFFICE OF HEARING
EXAMINERS

IN THE MATTER OF THE PROPOSED ADOPTION OF
RULES OF THE MINNESOTA MERIT SYSTEM
GOVERNING THE CLASSIFICATION PLAN;
SEPARATION, TENURE AND REINSTATEMENT;
AND LEAVES OF ABSENCE

ORDER FOR HEARING

IT IS HEREBY ORDERED that a public hearing on the above captioned rules be held in the Administration Building, Room 116, 50 Sherburne Avenue (between Cedar and Capitol Boulevard), St. Paul, Minnesota, on September 21, 1979, commencing at 9:30 A.M. and continuing until all persons have had an opportunity to be heard.

IT IS FURTHER ORDERED that a Notice of Hearing be mailed to all persons, representatives of associations, or other interested groups, who have registered their names with the Secretary of State for that purpose.

IT IS FURTHER ORDERED that the Notice of Hearing be published in the State Register.

Dated: August 2, 1979

for James R. Pederson, Asst. Comm.
John P. Sopsic
Commissioner

RECEIVED
SEP 19 1979
OFFICE OF HEARING
EXAMINERS

contacting Mr. Wayne P. Anderson at the above address. Questions concerning the issues raised in this Order or concerning informal disposition or discovery may be directed to Special Assistant Attorney General Robert C. Moilanen, Minnesota Pollution Control Agency, 1935 W. County Road B2, Roseville, Minnesota, 55113, (612) 296-7702.

The hearing will be held before Mr. Allan Klein, 1745 University Avenue, St. Paul, Minnesota 55104, (612) 296-8104, a Hearing Examiner appointed by the Chief Hearing Examiner of the State of Minnesota. All parties have the right to be represented throughout the proceeding by legal counsel, by themselves, or by a person of their choice (if such representation is not otherwise prohibited as the unauthorized practice of law). The hearing will be conducted pursuant to the contested case procedures set out in Minn. Stat. §§ 15.0411 through 15.042 (1978), 9 MCAR §§ 2.201-2.299 and Minn. Rules MPCA 1-13, to the extent that the latter rules do not conflict with 9 MCAR § 2.201-2.299. The above-cited procedural rules are available for inspection at the Office of Hearing Examiners and the Minnesota Pollution Control Agency or may be purchased from the Documents Section of the Department of Administration, 140 Centennial Building, St. Paul, Minnesota 55155, (612) 296-2874. The rules provide generally for the procedural rights of the parties.

Any person desiring to intervene as a party must submit to the Hearing Examiner and serve upon all existing parties a Petition to Intervene, pursuant to 9 MCAR § 2.210, by September 9, 1979. The Petition must show how that person's legal rights, duties and privileges may be affected by the decision in this case. The Petition must also set forth the grounds and purpose for which intervention is sought and indicate the petitioner's statutory right to intervene if one should exist. A party to a case has the right to present evidence, rebuttal testimony, and argument with respect to the issues and to cross-examine witnesses. Further, parties may be entitled, pursuant to 9 MCAR § 2.216, to issuance of subpoenas requiring the attendance of witnesses and the production of documents relevant to any matter involved in the hearing. Interested persons may present oral or written statements at the hearing without becoming parties at the discretion of the Hearing Examiner in accordance with 9 MCAR § 2.210(e), but may not cross-examine witnesses. At the present time, the representatives of parties to this proceeding who should be served with such Petition to Intervene are:

Mr. Morrison Kerschner
Attorney for Richard Hagstrom
Rufer, Hefte, Pemberton, Schulze, Sorlie & Sefkow
Fergus Falls, Minnesota 56537

Mr. Thomas Athens
Attorney for Jack Lesmeister
18 North 10th Street
Wheaton, Minnesota 56296

Mr. Robert Moilanen
Attorney for Minnesota Pollution Control Agency Staff
1935 W. County Road B2
Roseville, Minnesota 55113

All persons are advised that, if they intend to appear as parties at the hearing scheduled for September 19, 1979, at 10:30 a.m., a Notice of Appearance form must be completed and returned to the Hearing Examiner within 20 days of the date of service of the Notice of and Order for Hearing. A Notice of Appearance form is enclosed with all Orders mailed and may also be obtained through contacting Mr. Robert Moilanen at the above address. SHOULD A PARTY FAIL TO APPEAR AT THE HEARING, THE ALLEGATIONS MADE IN THIS ORDER MAY BE TAKEN AS TRUE. Persons attending the hearing should bring all evidence bearing on the case including any records or other documents.

If persons have good reason for requesting a delay of the hearing, the request must be made in writing to the Hearing Examiner at least five days prior to the hearing in accordance with 9 MCAR § 2.217 E. A copy of the request must be served on the Agency and any other parties.

August 3, 1979.

Department of Public Welfare
Department of Health
Department of Public Safety

Merit System

Notice of Intent to Solicit Outside Opinion Concerning Merit System Rules

Notice is hereby given that the Minnesota Department of Public Welfare (12 MCAR), the Minnesota Department of Health (7 MCAR) and the Minnesota Department of Public Safety (11 MCAR) are considering proposed amendments to those rules affecting their compensation plans and salary schedules.

If adopted, these rule changes will alter the salaries paid to those personnel in agencies under the jurisdiction of the Merit System which have not negotiated a compensation plan with a bargaining unit's exclusive representative. The jurisdiction of the Merit System includes most County Welfare Agencies and Human Services Boards, some County and Local Emergency Services Agencies, and some County and Local Public Health Agencies.

The proposed rule changes are:

12 MCAR § 2.840

7 MCAR § 1.314

11 MCAR § 1.140

The Minnesota Department of Public Welfare, the Minnesota Department of Health and the Minnesota Department of Public Safety are also considering proposed amendments to those rules affecting:

(1) the annual salary survey;

(2) the establishment of a salary schedule for a new classification by agencies with an exclusive representative;

(3) the salary adjustment for 1980.

If adopted, these rules will alter various personnel policies in agencies under jurisdiction of the Merit System.

The proposed rule changes are:

12 MCAR § 2.494 Compensation plan.

D. Adjustment of the Official Salary Schedule of the Minnesota Merit System.

E. Negotiation of a salary schedule.

7 MCAR § 1.239 Compensation plan.

D. Adjustment of the Official Salary Schedule of the Minnesota Merit System.

E. Negotiation of a salary schedule.

11 MCAR § 1.094 Compensation plan.

D. Adjustment of the Official Salary Schedule of the Minnesota Merit System.

E. Negotiation of a salary schedule.

12 MCAR § 2.516 Salary adjustments and increases.

B. Adjustments to be made in accordance with Merit System Official Compensation Plan.

7 MCAR § 1.260 Salary adjustments and increases.

B. Adjustments to be made in accordance with Merit System Official Compensation Plan.

11 MCAR § 1.116 Salary adjustments and increases.

B. Adjustments to be made in accordance with Merit System Official Compensation Plan.

Additionally, the Minnesota Department of Public Welfare and the Minnesota Department of Health are considering proposed amendments to those rules affecting their position classification specifications.

If adopted, these rule changes will create new position classifications and will alter existing position classification specifications under the jurisdiction of the Merit System.

The proposed rules creating new classes are:

12 MCAR § 2.655 Nutrition Project Director.

12 MCAR § 2.656 Nutrition Project Assistant Director.

12 MCAR § 2.619 Housing Coordinator.

7 MCAR § 1.269 Nutrition Assistant.

The proposed rules altering existing position classification specifications are:

12 MCAR § 2.693 Homemaker/Home Health Aide.

12 MCAR § 2.578 Financial Assistance Supervisor I.

12 MCAR § 2.579 Financial Assistance Supervisor II.

All interested or affected persons are requested to participate. Statements of information and comment may be made orally or in writing. Written statements of information and comment may be addressed to:

Ralph W. Corey, Supervisor
Minnesota Merit System
Fourth Floor, Centennial Office Building
658 Cedar Street
St. Paul, Minnesota 55155

Oral statements of information and comment will be received during regular business hours over the telephone at (612) 296-3996.

All statements of information and comment must be received by August 27, 1979. Any written material received by the Department shall become part of the hearing record.

Under the provisions of Minn. Stat. § 10A.01, subd. 11 (1974), any individual representing persons or associations attempting to influence administrative action, such as the promulgation of these proposed rules and amendments, must register with the Ethical Practices Board as a lobbyist within five days of the commencement of such activity by the individual. The Ethical Practices Board is located at Room 401, State Office Building, St. Paul, Minnesota 55155.

Minnesota State Retirement System

Regular Meeting of the Board of Directors

Regular quarterly meeting of the Board of Directors, Minnesota State Retirement System, will be held on Friday, August 17, 1979, at 9:00 a.m. in the office of the System, 529 Jackson Street, St. Paul, Minnesota.

Our File: 567 - A1 - A2

ADMIN 1000 (Rev. 1/78)
SF-00006-01

STATE OF MINNESOTA

DEPARTMENT ATTORNEY GENERAL

Office Memorandum

TO : JOHN P. SOPSIC
Commissioner
Department of Public Safety

DATE: January 8, 1980

Attn: James Jorgensen

FROM : JERRY ANDERSON
Special Assistant
Attorney General

PHONE: 296-1288

SUBJECT: Rules as Approved in the Matter of the Proposed Adoption of New Rules and Amendments of Existing Rules of the Minnesota Merit System Governing the Compensation Plan; the Classification Plan; Separation, Ten Year and Reinstatement; and Leaves of Absence

and

In the Matter of the Proposed Adoption of Rules of the Minnesota Merit System Governing the Compensation Plan; Salary Adjustments and Increases; and the Classification Plan

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.

JA/bw
Encl.
cc: Duane Harves
Susan Robertson

Our File #567 R 2

Public Safety.

12/27 call RJ/Jim J - left message
12/28 JJ notified re spelling error + effectiveness date

Permanent Rule X

Temporary Rule _____

Jerry

RULES REVIEW CHECKLIST

DATE RULES RECEIVED 12/19 DUE DATE 1/8

Resubmitted and Received _____

a. Returned to Agency w/o Filing w/Secretary of State _____
b. Approved _____ Date Sent Back to Agency _____

- -

3 1. Rules as Adopted _____

2 2. Rules as Proposed _____

3. Certificate of Board's Authorizing Resolution, where applicable N/A

1 4. Order for Hearing ✓

1 5. Notice of Hearing ✓ 10.15.79
Sufficiency ✓
Errata Notice ✓

6. Secretary of State's List ✓ (one copy only)

1 7. Certificate of Acquisition of Secretary of State's List ✓

1 8. Secretary of State's Certification of Delivery of Secretary of State's List to Agency ✓

1 9. Affidavit of Mailing ✓
At least 30 days prior to hearing ✓

10. Publication in State Register ✓ copy not submitted
At least 30 days prior to hearing ✓ but see H.E. report
Errata notice ✓ see H.E. report

1 11. Statement of Need and Evidence ✓

1 12. Hearing Examiner's Report ✓ note Finding of Fact No. 14 + Recommendation

2 13. Agency's Findings of Fact ✓ incorporated in No. 15

14. Certificate of Board's Resolution Adopting Rules, where applicable N/A

2 15. Order Adopting ✓

1 16. Report of Chief Hearing Examiner ✓

17. Order Approving Incorporation by Reference, where applicable N/A

1 18. Certificate of Compliance with Rulemaking Procedures ✓

1 19. Copy of Notice of Intent to Solicit Outside Opinion, where applicable ✓

20. Petition by Public, where applicable N/A

Exhibit D

AG working copy

11 MCAR § 1.2116 Salary Adjustments and Increases

B. Adjustments to be Made in Accordance with Merit System Official Compensation Plan

2. General adjustment recommended for incumbents is seven percent for employees on the Professional Salary Schedule, and fifty dollars for employees on the Clerical Salary Schedules.

11 MCAR § 1.2140 Compensation Plan (Emergency Services) - 1980

A. Professional

1. Plan A

a. Class of Positions

Class of Positions	1	2	3	4	5	6	7	8
Administrative Officer	1114	1164	1218	1273	1328	1389	1454	1523
Asst. Civil Defense Director I	745	779	815	853	891	930	974	1018
Asst. Civil Defense Director II	891	930	974	1018	1064	1114	1164	1218
Asst. Civil Defense Director III	1064	1114	1164	1218	1273	1328	1389	1454
Asst. Civil Defense Director IV	1273	1328	1389	1454	1523	1590	1662	1737
Communications Officer	974	1018	1064	1114	1164	1218	1273	1328
County Civil Defense Director I	1064	1114	1164	1218	1273	1328	1389	1454
County Civil Defense Director II	1218	1273	1328	1389	1454	1523	1590	1662
County Civil Defense Director III	1389	1454	1523	1590	1662	1737	1815	1897
County Civil Defense Director IV	1985	2076	2170	2268	2375	2483	2596	2710
Local Civil Defense Director I	853	891	930	974	1018	1064	1114	1164
Local Civil Defense Director II	974	1018	1064	1114	1164	1218	1273	1328
Local Civil Defense Director III	1114	1164	1218	1273	1328	1389	1454	1523
Local Civil Defense Director IV	1389	1454	1523	1590	1662	1737	1815	1897
Local Civil Defense Director V	1985	2076	2170	2268	2375	2483	2596	2710
Operations Officer	1114	1164	1218	1273	1328	1389	1454	1523
Public Information Officer	1114	1164	1218	1273	1328	1389	1454	1523
Radiological Defense Officer	974	1018	1064	1114	1164	1218	1273	1328
Safety Services Coordinator	1114	1164	1218	1273	1328	1389	1454	1523

A. Professional

2. Plan B

a. Class of Positions	1	2	3	4	5	6	7	8
Administrative Officer	1164	1218	1273	1328	1389	1454	1523	1590
Asst. Civil Defense Director I	779	815	853	891	930	974	1018	1064
Asst. Civil Defense Director II	930	974	1018	1064	1114	1164	1218	1273
Asst. Civil Defense Director III	1114	1164	1218	1273	1328	1389	1454	1523
Asst. Civil Defense Director IV	1328	1389	1454	1523	1590	1662	1737	1815
Communications Officer	1018	1064	1114	1164	1218	1273	1328	1389
County Civil Defense Director I	1064	1114	1164	1218	1273	1328	1389	1454
County Civil Defense Director II	1218	1273	1328	1389	1454	1523	1590	1662
County Civil Defense Director III	1389	1454	1523	1590	1662	1737	1815	1897
County Civil Defense Director IV	1985	2076	2170	2268	2375	2483	2596	2710
Local Civil Defense Director I	853	891	930	974	1018	1064	1114	1164
Local Civil Defense Director II	974	1018	1064	1114	1164	1218	1273	1328
Local Civil Defense Director III	1114	1164	1218	1273	1328	1389	1454	1523
Local Civil Defense Director IV	1389	1454	1523	1590	1662	1737	1815	1897
Local Civil Defense Director V	1985	2076	2170	2268	2375	2483	2596	2710
Operations Officer	1164	1218	1273	1328	1389	1454	1523	1590
Public Information Officer	1164	1218	1273	1328	1389	1454	1523	1590
Radiological Defense Officer	1018	1064	1114	1164	1218	1273	1328	1389
Safety Services Coordinator	1164	1218	1273	1328	1389	1454	1523	1590

A. Professional

3. Plan C

a. Class of Positions

Class of Positions	1	2	3	4	5	6	7	8
Administrative Officer	1218	1273	1328	1389	1454	1523	1590	1662
Asst. Civil Defense Director I	815	853	891	930	974	1018	1064	1114
Asst. Civil Defense Director II	974	1018	1064	1114	1164	1218	1273	1328
Asst. Civil Defense Director III	1164	1218	1273	1328	1389	1454	1523	1590
Asst. Civil Defense Director IV	1389	1454	1523	1590	1662	1737	1815	1897
Communications Officer	1064	1114	1164	1218	1273	1328	1389	1454
County Civil Defense Director I	1064	1114	1164	1218	1273	1328	1389	1454
County Civil Defense Director II	1218	1273	1328	1389	1454	1523	1590	1662
County Civil Defense Director III	1389	1454	1523	1590	1662	1737	1815	1897
County Civil Defense Director IV	1985	2076	2170	2268	2375	2483	2596	2710
Local Civil Defense Director I	853	891	930	974	1018	1064	1114	1164
Local Civil Defense Director II	974	1018	1064	1114	1164	1218	1273	1328
Local Civil Defense Director III	1114	1164	1218	1273	1328	1389	1454	1523
Local Civil Defense Director IV	1389	1454	1523	1590	1662	1737	1815	1897
Local Civil Defense Director V	1985	2076	2170	2268	2375	2483	2596	2710
Operations Officer	1218	1273	1328	1389	1454	1523	1590	1662
Public Information Officer	1218	1273	1328	1389	1454	1523	1590	1662
Radiological Defense Officer	1064	1114	1164	1218	1273	1328	1389	1454
Safety Services Coordinator	1218	1273	1328	1389	1454	1523	1590	1662

B. Clerical

1. Plan A

a. Class of Positions	1	2	3	4	5	6	7	8	9
Clerk I	524	541	557	573	589	608	629	650	671
Clerk II	589	608	629	650	671	692	713	736	762
Clerk III	671	692	713	736	762	789	816	845	876
Clerk-Typist I	541	557	573	589	608	629	650	671	692
Clerk-Typist II	589	608	629	650	671	692	713	736	762
Clerk-Typist III	671	692	713	736	762	789	816	845	876
Clerk-Steno I	573	589	608	629	650	671	692	713	736
Clerk-Steno II	629	650	671	692	713	736	762	789	816
Clerk-Steno III	692	713	736	762	789	816	845	876	908

2. Plan B

a. Class of Positions	1	2	3	4	5	6	7	8	9
Clerk I	541	557	573	589	608	629	650	671	692
Clerk II	608	629	650	671	692	713	736	762	789
Clerk III	692	713	736	762	789	816	845	876	908
Clerk-Typist I	557	573	589	608	629	650	671	692	713
Clerk-Typist II	608	629	650	671	692	713	736	762	789
Clerk-Typist III	692	713	736	762	789	816	845	876	908
Clerk-Steno I	589	608	629	650	671	692	713	736	762
Clerk-Steno II	650	671	692	713	736	762	789	816	845
Clerk-Steno III	713	736	762	789	816	845	876	908	940

3. Plan C

a. Class of Positions	1	2	3	4	5	6	7	8	9
Clerk I	557	573	589	608	629	650	671	692	713
Clerk II	629	650	671	692	713	736	762	789	816
Clerk III	713	736	762	789	816	845	876	908	940
Clerk-Typist I	573	589	608	629	650	671	692	713	736
Clerk-Typist II	629	650	671	692	713	736	762	789	816
Clerk-Typist III	713	736	762	789	816	845	876	908	940
Clerk-Steno I	608	629	650	671	692	713	736	762	789
Clerk-Steno II	671	692	713	736	762	789	816	845	876
Clerk-Steno III	736	762	789	816	845	876	908	940	974

11 MCAR § 1.2094 Compensation Plan

D. Adjustment of the Official Salary Schedule of the Minnesota Merit System

1. The compensation plan provided in 11 MCAR § 1.2140 shall be adjusted for changes in the level of salary rates in business and government for similar and competing types of employment and for changes in the Twin City Consumer Price Index.

2. In every odd-numbered year the Supervisor shall conduct a review of changes in the level of salary rates in the labor market since the time of 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 used in previous reviews. The Supervisor shall complete this study and report the findings to the Commissioner of Public Safety on or before July 31 of each odd-numbered 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 percent 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 of 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 and employee organizations~~ shall include the proposed compensation plan, an explanation of the adjustments proposed, and a summary of the findings of the survey upon which the proposed adjustment is based.

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 the evidence, the Governor, through the Commissioner, shall make his decision. An amended compensation plan shall not be effective until the next succeeding January 1, or for those agencies on a bi-weekly or four-week payroll period on the beginning date of the first payroll period following the next succeeding January 1.

6. The appointing 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.

7. In every even-numbered year, the Supervisor shall conduct a review of the changes in the consumers' price index for urban wage earners and clerical workers for Minneapolis-St. Paul, as published by the Bureau of Labor Statistics, new series index (1967=100). The Supervisor shall recommend that all rates of pay in the Professional and Clerical salary schedules be adjusted by an amount equal to 80 percent of the increase between the consumer price index for June of the current year and the consumer price index for June of the preceding year. This amount shall be rounded to the nearest tenth of a percent and may not exceed 8%. The new recommended monthly salary rates shall be rounded to the nearest whole dollar. The same percentage increase recommended by the Supervisor for all rates of pay shall be recommended as a general salary adjustment for all incumbents of positions in the Professional and Clerical salary schedules. An amended compensation plan resulting from these recommendations shall not be effective until the next succeeding January 1, or for those agencies on a bi-weekly or four-week payroll period on the beginning date of the first payroll period following the next succeeding January 1.

E. Negotiation of 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 consistent with the functions outlined in the class specifications. Initial, intervening, and maximum rates of pay for each 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 appointing authority and the exclusive representative shall negotiate a salary schedule for the new classification within sixty days of the date of establishment of the classification.

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.

APPROVED AS TO FORM AND LEGALITY

JAN 07 1980 19____

WARREN SPANNAUS, ATTORNEY GENERAL

BY _____

SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
JAN - 7 1980
Joan Anderson Growe
Secretary of State

2:00 P.M.

Exhibit B
DPW-80-010-HC

STATE OF MINNESOTA
OFFICE OF HEARING EXAMINERS

FOR THE MINNESOTA MERIT SYSTEM

In the Matter of the Proposed Adoption of Rules of the Minnesota Merit System Governing the Compensation Plan; Salary Adjustments and Increases; and the Classification Plan.

REPORT OF THE HEARING EXAMINER

The above-entitled matter came on for hearing before Harry Seymour Crump, Hearing Examiner from the State Office of Hearing Examiners, on October 15, 1979, at 9:30 a.m.. in the State Office Building, Saint Paul, Minnesota.

Ralph Corey, Supervisor of the Minnesota Merit System; Betty Carlson, Assistant Merit System Supervisor; and Dudley Younkin of the Merit System staff appeared on behalf of the Merit System (a collective title for the programs of implementing statewide merit systems within the individual agencies of the Department of Public Welfare, Department of Health, and Department of Public Safety). James Jorgenson, Special Assistant Attorney General, assigned to DPW, appeared. Ed Jasinski, Training Officer of the Department of Public Safety, also appeared. Two members of the Minnesota Merit System Council, Dan Gustafson, Chairman, and Kenneth Maas, appeared.

Approximately six other persons attended the hearing. Ralph Corey spoke on behalf of the Merit System and one person from the audience also spoke. The hearing continued until all interested persons and groups had an opportunity to be heard.

This proceeding is a rules hearing held pursuant to Minn. Stat. Ch. 15 to determine whether the proposed rules should be adopted and given the force of law. Copies of this Report are available for review from the Office of Hearing Examiners and the Office of the Merit System Supervisor.

Pursuant to Minn. Stat. § 15.0412, subd. 4, this Report shall be available for review to all affected individuals upon request for at least five days.

Thereafter, the Departments of Public Welfare, Health and Public Safety shall, if they proposed to adopt the rules as originally proposed or amended, submit a copy of the Order Adopting Rules, a copy of any additional agency findings, a copy of the rules as originally proposed, and a copy of the rules as adopted to the Chief Hearing Examiner for review pursuant to Minn. Stat. § 15.052, subd. 4. The submission to the Chief Hearing Examiner shall precede review by the Attorney General. The Chief Hearing Examiner shall complete his review and submit his report to the Departments on the issues of substantial changes in the rules and compliance with Minn. Stat. § 15.0412 (1978) within ten calendar days. The Departments will be responsible for filing the rules with the Attorney General and for notifying persons who have indicated that they wish to be notified of such filing.

Based upon all the records and proceedings herein, the Examiner makes the following:

FINDINGS OF FACT

Procedural Requirements

1. On September 14, 1979, the System filed the following documents with the Hearing Examiner:

(a) A copy of the proposed rules.
(b) The Order for Hearing proposed to be issued.
(c) The Notice of Hearing proposed to be issued.
(d) A Statement of the number of persons expected to attend the hearing and estimated length of the Agencies' presentation.

2. On September 10, 1979, Notices of Hearing and copies of the proposed rules were published at 4 State Register 318 (Department of Health), 4 State Register 333 (Department of Public Safety), and 4 State Register 343 (Department of Public Welfare).

3. On September 13, 1979, the Agencies mailed the Notice of Hearing to all persons and associations who had registered their names with the Secretary of State for the purpose of receiving such notice.

4. On September 19, 1979, the Agency filed the following documents:

(a) Order for Hearing.
(b) The Notice of Hearing as mailed.
(c) The Affidavit of Receipt of the Secretary of State's list.
(d) The Affidavit of Mailing the Notice to all persons on the Secretary of State's list and attached errata notice.
(e) The Secretary of State's Certificates.
(f) The Statement of Need and Reasonableness.
(g) Pursuant to Minn. Stat. § 15.0412, subd. 6 (1978), notice seeking outside opinions was published in the State Register on August 13, 1979, at 4 State Register 151. One comment was received by the Merit System on August 23, 1979. See, Exhibit V. This letter was introduced at the hearing.
(h) The names of personnel who will represent the Merit System at the hearing together with the names of any other witnesses solicited to appear on its behalf.

The documents were available for inspection at the Office of Hearing Examiners from the date of filing to the date of the hearing.

5. On September 24, 1979, Notice of Errata was published at 4 State Register 495 indicating January 1, 1980, as the effective date of the proposed rules, rather than January 1, 1979.

6. The record remained open through October 22, 1979, for the receipt of written comments and statements. Two prehearing comments were received. These were letters in support of the proposed rules and amendments. Two post-hearing comments, in the form of letters, were received and made a part of the record herein.

Statutory Authority

7. The Agencies base their authority to adopt these rules and amendments on Minn. Stat. § 12.22, subd. 3; Minn. Stat. § 144.071; and, Minn. Stat. § 393.07, subd. 5.

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 SCD 94A.a. and SCD 94D.5.

11 MCAR § 1.2091 provides as follows:

If and when it appears desirable in the interest of good administration, the governor, through the Commissioner of Public Safety and with the advice and recommendation of the council, may amend these rules after compliance with the provisions of Minnesota Statutes, Chapter 15 . . . 11 MCAR §§ 1.2093 and 1.2094 and relate to the Classification and Compensation Plans, respectively.

The Hearing Examiner finds that although the language of the above-existing rules appear to delegate to the Commissioner of Public Safety authority to act on behalf of the Governor in matters relative to the Merit System for Public Safety personnel, these provisions should not be construed to imply that one rule can be authority to adopt another rule. Furthermore, the Hearing Examiner urges in the future that an exhibit be submitted which was executed by the Governor indicating the Commissioner of Public Safety is acting for the Governor in the adoption of rules relative to the Merit System. As for the proposed rules, it is implicit that the Commissioner herein may adopt the proposed rules. However, the Governor should co-sign the Order adopting the rules.

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.

8. The Minnesota Supreme Court, in State ex rel. Hennepin County Welfare Board v. Fitzsimmons, 239 Minn. 407, 58 N.W.2d 882 (1953), has expressly recognized the authority of the Commissioner of Public Welfare and, implicitly, the similar authority of the Commissioner of Public Safety and the Commissioner of Health to adopt such rules. The court stated, in relevant part:

> . . . [I]t is clear that the Director of Social Welfare (currently the Commissioner of Public Welfare) was clearly right in adopting and promulgating a merit plan which includes 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 program nor the determination of his tenure of office and individual compensation. 239 Minn. at 420, 58 N.W.2d at 890. (parenthetical added)

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 departments or agency. The board may also, by rule or regulation, cooperate with the federal government in any manner necessary to qualify for federal aid. (parenthetical added)

9. 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., 42 U.S.C. § 62.

10. Pursuant to such Congressional mandate, the U.S. Department of Health, Education and Welfare, Department of Labor, and Department of Defense have promulgated 5 C.F.R. Part 900, Subpart F, which imposes on the State of Minnesota general requirements for a merit system of personnel administration. Those standards require that in order to be eligible for federal grant-in-aid funds, the Minnesota Merit System specifically include, among other things, a position classification plan (5 C.F.R. § 900.604-1), a compensation plan (5 C.F.R. § 900.604-1), and an active recruitment, selection and appointment program (5 C.F.R. §§ 900.602-.603).

11. In conformance with 5 C.F.R. Part 900, Subpart F, the Minnesota Legislature enacted Minn. Stat. §§ 12.22, subd. 3; 144.071; and, 393.07, subd. 5. These statutes, respectively, authorize the commissioner of public safety, the commissioner of health, and the commissioner of public welfare to adopt necessary methods of personnel administration for implementing merit systems within their agencies. Collectively, the resulting programs are referred to as the "Minnesota Merit System".

12. Pursuant to such statutory authority, those state agencies have adopted comprehensive administrative rules which regulate administration of the Minnesota Merit System. See, 12 MCAR §§ 2.490-.841, 11 MCAR §§ 1.2090-.2141 and 7 MCAR §§ 1.235-.315.

13. The proposed rules and amendments are promulgated in accordance with the provisions of applicable Minnesota statutes and expressly guarantee the rights of public employers and Minnesota Merit System employees in conformance with the terms of the state's Public Employment Labor Relation Act (Minn. Stat. §§ 179.61-.77).

Need and Reasonableness

A. Compensation Plan, Salary Adjustments and Increases.

14. 12 MCAR § 2.516, 7 MCAR § 1.260 and 11 MCAR § 1.2116. These rules deal with salary adjustments and increases. These amendments are to update the rules and implement recommended salary adjustments for Minnesota Merit System employees. The changes would be effective January 1, 1980.

The amendments to 12 MCAR § 2.516 B.2. and 7 MCAR § 1.260 B.2. affect the incumbents covered by the official Merit System Compensation Plan on the Professional and Support Salary Schedules. They will receive a 7% adjustment in their monthly salary. Incumbents on the Clerical Salary Schedule will receive a $50 increase in their monthly salary. The incumbents on the Maintenance and Trades and Building Maintenance Salary Schedules receive a two-step adjustment in their monthly salary of approximately 8%.

The amendment to 11 MCAR § 1.2116 B.2. provides that incumbents covered by the official Merit System Compensation Plan on the Professional Salary Schedule receive a 7% adjustment in their monthly salary. The incumbents on the Clerical Salary Schedule receive a $50 increase in their monthly salary.

All of the proposed salary adjustments are to become effective January 1, 1980, or, for those agencies on a biweekly or four-week payroll period, on the beginning date of the first payroll period following January 1, 1980. It is required that employees covered by the official Merit System Compensation Plan at least be at the minimum for their class. Granting of any recommended salary adjustments to employees above the minimum salary for their class is discretionary with the appointing authority. In addition, agencies may adopt a different general adjustment from that proposed by the Merit System for their employees as long as such adjustments at least place employees at the minimum salary for their class on the Merit System Compensation Plan adopted by the agency and not over the maximum salary.

The salary adjustments do not apply to agencies with negotiated collective bargaining agreements.

A letter from Roland F. Winterfeldt, Director of the Otter Tail County Department of Social Services, received at the Office of Hearing Examiners on September 27, 1979, supports the amendments to 12 MCAR § 2.516 B.2.

A letter from Shirley Thalacker of the Carver County Family Service Department, received by the Office of Hearing Examiners on October 19, 1979, indicates that the $50 increase for Clerical Salary Schedule employees when compared to the 7% increase for other employees does not always compare favorably. Ms. Thalacker suggests that a $50 increase or 7% increase for Clerical Salary Schedule employees be optional, depending on which increase benefits the employee most.

A letter from Steven A. Law, Business Administrator for Olmsted County Health Department, received by the Office of Hearing Examiners on October 19, 1979, indicates that the increase of $50 for clerical employees is insufficient for "experienced, qualified clerical person(s)." Mr. Law suggests a 7-9% increase for all clerical employees.

By post-hearing letter, Mr. Corey commented that based on a comparison of current salaries for comparable classifications of the merit system and the State of Minnesota, they are competitive and that the proposed rules, if adopted, will result in greater than a 7% salary increase for 73% of merit system clerical employees.

No oral comments, other than Mr. Corey's presentation, were received at the hearing.

The Hearing Examiner finds the amendments as proposed are needed and reasonable. However, the Hearing Examiner further urges that in the alternative, lump-sum payments for Clerical Salary Schedule employees at the maximum salary range should be made in accordance with the general percentage adjustment granted other employees depending on which benefits the employee most. Mr. Corey made a similar suggestion in response to Mr. Law's comment.

15. 12 MCAR § 2.840, 7 MCAR § 1.314 and 11 MCAR § 1.2140. These rules deal with the compensation plan. 12 MCAR § 2.494 C., 7 MCAR § 1.239 D. and 11 MCAR § 1.2094 D. require the Merit System Supervisor to conduct an annual salary survey involving a review of the changes in the level of salary rates which have occurred in the labor market since the time of the survey preceding the most recent adjustment of the compensation plan. The survey is to be completed and the findings reported to the Commissioners of Public Welfare, Health and Public Safety by July 31 of each year. If the findings reveal increase or decrease in salary rates in the labor market for similar and/or competing employment of 4% or more, these rules require a public hearing.

The revisions to 12 MCAR § 2.840 A., 7 MCAR § 1.314 A. and 11 MCAR § 1.2140 A. are needed to implement recommended salary adjustments in the Merit System Compensation Plan for positions in the county welfare and human services agencies and local and county public health and emergency services agencies. Proposed amendments to 12 MCAR § 2.840 A., 7 MCAR § 1.314 A. and 11 MCAR § 1.2140 A. adjust the minimum and maximum salaries and intervening steps for all classes on the professional salary schedule by 7% effective January 1, 1980, or, for those agencies on a biweekly or four-week payrool period, on the beginning date of the first payroll period following January 1, 1980, with some exceptions.

The amendments to 12 MCAR § 2.840 B. and 7 MCAR § 1.314 B. adjust the minimum and maximum salaries and intervening steps for all classes on the Support Salary Schedules by 7% effective January 1, 1980, or, for those agencies on a biweekly or four-week payroll period, on the beginning date of the first payrool period following January 1, 1980, with some exceptions.

The amendments to 12 MCAR § 2.749 C., 7 MCAR § 1.314 C. and 11 MCAR § 1.2140 B. are proposed to implement salary recommendations for clerical classes. The amendments to 12 MCAR § 2.840 D. and 7 MCAR § 1.314 D. are needed to implement salary recommendations for all classes on the Maintenance and Trades and the Building Maintenance Salary Schedules.

There were no written or oral comments, other than Mr. Corey's presentation, concerning these amendments.

The Hearing Examiner finds the amendments as proposed are needed and reasonable, and adopts the relevant sections of the Statement of Need and Reasonableness as facts establishing the justification for the proposed rules.

B. Personnel Policies and Procedures.

16. 12 MCAR § 2.494, 7 MCAR § 1..239 and 11 MCAR § 1.2094. These rules deal with the compensation plan. Amendments to 12 MCAR § 2.494 D.1., 7 MCAR § 1.239 D.1. and 11 MCAR § 1.2094 D.1. require that the Merit System review changes in the Twin City Consumer Price Index when proposing adjustments to the Merit System Compensation Plan. These changes are necessary to implement

the proposed amendments 12 MCAR § 2.494 D.7., 7 MCAR § 1.239 D.7. and 11 MCAR § 1.2094 D.7. establishing a cost of living formula in recommending salary adjustments during even-numbered years. Also, proposed amendments to 12 MCAR § 2.494 D.2., 7 MCAR § 1.239 D.2. and 11 MCAR § 1.2049 D.2. are necessary to conform to and provide consistency therein and to continue the conducting of a salary survey during odd-numbered years.

Amendments to 12 MCAR § 2.494 D.3. and 4., 7 MCAR § 1.239 D.3. and 4. and 11 MCAR § 1..2094 D.3. and 4. are needed to provide consistent language in all three rules. The elimination of the last sentence in 7 MCAR § 1.239 D.4 and 11 MCAR § 1.2094 D.4 is to make its language consistent with 12 MCAR § 2.494 D.4.

Amendments to 12 MCAR § 2.494 D.5., 7 MCAR § 1.239 D.5. and 11 MCAR § 1.2094 D.5. are needed to clarify the effective date for the amended compensation plan.

Amendments to 12 MCAR § 2.494 D.6., 7 MCAR § 1.239 D.6. and 11 MCAR § 1.2094 D.6. substitute the term "appointing authority" for the specific language currently in these three sections of the rule. In addition, another amendment to 12 MCAR § 2.494 D.6. and 7 MCAR § 1.239 D.6. substitutes the word "numerically" for "alphabetically" and is needed since the individual salary steps in the compensation plans are identified numerically rather than alphabetically.

Amendments to 12 MCAR § 2.494 D.7., 7 MCAR § 1.239 D.7. and 11 MCAR § 1.2094 D.7. add new language to 12 MCAR § 2.494, 7 MCAR § 1.239 and 11 MCAR § 1.2094. They provide that, in even-numbered years, a review will be conducted by the Supervisor of the change in the Twin City Consumer Price Index for urban wage earners and clerical workers. The resulting data will be used for general salary adjustments in the Merit System in an amount equal to 80% of the increase in that index which occurred between June of the preceding year and June of the current year. That amount will be rounded to the nearest tenth of a percent and may not exceed 8%. Presently, the rules require a salary survey each year..

Amendments to 12 MCAR § 2.494 E.1., 7 MCAR § 1.239 E.1. and 11 MCAR § 1.2094 E.1. remove the Supervisor from involvement in the salary setting process. However, they still provide for a salary setting process to be followed by the negotiating parties when it is not specifically provided for in the terms of the collective bargaining agreement.

In Exhibit V, a letter from Geraldine Wedel, R.N., Field Representative, the Minnesota Nurses Association, and Ms. Wedel's oral comments at the hearing indicated that her association supports the new and amended rules. She did indicate that it is doubtful whether in A, B and D series the compensation was enough to maintain a sufficient number of nurses on the state payroll because they did not match the collective bargaining agreement currently negotiated by the union.

There were no further written or oral comments, except those of Mr. Corey, at the hearing.

The Hearing Examiner finds the amendments as proposed are needed and reasonable. The Statement of Need and Reasonableness, relative to the above provision, is hereby adopted as facts establishing the justification of the proposed rules.

C. Classification Plan and Compensation Plan.

17. 12 MCAR §§ 2.578, 2.579, 2.619, 2.654, 2.655, 2.693; 7 MCAR § 1.269. These rules are to revise three existing class specifications and to establish four new class specifications. The Merit System Council has held hearings on all of these class specification proposals and has recommended their adoption.

a. 12 MCAR § 2.578 and 2.579. These changes are made to update the minimum education and experience qualifications for Financial Assistance Supervisor I and II.

b. 12 MCAR § 2.619. This new rule creates the new classification of Housing Coordinator for the Todd County Social Services Department. That agency has an employee performing these functions under a different classification.

c. 12 MCAR §§ 2.654 and 2.655. These new rules create two new classifications of Nutrition Project Director and Nutrition Project Assistant Director for the Headwaters Nutrition Project. The agency has two employees currently performing these functions but assigned to different classifications.

d. 12 MCAR § 2.693. This amendment to change the title of a Homemaker/Home-Health-Aide to "Family Service"/Home-Health-Aide. This provides consistency with the titles in that area of the rules.

e. 7 MCAR § 1.269. This new rule establishes the new classification of Nutrition Assistant in response to a need expressed by the Olmsted County Public Health Department. They have an employee currently performing the function of this class under a different classification.

18. 12 MCAR § 2.840 A. and B.; 7 MCAR § 1.314 B. These rules set the compensation plan for professional and support classifications under the Public Welfare Merit System and public health support classifications under the Public Health Merit System. Revisions to these rules set the salary ranges for the remainder of 1979, for all of the aforementioned new classes.

Except where otherwise indicated, no oral or written comments were received concerning these rules.

The Hearing Examiner finds the rules and amendments as proposed are needed and reasonable.

CONCLUSIONS

1. The Minnesota Merit System gave proper notice of the promulgation of the proposed rule provisions.

2. The System has statutory authority, as cited, to take the action proposed, to wit, the promulgation, deletion and amendment of the proposed rules.

3. The System has fulfilled all relevant, substantive and procedural requirements of law or rule.

4. The System has demonstrated the need for and reasonableness of the proposed rules and proposed amendments and deletion by an affirmative presentation of facts in the record.

Based upon the foregoing Conclusions, the Hearing Examiner makes the following:

RECOMMENDATION

It is recommended that the proposed rules be adopted by the Minnesota Merit System as recommended herein. The Merit System should consider changes

which benefit clerical employees who have reached their maximum salary range provided such changes do not constitute substantial changes.

Dated: November 16, 1979.

Harry Seymour Crump

HARRY SEYMOUR CRUMP
Hearing Examiner

STATE OF MINNESOTA
OFFICE OF HEARING EXAMINERS

FOR THE MINNESOTA MERIT SYSTEM

In the Matter of the Proposed Adoption of Rules of the Minnesota Merit System Governing the Compensation Plan; Salary Adjustments and Increases; and the Classification Plan.

REPORT OF THE HEARING EXAMINER

The above-entitled matter came on for hearing before Harry Seymour Crump, Hearing Examiner from the State Office of Hearing Examiners, on October 15, 1979, at 9:30 a.m.. in the State Office Building, Saint Paul, Minnesota.

Ralph Corey, Supervisor of the Minnesota Merit System; Betty Carlson, Assistant Merit System Supervisor; and Dudley Younkin of the Merit System staff appeared on behalf of the Merit System (a collective title for the programs of implementing statewide merit systems within the individual agencies of the Department of Public Welfare, Department of Health, and Department of Public Safety). James Jorgenson, Special Assistant Attorney General, assigned to DPW, appeared. Ed Jasinski, Training Officer of the Department of Public Safety, also appeared. Two members of the Minnesota Merit System Council, Dan Gustafson, Chairman, and Kenneth Maas, appeared.

Approximately six other persons attended the hearing. Ralph Corey spoke on behalf of the Merit System and one person from the audience also spoke. The hearing continued until all interested persons and groups had an opportunity to be heard.

This proceeding is a rules hearing held pursuant to Minn. Stat. Ch. 15 to determine whether the proposed rules should be adopted and given the force of law. Copies of this Report are available for review from the Office of Hearing Examiners and the Office of the Merit System Supervisor.

Pursuant to Minn. Stat. § 15.0412, subd. 4, this Report shall be available for review to all affected individuals upon request for at least five days.

Thereafter, the Departments of Public Welfare, Health and Public Safety shall, if they proposed to adopt the rules as originally proposed or amended, submit a copy of the Order Adopting Rules, a copy of any additional agency findings, a copy of the rules as originally proposed, and a copy of the rules as adopted to the Chief Hearing Examiner for review pursuant to Minn. Stat. § 15.052, subd. 4. The submission to the Chief Hearing Examiner shall precede review by the Attorney General. The Chief Hearing Examiner shall complete his review and submit his report to the Departments on the issues of substantial changes in the rules and compliance with Minn. Stat. § 15.0412 (1978) within ten calendar days. The Departments will be responsible for filing the rules with the Attorney General and for notifying persons who have indicated that they wish to be notified of such filing.

Based upon all the records and proceedings herein, the Examiner makes the following:

FINDINGS OF FACT

Procedural Requirements

1. On September 14, 1979, the System filed the following documents with the Hearing Examiner:

(a) A copy of the proposed rules.
(b) The Order for Hearing proposed to be issued.
(c) The Notice of Hearing proposed to be issued.
(d) A Statement of the number of persons expected to attend the hearing and estimated length of the Agencies' presentation.

2. On September 10, 1979, Notices of Hearing and copies of the proposed rules were published at 4 State Register 318 (Department of Health), 4 State Register 333 (Department of Public Safety), and 4 State Register 343 (Department of Public Welfare).

3. On September 13, 1979, the Agencies mailed the Notice of Hearing to all persons and associations who had registered their names with the Secretary of State for the purpose of receiving such notice.

4. On September 19, 1979, the Agency filed the following documents:

(a) Order for Hearing.
(b) The Notice of Hearing as mailed.
(c) The Affidavit of Receipt of the Secretary of State's list.
(d) The Affidavit of Mailing the Notice to all persons on the Secretary of State's list and attached errata notice.
(e) The Secretary of State's Certificates.
(f) The Statement of Need and Reasonableness.
(g) Pursuant to Minn. Stat. § 15.0412, subd. 6 (1978), notice seeking outside opinions was published in the State Register on August 13, 1979, at 4 State Register 151. One comment was received by the Merit System on August 23, 1979. See, Exhibit V. This letter was introduced at the hearing.
(h) The names of personnel who will represent the Merit System at the hearing together with the names of any other witnesses solicited to appear on its behalf.

The documents were available for inspection at the Office of Hearing Examiners from the date of filing to the date of the hearing.

5. On September 24, 1979, Notice of Errata was published at 4 State Register 495 indicating January 1, 1980, as the effective date of the proposed rules, rather than January 1, 1979.

6. The record remained open through October 22, 1979, for the receipt of written comments and statements. Two prehearing comments were received. These were letters in support of the proposed rules and amendments. Two post-hearing comments, in the form of letters, were received and made a part of the record herein.

Statutory Authority

7. The Agencies base their authority to adopt these rules and amendments on Minn. Stat. § 12.22, subd. 3; Minn. Stat. § 144.071; and, Minn. Stat. § 393.07, subd. 5.

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 SCD 94A.a. and SCD 94D.5.

11 MCAR § 1.2091 provides as follows:

If and when it appears desirable in the interest of good administration, the governor, through the Commissioner of Public Safety and with the advice and recommendation of the council, may amend these rules after compliance with the provisions of Minnesota Statutes, Chapter 15 . . . 11 MCAR §§ 1.2093 and 1.2094 and relate to the Classification and Compensation Plans, respectively.

The Hearing Examiner finds that although the language of the above-existing rules appear to delegate to the Commissioner of Public Safety authority to act on behalf of the Governor in matters relative to the Merit System for Public Safety personnel, these provisions should not be construed to imply that one rule can be authority to adopt another rule. Furthermore, the Hearing Examiner urges in the future that an exhibit be submitted which was executed by the Governor indicating the Commissioner of Public Safety is acting for the Governor in the adoption of rules relative to the Merit System. As for the proposed rules, it is implicit that the Commissioner herein may adopt the proposed rules. However, the Governor should co-sign the Order adopting the rules.

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.

8. The Minnesota Supreme Court, in State ex rel. Hennepin County Welfare Board v. Fitzsimmons, 239 Minn. 407, 58 N.W.2d 882 (1953), has expressly recognized the authority of the Commissioner of Public Welfare and, implicitly, the similar authority of the Commissioner of Public Safety and the Commissioner of Health to adopt such rules. The court stated, in relevant part:

> . . . [I]t is clear that the Director of Social Welfare (currently the Commissioner of Public Welfare) was clearly right in adopting and promulgating a merit plan which includes 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 program nor the determination of his tenure of office and individual compensation. 239 Minn. at 420, 58 N.W.2d at 890. (parenthetical added)

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 departments or agency. The board may also, by rule or regulation, cooperate with the federal government in any manner necessary to qualify for federal aid. (parenthetical added)

9. 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., 42 U.S.C. § 62.

10. Pursuant to such Congressional mandate, the U.S. Department of Health, Education and Welfare, Department of Labor, and Department of Defense have promulgated 5 C.F.R. Part 900, Subpart F, which imposes on the State of Minnesota general requirements for a merit system of personnel administration. Those standards require that in order to be eligible for federal grant-in-aid funds, the Minnesota Merit System specifically include, among other things, a position classification plan (5 C.F.R. § 900.604-1), a compensation plan (5 C.F.R. § 900.604-1), and an active recruitment, selection and appointment program (5 C.F.R. §§ 900.602-.603).

11. In conformance with 5 C.F.R. Part 900, Subpart F, the Minnesota Legislature enacted Minn. Stat. §§ 12.22, subd. 3; 144.071; and, 393.07, subd. 5. These statutes, respectively, authorize the commissioner of public safety, the commissioner of health, and the commissioner of public welfare to adopt necessary methods of personnel administration for implementing merit systems within their agencies. Collectively, the resulting programs are referred to as the "Minnesota Merit System".

12. Pursuant to such statutory authority, those state agencies have adopted comprehensive administrative rules which regulate administration of the Minnesota Merit System. See, 12 MCAR §§ 2.490-.841, 11 MCAR §§ 1.2090-.2141 and 7 MCAR §§ 1.235-.315.

13. The proposed rules and amendments are promulgated in accordance with the provisions of applicable Minnesota statutes and expressly guarantee the rights of public employers and Minnesota Merit System employees in conformance with the terms of the state's Public Employment Labor Relation Act (Minn. Stat. §§ 179.61-.77).

Need and Reasonableness

A. Compensation Plan, Salary Adjustments and Increases.

14. 12 MCAR § 2.516, 7 MCAR § 1.260 and 11 MCAR § 1.2116. These rules deal with salary adjustments and increases. These amendments are to update the rules and implement recommended salary adjustments for Minnesota Merit System employees. The changes would be effective January 1, 1980.

The amendments to 12 MCAR § 2.516 B.2. and 7 MCAR § 1.260 B.2. affect the incumbents covered by the official Merit System Compensation Plan on the Professional and Support Salary Schedules. They will receive a 7% adjustment in their monthly salary. Incumbents on the Clerical Salary Schedule will receive a $50 increase in their monthly salary. The incumbents on the Maintenance and Trades and Building Maintenance Salary Schedules receive a two-step adjustment in their monthly salary of approximately 8%.

The amendment to 11 MCAR § 1.2116 B.2. provides that incumbents covered by the official Merit System Compensation Plan on the Professional Salary Schedule receive a 7% adjustment in their monthly salary. The incumbents on the Clerical Salary Schedule receive a $50 increase in their monthly salary.

All of the proposed salary adjustments are to become effective January 1, 1980, or, for those agencies on a biweekly or four-week payroll period, on the beginning date of the first payroll period following January 1, 1980. It is required that employees covered by the official Merit System Compensation Plan at least be at the minimum for their class. Granting of any recommended salary adjustments to employees above the minimum salary for their class is discretionary with the appointing authority. In addition, agencies may adopt a different general adjustment from that proposed by the Merit System for their employees as long as such adjustments at least place employees at the minimum salary for their class on the Merit System Compensation Plan adopted by the agency and not over the maximum salary.

The salary adjustments do not apply to agencies with negotiated collective bargaining agreements.

A letter from Roland F. Winterfeldt, Director of the Otter Tail County Department of Social Services, received at the Office of Hearing Examiners on September 27, 1979, supports the amendments to 12 MCAR § 2.516 B.2.

A letter from Shirley Thalacker of the Carver County Family Service Department, received by the Office of Hearing Examiners on October 19, 1979, indicates that the $50 increase for Clerical Salary Schedule employees when compared to the 7% increase for other employees does not always compare favorably. Ms. Thalacker suggests that a $50 increase or 7% increase for Clerical Salary Schedule employees be optional, depending on which increase benefits the employee most.

A letter from Steven A. Law, Business Administrator for Olmsted County Health Department, received by the Office of Hearing Examiners on October 19, 1979, indicates that the increase of $50 for clerical employees is insufficient for "experienced, qualified clerical person(s)." Mr. Law suggests a 7-9% increase for all clerical employees.

By post-hearing letter, Mr. Corey commented that based on a comparison of current salaries for comparable classifications of the merit system and the State of Minnesota, they are competitive and that the proposed rules, if adopted, will result in greater than a 7% salary increase for 73% of merit system clerical employees.

No oral comments, other than Mr. Corey's presentation, were received at the hearing.

The Hearing Examiner finds the amendments as proposed are needed and reasonable. However, the Hearing Examiner further urges that in the alternative, lump-sum payments for Clerical Salary Schedule employees at the maximum salary range should be made in accordance with the general percentage adjustment granted other employees depending on which benefits the employee most. Mr. Corey made a similar suggestion in response to Mr. Law's comment.

15. 12 MCAR § 2.840, 7 MCAR § 1.314 and 11 MCAR § 1.2140. These rules deal with the compensation plan. 12 MCAR § 2.494 C., 7 MCAR § 1.239 D. and 11 MCAR § 1.2094 D. require the Merit System Supervisor to conduct an annual salary survey involving a review of the changes in the level of salary rates which have occurred in the labor market since the time of the survey preceding the most recent adjustment of the compensation plan. The survey is to be completed and the findings reported to the Commissioners of Public Welfare, Health and Public Safety by July 31 of each year. If the findings reveal increase or decrease in salary rates in the labor market for similar and/or competing employment of 4% or more, these rules require a public hearing.

The revisions to 12 MCAR § 2.840 A., 7 MCAR § 1.314 A. and 11 MCAR § 1.2140 A. are needed to implement recommended salary adjustments in the Merit System Compensation Plan for positions in the county welfare and human services agencies and local and county public health and emergency services agencies. Proposed amendments to 12 MCAR § 2.840 A., 7 MCAR § 1.314 A. and 11 MCAR § 1.2140 A. adjust the minimum and maximum salaries and intervening steps for all classes on the professional salary schedule by 7% effective January 1, 1980, or, for those agencies on a biweekly or four-week payrool period, on the beginning date of the first payroll period following January 1, 1980, with some exceptions.

The amendments to 12 MCAR § 2.840 B. and 7 MCAR § 1.314 B. adjust the minimum and maximum salaries and intervening steps for all classes on the Support Salary Schedules by 7% effective January 1, 1980, or, for those agencies on a biweekly or four-week payroll period, on the beginning date of the first payrool period following January 1, 1980, with some exceptions.

The amendments to 12 MCAR § 2.749 C., 7 MCAR § 1.314 C. and 11 MCAR § 1.2140 B. are proposed to implement salary recommendations for clerical classes. The amendments to 12 MCAR § 2.840 D. and 7 MCAR § 1.314 D. are needed to implement salary recommendations for all classes on the Maintenance and Trades and the Building Maintenance Salary Schedules.

There were no written or oral comments, other than Mr. Corey's presentation, concerning these amendments.

The Hearing Examiner finds the amendments as proposed are needed and reasonable, and adopts the relevant sections of the Statement of Need and Reasonableness as facts establishing the justification for the proposed rules.

B. Personnel Policies and Procedures.

16. 12 MCAR § 2.494, 7 MCAR § 1..239 and 11 MCAR § 1.2094. These rules deal with the compensation plan. Amendments to 12 MCAR § 2.494 D.1., 7 MCAR § 1.239 D.1. and 11 MCAR § 1.2094 D.1. require that the Merit System review changes in the Twin City Consumer Price Index when proposing adjustments to the Merit System Compensation Plan. These changes are necessary to implement

the proposed amendments 12 MCAR § 2.494 D.7., 7 MCAR § 1.239 D.7. and 11 MCAR § 1.2094 D.7. establishing a cost of living formula in recommending salary adjustments during even-numbered years. Also, proposed amendments to 12 MCAR § 2.494 D.2., 7 MCAR § 1.239 D.2. and 11 MCAR § 1.2049 D.2. are necessary to conform to and provide consistency therein and to continue the conducting of a salary survey during odd-numbered years.

Amendments to 12 MCAR § 2.494 D.3. and 4., 7 MCAR § 1.239 D.3. and 4. and 11 MCAR § 1..2094 D.3. and 4. are needed to provide consistent language in all three rules. The elimination of the last sentence in 7 MCAR § 1.239 D.4 and 11 MCAR § 1.2094 D.4 is to make its language consistent with 12 MCAR § 2.494 D.4. Why necessary

Amendments to 12 MCAR § 2.494 D.5., 7 MCAR § 1.239 D.5. and 11 MCAR § 1.2094 D.5. are needed to clarify the effective date for the amended compensation plan.

Amendments to 12 MCAR § 2.494 D.6., 7 MCAR § 1.239 D.6. and 11 MCAR § 1.2094 D.6. substitute the term "appointing authority" for the specific language currently in these three sections of the rule. In addition, another amendment to 12 MCAR § 2.494 D.6. and 7 MCAR § 1.239 D.6. substitutes the word "numerically" for "alphabetically" and is needed since the individual salary steps in the compensation plans are identified numerically rather than alphabetically.

Amendments to 12 MCAR § 2.494 D.7., 7 MCAR § 1.239 D.7. and 11 MCAR § 1.2094 D.7. add new language to 12 MCAR § 2.494, 7 MCAR § 1.239 and 11 MCAR § 1.2094. They provide that, in even-numbered years, a review will be conducted by the Supervisor of the change in the Twin City Consumer Price Index for urban wage earners and clerical workers. The resulting data will be used for general salary adjustments in the Merit System in an amount equal to 80% of the increase in that index which occurred between June of the preceding year and June of the current year. That amount will be rounded to the nearest tenth of a percent and may not exceed 8%. Presently, the rules require a salary survey each year..

Amendments to 12 MCAR § 2.494 E.1., 7 MCAR § 1.239 E.1. and 11 MCAR § 1.2094 E.1. remove the Supervisor from involvement in the salary setting process. However, they still provide for a salary setting process to be followed by the negotiating parties when it is not specifically provided for in the terms of the collective bargaining agreement.

In Exhibit V, a letter from Geraldine Wedel, R.N., Field Representative, the Minnesota Nurses Association, and Ms. Wedel's oral comments at the hearing indicated that her association supports the new and amended rules. She did indicate that it is doubtful whether in A, B and D series the compensation was enough to maintain a sufficient number of nurses on the state payroll because they did not match the collective bargaining agreement currently negotiated by the union.

There were no further written or oral comments, except those of Mr. Corey, at the hearing.

The Hearing Examiner finds the amendments as proposed are needed and reasonable. The Statement of Need and Reasonableness, relative to the above provision, is hereby adopted as facts establishing the justification of the proposed rules.

C. Classification Plan and Compensation Plan.

17. 12 MCAR §§ 2.578, 2.579, 2.619, 2.654, 2.655, 2.693; 7 MCAR § 1.269. These rules are to revise three existing class specifications and to establish four new class specifications. The Merit System Council has held hearings on all of these class specification proposals and has recommended their adoption.

a. 12 MCAR § 2.578 and 2.579. These changes are made to update the minimum education and experience qualifications for Financial Assistance Supervisor I and II.

b. 12 MCAR § 2.619. This new rule creates the new classification of Housing Coordinator for the Todd County Social Services Department. That agency has an employee performing these functions under a different classification.

c. 12 MCAR §§ 2.654 and 2.655. These new rules create two new classifications of Nutrition Project Director and Nutrition Project Assistant Director for the Headwaters Nutrition Project. The agency has two employees currently performing these functions but assigned to different classifications.

d. 12 MCAR § 2.693. This amendment to change the title of a Homemaker/Home-Health-Aide to "Family Service"/Home-Health-Aide. This provides consistency with the titles in that area of the rules.

e. 7 MCAR § 1.269. This new rule establishes the new classification of Nutrition Assistant in response to a need expressed by the Olmsted County Public Health Department. They have an employee currently performing the function of this class under a different classification.

18. 12 MCAR § 2.840 A. and B.; 7 MCAR § 1.314 B. These rules set the compensation plan for professional and support classifications under the Public Welfare Merit System and public health support classifications under the Public Health Merit System. Revisions to these rules set the salary ranges for the remainder of 1979, for all of the aforementioned new classes.

Except where otherwise indicated, no oral or written comments were received concerning these rules.

The Hearing Examiner finds the rules and amendments as proposed are needed and reasonable.

CONCLUSIONS

1. The Minnesota Merit System gave proper notice of the promulgation of the proposed rule provisions.

2. The System has statutory authority, as cited, to take the action proposed, to wit, the promulgation, deletion and amendment of the proposed rules.

3. The System has fulfilled all relevant, substantive and procedural requirements of law or rule.

4. The System has demonstrated the need for and reasonableness of the proposed rules and proposed amendments and deletion by an affirmative presentation of facts in the record.

Based upon the foregoing Conclusions, the Hearing Examiner makes the following:

RECOMMENDATION

It is recommended that the proposed rules be adopted by the Minnesota Merit System as recommended herein. The Merit System should consider changes

which benefit clerical employees who have reached their maximum salary range provided such changes do not constitute substantial changes.

Dated: November 16, 1979.

Harry Seymour Crump

HARRY SEYMOUR CRUMP
Hearing Examiner

DPW-80-010-H C

STATE OF MINNESOTA

DEPARTMENT OF PUBLIC SAFETY

IN THE MATTER OF THE PROPOSED ADOPTION OF RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING THE COMPENSATION PLAN; SALARY ADJUSTMENTS AND INCREASES; AND THE CLASSIFICATION PLAN

ORDER ADOPTING RULES

The above entitled matter was heard before Harry Seymore Crump, Hearing Examiner from the State Office of Hearing Examiners on October 15, 1979, at 9:30 a.m. in the State Office Building, St. Paul, Minnesota.

Proper notice required by Minn. Stat. § 15.0412 (1978) was served upon all persons, associations, and other interested groups registered with the Secretary of State for that purpose.

At said hearing, proposed amendments to the above-captioned rules were considered as originally proposed as shown in Exhibit A attached hereto. Mr. Ralph Corey, Supervisor of the Minnesota Merit System, made the agency presentation at the hearing. The hearing continued until all interested persons and groups had an opportunity to be heard. Based upon all the records and proceedings the Examiner issued a Report of Hearing Examiner, dated November 16, 1979, a copy of which is attached hereto as Exhibit B. The Examiner's Report contained findings of fact, conclusions and a recommendation.

Pursuant to Minn. Stat. § 15.0412, subd. 4 (1978), the Examiner's Report has been available to all affected persons for over five days subsequent to the date of the Report.

After affording interested persons an opportunity to present written and/or oral statements, having reviewed all of the testimony, having considered all of the evidence adduced, having considered the Report of the Hearing Examiner, and upon all of the proceedings and testimony herein and applicable statutory standards and criteria, and

having determined the need for and reasonableness of the above-captioned rules,

NOW THEREFORE IT IS ORDERED THAT the Commissioner hereby adopts and incorporates herein the Report of Hearing Examiner, dated November 16, 1979, except as follows: that part of the Hearing Examiner's Report identified as Finding of Fact 14 and appearing on page 6 which states,

> However, the Hearing Examiner further urges that in the alternative, lump-sum payments for Clerical Salary Schedule employees at the maximum salary range should be made in accordance with the general percentage adjustment granted other employees depending on which benefits the employee most.

and; the Hearing Examiner's Recommendation which appears on page 8 and states,

> The Merit System should consider changes which benefit clerical employees who have reached their maximum salary range provided such changes do not constitute substantial changes.

IT IS FURTHER ORDERED THAT the above-captioned rules from and after this day of November 27, 1979, shall read in their entirety as set forth in the attached Exhibit D.

Dated: November 27, 1979.

STATE OF MINNESOTA

Albert H. Quie

ALBERT H. QUIE
Governor

STATE OF MINNESOTA
DEPARTMENT OF PUBLIC SAFETY

JOHN P. SOPSIC
Commissioner

PROPOSED

11 MCAR § 1.2116 Salary Adjustments and Increases

B. Adjustments to be Made in Accordance with Merit System Official Compensation Plan

2. General adjustment recommended for incumbents is ~~five~~ seven percent for employees on the Professional Salary Schedule, and ~~forty~~ fifty dollars for employees on the Clerical Salary Schedules.

11 MCAR § 1.2140 Compensation Plan (Emergency Services)

A. Professional
1. Plan A
a. Class of Positions

Class of Positions	1	2	3	4	5	6	7	8
Administrative Officer	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523
Asst. Civil Defense Director I	~~696~~ 745	~~728~~ 779	~~762~~ 815	~~797~~ 853	~~833~~ 891	~~869~~ 930	~~910~~ 974	~~951~~ 1018
Asst. Civil Defense Director II	~~833~~ 891	~~869~~ 930	~~910~~ 974	~~951~~ 1018	~~994~~ 1064	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218
Asst. Civil Defense Director III	~~994~~ 1064	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454
Asst. Civil Defense Director IV	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	~~1623~~ 1737
Communications Officer	~~910~~ 974	~~951~~ 1018	~~994~~ 1064	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328
County Civil Defense Director I	~~994~~ 1064	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454
County Civil Defense Director II	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662
County Civil Defense Director III	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	~~1623~~ 1737	~~1696~~ 1815	~~1773~~ 1897
County Civil Defense Director IV	~~1855~~ 1985	~~1940~~ 2076	~~2028~~ 2170	~~2120~~ 2268	~~2220~~ 2375	~~2321~~ 2483	~~2426~~ 2596	~~2533~~ 2710
Local Civil Defense Director I	~~797~~ 853	~~833~~ 891	~~869~~ 930	~~910~~ 974	~~951~~ 1018	~~994~~ 1064	~~1041~~ 1114	~~1088~~ 1164
Local Civil Defense Director II	~~910~~ 974	~~951~~ 1018	~~994~~ 1064	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328
Local Civil Defense Director III	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523
Local Civil Defense Director IV	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	~~1623~~ 1737	~~1696~~ 1815	~~1773~~ 1897
Local Civil Defense Director V	~~1855~~ 1985	~~1940~~ 2076	~~2028~~ 2170	~~2120~~ 2268	~~2220~~ 2375	~~2321~~ 2483	~~2426~~ 2596	~~2533~~ 2710
Operations Officer	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523
Public Information Officer	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523
Radiological Defense Officer	~~910~~ 974	~~951~~ 1018	~~994~~ 1064	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328

Safety Services Coordinator	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523

A. Professional
2. Plan B
a. Class of Positions

Class of Positions	1	2	3	4	5	6	7	8
Administrative Officer	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590
Asst. Civil Defense Director I	~~728~~ 779	~~762~~ 815	~~797~~ 853	~~833~~ 891	~~869~~ 930	~~910~~ 974	~~951~~ 1018	~~994~~ 1064
Asst. Civil Defense Director II	~~869~~ 930	~~910~~ 974	~~951~~ 1018	~~994~~ 1064	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273
Asst. Civil Defense Director III	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523
Asst. Civil Defense Director IV	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	~~1623~~ 1737	~~1696~~ 1815
Communications Officer	~~951~~ 1018	~~994~~ 1064	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389
County Civil Defense Director I	~~994~~ 1064	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454
County Civil Defense Director II	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662
County Civil Defense Director III	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	~~1623~~ 1737	~~1696~~ 1815	~~1773~~ 1897
County Civil Defense Director IV	~~1855~~ 1985	~~1940~~ 2076	~~2028~~ 2170	~~2120~~ 2268	~~2220~~ 2375	~~2321~~ 2483	~~2426~~ 2596	~~2533~~ 2710
Local Civil Defense Director I	~~797~~ 853	~~833~~ 891	~~869~~ 930	~~910~~ 974	~~951~~ 1018	~~994~~ 1064	~~1041~~ 1114	~~1088~~ 1164
Local Civil Defense Director II	~~910~~ 974	~~951~~ 1018	~~994~~ 1064	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328
Local Civil Defense Director III	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523
Local Civil Defense Director IV	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	~~1623~~ 1737	~~1696~~ 1815	~~1773~~ 1897
Local Civil Defense Director V	~~1855~~ 1985	~~1940~~ 2076	~~2028~~ 2170	~~2120~~ 2268	~~2220~~ 2375	~~2321~~ 2483	~~2426~~ 2596	~~2533~~ 2710
Operations Officer	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590
Public Information Officer	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590

Radiological Defense Officer	~~951~~ 1018	~~994~~ 1064	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389
Safety Services Coordinator	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590

A. Professional
3. Plan C
a. Class of Positions

Class of Positions	1	2	3	4	5	6	7	8
Administrative Officer	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662
Asst. Civil Defense Director I	~~762~~ 815	~~797~~ 853	~~833~~ 891	~~869~~ 930	~~910~~ 974	~~951~~ 1018	~~994~~ 1064	~~1041~~ 1114
Asst. Civil Defense Director II	~~910~~ 974	~~951~~ 1018	~~994~~ 1064	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328
Asst. Civil Defense Director III	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590
Asst. Civil Defense Director IV	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	~~1623~~ 1737	~~1696~~ 1815	~~1773~~ 1897
Communications Officer	~~994~~ 1064	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454
County Civil Defense Director I	~~994~~ 1064	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454
County Civil Defense Director II	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662
County Civil Defense Director III	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	~~1623~~ 1737	~~1696~~ 1815	~~1773~~ 1897
County Civil Defense Director IV	~~1855~~ 1985	~~1940~~ 2076	~~2028~~ 2170	~~2120~~ 2268	~~2220~~ 2375	~~2321~~ 2483	~~2426~~ 2596	~~2533~~ 2710
Local Civil Defense Director I	~~797~~ 853	~~833~~ 891	~~869~~ 930	~~910~~ 974	~~951~~ 1018	~~994~~ 1064	~~1041~~ 1114	~~1088~~ 1164
Local Civil Defense Director II	~~910~~ 974	~~951~~ 1018	~~994~~ 1064	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328
Local Civil Defense Director III	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1398~~ 1389	~~1359~~ 1454	~~1423~~ 1523
Local Civil Defense Director IV	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	~~1623~~ 1737	~~1696~~ 1815	~~1773~~ 1897
Local Civil Defense Director V	~~1855~~ 1985	~~1940~~ 2076	~~2028~~ 2170	~~2120~~ 2268	~~2220~~ 2375	~~2321~~ 2483	~~2426~~ 2596	~~2533~~ 2710
Operations Officer	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662
Public Information Officer	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662

Radiological Defense Officer	~~994~~ 1064	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454
Safety Services Coordinator	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662

B. Clerical

1. Plan A

a. Class of Positions

Class of Positions	1	2	3	4	5	6	7	8	9
Clerk I	~~474~~ 524	~~491~~ 541	~~507~~ 557	~~523~~ 573	~~539~~ 589	~~558~~ 608	~~579~~ 629	~~600~~ 650	~~621~~ 671
Clerk II	~~539~~ 589	~~558~~ 608	~~579~~ 629	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762
Clerk III	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876
Clerk-Typist I	~~491~~ 541	~~507~~ 557	~~523~~ 573	~~539~~ 589	~~558~~ 608	~~579~~ 629	~~600~~ 650	~~621~~ 671	~~642~~ 692
Clerk-Typist II	~~539~~ 589	~~558~~ 608	~~579~~ 629	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762
Clerk-Typist III	~~621~~ 671	~~642~~ 692	~~663~~ 731	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876
Clerk-Steno I	~~523~~ 573	~~539~~ 589	~~558~~ 608	~~579~~ 629	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736
Clerk-Steno II	~~579~~ 629	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816
Clerk-Steno III	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876	~~858~~ 908

2. Plan B

a. Class of Positions	1	2	3	4	5	6	7	8	9
Clerk I	~~491~~ 541	~~507~~ 557	~~523~~ 573	~~539~~ 589	~~558~~ 608	~~579~~ 629	~~600~~ 650	~~621~~ 671	~~642~~ 692
Clerk II	~~558~~ 608	~~579~~ 629	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789
Clerk III	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876	~~858~~ 908
Clerk-Typist I	~~507~~ 557	~~523~~ 573	~~539~~ 589	~~558~~ 608	~~579~~ 629	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713
Clerk-Typist II	~~558~~ 608	~~579~~ 629	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789
Clerk-Typist III	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876	~~858~~ 908
Clerk-Steno I	~~539~~ 589	~~558~~ 608	~~579~~ 629	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762
Clerk-Steno II	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845
Clerk-Steno III	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876	~~858~~ 908	~~890~~ 940

3. Plan C

a. Class of Positions	1	2	3	4	5	6	7	8	9
Clerk I	~~507~~	~~523~~	~~539~~	~~558~~	~~579~~	~~600~~	~~621~~	~~642~~	~~663~~
	557	573	589	608	629	650	671	692	713
Clerk II	~~579~~	~~600~~	~~621~~	~~642~~	~~663~~	~~686~~	~~712~~	~~739~~	~~766~~
	629	650	671	692	713	736	762	789	816
Clerk III	~~663~~	~~686~~	~~712~~	~~739~~	~~766~~	~~795~~	~~826~~	~~858~~	~~890~~
	713	736	762	789	816	845	876	908	940
Clerk-Typist I	~~523~~	~~539~~	~~558~~	~~579~~	~~600~~	~~621~~	~~642~~	~~663~~	~~686~~
	573	589	608	629	650	671	692	713	736
Clerk-Typist II	~~579~~	~~600~~	~~621~~	~~642~~	~~663~~	~~686~~	~~712~~	~~639~~	~~766~~
	629	650	671	692	713	736	762	789	816
Clerk-Typist III	~~663~~	~~686~~	~~712~~	~~739~~	~~766~~	~~795~~	~~826~~	~~858~~	~~890~~
	713	736	762	789	816	845	876	908	940
Clerk-Steno I	~~558~~	~~579~~	~~600~~	~~621~~	~~642~~	~~663~~	~~686~~	~~712~~	~~739~~
	608	629	650	671	692	713	736	762	789
Clerk-Steno II	~~621~~	~~642~~	~~663~~	~~686~~	~~712~~	~~739~~	~~766~~	~~795~~	~~826~~
	671	692	713	736	762	789	816	845	876
Clerk-Steno III	~~686~~	~~712~~	~~739~~	~~766~~	~~795~~	~~826~~	~~858~~	~~890~~	~~924~~
	736	762	789	816	845	876	908	940	974

B. Clerical

4. Plan D

a. Class of Positions	1	2	3	4	5	6	7	8	9
Clerk I	~~523~~ 573	~~539~~ 589	~~558~~ 608	~~579~~ 629	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736
Clerk II	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845
Clerk III	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876	~~858~~ 908	~~890~~ 940	~~924~~ 974
Clerk-Typist I	~~539~~ 589	~~558~~ 608	~~579~~ 629	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762
Clerk-Typist II	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845
Clerk-Typist III	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876	~~858~~ 908	~~890~~ 940	~~924~~ 974
Clerk-Steno I	~~579~~ 629	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816
Clerk-Steno II	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876	~~858~~ 908
Clerk-Steno III	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876	~~858~~ 908	~~890~~ 940	~~924~~ 974	~~961~~ 1011

5. Plan E

a. Class of Positions	1	2	3	4	5	6	7	8
Clerk I	~~558~~ 608	~~579~~ 629	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762
Clerk II	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876
Clerk III	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876	~~858~~ 908	~~890~~ 940	~~924~~ 974	~~961~~ 1011
Clerk-Typist I	~~579~~ 629	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789
Clerk-Typist II	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876
Clerk-Typist III	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876	~~858~~ 908	~~890~~ 940	~~924~~ 974	~~961~~ 1011
Clerk-Steno I	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845
Clerk-Steno II	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876	~~858~~ 908	~~890~~ 940
Clerk-Steno III	~~766~~ 816	~~795~~ 845	~~826~~ 876	~~858~~ 908	~~890~~ 940	~~924~~ 974	~~961~~ 1011	~~998~~ 1048

6. Plan F

a. Class of Positions	1	2	3	4	5	6	7	8
Clerk I	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816
Clerk II	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876	~~858~~ 908
Clerk III	~~766~~ 816	~~795~~ 845	~~826~~ 876	~~858~~ 908	~~890~~ 940	~~924~~ 974	~~961~~ 1011	~~998~~ 1048
Clerk-Typist I	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845
Clerk-Typist II	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876	~~858~~ 908
Clerk-Typist III	~~766~~ 816	~~795~~ 845	~~826~~ 876	~~858~~ 908	~~890~~ 940	~~924~~ 974	~~961~~ 1011	~~998~~ 1048
Clerk-Steno I	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876
Clerk-Steno II	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876	~~858~~ 908	~~890~~ 940	~~924~~ 974
Clerk-Steno III	~~795~~ 845	~~826~~ 876	~~858~~ 908	~~890~~ 940	~~924~~ 974	~~961~~ 1011	~~998~~ 1048	~~1037~~ 1087

D. Adjustment of the Official Salary Schedule of the Minnesota Merit System

1. The compensation plan provided in 11 MCAR § 1.2140 shall be adjusted for changes in the level of salary rates in business and government ~~and~~ for similar and competing types of employment and for changes in the Twin City Consumer Price Index.

2. In every odd-numbered year ~~T~~the Supervisor shall conduct ~~each year~~ a review of changes in the level of salary rates in the labor market since the time of the ~~survey preceeding the~~ most recent adjustment of the compensation plan. This review shall utilize the data and findings of other labor market surveys and shall, to ghe extent possible, be based upon similar surveys and data ~~each succeeding year~~ used in previous reviews. The Supervisor shall complete this study and report the findings to the Commissioner of Public Safety on or before July 31 of each ~~year~~ odd-numbered 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 percent 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 of 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 and employee organizations shall include the proposed compensation plan, an explanation of the adjustments 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 the evidence, the Governor, through the Commissioner shall make his decision. An amended compensation plan shall not be

effective until the next succeeding January 1, or for those agencies on a bi-weekly o~~f~~r four-week payroll period on the beginning date of the first payroll period following the next succeeding January 1.

6. The ~~local Civil Defense~~ appointing authority may implement ~~an~~ 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.

7. In every even-numbered year, the Supervisor shall conduct a review of the changes in the consumers price index for urban wage earners and clerical workers for Minneapolis-St. Paul, as published by the Bureau of Labor Statistics, new series index (1967=100). The Supervisor shall recommend that all rates of pay in the Professional and Clerical salary schedules be adjusted by an amount equal to 80 percent of the increase between the consumer price index for June of the current year and the consumer price index for June of the preceding year. This amount shall be rounded to the nearest tenth of a percent and may not exceed 8%. The new recommended monthly salary rates shall be rounded to the nearest whole dollar. The same percentage increase recommended by the Supervisor for all rates of pay shall be recommended as a general salary adjustment for all incumbents of positions in the Professional and Clerical salary schedules. An amended compensation plan resulting from these recommendations shall not be effective until the next succeeding January 1, or for those agencies on a bi-weekly or four-week payroll period on the beginning date of the first payroll period following the next succeeding January 1.

E. Negotiation of 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 consistent with the functions outlined in the class specifications. Initial, intervening, and maximum rates of pay for each 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.~~ the appointing authority and the exclusive representative shall negotiate a salary schedule for the new classification within sixty days of the date of establishment of the classification.

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.

STATE OF MINNESOTA

DEPARTMENT OF PUBLIC SAFETY

IN THE MATTER OF THE PROPOSED AMENDMENTS OF EXISTING RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING THE COMPENSATION PLAN AND SALARY ADJUSTMENTS AND INCREASES

ORDER FOR HEARING

IT IS HEREBY ORDERED that a public hearing on the above captioned rules be held in the Auditorium, State Office Building, Room 83, 435 Park Street, St. Paul, Minnesota, on October 15, 1979, commencing at 9:30 A.M. and continuing until all persons have had an opportunity to be heard.

IT IS FURTHER ORDERED that a Notice of Hearing be mailed to all persons, representatives of associations, or other interested groups, who have registered their names with the Secretary of State for that purpose.

IT IS FURTHER ORDERED that the Notice of Hearing be published in the State Register.

Dated: August 23, 1979

John P. Sopsic
Commissioner

STATE OF MINNESOTA

DEPARTMENT OF PUBLIC SAFETY

IN THE MATTER OF THE PROPOSED AMENDMENTS
OF EXISTING RULES OF THE MINNESOTA MERIT
SYSTEM GOVERNING THE COMPENSATION PLAN AND
SALARY ADJUSTMENTS AND INCREASES

NOTICE OF HEARING

Notice is hereby given that a public hearing in the above-entitled matter will be held pursuant to Minn. Stat. § 15.0412, subd. 4, in the State Office Building Auditorium, Room 83, 435 Park Street, St. Paul, Minnesota, on October 15, 1979, commencing at 9:30 A.M.

All interested or affected persons will have an opportunity to participate concerning the rules captioned above. Statements may be made orally and written material may be submitted. In addition, whether or not an appearance is made at the hearing, written statements or materials may be submitted to

original contains name of H.E.

either before the hearing or within five (5) working days after the close of the hearing. The hearing examiner may keep the record open for a longer period not to exceed 20 calendar days. All such statements will be entered into and become part of the record.

Proposed revisions to 11 MCAR § 1.2140 amend the Merit System Compensation Plan for positions in county and local emergency services agencies which are under the Minnesota Merit System. As a result of the 1979 Minnesota Merit System Salary Survey, conducted in accordance with 11 MCAR § 1.2094 D., a new Compensation Plan is proposed for 1980. It is recommended that: Professional Compensation Plans A, B, and C be adjusted 7% at minimum, maximum and intervening steps; and Clerical

Compensation Plans A, B, C, D, E, and F be adjusted $50 at minimum, maximum and intervening steps. The effective date of these adjustments is January 1, 1979, or the beginning date of the first payroll period following January 1, 1979, for agencies on a bi-weekly or four-week payroll period.

Proposed revisions to 11 MCAR 1.2116 B. 2. recommend a general adjustment of 7% for incumbents on the Professional Plans and a general adjustment of $50 for incumbents on the Clerical Plans. The effective date of these recommended adjustments is January 1, 1979, or the beginning date of the first payroll period following January 1, 1979, for agencies on a bi-weekly or four week payroll period.

Proposed revisions to 11 MCAR § 1.2094 involve adding a section to provide for recommending salary adjustments in even-numbered years equivalent to 80 percent of the increase in the June to June Bureau of Labor Statistics Twin City consumer price index for urban wage earners and clerical workers rounded to the nearest tenth of a percent and not to exceed 8%, to be effective the next succeeding January 1, or for those agencies on a bi-weekly or four week payroll period on the beginning date of the first payroll period following the next succeeding January 1. Changes in language of the current rule are made to make it consistent with the new section and the rules of the Department of Health Merit System (7 MCAR § 1.239 D.) and Department of Public Welfare (12 MCAR § 2.494 D.).

The proposed revision to 11 MCAR § 1.2094 E. 1. requires the appointing authority and exclusive representative, where there is one, to negotiate a salary schedule for new classifications established in the middle of a contract period within sixty days of the establishment of the classification. Currently the Merit System Supervisor is responsible for establishing such salary schedules where no such procedure for establishing a schedule exists in the labor contract.

The proposed rule changes will result in approximately $1344 increased county and local expenditures. The authority for the proposed changes is contained in Minn. Stat. § 12.22.

Copies of the proposed rule are now available and at least one free copy may be obtained by writing to Ralph Corey, Merit System, Department of Public Welfare, Centennial Building, St. Paul, Minnesota 55155, telephone (612) 296-3996. Additional copies will be available at the door on the date of the hearing.

Notice is hereby given that 25 days prior to the hearing a statement of need and reasonableness will be available for review at the agency and at the Office of Hearing Examiners. This statement of need and reasonableness will include a summary of all of the evidence which will be presented by the agency at the hearing justifying both the need for and the reasonableness of the proposed and amended rules. Copies of the statement of need and reasonableness may be obtained from the Office of Hearing Examiners at a minimal charge.

Any person may request notification of the date on which the hearing examiner's report will be available, after which date the commissioner may not take any final action on the rules for a period of five (5) working days. Any person may request notification of the date on which the hearing record has been submitted to the Attorney General by the agency. If you desire to be so notified, you may so indicate at the hearing. After the hearing, you may request notification by sending a written request to the hearing examiner, in the case of the hearing examiner's report, or to the agency, in the case of the agency's submission or resubmission to the Attorney General.

In addition, please be advised that Minn. Stat. Ch. 10A requires each lobbyist to register with the State Ethical Practices Board within five (5) days after he commences lobbying. A lobbyist is defined in Minn. Stat. Sect. 10A.01, Subd. 11 as any individual:

(a) Engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than $250, not including his own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative

action by communicating or urging others to communicate with public officials; or

(b) Who spends more than $250, not including his own traveling expenses and membership dues, in any year for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials.

The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, St. Paul, Minnesota 55155, telephone (612) 296-5615.

August 23, 1979

John P. Sopsic

Commissioner of Public Safety

ERRORS IN THE ENCLOSED NOTICES OF HEARING

The enclosed Notices of Hearing for the Department of Health, Department of Public Safety and Department of Public Welfare list the effective date of the proposed salary adjustments in the Compensation Plans and the general adjustments for incumbents as January 1, 1979, or the beginning date of the first payroll period following January 1, 1979 for agencies on a bi-weekly or four-week payroll period. This is incorrect. The correct date is January 1, 1980, or the beginning date of the first payroll period following January 1, 1980 for agencies on a bi-weekly or four-week payroll period.

STATE OF MINNESOTA

DEPARTMENT OF PUBLIC SAFETY

IN THE MATTER OF THE PROPOSED AMENDMENTS OF EXISTING RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING THE COMPENSATION PLAN AND SALARY ADJUSTMENTS AND INCREASES

CERTIFICATE OF DELIVERY OF THE SECRETARY OF STATE'S LIST

I hereby certify that the attached 326 labels 13 sheets constitute the complete list of persons, associations, and other interested groups who as of 9:05 o'clock AM .P. this 10th day of September 1979, have requested purusant to M.S. 1976, 15.0412 Subd. 4, 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

Donna Scott

STATE OF MINNESOTA

DEPARTMENT OF PUBLIC SAFETY

IN THE MATTER OF THE PROPOSED AMENDMENTS OF EXISTING RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING THE COMPENSATION PLAN AND SALARY ADJUSTMENTS AND INCREASES

AFFIDAVIT OF RECEIPT OF THE SECRETARY OF STATE'S LIST

DIANE LYNN HIRTE, being duly sworn on oath deposes and says:

1) That she is an employee of the Special Services Division of the Department of Public Welfare for the State of Minnesota.

2) That on the 10th day of September, 1979, she went to the Secretary of State's office for the State of Minnesota and requested a current list of all representative of associations or other interested groups or persons who had registered their names with the Secretary of State for the purpose of obtaining notices of public hearings relating to the promulgation of rules pursuant to M.S. 15.0412.

3) That on the 10th day of September, 1979, in response to the above request, the Secretary of State provided her with such a list, a copy of which is attached hereto and incorporated by reference.

Further affiant sayeth not.

Diane L Hirte

Subscribed and sworn to before me

this 14 day of September,

1979.

Margaret Holt

MARGARET HOLT
NOTARY PUBLIC-MINNESOTA
RAMSEY COUNTY
My Comm. Expires Sept. 22, 1984

STATE OF MINNESOTA

DEPARTMENT OF PUBLIC SAFETY

IN THE MATTER OF THE PROPOSED AMENDMENTS
OF EXISTING RULES OF THE MINNESOTA MERIT
SYSTEM GOVERNING THE COMPENSATION PLAN AND
SALARY ADJUSTMENTS AND INCREASES

AFFIDAVIT OF MAILING

DIANE LYNN HIRTE, being first duly sworn, deposes and says:

That on the 13th day of September, 1979, at the City of St. Paul, County of Ramsey, State of Minnesota, she 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.

Diane L. Hirte

Subscribed and sworn to before me

this 14 day of September, 1979.

Margaret Holt

MARGARET HOLT
NOTARY PUBLIC-MINNESOTA
RAMSEY COUNTY
My Comm. Expires Sept. 22, 1984

STATE OF MINNESOTA

DEPARTMENT OF PUBLIC SAFETY

IN THE MATTER OF THE PROPOSED AMENDMENTS OF EXISTING RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING THE COMPENSATION PLAN AND SALARY ADJUSTMENTS AND INCREASES

AFFIDAVIT OF ADDITIONAL MAILING

DIANE LYNN HIRTE, being first duly sworn, deposes and says:

That on the 13th day of September, 1979, at the City of St. Paul, County of Ramsey, State of Minnesota, in addition to mailing the attached Notice of Hearing to all persons and associations listed on the Secretary of State's list, she also 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 the following agencies:

All Minnesota County Welfare Departments
All Minnesota Human Service Boards
All Minnesota Area Mental Health Boards
All Minnesota State Hospitals
Chairman of Welfare Boards
17 Unions
3 Councils
Lois Borden
3 Personnel Offices
Comm. of Health and Safety
39 Civil Defense Offices
3 Public Health Offices
Headwaters Nutrition

Diane L. Hirte

Subscribed and sworn to before me

this 14 day of September,

1979.

Margaret Holt

MARGARET HOLT
NOTARY PUBLIC-MINNESOTA
RAMSEY COUNTY
My Comm. Expires Sept. 22, 1984

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE ARTHUR E. NOOT
COMMISSIONER OF PUBLIC WELFARE

BEFORE GEORGE R. PETTERSON, M.D.
COMMISSIONER OF HEALTH

BEFORE JOHN P. SOPSIC
COMMISSIONER OF PUBLIC SAFETY

IN THE MATTER OF THE PROPOSED ADOPTION OF RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING THE COMPENSATION PLAN; SALARY ADJUSTMENTS AND INCREASES; AND THE CLASSIFICATION PLAN

STATEMENT OF NEED AND REASONABLENESS

The following considerations constitute the statutory and regulatory authority upon which the above-cited rule amendments are based:

1. 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. 42 USC Ch. 62.[1/]

1/ Also see sections of the United States Code cited hereinafter where the following programs have a statutory requirement for the establishment and maintenance of personnel standards on a merit basis:

Aid to Families With Dependent Children - "AFDC" [42 USC § 602 (a) (5) (A)]
Food Stamps [7 USC § 2020 (e) (6) (B)]
Medical Assistance = "MA" [42 USC § 1396a (a) (4) (A)]
Social Services [42 USC § 1397b (d) (1) (D)]
Comprehensive Mental Health Services [42 USC § 2689T (a) (1) (d)]
Aid to the Blind [42 USC § 1202 (a) (5) (A)]
Aid to the Permanently and Totally Disabled [42 USC § 1352 (a) (5) (A)]
Aid to the Aged, Blind or Disabled [42 USC § 1382 (a) (5) (A)]
Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation [42 USC § 4573 (a) (5)]
Drug Abuse Prevention [21 USC § 1176 (e) (8)]
Comprehensive Health Planning [42 USC 300M-1(b) (4) (B)]
Health Resources Development [42 USC § 300o-2(b)]
Civil Defense Personnel and Administrative Expenses [50 USC Appx. § 2286(a) (4)]
Medical Facilities Assistance [42 USC § 300o-1(b)]

Maternal and Child Health Services/Crippled Children Services
[42 USC § 705(a) (3) (a)]
Developmental Disabilities Services and Facilities Construction
[42 USC § 6063(b) (7)]
State and Community Programs on Aging [12 USC § 3027(a) (4)]
Nutrition Programs for the Elderly [42 USC § 3045d (a) (3)]

2. Pursuant to such Congressional action the U.S. Department of Health, Education and Welfare (HEW), Department of Labor and Department of Defense promulgated 5 CFR Part 900, Subpart F which imposes upon the State of Minnesota general requirements for a merit system of personnel administration. Those standards require that in order to be eligible for federal grant-in-aid funds the Minnesota Merit System must specifically include, among other things, a position classification plan (5 CFR § 900.604-1), a comprehensive compensation plan (5 CFR § 900.604-1), and an active recruitment, selection and appointment program (5 CFR §§ 900.602-900.603).

3. Under the aforementioned grant-in-aid programs the State of Minnesota, through its appropriate agencies, is the grantee of federal program and administrative funds and, accordingly, the State is under an affirmative obligation to insure that such monies are properly and efficiently expended in compliance with applicable federal standards.

4. In conformance with 5 CFR Part 900, Subpart F, the Minnesota Legislature enacted Minn. Stat. § 12.22 subd. 3, § 144.071 and § 393.07 subd. 5, which respectively authorize the commissioner of public safety, the commissioner of health, and the commissioner of public welfare to adopt necessary methods of personnel administration for implementing merit systems within their individual agencies. Collectively, the resulting programs are referred to as the "Minnesota Merit System".

5. Pursuant to such statutory authority those state agencies have adopted comprehensive administrative rules which regulate administration of the Minnesota Merit System. 2/

2/ 12 MCAR §§ 2.490-2.841, 11 MCAR §§ 1.2090-1.2141 and 7 MCAR §§ 1.235-1.315.

6. The above-cited proposed rule amendments are promulgated in accordance with the provisions of applicable Minnesota statutes and expressly guarantee the rights of public employers and Minnesota Merit System employees in conformance with the terms of the state's Public Employment Labor Relation Act [Minn. Stat. §§ 179.61-179.77].

7 The Minnesota Supreme Court has expressly recognized the authority of the Commissioner of Public Welfare and, implicitly, the similar authority of the Commissioner of Public Safety and the Commissioner of Health, to adopt such rules by declaring:

> . . . it is clear that the Director of Social Welfare 3/ was clearly right in adopting and promulgating a merit plan which includes 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 program nor the determination of his tenure of office and individual compensation.

State ex rel. Hennepin County Welfare Board and another v. Robert F. Fitzsimmons, et al., 239 Minn. 407, 420, 58 N.W. 2d 882, 890 (1953). (Footnote added.)

3/ The "Director of Social Welfare" was the former title of the current office of "Commissioner of Public Welfare".

II. The justification establishing the reasonableness of the specific substantive provisions of the proposed rules, all of which concern the Minnesota Merit System operation, is as follows:

A. COMPENSATION PLAN, SALARY ADJUSTMENTS AND INCREASES

1. 12 MCAR § 2.516, 7 MCAR § 1.260 and 11 MCAR § 1.2116

These rules deal with salary adjustments and increases. Amendments to 12 MCAR § 2.516 B. 2. and 7 MCAR § 1.260 B. 2. are necessary to update these rules and to implement recommended salary adjustments for Minnesota Merit System employees for 1980. The amendments propose that incumbents covered by the official Merit System Compensation Plan on the Professional and Support Salary Schedules receive a 7% adjustment in their monthly salary; that incumbents on the Clerical Salary Schedules receive a $50 increase in their monthly salary and that incumbents on the Maintenance and Trades and Building Maintenance Salary Schedules receive a two step adjustment in their monthly salary (approximately 8%).

The proposed amendment to 11 MCAR § 1.2116 B. 2. provides that incumbents covered by the official Merit System Compensation Plan on the Professional Salary Schedule receive a 7% adjustment in their monthly salary and that incumbents on the Clerical Salary Schedule receive a $50 increase in their monthly salary.

All of the proposed salary adjustments are recommended to become effective January 1, 1980, or, for those agencies on a bi-weekly or four-week payroll period, on the beginning date of the first payroll period following January 1, 1980. If these recommendations are adopted, the only requirement would be that employees covered by the official Merit System Compensation Plan at least be at the minimum salary for their class. Granting of any recommended salary adjustments to employees above the minimum salary for their class is discretionary with the appointing authorities. In addition, agencies may adopt a different general adjustment from that proposed by the Merit System for their employees as long as such adjustments at least place employees at the minimum salary for their class on the Merit System Compensation Plan adopted by the agency and not over the maximum salary. The proposed salary adjustments do not apply to agencies with negotiated collective bargaining agreements. The proposed salary

adjustments contained in these amendments are based on data shown in the 1979 Minnesota Merit System Salary Survey, which document is expressly incorporated herein by reference. Salary data from some 25 different sources were included in this survey covering salaries paid for comparable positions in public and private jurisdictions within Minnesota and elsewhere. Although the Merit System Rules do not require it, changes in the Consumer Price Index (CPI) both nationwide and in the Twin Cities have also been a factor traditionally considered when proposing salary adjustments. For the period June, 1978, to June, 1979, which is the historic base period used in the salary survey, there was an 11.1% increase in the Consumer Price Index nationwide and a 12.4% increase in the Twin City CPI. The CPI is based on urban wage earners and clerical workers buying power and was a factor taken into consideration in determining the proposed amount of increase for the professional and support employee salary adjustments. Another factor considered was the Bureau of Labor Statistics Report on Wages and Salaries in the Minneapolis-St. Paul area for 1978 which showed an 8.6% average increase in office clerical salaries from January, 1978, to January, 1979; an average salary increase of 8.3% for skilled maintenance workers for the same period; and an average salary increase of 8.1% for unskilled plant workers for this period of time. This information, together with other salary data contained in the salary survey was considered in determining the proposed amount of increase for clerical, maintenance and trades and building maintenance employee salary adjustments.

2. 12 MCAR § 2.840, 7 MCAR § 1.314 and 11 MCAR § 1.2140

These rules deal with the compensation plan. 12 MCAR § 2.494 D., 7 MCAR § 1.239 D. and 11 MCAR § 1.2094 D. require that the Merit System Supervisor conduct an annual salary survey involving a review of the changes in the level of salary rates which have occurred in the labor market since the time of the survey preceding the most recent adjustment of the compensation plan. The survey is to be completed and the findings reported to the Commissioners of Public Welfare, Health and Public Safety by July 31 of each year. If the findings reveal an increase or decrease in salary rates in the labor market for similar and/or competing employment of 4% or more,

these rules require a public hearing. The 1979 salary survey utilized data and findings of other labor market surveys as well as current salaries being paid for similar employment in other public and private jurisdictions and was based, to the extent practicable, on the same sources of data and surveys used in past studies to determine salary increases which have occurred. Actual minimum and maximum salaries for classes in the Merit System were compared to salaries for similar positions in other public agencies and business, and consideration was also given to increases in the cost-of-living and to current labor market conditions.

The proposed revisions to 12 MCAR § 2.840 A., 7 MCAR § 1.314 A. and 11 MCAR § 1.2140 A. are needed to implement recommended salary adjustments in the Merit System Compensation Plan for positions in the county welfare and human services agencies and local and county public health and emergency services agencies. Proposed amendments to 12 MCAR § 2.840 A., 7 MCAR § 1.314 A. and 11 MCAR § 1.2140 A. adjust the minimum and maximum salaries and intervening steps for all classes on the professional salary schedule by 7% effective January 1, 1980, or, for those agencies on a bi-weekly or four-week payroll period, on the beginning date of the first payroll period following January 1, 1980, with the following exceptions:

a. Welfare classes of Administrative Assistant III, Dietitian, Public Health Nurse, Public Health Nurse (Team Leader), Senior Public Health Nurse and Social Welfare Supervisor III minimum and maximum salaries adjusted approximately 12%.

b. Welfare classes of Accountant II, Nutrition Project Assistant Director, Sanitarian I, Systems Programmer Analyst and Volunteer Services Coordinator I minimum salaries adjusted 7% and maximum salaries adjusted approximately 12%.

c. Welfare class of Physical Therapist minimum and maximum salary adjusted approximately 9%.

d. Welfare class of Social Worker I minimum salary adjusted 7% and maximum salary adjusted approximately 40%.

e. Public Health classes of Public Health Nurse, Public Health Nurse (Team Leader) and Senior Public Health Nurse minimum and maximum salaries adjusted approximately 12%.

f. Public Health class of Sanitarian I minimum salary adjusted 7% and maximum salary adjusted approximately 12%.

The different adjustment proposed for categories a. and e. listed above is based on minimum and maximum salaries for comparable jobs as determined by the salary survey and by traditional salary relationships which have existed between those classes in an occupational series.

The different adjustment proposed for categories b., c. and f. listed above are based on minimum and maximum salaries for comparable jobs as determined by the salary survey.

The different adjustment proposed for category d. listed above is based on the elimination of a mandatory junior-senior plan of promotion for Social Worker I to Social Worker II. It was necessary, in view of this change, to provide a salary range for the Social Worker I class which approximates that provided for the Social Worker II classification. The current salary range for Social Worker I has only four salary steps.

The proposed amendments to 12 MCAR § 2.840 B. and 7 MCAR § 1.314 B. adjust the minimum and maximum salaries and intervening steps for all classes on the Support Salary Schedules by 7% effective January 1, 1980, or, for those agencies on a bi-weekly or four-week payroll period, on the beginning date of the first payroll period following January 1, 1980, with the following exceptions:

a. Welfare classes of Coordinator of Aging, Financial Assistance Specialist, Financial Worker II and Senior Case Aide minimum and maximum salaries adjusted approximately 9%.

b. Welfare class of Financial Assistance Supervisor I minimum and maximum salary adjusted approximately 12%.

c. Welfare class of Financial Assistance Supervisor II minimum salary adjusted 7% and maximum salary adjusted approximately 12%.

d. Welfare classes of Case Aide and Financial Worker I minimum salaries adjusted approximately 9% and maximum salaries adjusted approximately 25%.

e. Welfare classes of Community Service Aide, Public Health Aide and Senior Citizen's Aide minimum and maximum salaries adjusted approximately 17%.

f. Public Health classes of Inspector I, Inspector II and Laboratory Technician minimum and maximum salaries adjusted approximately 9%.

g. Public Health class of Medical Laboratory Assistant minimum and maximum salary adjusted approximately 12%.

h. Public Health class of Public Health Aide minimum and maximum salary adjusted approximately 17%.

The different adjustment proposed for categories a., b., c. and f. listed above is based on minimum and maximum salaries for comparable jobs as determined by the salary survey and by traditional salary relationships which have existed between classes in an occupational series.

The different adjustment proposed for category d. listed above is based on the elimination of a mandatory junior-senior plan of promotion for Financial Worker I to Financial Worker II and Case Aide to Senior Case Aide. It was necessary, in view of this change, to provide a salary range for the Financial Worker I and Case Aide classes which approximates that provided for the Financial Worker II and Senior Case Aide classes. Currently, these two classes only have six salary steps. The adjustment at the minimum of these two classes is based on minimum salaries for comparable jobs as determined by the salary survey.

The different adjustment proposed for categories e. and h. listed above are based on the necessity for conformance to the increase in the state minimum wage to $2.90 per hour effective January 1, 1980.

The different adjustment proposed for category g. listed above is based on minimum and maximum salaries for comparable jobs as determined by the salary survey. All such adjustments proposed are needed to maintain competitive salaries for Merit

System positions.

The proposed amendments to 12 MCAR § 2.749 C., 7 MCAR § 1.314 C. and 11 MCAR § 1.2140 B. are needed to implement salary recommendations for clerical classes. These amendments adjust the minimum and maximum salaries and intervening steps for all classes on the A, B, C, D, E and F Clerical Salary Schedules by $50 per month effective January 1, 1980, or, for those agencies on a bi-weekly or four-week payroll period, on the beginning date of the first payroll period following January 1, 1980. The recommended adjustments are based on comparisons to minimum and maximum salaries for comparable positions as determined by the salary survey and, to some extent, by the results of the Bureau of Labor Statistics Report on Wages and Salaries in the Minneapolis-St. Paul area for 1978 which showed an 8.6% average increase in office clerical salaries from January, 1978, to January, 1979.

Proposed amendments to 12 MCAR § 2.840 D. and 7 MCAR § 1.314 D. are needed to implement salary recommendations for all classes on the Maintenance and Trades and the Building Maintenance Salary Schedules. These amendments adjust the minimum and maximum salaries and intervening steps for all classes on these schedules by two steps (approximately 8%) effective January 1, 1980, or, for those agencies on a bi-weekly of four-week payroll period, on the beginning date of the first payroll period following January 1, 1980. The recommended adjustments are based on comparisons to minimum and maximum salaries for comparable positions as determined by the salary survey and by the results of the Bureau of Labor Statistics Report on Wages and Salaries in the Minneapolis-St. Paul area for 1978 which showed an average salary increase of 8.3% for skilled maintenance workers from January, 1978, to January, 1979; and an average salary increase of 8.1% for unskilled plant workers for the same period.

Additional justification beyond that already mentioned in support of the reasonableness of the recommended adjustments of the salary schedules includes, but is not limited to, the following:

a. Hennepin County Welfare Department employees received a general salary adjustment of 8% effective December 31, 1978, based upon a cost of living formula.

b. St. Louis County Civil Service employees received a general salary adjustment of 7.5% effective January 1, 1979.

c. Ramsey County Welfare Department employees received a general salary adjustment of 8.96% effective January 1, 1979.

d. City of Minneapolis employees received a general salary adjustment of $13.00 bi-weekly effective January 1, 1979.

e. City of St. Paul clerical employees received a 6% general salary adjustment, supervisory professional employees a 5.25% adjustment and professional employees a 5.5% adjustment, all effective on January 1, 1979.

f. Employees of the State of Minnesota did not receive a general salary adjustment on January 1, 1979, but did receive varying general salary adjustments effective July 4, 1979. Professional employees received average increases of 4.6%, trades employees received average increases of 6.8% and clerical and support employees received average increases of 5.5%. Considering progression increases available over the biennium, projected cost of living increases and increases in fringe benefits, the total compensation increase for state employees approximates 7% for each year of the biennium.

g. Employees of the Federal Government received a general salary adjustment of 5.5% in October, 1978, and may receive an additional increase of 7% in October, 1979, although Congress has not yet decided on the amount of the anticipated increase.

h. The Employment Cost Index, developed by the Bureau of Labor Statistics, United States Department of Labor, measures changes in straight time average hourly wages and salaries. It does not include increases in employee benefit costs but can be used for general comparison purposes. The index shows that for the twelve month period ending in June, 1979, wage and salary rates rose by 7.6% nationwide.

i. The Salary Survey of the College Placement Council March report indicated an average monthly salary offer of $911 per month to 1979 social service graduates which represents an increase of 8.7% over 1978 offers to such graduates. This compares to the proposed entry salaries of $1018, $1064 and $1114 per month on the Merit System A, B and C compensation plans, respectively, for Social Worker I.

j. The Endicott Survey which is a report of beginning salaries which leading companies plan to offer high-quality college graduates in 1979 showed the average anticipated monthly salary being offered to 1979 liberal arts graduates to be $1062 which represents an increase of 6.6% over the actual average offer made to 1978 liberal arts graduates.

k. Under the provisions of 12 MCAR § 2.494 D. teacher salaries are to be used in setting Merit System salaries for welfare professional employees. Teachers in only 38 of the state's 437 school districts have settled contracts for the 1979-80 and 1980-81 school year. In these districts, which comprise only 8.77% of the total, the average starting salary is $1035 per month for a 10 month school year. This represents an 8.5% increase over 1978-79 for the total compensation package (including insurance, extra-curricular pay, etc.). Again, this compares to the proposed entry salaries of $1018, $1064 and $1114 per month on the Merit System A, B and C compensation plans, respectively, for Social Worker I. Traditionally, the minimum salary for Social Worker I on the B salary schedule has been linked to the median minimum BA teacher salary.

Considerable more data was used in addition to that cited above in arriving at the recommended 1980 salary adjustments and all of the data relied upon is contained in the 1979 Minnesota Merit System Salary Survey.

B. PERSONNEL PROCEDURES AND POLICIES

1. 12 MCAR § 2.494, 7 MCAR § 1.239 and 11 MCAR § 1.2094

These rules deal with the compensation plan. Proposed amendments to 12 MCAR § 2.494 D. 1, 7 MCAR § 1.239 D. 1. and 11 MCAR § 1.2094 D. 1. require that the Merit System review changes in the Twin City Consumer Price Index when proposing adjustments to the Merit System Compensation Plan. These changes are necessary to implement the proposed amendments 12 MCAR § 2.494 D. 7., 7 MCAR § 1.239 D. 7. and 11 MCAR § 1.2094 D. 7. establishing a cost of living formula in recommending salary adjustments during even-numbered years. Likewise, proposed amendments to 12 MCAR § 2.494 D. 2., 7 MCAR § 1.239 D. 2. and 11 MCAR § 1.2049 D. 2. are necessary to conform to and provide consistency with the same proposed amendments and to continue the conducting of a salary survey during odd-numbered years.

Proposed amendments to 12 MCAR § 2.494 D. 3. and 4., 7 MCAR § 1.239 D. 3. and 4 and 11 MCAR § 1.2094 D. 3. and 4. are needed to provide consistent language in all three rules. The elimination of the last sentence in 7 MCAR § 1.239 D. 4. and 11 MCAR § 1.2094 D. 4. is reasonable based not only on the desire for consistency in language with 12 MCAR § 2.494 D. 4. but on the fact that the notice of hearing indicates the availability of such information and the Merit System has always complied and will continue to comply with such requests from individuals and groups.

A proposed amendment to 12 MCAR § 2.494 D. 3. eliminates a specific reference in the current rule to consideration of salary rates in the teaching profession when proposing salary adjustments for professional welfare classes in the official Merit System Compensation Plan. Salary rates for teachers is only one of many factors considered in determining recommended adjustments for professional classes. Comparisons of salary rates for professional level positions with similar duties and responsibilities outside the Merit System are made to appropriate professional Merit System classes and these comparisons together with general labor market conditions are also used in determining recommended salary adjustments. There are no specific teacher classifications in the official Merit System Compensation Plans and no classes where the incumbent has duties and responsibilities which are similar in nature to that of a public school teacher. While the Merit System will continue to review teacher salaries when conducting future salary surveys, there is no need or compelling rationale, in view of the above, to continue a specific rule reference to salaries in the teaching profession (or any other specific profession) when considering salary adjustments for professional classifications.

Proposed minor amendments to 12 MCAR § 2.494 D. 5., 7 MCAR § 1.239 D. 5. and 11 MCAR § 1.2094 D. 5. are needed to merely clarify the effective date for an amended compensation plan.

Proposed minor amendments to 12 MCAR § 2.494 D. 6., 7 MCAR § 1.239 D. 6. and 11 MCAR § 1.2094 D. 6. substitute the generic term "appointing authority" for specific language currently in these three sections of the rule The change proposed in 12 MCAR § 2.494 D. 6. is necessary since this rule applies both to county welfare and human services agencies and their employees while the changes proposed in 7 MCAR § 1.239 D. 6. and 11 MCAR § 1.2094 D. 6. are necessary to provide language consistent with 12 MCAR § 2.494 D. 6. Another minor amendment to 12 MCAR § 2.494 D. 6. and 7 MCAR § 1.239 D. 6. substitutes the word "numerically" for "alphabetically" and is necessary since individual salary steps in the compensation plans are identified numerically rather than alphabetically.

Proposed amendments 12 MCAR § 2.494 D. 7., 7 MCAR § 1.239 D. 7. and 11 MCAR § 1.2094 D. 7. add new language to 12 MCAR § 2.494, 7 MCAR § 1.239 and 11 MCAR § 1.2094. They provide that, in each even-numbered year, a review will be conducted by the Supervisor of the change in the Twin City Consumer Price Index for urban wage earners and clerical workers. As a result of that review, recommended general salary adjustments for all classes on the official salary schedule of the Minnesota Merit System will be made in an amount equal to 80 percent of the increase in that index which occurred between June of the preceding year and June of the current year. That amount will be rounded to the nearest tenth of a percent and may not exceed 8%. The same percentage increase recommended for all rates of pay on the official salary schedule of the Minnesota Merit System would also be recommended as a general salary adjustment for all incumbents of positions on all salary schedules. The recommended adjustments would result in an amended compensation plan to be effective the following January 1 or on the beginning date of the first payroll period after the following January 1 for those agencies on a bi-weekly or four-week payroll period.

Presently, the rules require that a salary survey be conducted by the Supervisor on an annual basis. The process of collecting, analyzing and printing the salary survey data together with recommendations for salary adjustments is a complicated, lengthy and time-consuming process involving the full time involvement of nearly all the Merit System staff. During this period of time the level of service being provided by the Merit System staff to agencies does suffer in terms of timeliness in responding to personnel issues and problems encountered by the various agencies. It is necessary to consider some alternative to the annual salary survey to increase the level of service being provided by the Merit System during the time of the year when all staff are heavily or completely involved in the salary survey process. In addition to a recognition of this need, it has also been noted that salary rates for a specific classification do not typically vary significantly from the general change in salary rates that occur within a jurisdiction during a one year period. Rather, they are more likely to approximate that general increase in rates. This has been shown to be true over the years by the relatively few number of Merit System classes that are recommended to have their salary ranges adjusted by a different percentage than the general adjustment recommended for the majority of classes each year. The proposed amendment is reasonable in that it will alleviate the

concern expressed over the level of service provided by Merit System staff but still provide for an actual salary survey to be conducted in each odd-numbered year so that salary adjustments for specific classes that deviate significantly from the average can be identified and reflected in proposed adjustments for comparable Merit System classes in those years.

Although there are several jurisdictions in Minnesota that provide for salary adjustments based on a cost of living formula using the Twin City Consumer Price Index, there are none, to the best of our knowledge, which provide adjustments in an amount equal to 100% of the percentage increase in the index. The Merit System proposed amendment basing the adjustment on 80% of the increase in the index is consistent with the formula used by both Hennepin and Ramsey Counties which also use 80% of the increase in determining the amount of salary adjustment generated by the formula. Based on the above, the proposed 80% limitation on the increase in the Twin City Consumer Price Index as contained in the proposed formula is reasonable.

The proposed amendments also provide that the adjustment arrived at through application of the formula may not exceed 8%. Only if the percentage increase in the Twin City Consumer Price Index exceeded 10% would the recommended adjustment in employee salaries be less than what it would be if there were no 8% maximum adjustment in the formula. At this point in time, of course, it is impossible to predict what the increase in the Twin City Consumer Price Index will be for the period June, 1979, to June, 1980, which would be the period of time used to calculate proposed salary increases if this amendment is approved. However, the proposed 8% limit on adjustments is consistent with the formula employed by Hennepin County which includes a maximum adjustment of 8%. The City of Minneapolis, in its current negotiations, has proposed a maximum limit on its cost of living formula of 7.5%. Secondly, a maximum adjustment of 8% in January, 1981, as proposed, coupled with the proposed general adjustment of 7% for January, 1980, continues a commitment to compliance with the Presidential Wage/Price Guidelines which limit wage adjustments to a maximum of 14.49% over a two year period and also compares favorably with the 14% increase in salaries of state employees occurring over the two year period from July 1, 1979, through June 30, 1981. Thirdly, a maximum recommended adjustment of 8% is not inconsistent with salary increase patterns for 1978-79 in the metropolitan area. The Stanton Associates 1979 Twin Cities Metropolitan Area Salary Survey reported on prevailing wage and salary patterns across 147 participating

government jurisdictions. The report showed that mean salaries increased 5.4% during the year. A group-by-group summary of salary increase patterns reported showed the following: salaries up 3.3% for state agencies (State of Minnesota and University of Minnesota); salaries up 8.0% for metropolitan-wide agencies (Metropolitan Airports Commission, Metropolitan Council, Metropolitan Waste Control Commission and Metropolitan Transit Commission); salaries up 7.1% for Hennepin and Ramsey Counties, Minneapolis and St. Paul; salaries up 8.6% for suburban counties (Anoka, Dakota, Washington, Scott and Carver Counties); salaries up 7.3% for suburbs over 10,000 population and salaries up 8.4% for suburbs under 10,000 population. Considering the above, the proposed 8% limitation on adjustments contained in this amendment is reasonable. It should be pointed out, again, that adjustments resulting from the proposed formula are only recommendations and that individual agencies may choose to grant adjustments that differ from the Merit System recommendation. Also, the proposed amendment will not apply to those agencies with collective bargaining agreements.

Finally, amendments are being proposed to 12 MCAR § 2.494 E. 1., 7 MCAR § 1.239 E. 1. and 11 MCAR § 1.2094 E. 1. The current rules provide that, in those agencies where there is an exclusive representative, when a new class is established and no provision exists in the contract for establishing a salary for the class the Supervisor shall set the salary until the contract is again negotiated. The Supervisor does not (and should not) participate in salary negotiations and it is inappropriate to have the Supervisor responsible for establishing salaries for newly established classes in agencies where there is an exclusive representative. The proposed amendment is both reasonable and needed to remove the Supervisor from being involved in the salary setting process in such agencies but still provide for a salary setting process to be followed by the negotiating parties when it is not specifically provided for in the terms of the collective bargaining agreement.

C. CLASSIFICATION PLAN AND COMPENSATION PLAN

1. 12 MCAR §§ 2.578, 2.579, 2.619, 2.654, 2.655, 2.693; 7 MCAR § 1.269

These proposals are necessary to revise three existing class specifications. and to establish four new class specifications. The revisions to existing specifications and the contents of the proposed new class specifications resulted primarily from recommendations made by committees of incumbents and their supervisors as well as final review of the drafts of the class specifications by incumbents and supervisors. The Merit System Council has held hearings on all of these class specification proposals and has recommended their adoption in the proposed form.

a. 12 MCAR §§ 2.578 and 2.579 (Financial Assistance Supervisor I and Financial Assistance Supervisor II

The major change being proposed for these two classifications is in the minimum qualifications of education and experience section of the specifications. Changes in qualifications have been proposed for the classes Financial Worker I, Financial Worker II and Financial Assistance Specialist that will be heard at a public hearing on September 21, 1979. In addition, new class specifications for Financial Assistance Supervisor III and IV were developed and adopted last year. Since the Financial Assistance Supervisor I and II classifications are a part of the same occupational series of classes as those mentioned above, changes in their minimum qualifications section are needed to make them consistent with the proposed changes in the other classifications and those adopted for the Financial Assistance Supervisor III and IV class specifications. Proposed changes to the kind of work section clarify the role of incumbents in these classifications. Proposed changes to the examples of work and knowledges and abilities required sections involve the updating of terminology, clarification of appropriate responsibilities, deletion of those knowledges and abilities considered inappropriate and not necessary for an individual to possess prior to being hired in the classification and the addition of abilities that are felt to be necessary for an individual to possess prior to being hired in the classification. All of these proposed amendments are necessary and

reasonable to ensure maintenance of the classification plan on a current basis which is a requirement of the current Federal Standards for a Merit System of Personnel Administration, a copy of which is expressly incorporated herein by reference. The final drafts of these two class specifications were reviewed by members of the Merit System Financial Supervisor's Association who approved them as to form and substance.

b. 12 MCAR § 2.619 (Housing Coordinator)

The proposed establishment of this new classification is in response to a need expressed by the Todd County Social Services Department. That agency has an employee performing these functions who is currently in a different Merit System classification. The new classification is necessary and reasonable to more properly reflect the specific duties and responsibilities of the incumbent and to ensure the maintenance of a classification plan on a current basis which reflects the various kinds of jobs performed by Merit System employees. The final draft of this proposed class specification was reviewed by the incumbent and his supervisor who approved it as to form and substance.

c. 12 MCAR §§ 2.654 and 2.655 (Nutrition Project Director and Nutrition Project Assistant Director)

The proposed establishment of these two new classifications is in response to a need expressed by the administrative board of the Headwaters Nutrition Project, whose employees are covered under the Merit System. The agency has two employees currently performing these functions but allocated to different Merit System classifications. The proposed new classifications are necessary and reasonable to more properly reflect the specific duties and responsibilities of these employees and to ensure the maintenance of a classification plan on a current basis which reflects the various kinds of jobs performed by Merit System employees. The final drafts of these proposed class specifications were reviewed by the two incumbents and their supervisor who approved them as to form and substance.

d. 12 MCAR § 2.693 (Homemaker/Home-Health-Aide)

The only proposed amendments to this classification are a change in the class title to Family Service/Home-Health-Aide and a change in the kind of work section to substitute the term "family service" for "homemaker." At a public hearing scheduled for September 21, 1979, several title changes are being proposed which affect the Homemaker/Homemaker Coordinator class series. These title changes substitute "family service" for "homemaker" and therefore it is necessary and reasonable to propose these amendments to the Homemaker/Home-Health-Aide class to obtain consistency in class title with those changes referred to above.

e. 7 MCAR § 1.269 (Nutrition Assistant)

The proposed establishment of this new classification is in response to a need expressed by the Olmsted County Public Health Department, which is covered by the Public Health Merit System. It is also anticipated that the Anoka County Public Health Department, also under the Public Health Merit System, will be employing one or more individuals in this classification in the near future. The Olmsted County Public Health Department currently has an employee performing these functions but allocated to a different Merit System classification. The proposed new classification is necessary and reasonable to more properly reflect the duties and responsibilities of the employee performing this kind of work and to ensure the maintenance of a classification plan on a current basis which reflects the various kinds of jobs performed by Merit System employees. The final draft of the class specification was reviewed by the Public Health Nutritionist in the Olmsted County Public Health Department and the Director of Public Health Nursing in the Anoka County Public Health Department who have approved it as to form and substance.

2. 12 MCAR § 2.840 A. and B.; 7 MCAR § 1.314 B.

These rules set the compensation plan for professional and support classifications under the Public Welfare Merit System and public health support classifications under the Public Health Merit System. Revisions to these rules are necessary to set salary ranges for the remainder of 1979 for all of the aforementioned new classes. The proposed salaries are based primarily on comparisons with Merit System salary ranges for existing classes with equivalent minimum qualifications and duties and responsibilities and, where possible, on comparisons with salary rates for similar jobs in other

jurisdictions. The proposed salaries provide for fair and equitable salary rates and are reasonable.

a. The proposed salary range for Housing Coordinator for 1979 on the Merit System C plan is $971-1390 per month which has the same minimum salary rate as the Financial Assistance Specialist classification. The level of responsibility expected of incumbents in these two classes are roughly comparable and the proposed range is reasonable. Although other public jurisdictions were surveyed no comparable positions appeared to exist.

b. The proposed salary ranges for Nutrition Project Director and Nutrition Project Assistant Director for 1979 on the Merit System C plan are $1390-2071 and $1041-1486 per month, respectively. These are identical to the current salary ranges for the classes Administrative Assistant I and Office Manager which are the classes to which the two incumbents are currently allocated. The level of knowledges, skills and abilities required of employees in the two proposed new classes are equivalent to those required of incumbents of the Administrative Assistant I and Office Manager classifications and the proposed ranges are reasonable. Again, no comparable positions exist in other jurisdictions so that comparable salaries could not be obtained.

c. The proposed salary range for Nutrition Assistant for 1979 on the Merit System C plan is $815-1111 per month. A suggested salary range for this class of $833-1249 per month was submitted by the Olmsted County Public Health Department. In reviewing other public jurisdictions for comparable positions, the City of St. Paul has a Nutrition Assistant classification with a salary range of $826-1024 per month. In view of the similarities of the proposed classification to those of the position in St. Paul, the proposed salary range of $815-1111 is reasonable.

d. Earlier in this statement of need and reasonableness, a proposed change in class title for Homemaker/Home-Health-Aide to Family Service/Home-Health-Aide was made. Although this proposed change does not affect the 1979 salary for the class, it does make necessary a change in 12 MCAR § 2.840 B. to reflect the proposed change in class title.

e. At a public hearing to be held on September 21, 1979, the following title changes are being proposed: Homemaker I to Family Service Aide I, Homemaker II to Family Service Aide II, Homemaker Coordinator I to Family Service Coordinator I and Homemaker Coordinator II to Family Service Coordinator II. The proposed title change in the Homemaker/Home-Health-Aide was not included in the proposals for that hearing since the Merit System Council had not yet had a hearing on the proposed change prior to the time the statement of need and reasonableness had to be prepared for that hearing. Therefore it is necessary to change 12 MCAR § 2.840 B. to reflect the proposed four class title changes to be heard on September 21 and also to bring them into conformity with the change in the class title of Homemaker/Home-Health-Aide to Family Service/Home-Health-Aide.

The foregoing authorities and comments are submitted in justification of final adoption of the above cited proposed rule amendments.

Ralph W. Corey

Ralph W. Corey
Merit System Supervisor

Dated: September 13, 1979

DPW-80-010-HC

STATE OF MINNESOTA
OFFICE OF HEARING EXAMINERS

FOR THE MINNESOTA MERIT SYSTEM

IN THE MATTER OF THE PROPOSED ADOPTION OF RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING THE COMPENSATION PLAN; SALARY ADJUSTMENTS AND INCREASES; AND THE CLASSIFICATION PLAN.	))))))	REPORT OF THE CHIEF HEARING EXAMINER

WHEREAS, a hearing was held on October 15, 1979, before Harry S. Crump, 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 Minnesota Merit System on November 16, 1979; and

WHEREAS, the Minnesota Merit System has now determined to adopt rules pursuant to Minn. Stat. § 15.0412, subd. 4; and

WHEREAS, the Minnesota Merit System has submitted said rules to the Chief Hearing Examiner for review pursuant to Minn. Stat. § 15.052, subd. 4, and 9 MCAR § 2.110; and

WHEREAS, the Chief Hearing Examiner finds that the final proposed rules are not substantially different from those proposed at the public hearing and that the Minnesota Merit System has met all requirements of Minn. Stat. § 15.0412, and subd. 4.

NOW, THEREFORE, upon receipt of this Report, the Minnesota Merit System has the responsibility of submitting the complete hearing record and the rules as adopted by the System to the Attorney General, notifying all persons who requested to be informed that the hearing record has been submitted to the Attorney General, and publishing in the State Register, all pursuant to Minn. Stat. § 15.0412, subd. 4.

Dated this 17th day
of December, 1979.

DUANE R. HARVES
Chief Hearing Examiner

STATEMENT OF COMPLIANCE WITH
MANUAL OF RULE MAKING PROCEDURES

I, Special Assistant Attorney General James A. Jorgensen, 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. Any exceptions are noted below.

James A. Jorgensen
Special Assistant Att. General

Dated: 12/19/79

RECEIVED
SEP 19 1979
OFFICE OF HEARING EXAMINERS

contacting Mr. Wayne P. Anderson at the above address. Questions concerning the issues raised in this Order or concerning informal disposition or discovery may be directed to Special Assistant Attorney General Robert C. Moilanen, Minnesota Pollution Control Agency, 1935 W. County Road B2, Roseville, Minnesota, 55113, (612) 296-7702.

The hearing will be held before Mr. Allan Klein, 1745 University Avenue, St. Paul, Minnesota 55104, (612) 296-8104, a Hearing Examiner appointed by the Chief Hearing Examiner of the State of Minnesota. All parties have the right to be represented throughout the proceeding by legal counsel, by themselves, or by a person of their choice (if such representation is not otherwise prohibited as the unauthorized practice of law). The hearing will be conducted pursuant to the contested case procedures set out in Minn. Stat. §§ 15.0411 through 15.042 (1978), 9 MCAR §§ 2.201-2.299 and Minn. Rules MPCA 1-13, to the extent that the latter rules do not conflict with 9 MCAR § 2.201-2.299. The above-cited procedural rules are available for inspection at the Office of Hearing Examiners and the Minnesota Pollution Control Agency or may be purchased from the Documents Section of the Department of Administration, 140 Centennial Building, St. Paul, Minnesota 55155, (612) 296-2874. The rules provide generally for the procedural rights of the parties.

Any person desiring to intervene as a party must submit to the Hearing Examiner and serve upon all existing parties a Petition to Intervene, pursuant to 9 MCAR § 2.210, by September 9, 1979. The Petition must show how that person's legal rights, duties and privileges may be affected by the decision in this case. The Petition must also set forth the grounds and purpose for which intervention is sought and indicate the petitioner's statutory right to intervene if one should exist. A party to a case has the right to present evidence, rebuttal testimony, and argument with respect to the issues and to cross-examine witnesses. Further, parties may be entitled, pursuant to 9 MCAR § 2.216, to issuance of subpoenas requiring the attendance of witnesses and the production of documents relevant to any matter involved in the hearing. Interested persons may present oral or written statements at the hearing without becoming parties at the discretion of the Hearing Examiner in accordance with 9 MCAR § 2.210(e), but may not cross-examine witnesses. At the present time, the representatives of parties to this proceeding who should be served with such Petition to Intervene are:

Mr. Morrison Kerschner
Attorney for Richard Hagstrom
Rufer, Hefte, Pemberton, Schulze, Sorlie & Sefkow
Fergus Falls, Minnesota 56537

Mr. Thomas Athens
Attorney for Jack Lesmeister
18 North 10th Street
Wheaton, Minnesota 56296

Mr. Robert Moilanen
Attorney for Minnesota Pollution Control Agency Staff
1935 W. County Road B2
Roseville, Minnesota 55113

All persons are advised that, if they intend to appear as parties at the hearing scheduled for September 19, 1979, at 10:30 a.m., a Notice of Appearance form must be completed and returned to the Hearing Examiner within 20 days of the date of service of the Notice of and Order for Hearing. A Notice of Appearance form is enclosed with all Orders mailed and may also be obtained through contacting Mr. Robert Moilanen at the above address. SHOULD A PARTY FAIL TO APPEAR AT THE HEARING, THE ALLEGATIONS MADE IN THIS ORDER MAY BE TAKEN AS TRUE. Persons attending the hearing should bring all evidence bearing on the case including any records or other documents.

If persons have good reason for requesting a delay of the hearing, the request must be made in writing to the Hearing Examiner at least five days prior to the hearing in accordance with 9 MCAR § 2.217 E. A copy of the request must be served on the Agency and any other parties.

August 3, 1979.

Department of Public Welfare
Department of Health
Department of Public Safety

Merit System

Notice of Intent to Solicit Outside Opinion Concerning Merit System Rules

Notice is hereby given that the Minnesota Department of Public Welfare (12 MCAR), the Minnesota Department of Health (7 MCAR) and the Minnesota Department of Public Safety (11 MCAR) are considering proposed amendments to those rules affecting their compensation plans and salary schedules.

If adopted, these rule changes will alter the salaries paid to those personnel in agencies under the jurisdiction of the Merit System which have not negotiated a compensation plan with a bargaining unit's exclusive representative. The jurisdiction of the Merit System includes most County Welfare Agencies and Human Services Boards, some County and Local Emergency Services Agencies, and some County and Local Public Health Agencies.

The proposed rule changes are:

12 MCAR § 2.840

7 MCAR § 1.314

11 MCAR § 1.140

The Minnesota Department of Public Welfare, the Minnesota Department of Health and the Minnesota Department of Public Safety are also considering proposed amendments to those rules affecting:

(1) the annual salary survey;

(2) the establishment of a salary schedule for a new classification by agencies with an exclusive representative;

(3) the salary adjustment for 1980.

If adopted, these rules will alter various personnel policies in agencies under jurisdiction of the Merit System.

The proposed rule changes are:

12 MCAR § 2.494 Compensation plan.

D. Adjustment of the Official Salary Schedule of the Minnesota Merit System.

E. Negotiation of a salary schedule.

7 MCAR § 1.239 Compensation plan.

D. Adjustment of the Official Salary Schedule of the Minnesota Merit System.

E. Negotiation of a salary schedule.

11 MCAR § 1.094 Compensation plan.

D. Adjustment of the Official Salary Schedule of the Minnesota Merit System.

E. Negotiation of a salary schedule.

12 MCAR § 2.516 Salary adjustments and increases.

B. Adjustments to be made in accordance with Merit System Official Compensation Plan.

7 MCAR § 1.260 Salary adjustments and increases.

B. Adjustments to be made in accordance with Merit System Official Compensation Plan.

11 MCAR § 1.116 Salary adjustments and increases.

B. Adjustments to be made in accordance with Merit System Official Compensation Plan.

Additionally, the Minnesota Department of Public Welfare and the Minnesota Department of Health are considering proposed amendments to those rules affecting their position classification specifications.

If adopted, these rule changes will create new position classifications and will alter existing position classification specifications under the jurisdiction of the Merit System.

The proposed rules creating new classes are:

12 MCAR § 2.655 Nutrition Project Director.

12 MCAR § 2.656 Nutrition Project Assistant Director.

12 MCAR § 2.619 Housing Coordinator.

7 MCAR § 1.269 Nutrition Assistant.

The proposed rules altering existing position classification specifications are:

12 MCAR § 2.693 Homemaker/Home Health Aide.

12 MCAR § 2.578 Financial Assistance Supervisor I.

12 MCAR § 2.579 Financial Assistance Supervisor II.

All interested or affected persons are requested to participate. Statements of information and comment may be made orally or in writing. Written statements of information and comment may be addressed to:

Ralph W. Corey, Supervisor
Minnesota Merit System
Fourth Floor, Centennial Office Building
658 Cedar Street
St. Paul, Minnesota 55155

Oral statements of information and comment will be received during regular business hours over the telephone at (612) 296-3996.

All statements of information and comment must be received by August 27, 1979. Any written material received by the Department shall become part of the hearing record.

Under the provisions of Minn. Stat. § 10A.01, subd. 11 (1974), any individual representing persons or associations attempting to influence administrative action, such as the promulgation of these proposed rules and amendments, must register with the Ethical Practices Board as a lobbyist within five days of the commencement of such activity by the individual. The Ethical Practices Board is located at Room 401, State Office Building, St. Paul, Minnesota 55155.

Minnesota State Retirement System

Regular Meeting of the Board of Directors

Regular quarterly meeting of the Board of Directors, Minnesota State Retirement System, will be held on Friday, August 17, 1979, at 9:00 a.m. in the office of the System, 529 Jackson Street, St. Paul, Minnesota.

ADMIN 1000 (Rev. 1/78)
SF-00006-01

STATE OF MINNESOTA

DEPARTMENT ATTORNEY GENERAL

Office Memorandum

TO : GEORGE R. PETTERSON, M.D.
Commissioner of Health

DATE: January 8, 1980

Attn: James Jorgensen

FROM : JOANNE E. HINDERAKER JEH
Special Assistant
Attorney General

PHONE: 296-4692

SUBJECT: Rules as Approved In the Matter of the Proposed Adoption of Rules of the Minnesota Merit System Governing the Compensation Plan; Salary Adjustments and Increases; and the Classification Plan

and

In the Matter of the Proposed Adoption of New Rules and Amendments of Existing Rules of the Minnesota Merit System Governing the Compensation Plan; the Classification Plan; Separation, Ten Year and Reinstatement; and Leaves of Absence

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.

JEH/bw
Encl.
cc: Duane Harves
Susan Robertson

Our file #567 B.1
Health

12/27 call to Jim J- left message
12/28 J.J. notified re spelling error + date of effectiveness
12/31 correction memo rec'd

Permanent Rule X

Temporary Rule _____

RULES REVIEW CHECKLIST

DATE RULES RECEIVED 12/19 DUE DATE 1/8

Resubmitted and Received _____

a. Returned to Agency w/o Filing w/Secretary of State _____
b. Approved _____ Date Sent Back to Agency _____

- -

1. Rules as Adopted ✓
2. Rules as Proposed ✓
3. Certificate of Board's Authorizing Resolution, where applicable N/A
4. Order for Hearing ✓
5. Notice of Hearing ✓ 9.21.79
   Sufficiency ✓
6. Secretary of State's List ✓ (one copy only)
7. Certificate of Acquisition of Secretary of State's List ✓ date inconsistent with No.8
8. Secretary of State's Certification of Delivery of Secretary of State's List to Agency ✓ date inconsistent with No.7
9. Affidavit of Mailing ✓
   At least 30 days prior to hearing ✓
10. Publication in State Register ✓ no copy submitted but
    At least 30 days prior to hearing ✓ see H.E. report
11. Statement of Need and Evidence ✓
12. Hearing Examiner's Report ✓
13. Agency's Findings of Fact incorporated in No.15 - order adopting
14. Certificate of Board's Resolution Adopting Rules, where applicable N/A
15. Order Adopting ? misspelled heading - "Ten Year" instead of "Tenure"
16. Report of Chief Hearing Examiner ✓
17. Order Approving Incorporation by Reference, where applicable N/A
18. Certificate of Compliance with Rulemaking Procedures ✓
19. Copy of Notice of Intent to Solicit Outside Opinion, where applicable ✓ 8.13.79
20. Petition by Public, where applicable N/A

ADOPTED
Exhibit D
A.G working Copy

7 MCAR § 1.238 Classification Plan

A. Presentation and Adoption

1. The Commissioner of Health shall formally adopt a comprehensive classification plan for all positions covered by these rules. The plan shall be based on investigation and analysis of the duties and responsibilities of positions and shall be so developed and maintained that all positions that are substantially similar in the kind, difficulty, and responsibility of work are included in the same class. Class titles established by the classification plan shall be used in all personnel and financial records of the Minnesota Department of Health and the local Public Health agencies, as well as in all examination procedures.

2. Any subsequent amendment shall be submitted to the Council for review and recommendation in relation to the merit system program of recruitment and examination.

B. Allocation of Positions

1. Every position under the Public Health Merit System as provided in Rule 7 MCAR § 1.236 E. shall be allocated by the Supervisor to one of the appropriate classes established in the classification plan. No person shall be appointed or promoted to any position until it has been properly classified as herein provided. As additional classes are established or existing classes are abolished or changed, such necessary allocation or reallocation shall be made by the Supervisor to new or existing classes as is necessitated thereby.

C. Reallocation of Positions

1. Whenever a position appears to be improperly allocated, the Supervisor shall, upon his own initiative, or upon the request of an appointing authority or a permanent employee, investigate the duties of the position. Following the investigation the Supervisor shall allocate the position to its proper class and notify the affected parties.

D. Incumbents of Reallocated Positions

1. When a position in one class is reallocated to a different class, the incumbent shall not be deemed eligible to continue in this position unless he is eligible for original appointment, promotion, transfer, or demotion to the new class of positions. If he is ineligible to continue in such a position, he may be transferred, promoted, or demoted, by appropriate action of the appointing authority in accordance with such provisions of these rules as may be deemed to be applicable. If ineligibility of a permanent or probationary incumbent of a reallocated position arises from the existence of an eligible register established from an examination that the incumbent did not take, he may be permitted to take the same or equivalent examination from which the existing register was established, provided that his name is not on the existing register; he did not take and fail the examination from which the existing register was established; and he was eligible to take that examination at the time it was given. The names of successful candidates examined under this rule shall be placed on the existing register in accordance with the score attained. In any case in which the incumbent is ineligible to continue in the position and he is not transferred, promoted, or demoted, the provisions of these rules about layoff shall apply.

2. The Commissioner of Health may authorize the reallocation of a position from one classification to a higher designated classification when the duties to be performed in the higher class are not significantly different from those performed in the lower class and where both classifications are in the same occupational grouping. Incumbents of positions so reallocated must meet the specified minimum qualifications for the higher designated class and promotions shall be made following a non-competitive promotional examination which shall include an evaluation by the appointing authority of the incumbents' ability to perform in the higher class.

If the incumbent examined in accordance with the above procedure successfully completes the examination process, notwithstanding the provisions of 7 MCAR § 1.244 C. 2., the Supervisor may certify only the name of the eligible incumbent to the appointing authority. Notwithstanding the provisions of 7 MCAR § 1.246 B. 1. a., an employee appointed under the provisions of this rule will not be required to serve a new probationary period in the higher classification.

7 MCAR § 1.249 Separation, Tenure and Reinstatement

D. Layoff

1. An appointing authority may lay off an employee in the classified service by reason of abolishment of the position, lack of funds, shortage of work or other reason outside the control of the employee. No permanent employee, however, shall be laid off while any emergency, provisional, limited-term or probationary employee is continued in a position of the same class in the agency. Layoff shall be made in inverse order of seniority by employment conditions in the class of work in the agency. Seniority for purposes of layoff shall be the length of service in the class from which layoff occurs in the agency.

2. If two or more persons in the class in which layoff occurs have equal seniority, the order of layoff shall be in inverse order of the date of acquisition of permanent status in the class. If a tie still remains, the order of layoff shall be determined by the average of the last two service ratings, if available, or the last service rating if only one is available and the employee with the lowest such average or rating shall be laid off first. If no service ratings are available, the order of layoff shall be determined by the appointing authority in such a way as to retain in the agency the employee(s) considered most valuable.

3. Any permanent or probationary employee about to be laid off shall be demoted to replace the employee with the least seniority in the next lower class in which that employee previously served, unless the employee elects to be laid off.

4. The appointing authority shall notify in writing the employee and the Supervisor at least 10 working days before the effective date of the layoff and shall state the reason for the layoff. If the appointing authority fails to certify before the effective date thereof that the layoff was for reasons not reflecting discredit on the employee, it shall be deemed a dismissal and shall be subject to the rules regarding dismissal.

5. The names of permanent or probationary employees laid off or demoted in lieu of layoff shall be placed in order of seniority on the layoff list for the class and the agency from which the layoff took place. The affected employees shall have their names placed also on the reemployment list for the class from which the layoff took place and any other class in which they have permanent or probationary status prior to layoff.

6. Names of laid off employees will remain on the layoff list for a minimum of one year and eligibility shall be extended to a period of time equal to the employee's previous service in the Merit System not to exceed five years.

7. Whenever an appointing authority submits a requisition to fill a vacancy or a new position in the agency and a layoff list exists for that agency for the class in which the position to be filled is classified, the one name highest on the layoff list shall be certified to the agency for appointment.

8. The provisions of this rule shall apply to all layoffs, except where otherwise provided in written contract between an agency and an exclusive bargaining representative.

E. Tenure of Office

1. The tenure of office of every permanent employee shall be during good behavior and the satisfactory performance of his duties as recorded by his service ratings. This provision, however, shall not be interpreted to prevent the separation of an employee for cause or the separation of an employee because of lack of funds or curtailment of work or by retirement of the employee, when made in accordance with those rules.

F. Reinstatement to Previous Class of Positions

1. Upon written request of an appointing authority to and with the approval of the Supervisor, an employee who has successfully passed a merit examination and has acquired permanent status in a class under these rules may be reinstated to a position in the same class in the Public Health Merit System at any time within two years after the date of his resignation. Under the same conditions a reinstatement may be made within a period of time, not to exceed five years, equivalent to the continuous period of the employee's service since January 1, 1971, in a local public health agency. Reinstatement shall be without benefit of previously acquired seniority. Upon approval of the Supervisor, reinstatement may be made directly by an appointing authority, provided that there is a vacancy on the local public health agency staff.

G. Reinstatement of Probationer

1. Upon written request of an appointing authority and with the approval of the Merit System Supervisor, a probationary employee who has resigned in good standing may be reinstated as a probationary employee to a position in the same class previously held in the Public Health Merit System at any time within a year after the date on which his resignation became effective.

H. Retirement

1. Any employee in the Public Health Merit System who attains the age of 70 may be retired at the option of the appointing authority. For the purpose of these rules, the age of the employee shall be the age attained on his last birthday and shall be subject to verification.

I. Reemployment of Former Permanent or Probationary Employees

1. Former permanent or probationary Merit System employees who voluntarily separate in good standing with a satisfactory or better separation rating may, upon request, have their names placed on a reemployment list for their last class of employment and for any other classes in which they possessed permanent status prior to separation. Requests must include which classes, locations and employment conditions the former employee is willing to consider and must be submitted to the Merit System within one year of separation. A person may remain on the reemployment list(s) for up to three years and must return to the Merit System within four years of separation. Former employees reemployed under the provisions of this rule must serve a new probationary period upon appointment.

7 MCAR § 1.250 Leaves of Absence

A. In General

1. Leave policies stated in this subdivision B are minimum standards and shall apply to all employees except when otherwise negotiated by the appointing authority with an exclusive representative. At the discretion of the board, such negotiated benefits may be applied to all employees of the agency.

2. Beyond the minimum standards listed in subdivision B the appointing authority may adopt an optional leave of absence policy to the extent allowed in subdivision C.

3. Agencies without an exclusive representative that adopt an optional leave policy beyond the minimum standards listed in subdivision B shall file a copy with the Supervisor.

B. Minimum Policy

1. Jury or Witness Duty

a. After notice to the appointing authority, any employee under the Merit System shall be granted leave with pay for:

service upon a jury or

appearance before a court, legislative committee, or other judicial or quasi-judicial body as a witness in action involving the Federal Government, State of Minnesota, or a political subdivision thereof, in response to a subpoena or other direction by proper authority.

b. At the option of the appointing authority the employee may be required to turn over to the agency any per-diem payment received as a result of serving on a jury or as a witness in the above-listed actions. Monies received as expenses shall be kept by the employee.

c. Any absence, whether voluntary or in a response to a legal order to appear and testify in private litigation, not as an employee of the county but as an individual, shall be taken as annual leave, as leave of absence without pay, or as a deduction from authorized accumulated overtime.

2. Leaves of Absence Without Pay

a. Any person holding a permanent or probationary position in the classified service of the Minnesota Merit System shall be granted a leave of absence without pay on the grounds of sickness or disability and may be granted a leave of absence without pay for other good or sufficient reasons, provided that no such leave shall exceed one year. Disabilities caused or contributed to by pregnancy, miscarriage, abortion, childbirth, and recovery therefrom are, for all job-related purposes, temporary disabilities and the women so affected shall be treated the same as other persons who are not so affected, but who are similar in their ability or inability to work. The appointing authority shall establish the proof required of the existence of sickness or disability and the continuance thereof during said one-year period. The appointing authority may require that the employee produce medical certification from a registered practicing physician that he/she is fit for work before returning the employee to the job. Any employee who is granted a leave of absence without pay shall be accorded thereby an unqualified right to be reinstated to the same position if such leave is for 60

— 6ap

calendar days or less. An employee who is granted a leave of absence without pay shall be accorded thereby an unqualified right to be reinstated to a position in the same class at the expiration of leave, except that when all the positions in the class previously held by such employee have been abolished, the name of the employee shall be restored to the appropriate reemployment register provided for in 7 MCAR § 1.249 D. 5. If all the positions in the class are filled, the least senior employee in the class shall vacate his/her position subject to any eligibility for layoff, transfer, or demotion that he/she may have acquired under these rules. An employee on leave of absence, with the approval of the appointing authority and the Supervisor, may be reinstated to his/her class before the expiration of the leave in the same manner. Upon certification by the registered practicing physician, the employee who is physically or mentally capable of returning to work must comply within ten working days or face termination. If such an employee within the specified days cannot return to work, he/she must notify the appointing authority and request an approval for a leave of absence.

3. Vacation Leave

a. Upon the completion of six full months of satisfactory service in the Merit System, vacation leave shall accrue to the employee for the time served at the rate of one working day for each full month of service. No vacation leave shall be accrued or granted during the first six months of service in the Merit System; but upon satisfactory completion of such period, vacation leave shall accrue to the employee for the time served. Unused vacation leave shall accumulate to a total of at least 24 working days. The agency shall determine the time at which vacation leave may be taken.

b. Vacation leave shall not accumulate to an employee while in a non-pay status, except to employees on military leave.

c. A permanent employee who is transferred or promoted from one agency to another shall be paid for the number of working days of unused vacation leave accumulated to his credit.

d. Any employee with six full months of satisfactory service in the Merit System who is separated by layoff, resignation, death, or otherwise, shall be paid for the number of working days of unused vacation leave accumulated to his credit.

4. Sick Leave

a. Every permanent, probationary, provisional, and limited-term employee shall earn sick leave at the rate of one working day for each completed month of service, and such accrued sick leave may be used under the conditions hereinafter prescribed:

Absence necessitated by employee's inability to perform the duties of his/her position by reason of illness or injury, by reason of pre and post natal care, by necessity for medical or dental care, by exposure to contagious disease under circumstances in which the health of the employees with whom associated or members of the public necessarily dealt with would be endangered by attendance on duty, or by illness in the employee's immediate family, for such period as shall be necessary. The term "immediate family" shall be limited to the spouse, minor children, or parents when the parent has no other person to provide the necessary nursing care, living in the household of the employee. Within the discretion of the appointing authority, use of sick leave also may be authorized in cases of death of the spouse, children, and wards of the employee and the brothers, sisters, parents, or grandparents of either the employee or his/her spouse.

b. Unused sick leave shall accumulate to a total of at least 100 working days.

c. Sick leave with pay shall not be granted to emergency, hourly, or per-diem employees.

d. Sick leave shall not accumulate to an employee while in a non-pay status, except employees on military leave.

e. Sick leave during vacation leave: When sickness occurs within a period of vacation leave, the period of illness may, on presentation of a report from a registered practicing physician, be charged as sick leave and the charge against vacation leave reduced accordingly.

f. The appointing authority may require the employee to produce medical certification from a registered practicing physician attesting to the need for sick leave and/or attesting that the employee is fit to return to work.

g. A former Merit System employee who is reinstated in accordance with Merit System rules, except as a provisional or emergency appointee, may have his/her previous accumulated and unused balance of sick leave revived and placed to his/her credit upon approval of the new appointing authority.

5. Military Leave

a. Employees who are in service in the armed forces of the state or the United States shall be entitled to leave of absence as provided for by Minnesota Statutes, Section 192.261.

6. Record of Leaves

a. Each appointing authority shall maintain a record of leaves with pay granted to employees.

7. Holidays

a. Permanent, probationary, provisional, and limited-term employees whose normally scheduled work day falls on a holiday listed below shall receive time off with pay for that day. Compensatory time off shall be allowed for work done on these days except when payment is received. Emergency employees are not eligible for holiday pay. Employees who work less than full time and who are eligible for holiday pay shall receive such pay equivalent to the number of hours they normally would have been scheduled to work on that day if it had not been a holiday.

New Year's Day--January 1
Lincoln's and Washington's Birthday--the third Monday in February
Memorial Day--the last Monday in May
Independence Day--July 4
Labor Day--the first Monday in September
Christopher Columbus Day--the second Monday in October
Veteran's Day--November 11
Thanksgiving Day--the fourth Thursday in November
Christmas Day--December 25

b. When New Year's Day, Independence Day, Veteran's Day, or Christmas Day falls on Sunday, the following Monday shall be a holiday. When New Year's Day, Independence Day, Veteran's Day, or Christmas Day falls on Saturday the preceding Friday shall be a holiday.

C. Optional Policy

1. Beyond the minimum standards listed above, the appointing authority may adopt an optional leave of absence policy. The adoption of such a policy shall only be to increase the availability and use of leave of absences to employees.

2. Funeral Leave

a. Funeral leave, exclusive of sick leave or vacation leave, may be granted. Each appointing authority shall prepare written regulations governing such leave.

b. Funeral leave may be authorized in cases of death of the spouse, children, and wards and the brothers, sisters, parents, or grandparents of either the employee or his/her spouse.

3. Additional holidays may be designated, with or without pay, to conform with the county-wide policy.

4. Educational Leave

a. Educational leave, with or without pay, may be granted for a period not to exceed two years to any permanent or probationary employee. Such leave shall be for work-related programs which are in the best interest of the agency and consistent with the agency's training and staff development plan. Such leave shall otherwise be subject to 7 MCAR § 1.250 A. 3. The appointing authority may allow the employee to continue to accrue eligibility for incentive increases, as in 7 MCAR § 1.260 D. 2., and such salary increase may be granted at the same time the increase would have been granted, but for the leave of absence. Educational leave with pay shall be approved by the Supervisor prior to authorization.

APPROVED AS TO FORM AND LEGALITY

JAN 07 1980 19

WARREN SPANNAUS, ATTORNEY GENERAL

BY Joanne Hinderaker
SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
F I L E D
JAN - 7 1980
Joan Anderson Growe
Secretary of State
2:00 p.m.

DPW-80-009-HC

STATE OF MINNESOTA

DEPARTMENT OF HEALTH

IN THE MATTER OF THE PROPOSED ADOPTION OF NEW RULES AND AMENDMENTS OF EXISTING RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING THE COMPENSATION PLAN; THE CLASSIFICATION PLAN; SEPERATION, TEN YEAR AND REINSTATEMENT; AND LEAVES OF ABSENCE

ORDER ADOPTING RULES

The above entitled matter was heard by Harry Seymore Crump, Hearing Examiner from the State Office of Hearing Examiners on September 21, 1979, at 9:30 a.m. in the Administration Building, Room 116, 50 Sherburne Avenue, in the County of Ramsey, State of Minnesota.

Proper notice required by Minn. Stat. § 15.0412 (1978) was served upon all persons, associations, and other interested groups registered with the Secretary of State for that purpose.

At said hearing, new rules as well as proposed amendments to existing rules were considered as originally proposed and shown in Exhibit A attached hereto. Ralph Corey, Supervisor of the Minnesota Merit System, made the agency presentation at the hearing. The hearing continued until all interested persons and groups had an opportunity to be heard. Based upon all the records and proceedings the Examiner issued a Report of Hearing Examiner dated November 5, 1979, a copy of which is attached hereto as Exhibit B. The Examiner's Report contained findings of fact, conclusions and a recommendation.

Pursuant to Minn. Stat. § 15.0412, subd. 4 (1978), the Examiner's Report has been available to all affected persons for over five days subsequent to the date of the Report.

After affording interested persons an opportunity to submit written and/or oral statements, having reviewed all of the testimony, having considered all of the evidence adduced, having considered the Report of the Hearing Examiner, and upon all of the proceedings and testimony herein and applicable standards and criteria, and having

determined the need for and reasonableness of the above-captioned rules,

NOW THEREFORE, it is ordered that the Commissioner hereby adopts and incorporates herein the Report of Hearing Examiner, dated November 5, 1979.

IT IS FURTHER ORDERED THAT the above-captioned rules from and after this day of November 27, 1979, shall read in their entirety as set forth in the attached Exhibit D.

Dated: November 27, 1979.

STATE OF MINNESOTA
DEPARTMENT OF HEALTH

George R. Pettersen M.D.

GEORGE R. PETTERSEN, M.D.
Commissioner

PROPOSED

7 MCAR § 1.238 Classification Plan.

A. Presentation and Adoption.

1. The ~~State Board~~ Commissioner of Health shall formally adopt a comprehensive classification plan for all positions covered by these rules. The plan shall be based on investigation and analysis of the duties and responsibilities of positions and shall be so developed and maintained that all positions that are substantially similar in the kind, difficulty, and responsibility of work are included in the same class. Class titles established by the classification plan shall be used in all personnel and financial records of the Minnesota Department of Health and the local Public Health agencies; as well as in all examination procedures.

2. Any subsequent amendment shall be submitted to the Council for review and recommendation in relation to the merit system program of recruitment and examination.

B. Allocation of Positions.

1. Every position under the Public Health Merit System as provided in Rule 7 MCAR § 1.236 E. shall be allocated by the Supervisor to one of the appropriate classes established in the classification plan. No person shall be appointed or promoted to any position until it has been properly classified as herein provided. As additional classes are established or existing classes are abolished or changed, such necessary allocation or reallocation shall be made by the Supervisor to new or existing classes as is necessitated thereby.

C. Reallocation of Positions.

1. Whenever a position appears to be improperly allocated, the Supervisor shall, upon his own initiative, or upon the request of an appointing authority or a permanent employee, investigate the duties

of the position. Following the investigation the Supervisor shall allocate the position to its proper class and notify the affected parties.

D. Incumbents of Reallocated Positions.

1. When a position in one class is reallocated to a different class, the incumbent shall not be deemed eligible to continue in this position unless he is eligible for original appointment, promotion, transfer, or demotion to the new class of positions. If he is ineligible to continue in such a position, he may be transferred, promoted, or demoted, by appropriate action of the appointing authority in accordance with such provisions of these rules as may be deemed to be applicable. If ineligibility of a permanent or probationary incumbent of a reallocated position arises from the existence of an eligible register established from an examination that the incumbent did not take, he may be permitted to take the same or equivalent examination from which the existing register was established, provided that his name is not on the existing register; he did not take and fail the examination from which the existing register was established; and he was eligible to take that examination at the time it was given. The names of successful candidates examined under this rule shall be placed on the existing register in accordance with the score attained. In any case in which the incumbent is ineligible to continue in the position and he is not transferred, promoted, or demoted, the provisions of these rules about layoff shall apply.

2. The Commissioner of Health may authorize the reallocation of a position from one classification to a higher designated classification when the duties to be performed in the higher class are not significantly different from those performed in the lower class and where both classifications are in the same occupational grouping. Incumbents of positions so reallocated

must meet the specified minimum qualifications for the higher designated class and promotions shall be made following a non-competitive promotional examination which shall include an evaluation by the appointing authority of the incumbents' ability to perform in the higher class.

If the incumbent examined in accordance with the above procedure successfully completes the examination process, notwithstanding the provisions of 7 MCAR § 1.244 C. 2., the Supervisor may certify only the name of the eligible incumbent to the appointing authority. Notwithstanding the provisions of 7 MCAR § 1.246 B. 1. a., an employee appointed under the provisions of this rule will not be required to serve a new probationary period in the higher classification.

7 MCAR § 1.249 Separation, Tenure and Reinstatement

D. ~~Reduction of Force~~ Layoff

~~1. The appointing authority may separate any employee without prejudice because of lack of funds or curtailment of work. No permanent employee, however, shall be separated from a local public health agency while there are emergency, provisional, limited-term, or probationary employees serving in the same class of positions in the local public health agency. The order of separation due to reduction of force shall be based upon seniority, except in instances where seniority is less than one month (30 calendar days), in which case order of separation shall be based upon service ratings and seniority, under a formula established by the Supervisor.~~

~~2. The names of permanent employees who have been laid off shall be entered on a re-employment register for their class of positions.~~

~~3. The name of any permanent employee whose position has been abolished while on leave shall be entered on a re-employment register for his class of positions upon request of the employee, provided that such request is made within 45 days after the expiration of his leave. Entry on the re-employment register shall be in the order of the receipt of the request.~~

~~4. The name of any probationary employee who has been separated from the service without prejudice shall be entered upon a re-employment register for his class of positions for a period of one year, in accordance with accrued probationary service, provided, however, that upon appointment from the re-employment register, such an employee shall be required to serve a full six-months probationary period as when appointed from an original entrance register.~~

1. An appointing authority may lay off an employee in the classified service by reason of abolishment of the position, lack of funds, shortage of work or other reason outside the control of the employee. No permanent employee, however, shall be laid off while any emergency, provisional, limited-term or probationary employee is continued in a position of the same class in the agency. Layoff shall be made

6. Names of laid off employees will remain on the layoff list for a minimum of one year and eligibility shall be extended to a period of time equal to the employee's previous service in the Merit System not to exceed five years.

7. Whenever an appointing authority submits a requisition to fill a vacancy or a new position in the agency and a layoff list exists for that agency for the class in which the position to be filled is classified, the one name highest on the layoff list shall be certified to the agency for appointment.

8. The provisions of this rule shall apply to all layoffs, except where otherwise provided in written contract between an agency and an exclusive bargaining representative.

E. Tenure of Office

1. The tenure of office of every permanent employee shall be during good behavior and the satisfactory performance of his duties as recorded by his service ratings. This provision, however, shall not be interpreted to prevent the separation of an employee for cause or the separation of an employee because of lack of funds or curtailment of work or by retirement of the employee, when made in accordance with those rules.

F. Reinstatement to Previous Class of Positions

1. Upon written request of an appointing authority to and with the approval of the Supervisor, an employee who has successfully passed a merit examination and has acquired permanent status in a class under these rules may be reinstated to a position in the same class in the Public Health Merit System at any time within two years after the date of his resignation. Under the same conditions a reinstatement may be made within a period of time, not to exceed five years, equivalent to the continuous period of the employee's service since January 1, 1971 in a local public health agency. Reinstatement shall be without benefit of previously acquired seniority. Upon approval of the Supervisor, reinstatement may be made directly by an appointing authority, provided that there is a vacancy on the local public health agency staff.

in inverse order of seniority by employment conditions in the class of work in the agency. Seniority for purposes of layoff shall be the length of service in the class from which layoff occurs in the agency.

2. If two or more persons in the class in which layoff occurs have equal seniority, the order of layoff shall be in inverse order of the date of acquisition of permanent status in the class. If a tie still remains, the order of layoff shall be determined by the average of the last two service ratings, if available, or the last service rating if only one is available and the employee with the lowest such average or rating shall be laid off first. If no service ratings are available, the order of layoff shall be determined by the appointing authority in such a way as to retain in the agency the employee(s) considered most valuable.

3. Any permanent or probationary employee about to be laid off shall be demoted to replace the employee with the least seniority in the next lower class in which that employee previously served, unless the employee elects to be laid off.

4. The appointing authority shall notify in writing the employee and the Supervisor at least 10 working days before the effective date of the layoff and shall state the reason for the layoff. If the appointing authority fails to certify before the effective date thereof that the layoff was for reasons not reflecting discredit on the employee, it shall be deemed a dismissal and shall be subject to the rules regarding dismissal.

5. The names of permanent or probationary employees laid off or demoted in lieu of layoff shall be placed in order of seniority on the layoff list for the class and the agency from which the layoff took place. The affected employees shall have their names placed also on the reemployment list for the class from which the layoff took place and any other class in which they have permanent or probationary status prior to layoff.

G. Reinstatement of Probationer

1. Upon written request of an appointing authority and with the approval of the Merit System Supervisor, a probationary employee who has resigned in good standing may be reinstated as a probationary employee to a position in the same class previously held in the Public Health Merit System at any time within a year after the date on which his resignation became effective.

H. Retirement

1. Any employee in the Public Health Merit System who attains the age of 70 may be retired at the option of the appointing authority. For the purpose of these rules, the age of the employee shall be the age attained on his last birthday and shall be subject to verification.

I. Reemployment of Former Permanent or Probationary Employees

1. Former permanent or probationary Merit System employees who voluntarily separate in good standing with a satisfactory or better separation rating may, upon request, have their names placed on a reemployment list for their last class of employment and for any other classes in which they possessed permanent status prior to separation. Requests must include which classes, locations and employment conditions the former employee is willing to consider and must be submitted to the Merit System within one year of separation. A person may remain on the reemployment list(s) for up to three years and must return to the Merit System within four years of separation. Former employees reemployed under the provisions of this rule must serve a new probationary period upon appointment.

7 MCAR § 1.250 Leaves of Absence

A. In General

1. Leave policies stated in this ~~rule~~ subdivision B are minimum standards and shall apply to all employees ~~local public health 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 board, such negotiated benefits may be applied to all employees of the agency. ~~Any such amended policy shall be submitted to the Supervisor.~~

2. Beyond the minimum standards listed in subdivision B the appointing authority may adopt an optional leave of absence policy to the extent allowed in subdivision C.

3. Agencies without an exclusive representative that adopt an optional leave policy beyond the minimum standards listed in subdivision B shall file a copy with the Supervisor.

B. Minimum Policy

1. Jury or Witness Duty

a. ~~2.~~ After notice to the appointing authority, any employee under the Merit System shall be granted leave with pay for:

~~a.~~ Sservice upon a jury~~;~~ or

~~b.~~ Aappearance before a court, legislative committee, or other judicial or quasi-judicial body as a witness in action involving the Federal Government, State of Minnesota, or a political subdivision thereof, in response to a subpoena or other direction by proper authority.

b. ~~3.~~ At the option of the appointing authority the employee may be required to turn over to the agency any per-diem payment received as a result of serving on a jury or as a witness in the above-listed actions. Monies received as expenses shall be kept by the employee.

c. ~~4.~~ Any absence, whether voluntary or in a response to a legal order to appear and testify in private litigation, not as an employee of the county but as an individual, shall be taken as annual leave, as leave of absence without pay, or as a deduction from authorized accumulated overtime.

2. ~~B.~~ Leaves of Absence Without Pay

a. ~~1.~~ Any person holding a permanent or probationary position in the classified service of the ~~Public Health~~ Minnesota Merit System shall be granted a leave of absence without pay on the grounds of sickness or disability and may be granted a leave of absence without pay for other good or sufficient reasons, provided that no such leave shall exceed one year. Disabilities caused or contributed to by pregnancy, miscarriage, abortion, childbirth, and recovery therefrom are, for all job-related purposes, temporary disabilities and the women so affected shall be treated the same as other persons who are not so affected, but who are similar in their ability or inability to work. The appointing authority shall establish the proof required of the existence of sickness or disability and the continuance thereof during said one-year period. The appointing authority may require that the employee produce medical certification from a registered practicing physician that he/she is fit for work before returning the employee to the job. Any employee who is granted a leave of absence without pay shall be accorded thereby an unqualified right to be reinstated to the same position if such leave is for 60 calendar days or less. An employee who is granted a leave of absence without pay shall be accorded thereby an unqualified right to be reinstated to a position in the same class at the expiration of leave, except that when all the positions in the class previously held by such employee have been abolished, the name of the employee shall be restored to the appropriate reemployment register provided for in 7 MCAR § 1.249 ~~F.~~ D. 5. If all the positions in the class are filled, the least senior employee in the class shall vacate his/her position subject to any eligibility for layoff, transfer, or demotion that he/she may have acquired under these rules. An employee on leave of absence, with the approval of the appointing authority and the Supervisor, may be

reinstated to his/her class before the expiration of the leave in the same manner. Upon certification by the registered practicing physician, the employee who is physically or mentally capable of returning to work must comply within ten working days or face termination. If such an employee within the specified days cannot return to work, he/she must notify the appointing authority and request an approval for a leave of absence.

~~2. Educational leave without pay may be granted for a period not to exceed two years to any employee, but such leave shall otherwise be subject to the same provisions as leave granted under 7 MCAR § 1.250 B. 1. Any employee granted an educational leave may also, at the option of the appointing authority, be deemed to accrue eligibility for incentive increments and be granted salary increases at the time such increases would have been received if the employee had continued in regular employment with the agency.~~

3. ~~6.~~ Vacation Leave ~~(See also 7 MCAR § 1.250 A. 1.)~~

a. ~~1.~~ Upon the completion of six full months of service in the Merit System, vacation leave shall accrue to the employee for the time served ~~Each employee in the classified service, except emergency, hourly, or per-diem employees, shall earn vacation with pay~~ at the rate of one working day for each full month of service. No vacation leave shall be accrued or granted during the first six months of service in the Merit System; but upon satisfactory completion of such period, vacation leave shall accrue to the employee for the time served. Unused vacation leave shall accumulate to a total of at least 24 working days. The agency shall determine the time at which vacation leave may be taken.

~~2. The local public health agency shall determine the time at which vacation leave may be taken. No vacation leave shall be granted during the first six months of service; but upon the satisfactory completion of such period, vacation leave shall accrue to the employee for the time served. Unused vacation leave may be accumulated to a total of 24 working days.~~

b. ~~3.~~ Vacation leave shall not accumulate to an employee while in a non-pay status, except to employees on military leave.

c. ~~4.~~ A permanent employee who is transferred or promoted from one ~~local public health~~ agency to another shall be paid for the number of working days of unused vacation leave accumulated to his credit ~~from the first agency~~.

d. ~~5.~~ Any employee with six full months of service in the Merit System who is separated ~~from the Merit System~~ by layoff, resignation, death, or otherwise, shall be paid for the number of working days of unused vacation leave accumulated to his credit.

4. ~~D.~~ Sick Leave ~~(see also 7 MCAR § 1.250 A. 1)~~

a. ~~1.~~ Every permanent, probationary, ~~and~~ provisional, and limited-term employee ~~in the classified service~~ shall earn sick leave at the rate of one working day for each completed month of service, and such accrued sick leave may be used under the conditions hereinafter prescribed:

Absence necessitated by employee's inability to perform the duties of his/her position by reason of illness or injury, by reason of pre and post natal care, by necessity for medical or dental care, by exposure to contagious disease under circumstances in which the health of the employees with whom associated or members of the public necessarily dealt with would be endangered by attendance on duty, or by illness in the employee's immediate family, for such period as shall be necessary. The term "immediate family" shall be limited to the spouse, minor children, or parents when the parent has no other person to provide the necessary nursing care, living in the household of the employee. Within the discretion of the appointing authority, use of sick leave also may be authorized in cases of death of the spouse, children, and wards of the employee and the brothers, sisters, parents, or grandparents of either the employee or his/her spouse.

~~2.~~ b. Unused sick leave shall ~~be~~ accumulated to a total ~~maximum~~ of at least 100 working days.

~~3.~~ c. Sick leave with pay shall not be granted to emergency, hourly, or per-diem employees.

d. Sick leave shall not accumulate to an employee while in a non-pay status, except employees on military leave.

~~4.~~ e. Sick leave during vacation leave: When sickness occurs within a period of vacation leave, the period of illness may, on presentation of a report from a registered practicing physician, be charged as sick leave and the charge against vacation leave reduced accordingly.

~~5.~~ f. The appointing authority may require the employee to produce medical certification from a registered practicing physician attesting to the need for sick leave and/or attesting that the employee is fit to return to work.

~~6.~~ g. A former Merit System employee who is reinstated in accordance with Merit System rules, except as a provisional or emergency appointee, may have his/her previous accumulated and unused balance of sick leave revived and placed to his/her credit upon approval of the new appointing authority.

~~E. Funeral Leave~~

~~1. Each appointing authority allowing funeral leave, exclusive of sick leave or vacation leave, shall prepare written regulations governing such leave. Such regulations governing funeral leave shall be effective when approved by the Supervisor. No regulation changes will be made retroactive.~~

~~2. Funeral leave may be authorized in cases of death of the spouse, children, and wards of the employee and the brothers, sisters, parents, or grandparents of either the employee or his spouse.~~

~~F.~~ 5. Military Leave

~~1.~~ a. Employees who are in service in the armed forces of the state or the United States shall be entitled to leave of absence as provided for by Minnesota Statutes, Section 192.261.

6. Record of Leaves

~~1.~~ a. Each ~~local public health agency~~ appointing authority shall maintain a record of leaves with pay granted to employees. ~~These records shall be kept on forms prescribed by the Supervisor and shall be subject to his review.~~

~~H.~~ 7. Holidays

~~1.~~ a. Permanent, probationary, provisional, and limited-term, ~~and full-time~~ employees whose normally scheduled work day falls on a holiday listed below shall receive time off ~~from work~~ with pay for ~~that~~ day. Compensatory time off shall be allowed for work done on these days except when payment is received. Emergency employees are not eligible for holiday pay. Employees who work less than full time and who are eligible for holiday pay shall receive such pay equivalent to the number of hours they normally would have been scheduled to work on that day if it had not been a holiday.

New Year's Day--January 1

Lincoln's and Washington's Birthday--the third Monday in February

Memorial Day--the last Monday in May

Independence Day--July 4

Labor Day--the first Monday in September

Christopher Columbus Day--the second Monday in October

Veteran's Day--November 11

Thanksgiving Day--the fourth Thursday in November

Christmas Day--December 25

~~2.~~ b. When New Year's Day, Independence Day, Veteran's Day, or Christmas Day falls on Sunday, the following Monday shall be a ~~non-work day~~ holiday. When New Year's Day, Independence Day, Veteran's Day, or Christmas Day falls on Saturday the preceding Friday shall be a holiday.

~~3. The local public health authority may designate additional days as holidays, with or without pay, as may be necessary to conform to the policy and practice followed in other offices in the local government.~~

C. Optional Policy

1. Beyond the minimum standards listed above, the appointing authority may adopt an optional leave of absence policy. The adoption of such a policy shall only be to increase the availability and use of leave of absences to employees.

2. Funeral Leave

a. Funeral leave, exclusive of sick leave or vacation leave, may be granted. Each appointing authority shall prepare written regulations governing such leave.

b. Funeral leave may be authorized in cases of death of the spouse, children, and wards and the brothers, sisters, parents, or grandparents of either the employee or his/her spouse.

3. Additional holidays may be designated, with or without pay, to conform with the county-wide policy.

4. Educational Leave

a. Educational leave, with or without pay, may be granted for a period not to exceed two years to any permanent or probationary employee. Such leave shall be for work-related programs which are in the best interest of the agency and consistent with the agency's training and staff development plan. Such leave shall otherwise be subject to 7 MCAR § 1.250 A. 3. The appointing authority may allow the employee to continue to accrue eligibility for incentive increases, as in 7 MCAR § 1.260 D. 2., and such salary increase may be granted at the same time the increase would have been granted, but for the leave of absence. Educational leave with pay shall be approved by the Supervisor prior to authorization.

STATE OF MINNESOTA
OFFICE OF HEARING EXAMINERS

FOR THE MINNESOTA MERIT SYSTEM

In the Matter of the Proposed Adoption of New Rules and Amendments of Existing Rules of the Minnesota Merit System Governing the Compensation Plan; the Classification Plan; Separation, Tenure and Reinstatement; and Leaves of Absence.

REPORT OF HEARING EXAMINER

The above-entitled matter came on for hearing before Harry Seymour Crump, Hearing Examiner from the State Office of Hearing Examiners, on September 21, 1979, at 9:30 a.m. in the Administration Building, Room 116, 50 Sherburne Avenue in the City of Saint Paul, County of Ramsey, State of Minnesota.

The agency panel consisted of the following: James Jorgenson, Special Assistant Attorney General assigned to the Department of Public Welfare, appeared on behalf of the Merit System; Eleanor Hoover, Personnel Director for the DPW; Minnesota Merit System Council members Dan Gustafson, Chairman, and Kenneth Maas; John McKasy from the Department of Health; Edmund Jasinski, Training Director, Department of Public Safety; Betty Carlson, Assistant Merit Supervisor; and Dudley Younkin, staff member of the Merit System. Ralph Corey, Supervisor of the Minnesota Merit System, testified in support of the proposed rules and amendments. (Minnesota Merit System is a collective title for the programs of implementing statewide merit systems within the individual agencies of the Department of Public Welfare, Department of Health, and Department of Public Safety.)

Approximately 20 people attended the hearing. Nine persons signed the register. One person spoke at the hearing. The hearing continued until all interested persons and groups had an opportunity to be heard.

This proceeding is a rules hearing held pursuant to Minn. Stat. Ch. 15 to determine whether the proposed rules should be adopted and given the force of law. Copies of this Report are available for review from the Office of the Merit System Supervisor and the Office of Hearing Examiners.

Pursuant to Minn. Stat. § 15.0412, subd. 4, this Report shall be available for review to all affected individuals upon request for at least five days.

Because the Minnesota Merit System (hereinafter the "System") administers the statewide merit systems for three separate agencies, these proposed rule amendments are a joint effort. The adopting agencies are the Department of Public Welfare, the Department of Health, and the Department of Public Safety. 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.

Thereafter, the Departments of Public Welfare, Health, and Public Safety, shall, if they propose to adopt the rules as originally proposed or amended,

submit a copy of the Order Adopting Rules, a copy of any additional agency findings, a copy of the rules as originally proposed, and a copy of the rules as adopted to the Chief Hearing Examiner for review pursuant to Minn. Stat. § 15.052, subd. 4 (1978). The submission to the Chief Hearing Examiner shall precede review by the Attorney General. 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 (1978) within ten calendar days. The Agencies will be responsible for filing the rules with the Attorney General and for notifying persons who have indicated that they wish to be notified of such filing.

Based upon all the records and proceedings herein, the Examiner makes the following:

FINDINGS OF FACT

Procedural Requirements

1. On August 2, 1979, the Merit System filed the following documents with the Hearing Examiner:

(a) A copy of the proposed rules.
(b) The Order for the Hearing proposed to be issued.
(c) The Notice of Hearing proposed to be issued.
(d) A Statement of the number of persons expected to attend the hearing and estimated length of the Agency's presentation.

2. On August 20, 1979, Notices of Hearing and copies of the proposed rules were published at 4 State Register 170 (Department of Health), 4 State Register 176 (Department of Public Safety), and 4 State Register 178 (Department of Public Welfare).

3. On August 15, 1979, the Merit System mailed the Notice of Hearing to all persons and associations who had registered their names with the Secretary of State for the purpose of receiving such notice.

4. On August 24, 1979, the Merit System filed the following documents:

(a) Order for Hearing.
(b) The Notice of Hearing as mailed.
(c) The Affidavit of Receipt of the Secretary of State's list.
(d) The Affidavit of Mailing the Notice to all persons on the Secretary of State's list.
(e) The Statement of Need and Reasonableness.
(f) The Secretary of State's Certificate.
(g) Pursuant to Minn. Stat. § 15.0412, subd. 6 (1978), notice seeking outside opinions was published in the State Register on May 7, 1979, at 3 State Register 2015. One comment was received by the Merit System on September 19, 1979, from the Personnel Director of Saint Louis County. See, Exhibit C. This letter was introduced at the hearing.
(h) The names of personnel who will represent the Merit System at the hearing together with the names of any other witnesses solicited to appear on its behalf.

The documents were available for inspection at the Office of Hearing Examiners from the date of filing to the date of the hearing.

5. The record remained open through October 11, 1979, for the receipt of written comments. Four prehearing comments were received. These were letters in support of the proposed rules and amendments. Four post-hearing comments were received and made part of the record herein.

Statutory Authority

6. The Agencies base their authority to adopt these amendments on Minn. Stat. §§ 12.22, subd. 3; 144.071 and 393.07, subd. 5.

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 regulations, 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 SCD 94 A.a. and SCD 94 D.5.

In Exhibit G, James A. Jorgensen, Special Assistant Attorney General, cites as further authority, 11 MCAR § 1.2091:

> If and when it appears desirable in the interest of good administration, the governor, through the Commissioner of Public Safety and with the advice and recommendation of the council, may amend these rules after compliance with the provisions of Minnesota Statutes, Chapter 15 . . . 11 MCAR §§ 1.2093 and 1.2094 and relate to the Classification and Compensation Plans, respectively.

The letter continues: "In order to allay any doubt which may exist concerning the effectiveness of the above cited rule provisions, the Merit System will have the governor and the commissioner of Public Safety co-sign the order adopting the Public Safety rules proposed in both the September 21, 1979 hearings."

The Hearing Examiner finds that although the language of the above-existing rules appear to delegate to the Commissioner of Public Safety authority to act on behalf of the Governor in matters relative to the Merit System for Public Safety personnel, this provision should not be construed to imply that one rule can be authority to adopt another rule. Furthermore, the Hearing Examiner urges in the future that an exhibit be submitted which was executed by the Governor indicating the Commissioner of Public Safety is acting for the Governor in the adoption of rules relative to the Merit System. As for the proposed rules, it is implicit that the Commissioner herein may adopt the proposed rules. However, as the counsel has stated, the Governor should co-sign the Order adopting the rules.

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.

Exhibit G also cites as authority of the Commissioner of DPW to promulgate rules for the Merit System Minn. Stat. § 256.01, subd. 4:

> The State agency shall:
>
> * * *
>
> (3) establish adequate standards for personnel employed by the counties and the state agency . . . and to make the necessary rules and regulations to maintain such standards.

The letter continues: ". . . [F]urther support for DPW's rulemaking authority is found in references to DPW Merit System rules and regulations. [See, e.g., Minn. Stat. §§ 375.62, 393.07, subd. 3 (1978).] In addition to all of the above, the Commissioner's authority is generally recognized in Minn. Stat. § 256.011. That section provides that federal grants-in-aid programs shall be administered 'pursuant to and in accordance with rules and regulations promulgated and adopted by the Commissioner of Public Welfare'. Eligibility for and continued receipt of federal grants-in-aid programs are conditioned upon the governmental units administering the programs being under an approved merit system operating according to the Standards for a Merit System of Personnel Administration. 44 FR 10245, 5 C.F.R. § 900.109 1.(a). Non-compliance with the standards can result in the Office of Personnel Management recommending grant termination proceedings to the appropriate federal agency. 44 FR (2/16/79), 5 C.F.R. § 900.612-620."

7. In conformance with 5 C.F.R. Part 900, Subpart F, the Minnesota Legislature enacted Minn. Stat. §§ 12.22, subd. 3, 144.071, and 393.07, subd. 5, which respectively authorize the commissioners to adopt methods of implementing merit systems within their individual agencies.

8. Pursuant to authority granted by Section 393.07, the Commissioner (then Director) of Public Welfare adopted rules for a merit system for employees of county welfare boards. In State ex rel. Hennepin County Welfare Board, et al. v. Fitzsimmons, et al., 239 Minn. 407, 58 N.W.2d 882, 889 (1953), the court held:

> . . . [I]t 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 or 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.

9. Since 1953, changes have been made in Federal law and regulations. The relevant regulations are now found in 45 C.F.C. Part 70. These standards require that in order to be eligible for federal grant-in-aid funds, the Minnesota Merit System must specifically include, among other things, a position classification plan (45 C.F.R. § 70.7), a comprehensive compensation plan (45 C.F.R. § 70.8), and an active recruitment, selection and appointment program (45 C.F.R. §§ 70.9, 70.10 and 70.11).

10. Minnesota adopted the Public Employment Labor Relations Act (PELRA), Minn. Stat. §§ 179.61-179.77 in 1971. Proposed rule amendments should not conflict with rights of public employees and System employees.

Need and Reasonableness

A. Personnel Policies and Procedures.

11. Proposed amendments to 12 MCAR § 2.493, 7 MCAR § 1.238, and 11 MCAR § 1.2093 authorize the respective Commissioners to reallocate positions under certain "junior-senior" plans of promotion by (a) allowing the incumbent to take non-competitive promotional examination, (b) certifying only the name of the eligible incumbent whose position is reallocated, and (c) removing the requirement of serving a new probationary period. The proposed amendments reflect current practice and would establish authority in rule form for the procedure. Exhibits A and B, letters from Wayne Larson, Chairman of the Welfare Directors Association, and Elwyn K. Boe, Director of Koochiching Family Services, indicate support for eliminating the probationary period for employees reallocated to a higher class.

By letter, the Personnel Director of St. Louis County, Anthony J. Bruno, Jr., suggested that "may" be inserted into 12 MCAR § 2.493 D.3., paragraph 2, so that the waiver of the probationary period be left to the discretion of the counties. (Exhibit C) By a post-hearing comment, Mr. Corey opposed the substitution of language which would make the serving of a probationary period optional with the appointing authority with no conditions attached. (Exhibit H)

Jerry Serfling, Business Representative for AFSCME Council 91, spoke in opposition to Mr. Bruno's suggestion saying there was no need for a new probationary period.

Exhibit H consists of a letter addressed to Arthur E. Noot, Commissioner of DPW, from C. E. Melberg, Beltrami County Welfare Director. The Beltrami County Welfare Board suggested that the junior-senior plan be removed completely and that there should be no probation and salary increases during the change to senior. By letter dated October 3, 1979, Mr. Corey stated that based on the support of 47 merit system agencies, the Merit System is not in a position to recommend discontinuance of the plans on a statewide basis. Mr. Corey stated also that the Merit System rules do not require a salary increase be granted upon promotion.

The Hearing Examiner finds that the rule, as proposed, is needed and reasonable.

12. A minor amendment to 7 MCAR § 1.238 A.1. would change "State Board of Health" to "Commissioner", thus bringing it into conformity with Minn. Laws 1977, Chapter 205 which abolished the State Board of Health and transferred all powers and duties to the Commissioner.

There were no comments made about this amendment.

The Hearing Examiner finds this amendment to be needed and reasonable.

13. Proposed amendments to 12 MCAR § 2.503 and 7 MCAR § 1.249 deal with separation, tenure and reinstatement including proposed language for an orderly system of lay-offs, tie-breaking methods, bumping provisions, notification requirement, reemployment list, return from lay off, and a provision (Paragraph 8 of 12 MCAR § 2.503 and 7 MCAR § 1.249) for exclusion of the proposed rule if otherwise provided in a collective bargaining agreement. The proposed rule is needed to provide for a system of considering applicants with previous experience in similar positions and referring former satisfactory employees to current vacancies.

Jerry Serfling suggested that language similar to the exclusionary provision in proposed Paragraph 8, above, be inserted into 12 MCAR § 2.493 D. as Paragraph 4. By post-hearing comment, Ralph Corey opposed this suggestion on the grounds that the junior-senior plan of promotion involves reclassification of positions, which authority he asserts, belongs by rule to the Merit System and is not a subject under a collective bargaining agreement. Mr. Corey stated that Mr. Serfling's proposal would substantially change the wording and intent of the proposed Merit System amendment to the rule.

The Hearing Examiner finds the amendment, as proposed, is needed and reasonable.

14. Proposed amendments to 12 MCAR § 2.504 and 7 MCAR § 1.250 deal with leaves of absence by identifying current minimum and optional leave policies. Existing languge relating to educational leaves is deleted and established in the optional subdivision of the rule. Educational leaves would be granted with or without pay, thus complying with federal requirements relative to state plans for staff development (45 C.F.R. § 205.202).

By letter (Exhibit E), the Counsel clarified that the citations of federal regulations were references to appropriate materials and not to be incorporated by reference into the rules; thus, there is no conflict with Minn. Stat. 15.0412, subd. 4 or 9 MCAR § 2.108.

In Exhibit G, Mr. Bruno suggested the insertion of the word "successful" into the proposed amendment relating to completion of a probationary period.

Responding to that suggestion, Mr. Corey proposed changes in the original language proposed by inserting the word "satisfactory"; thus, the proposed language of 12 MCAR § 2.504 B.3.a. becomes: "Upon the satisfactory completion . . . "; proposed language of 7 MCAR § 1.250 B.3.a. becomes: "Upon the satisfactory completion of . . . "; the proposed language of 12 MCAR § 2.504 B.3.d. becomes: ". . . with six full months of satisfactory service in the Merit System . . ."; and the proposed language of 7 MCAR § 1.250 B.3.d. becomes: ". . . with six full months of satisfactory service in the Merit System . . . ". These substitutions are acceptable to Mr. Bruno, according to Mr. Corey, who discussed them with him.

The Hearing Examiner finds that these proposed amendments, as modified, are needed and reasonable and appear not to constitute a substantial change.

Classification Plan and Compensation Plan

15. The second category of proposed amendments relate to new and revised class specifications. The rules affected are: 12 MCAR § 2.581, 12 MCAR § 2.586, 12 MCAR § 2.588, 12 MCAR § 2.592, 12 MCAR § 2.593, 12 MCAR § 2.621, 12 MCAR § 2.622, 12 MCAR § 2.623, 12 MCAR § 2.624, 12 MCAR § 2.625, 12 MCAR § 2.626, 12 MCAR § 2.640, 12 MCAR § 2.646, and 12 MCAR § 2.654.

These proposed amendments would revise eleven (11) existing class specifications and establish three new classifications. The revisions and additions are based on recommendations made by committees of incumbents and their supervisors with a final review of the draft of the class specifications by groups of incumbents and supervisors. Some additional changes were made after the Merit System Council held hearings.

The first two proposed amendments are for Adult Day Care Center Supervisor, 12 MCAR § 2.592, the Adult Day Care Program Coordinator, 12 MCAR § 2.654. The next proposed amendments are for Center Coordinator, 12 MCAR § 2.593, Financial Assistance Specialist, 12 MCAR § 2.623, Financial Worker II, 12 MCAR § 2.622, Senior Case Aide, 12 MCAR § 2.640, Financial Worker I, 12 MCAR § 2.621, Coordinator of Aging, 12 MCAR § 2.626, Collection Services Supervisor II, 12 MCAR § 2.581, and Developmental Achievement Center Teacher, 12 MCAR § 2.646. The changes involve updating of terminology, clarification of responsibilities for positions, in some cases addition of abilities, reduction of minimum experience requirements and specification of type of college training required. The changes in minimum qualifications are necessary to conform to the United States Office of Personnel Management's Standards for a Merit System of Personnel Administration, which require that job-related minimum requirements be established wherever they are needed for entrance to a classification. These standards, set forth in 45 C.F.R. Part 70, were incorporated by reference into the Statement of Need and Reasonableness, not the Rules, thus providing no conflict with Minn. Stat. § 15.0412 or 9 MCAR § 2.108.

There were no comments regarding these proposed rules.

The Hearing Examiner finds that these proposed rules are needed and reasonable.

16. The next four proposed amendments primarily involve the reduction in the minimum qualifications of education and experience including the following

title changes: Homemaker I to Family Service Aide I, 12 MCAR § 2.624; Homemaker II to Family Service Aide II, 12 MCAR § 2.625; Homemaker Coordinator I to Family Service Aide Coordinator I, 12 MCAR § 2.588; and Homemaker Coordinator II to Family Service Coordinator II, 12 MCAR § 2.586.

Mr. Corey introduced two letters: One, marked Exhibit D, from Barbara Wilkes, Vice-President of the Minnesota Homemakers Association, and one, previously introduced as Exhibit A from Wayne Larson. Both letters supported the proposed changes.

The Hearing Examiner adopts the portion of the Statement of Need and Reasonableness relative to the above amendments as facts herein, and finds these amendments are needed and reasonable.

17. Proposed amendments to 12 MCAR § 2.840 A. and B. incorporate the compensation plan for the various classes under the Public Welfare Merit System. The amendments establish salary ranges for the rest of 1979, for the three proposed new classifications and are based primarily on comparisons with Merit System salary ranges for existing classes with comparable minimum qualifications and duties and responsibilities, and where possible, on comparison with salary ranges for similar positions in other jurisdictions.

The Hearing Examiner finds that these amendments are needed and reasonable.

18. Any Findings herein which may be termed as Conclusions are hereby adopted as such.

Based upon the foregoing Findings of Fact, the Hearing Examiner makes the following:

CONCLUSIONS

1. The Minnesota Merit System gave proper notice of the promulgation of the proposed rule provisions.

2. The System has statutory authority, as cited, to take the action proposed, to wit, the promulgation, deletion and amendment of the proposed rules.

3. The System has fulfilled all relevant, substantive and procedural requirements of law or rule.

4. The System has demonstrated the need for and reasonbleness of the proposed rules and proposed amendments and deletions by an affirmative presentation of facts in the record.

Based upon the foregoing Conclusions, the Hearing Examiner makes the following:

RECOMMENDATION

It is recommended that the proposed rules be adopted by the Minnesota Merit System as recommended by the Hearing Examiner.

Dated: November 5, 1979.

HARRY SEYMOUR CRUMP
Hearing Examiner

PW-80-009-HC

STATE OF MINNESOTA
OFFICE OF HEARING EXAMINERS

FOR THE MINNESOTA MERIT SYSTEM

IN THE MATTER OF THE PROPOSED ADOPTION OF NEW RULES AND AMENDMENTS OF EXISTING RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING THE COMPENSATION PLAN; THE CLASSIFICATION PLAN; SEPARATION, TENURE AND REINSTATEMENT; AND LEAVES OF ABSENCE.

REPORT OF THE CHIEF HEARING EXAMINER

WHEREAS, a hearing was held on September 21, 1979, before Harry S. Crump, 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 Minnesota Merit System on November 5, 1979; and

WHEREAS, the Minnesota Merit System has now determined to adopt rules pursuant to Minn. Stat. § 15.0412, subd. 4; and

WHEREAS, the Minnesota Merit System has submitted said rules to the Chief Hearing Examiner for review pursuant to Minn. Stat. § 15.052, subd. 4, and 9 MCAR § 2.110; and

WHEREAS, the Chief Hearing Examiner finds that the final proposed rules are not substantially different from those proposed at the public hearing and that the Minnesota Merit System has met all requirements of Minn. Stat. § 15.0412, subd. 4.

NOW, THEREFORE, upon receipt of this Report, the Minnesota Merit System has the responsibility of submitting the complete hearing record and the rules as adopted by the System to the Attorney General, notifying all persons who requested to be informed that the hearing record has been submitted to the Attorney General, and publishing in the State Register, all pursuant to Minn. Stat. § 15.0412, subd. 4.

Dated this 17th day of December, 1979.

Duane R. Harves

DUANE R. HARVES
Chief Hearing Examiner

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE ARTHUR E. NOOT
COMMISSIONER OF PUBLIC WELFARE

BEFORE GEORGE R. PETTERSEN, M.D.
COMMISSIONER OF HEALTH

BEFORE JOHN P. SOPSIC
COMMISSIONER OF PUBLIC SAFETY

IN THE MATTER OF THE PROPOSED ADOPTION OF NEW RULES AND AMENDMENTS OF EXISTING RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING THE COMPENSATION PLAN; THE CLASSIFICATION PLAN; SEPARATION, TENURE AND REINSTATEMENT: AND LEAVES OF ABSENCE

STATEMENT OF NEED AND REASONABLENESS

The following considerations constitute the statutory and regulatory authority upon which the above-cited rule amendments are based:

1. 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. 42 USC Ch. 62. 1/

1/ Also see sections of the United States Code cited hereinafter where the following programs have a statutory requirement for the establishment and maintenance of personnel standards on a merit basis:

Aid to Families With Dependent Children - "AFDC"
[42 USC § 602 (a) (5) (A)]
Food Stamps [7 USC § 2020 (e) (6) (B)]
Medical Assistance = "MA" [42 USC § 1396a (a) (4) (A)]
Social Services [42 USC § 1397b (d) (1) (D)]
Comprehensive Mental Health Services [42 USC § 2689T (a) (1) (d)]
Aid to the Blind [42 USC § 1202 (a) (5) (A)]
Aid to the Permanently and Totally Disabled [42 USC § 1352 (a) (5) (A)]
Aid to the Aged, Blind or Disabled [42 USC § 1382 (a) (5) (A)]
Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation [42 USC § 4573 (a) (5)]
Drug Abuse Prevention [21 USC § 1176 (e) (8)]
Comprehensive Health Planning [42 USC 300M-1(b) (4) (B)]
Health Resources Development [42 USC § 300o-2(b)]
Civil Defense Personnel and Administrative Expenses [50 USC Appx. § 2286(a) (4)]
Medical Facilities Assistance [42 USC § 300o-1(b)]

Maternal and Child Health Services/Crippled Children Services
[42 USC § 705(a) (3) (a)]
Developmental Disabilities Services and Facilities Construction
[42 USC § 6063(b) (7)]
State and Community Programs on Aging [12 USC § 3027(a) (4)]
Nutrition Programs for the Elderly [42 USC § 3045d (a) (3)]

2. Pursuant to such Congressional action the U.S. Department of Health, Education and Welfare (HEW), Department of Labor and Department of Defense promulgated 5 CFR Part 900, Subpart F which imposes upon the State of Minnesota general requirements for a merit system of personnel administration. Those standards require that in order to be eligible for federal grant-in-aid funds the Minnesota Merit System must specifically include, among other things, a position classification plan (5 CFR § 900.604-1), a comprehensive compensation plan (5 CFR § 900.604-1), and an active recruitment, selection and appointment program (5 CFR §§ 900.602-900.603).

3. Under the aforementioned grant-in-aid programs the State of Minnesota, through its appropriate agencies, is the grantee of federal program and administrative funds and, accordingly, the State is under an affirmative obligation to insure that such monies are properly and efficiently expended in compliance with applicable federal standards.

4. In conformance with 5 CFR Part 900, Subpart F, the Minnesota Legislature enacted Minn. Stat. § 12.22 subd. 3, § 144.071 and § 393.07 subd. 5, which respectively authorize the commissioner of public safety, the commissioner of health, and the commissioner of public welfare to adopt necessary methods of personnel administration for implementing merit systems within their individual agencies. Collectively, the resulting programs are referred to as the "Minnesota Merit System".

5. Pursuant to such statutory authority those state agencies have adopted comprehensive administrative rules which regulate administration of the Minnesota Merit System. 2/

2/ 12 MCAR §§ 2.490-2.841, 11 MCAR §§ 1.2090-1.2141 and 7 MCAR §§ 1.235-1.315.

6. The above-cited proposed rule amendments are promulgated in accordance with the provisions of applicable Minnesota statutes and expressly guarantee the rights of public employers and Minnesota Merit System employees in conformance with the terms of the state's Public Employment Labor Relation Act [Minn. Stat. §§ 179.61-179.77].

7 The Minnesota Supreme Court has expressly recognized the authority of the Commissioner of Public Welfare and, implicitly, the similar authority of the Commissioner of Public Safety and the Commissioner of Health, to adopt such rules by declaring:

> . . . it is clear that the Director of Social Welfare 3/ was clearly right in adopting and promulgating a merit plan which includes 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 program nor the determination of his tenure of office and individual compensation.

State ex rel. Hennepin County Welfare Board and another v. Robert F. Fitzsimmons, et al., 239 Minn. 407, 420, 58 N.W. 2d 882, 890 (1953). (Footnote added.)

3/ The "Director of Social Service" was the former title of the current office of "Commissioner of Public Welfare".

II. The justification establishing the reasonableness of the specific substantive provisions of the proposed rules, all of which concern the Minnesota Merit System operation, is as follows:

A. PERSONNEL POLICIES AND PROCEDURES

1. 12 MCAR § 2.493, 7 MCAR § 1.238, and 11 MCAR § 1.2093

These rules deal with the classification plan. The proposed amendments to MCAR § 2.493, 7 MCAR § 1.238 and 11 MCAR § 1.2093 relate to incumbents of positions which are reallocated under junior-senior plans currently in existence (Social Worker I to II, Financial Worker I to II, and Case Aide to Senior Case Aide). The proposed changes establish provisions to allow the incumbent of a position reallocated under a junior-senior plan to take a non-competitive promotional examination. They also provide for certification of only the name of the eligible incumbent whose position is reallocated and removes the requirement that the incumbent serve a new probationary period subsequent to appointment in the higher classification. Much of the content of the proposed amendments represent what already is practiced by the Merit System with respect to reallocations under junior-senior plans. These proposed amendments are necessary to establish in rule form authority for this procedure rather than to continue the present practice without support from the rules.

A minor amendment is proposed to 7 MCAR 1.238 A. 1. to change "State Board of Health" to "Commissioner". This revision is necessary to bring the language into conformity with Minn. Laws 1977, Chapter 305 which eliminates all references to the Board of Health and to the Secretary and Executive Officer. Minn. Laws 1977 § 305.39 amended Minn. Stat. § 144.011 (1976) by abolishing the State Board of Health and transferring all powers and duties to the Commissioner of Health.

2. 12 MCAR § 2.503, 7 MCAR § 1.249

These rules deal with separation, tenure, and reinstatement. (Under the provisions of 11 MCAR § 1.2091 B., the Department of Public Welfare Rules 12 MCAR §§ 2.495-2.510 also apply to the Department of Public Safety's county and local agencies.)

One of the proposed changes in 12 MCAR § 2.503 and 7 MCAR § 1.249 relates to the matter of layoff and includes the deletion of existing language and insertion of entirely new language which outlines procedures for agencies to follow in the event of layoff. The proposed amendment provides for an order of layoff, a definition of seniority for layoff purposes, a method of breaking ties where seniority is equal, a bumping provision, a notification requirement, placement of names of laid-off employees on a reemployment list as well as a layoff list, return from layoff in the event of a subsequent vacancy and a section that excludes the provisions of the proposed rule if they are otherwise provided in a collective bargaining agreement. This amendment is necessary in order to establish a clear and orderly procedure to be followed in the event of layoff.

A second proposed change to 12 MCAR § 2.503 and 7 MCAR § 1.249 establishes a reemployment list for former permanent or probationary Merit System employees who resign in good standing. Current Merit System rules provide only for reinstatement of former employees and the former employee is totally responsible for seeking out job opportunities on his/her own. The proposed change allows for referral of names from the reemployment list automatically to appropriate vacancies for which former employees are qualified, interested and available. The names referred from the reemployment list would not affect the number of names an appointing authority could consider from the regular eligible list. This proposed amendment is necessary in order to allow appointing authorities to consider another source of applicants; namely, those with previous experience in similar positions and to establish an orderly system of referring former satisfactory employees to current vacancies.

3. 12 MCAR § 2.504 and 7 MCAR § 1.250

These rules deal with leaves of absence. (Under the provisions of 11 MCAR § 1.2091 B., the Department of Public Welfare Rules 12 MCAR § 2.495-2.510 also apply to the Department of Public Safety's county and local agencies.)

The revisions proposed to 12 MCAR § 2.504 and 7 MCAR § 1.250 serve to identify minimum and optional leave policies and place them in separate subdivisions of the rule. Within the current rule, minimum leave policies which agencies must provide for employees are grouped together with those leave policies which are optional, or those which agencies may or may not adopt. These changes are necessary to clarify and better identify which leave policies are those which an agency must provide and those which are optional.

A significant proposed change in 12 MCAR § 2.504 and 7 MCAR § 1.250 deletes the current language on educational leave and establishes, under the optional subdivision, a policy to allow educational leave to be granted with or without pay. The language of the current rule suggests that educational leave may be granted only without pay. This specific proposal is necessary in order to comply with federal requirements relative to state plans for staff development (45 CFR § 205.202). A copy of these regulations are expressly incorporated herein by reference.

B. CLASSIFICATION PLAN AND COMPENSATION PLAN

1. 12 MCAR §§ 2.581, 2.586, 2.588, 2.592, 2.593, 2.621, 2.622, 2.623, 2.624, 2.625, 2.626, 2.640, 2.646, 2.654

The authority for the classification changes contained herein is Merit System Rule 12 MCAR § 2.493 A. 1. and 2. which states in part: The Commissioner of Public Welfare shall formally adopt and make effective a comprehensive classification plan for all positions. The plan shall be based on investigation and analysis of the duties and responsibilities of each position, and each position shall be allocated to its proper class in the classification plan. The plan shall be developed after consultation with supervisory officials, classification specialists, and persons technically familiar with the character of the work. When complete, the classification plan shall include for each class of positions an appropriate class title, a description of the duties and responsibilities, and the minimum requirements of training, experience and other qualifications.

These proposals are necessary to revise eleven existing class specifications and to establish three new classifications. The revisions in the existing specifications and the contents of the proposed new class specifications are primarily based on recommendations made by committees of incumbents and their supervisors and final review of the draft of the class specifications by groups of incumbents and their supervisors. The Merit System Council has held hearings on all of these class specification proposals and, as a result of these hearings, some additional changes have been made.

a. 12 MCAR §§ 2.592 and 2.654 (Adult Day Care Center Supervisor and Adult Day Care Center Program Coordinator)

The establishment of these classifications under the Public Welfare Merit System is a result of a need expressed by the Carver County Family Service Department. Carver County operates a day care center for physically and emotionally handicapped adults which recently came under the jurisdiction of the Merit System and currently has individuals employed at the Supervisor and Program Coordinator levels. The Merit System staff was assisted by staff of the Carver County Family Service Department in developing the proposed specifications. It is reasonable to establish these classes to ensure that the Merit System classification plan properly reflects the duties and responsibilities being performed by Merit System employees and is in conformance with the federal standards for a Merit System of Personnel Administration which require maintenance of a classification plan on a current basis.

b. 12 MCAR § 2.[redacted] (Center Coordinator)

This classification is being established under the Public Welfare Merit System as a result of a need expressed by the St. Louis County Social Service Department. The classification will be used in day care centers for both adults and children. St. Louis County currently has an individual employed in this classification. The proposed class specification was reviewed and approved by incumbents and supervisory personnel in St. Louis County. Again, it is reasonable to establish this class to ensure that the Merit System classification plan properly reflects the duties and responsibilities being performed by Merit System employees and to conform with the federal Standards for a Merit System of Personnel Administration which require maintenance of a classification plan on a current basis.

c. 12 MCAR § 2.623 (Financial Assistance Specialist)

The proposed changes in the class specification for Financial Assistance Specialist serve to clarify the major duties and responsibilities of positions in this classification. Financial Assistance Supervisors in the agencies assisted Merit System staff in suggesting changes in the illustrative examples of work, in the knowledges and abilities required, and in developing the minimum qualifications of education and experience. Currently, the Merit System class of Financial Assistance Specialist is used for individuals spending a large percentage of time performing intake in one or more financial assistance programs, which includes screening and/or initial determination of eligibility; acting as lead worker in one or more of the financial assistance programs; or performing quality control functions. Since the existing class specification, which was last reviewed in 1973, does not accurately reflect the duties performed by Financial Assistance Specialists, the revisions are necessary to adequately describe the class. The proposed additions to the "knowledges and abilities required" section add some knowledges and abilities that are considered essential. Certain knowledges and abilities were revised or deleted because they were considered inappropriate and not necessary for an individual to possess prior to being hired in the classification.

The major proposed change in the minimum requirements of education and experience allows for experience as either a Financial Worker I or II, rather than restricting the experience to one year as a Financial Worker II (formerly Senior Case Aide). The proposed minimum requirements also allow for substitution of education for experience which is consistent with the existing minimum qualifications for Financial Worker II. This is reasonable in light of the fact that the current minimum experience requirement was felt to be unnecessarily high by those Financial Assistance Supervisors who assisted Merit System staff in developing the proposed changes and are most knowledgeable relative to the skills, knowledges and abilities necessary to perform satisfactorily on the job.

d. 12 MCAR §§ 2.622 and 2.640 (Financial Worker II and Senior Case Aide)

The major proposed change in the class specification for Financial Worker II is in the minimum qualifications of education and experience, reducing the number of years of experience from three years to two years with a high school diploma, and from two years to eighteen months with two years of college. This change is necessary due to the proposed change reducing the minimum qualifications of education and experience for Financial Assistance Specialist and is also consistent with the minimum amount of experience necessary to be promoted from Social Worker I to Social Worker II, which is another existing junior-senior plan.

Additional changes in the class specification serve to update the terminology used.

Similar proposed changes in the minimum qualifications and knowledges and abilities required in the class specification for Senior Case Aide are necessary in order to update the terminology and also to make this classification consistent with the Financial Worker II specification.

e. 12 MCAR § 2.62[redacted] (Financial Worker I)

The proposed changes in the class specification for Financial Worker I update the terminology used in the kind of work and examples of work. The changes are necessary in order to conform to the terminology in the proposed Financial Worker II class specification.

f. 12 MCAR § 2.626 (Coordinator of Aging)

The proposed changes in this class specification result from suggestions made by a committee of incumbents and supervisory personnel who reviewed the class specification. Most of the changes in the illustrative examples of work section involve an updating of terminology and clarifying the appropriate responsibilities of the Coordinator of Aging classification. These changes are reasonable and necessary to ensure maintenance of the classification plan on a current basis.

The changes proposed in the "knowledges and abilities required" section include deletion of those knowledges and abilities considered inappropriate and not necessary for an individual to possess prior to being hired in the classification, updating of language, and addition of abilities that are felt to be necessary for an individual to possess prior to being hired in the classification.

The proposed changes in the minimum qualifications of education and experience reduce the number of years of experience from five to two, clarify the type of experience necessary, and also specify the type of college training which may be substituted for the experience. The proposed changes in the minimum qualifications are necessary to conform to the United States Office of Personnel Management's Standards for a Merit System of Personnel Administration, which require that job-related minimum requirements be established wherever they are needed for entrance to a classification. Job-related minimum requirements serve to ensure that candidates have a reasonable chance for success in the position and that artifically high qualifications are not established for entrance to the position. Copies of the standards are expressly incorporated herein by reference.

g. 12 MCAR § 2.5[redacted] (Collection Services Supervisor II)

The major proposed change in the class specification for Collection Service Supervisor II is in the minimum qualifications of education and experience. The change allows for substitution of relevant experience for education in qualifying to take promotional examinations. This change is necessary to conform to the Standards for a Merit System of Personnel Administration so that job-related minimum requirements exist for this position and that artifically high qualifications do not exist. Other proposed changes in the class specification are necessary to update the language used in the specification.

h. 12 MCAR § 2.646 (Developmental Achievement Center Teacher)

The only proposed revision to this class specification is to eliminate the requirement for possession of a valid Minnesota teaching certificate. This change is necessary to be consistent with the federal Standards for a Merit System of Personnel Administration by establishing job-related minimum requirements and avoiding artifically high entrance qualifications.

This classification is to be used by various human service agencies covered by the Merit System and most individuals currently employed as teachers in developmental achievement centers within these human service agencies do not possess teaching certificates. Since there is no requirement that such teachers possess a valid Minnesota teaching certificate, it is not reasonable to require applicants for the position to possess the certificate.

i. 12 MCAR §§ 2.624, 2.625, 2.588, and 2.586 (Homemaker I, Homemaker II, Homemaker Coordinator I, Homemaker Coordinator II)

The major proposed revisions to these class specifications involve the following title changes: Homemaker I to Family Service Aide I, Homemaker II to Family Service Aide II, Homemaker Coordinator I to Family Service Coordinator I, and Homemaker Coordinator II to Family Service Coordinator II. These changes were suggested by a committee of

incumbents and supervisors who felt that the current classification title of "Homemaker" is inappropriate and does not adequately describe the duties of the class because of a wide variety of duties performed by these individuals. The titles have caused problems for incumbents in making their position responsibilities clearer to the general public and the clients served.

Other proposed changes in the class specifications primarily involve reducing the minimum qualifications of education and experience. Within the Homemaker I classification, the requirement of a high school diploma is being deleted in order to make the classification consistent with the Public Health Merit System classification of Home Health Aide.

Another proposal is to allow substitution of college coursework for homemaking experience on a one year for two basis without the current limit of two years. Under the present qualifications, individuals with college degrees in home economics and little or no homemaking experience are not able to qualify for the examination.

Within the Homemaker II specification, one proposed change is the deletion of the requirement of the high school diploma and another includes the reduction of the number of years of experience from ten to seven, as ten is felt to be excessive in relation to the minimum experience required at the Homemaker I level. Again, a change to allow for substitution of college coursework for homemaking experience is being proposed.

A proposal to delete the high school diploma requirement for Homemaker Coordinator I is being made to conform to the proposed changes in the minimum qualifications of education and experience in the Homemaker I and II class specifications.

The above changes in the minimum qualifications are necessary in order to ensure that minimum qualifications for entrance to these positions are job-related and do not screen out those individuals who would be successful in these positions.

Other proposed minor changes in the class specifications involve updating the terminology in order to make it consistent with the proposed title changes and to reflect the current responsibilities and duties of each of these classes of positions.

2. 12 MCAR § 2.840 A. and B.

This rule sets the compensation plan for the various classes under the Public Welfare Merit System. Revisions to this rule are necessary to set salary ranges for the remainder of 1979 for all of the aforementioned new classes. The proposed salaries are based primarily on comparison with Merit System salary ranges for existing classes with equivalent minimum qualifications and duties and responsibilities and, where possible, on comparison with salary rates for similar jobs in other jurisdictions. The proposed salaries provide for fair and equitable salary rates and are reasonable.

a. The proposed salary range for Adult Day Care Center Supervisor has been established by examining the duties and minimum qualifications required in comparison to other Merit System classes, since a comparable classification is not evident in other civil service jurisdictions. The proposed range for Adult Day Care Center Supervisor was set at the same salary range as that of the Developmental Achievement Center Instructor classification since the responsibilities, as well as the minimum qualifications of education and experience, are comparable.

b. The proposed salary range for Center Coordinator has been set at the Social Worker III salary level, since a master's degree in social work is required for both positions.

c. The Adult Day Care Center Program Coordinator proposed salary range was established by reviewing the minimum qualifications required in comparison to other Merit System classes, as well as by examining the pay scale for the State of Minnesota classification of Human Service Specialist, which is the level at which certified occupation therapy assistants in the state hospitals are hired. The salary range for Human Service Specialist is $842 to $1037 per month. The 1979 proposed C plan salary range for Adult Day Care Center Program Coordinator is $779 to $1111 per month.

The aforegoing authorities and comments are submitted in justification of final adoption of the above cited proposed rule amendments.

Ralph W. Corey
Merit System Supervisor

DATED: August 14, 1978.

STATE OF MINNESOTA

DEPARTMENT OF HEALTH

IN THE MATTER OF THE PROPOSED AMENDMENTS
TO EXISTING RULES OF THE MINNESOTA MERIT
SYSTEM GOVERNING THE CLASSIFICATION PLAN,
SEPARATION, TENURE AND REINSTATEMENT;
AND LEAVES OF ABSENCE

NOTICE OF HEARING

Notice is hereby given that a public hearing in the above-entitled matter will be held pursuant to Minn. Stat. § 15.0412, subd. 4, in the Administration Building, Room 116, 50 Sherburne Avenue (between Cedar and Capitol Boulevard), St. Paul, Minnesota, on September 21, 1979, commencing at 9:30 A.M.

All interested or affected persons will have an opportunity to participate concerning the rules captioned above. Statements may be made orally and written material may be submitted. In addition, whether or not an appearance is made at the hearing, written statements or material may be submitted to Harry Seymore Crump, Hearing Examiner, Office of Hearing Examiners, 1745 University Ave., St. Paul, Minnesota 55104 (612) 296-8111 either before the hearing or within five (5) working days after the close of the hearing. The hearing examiner may keep the record open for a longer period not to exceed 20 calendar days. All such statements will be entered into and become part of the record.

Proposed revisions to 7 MCAR § 2.138 A. 1. and D. change the authority for adopting a classification plan from the State Board of Health to the Commissioner of Health, authorize the Commissioner of Health to reallocate positions to certain designated classes under certain circumstances, provide for the administration of non-competitive promotional examinations in such situations, the certification of

only the name of the eligible incumbent and elimination of the need for the employee promoted under this provision to serve a new probationary period in the higher classification.

Proposed revisions to 7 MCAR § 1.249 D. establish a new procedure to be followed in the event of a layoff in the classified service including a definition of seniority for purposes of layoff, order of layoff, method of breaking ties in cases of equal seniority, a bumping provision, notification requirement, placement of names of laid off employees on the layoff list and the reemployment list, return from layoff to a subsequent vacancy and an exclusion of the provisions of the rule if they are otherwise provided in a collective bargaining agreement.

Proposed revisions to 7 MCAR § 1.249 create a reemployment list(s) containing names of former permanent or probationary Merit System employees who voluntarily separate in good standing with a satisfactory or better separation rating.

Proposed revisions to 7 MCAR § 1.250 A., B. and C. clarify present language relative to leaves of absence, separate minimum leave policies and optional leave policies and place them in separate sections of the rule and provide for an optional policy of granting educational leave with or without pay to employees.

None of these proposed rule changes will result in increased expenditures for the appointing authority. The authority for the proposed rule amendments is contained in Minn. Stat. § 144.071.

Copies of the proposed rule are now available and at least one free copy may be obtained by writing to Ralph Corey, Merit System, Department of Public Welfare, Centennial Building, St. Paul, Minnesota 55155, telephone 612/296-3996. Additional copies will be available at the door on the date of the hearing.

Notice is hereby given that 25 days prior to the hearing a statement of need and reasonableness will be available for review at the agency and at the Office of Hearing Examiners. This statement of need and reasonableness will include a

summary of all of the evidence which will be presented by the agency at the hearing justifying both the need for and the reasonableness of the proposed and amended rules. Copies of the statement of need and reasonableness may be obtained from the Office of Hearing Examiners at a minimal charge.

Any person may request notification of the date on which the hearing examiner's report will be available, after which date the commissioner may not take any final action on the rules for a period of five (5) working days. Any person may request notification of the date on which the hearing record has been submitted to the Attorney General by the agency. If you desire to be so notified, you may so indicate at the hearing. After the hearing, you may request notification by sending a written request to the hearing examiner, in the case of the hearing examiner's report, or to the agency, in the case of the agency's submission or resubmission to the Attorney General.

In addition, please be advised that Minn. Stat. Ch. 10A requires each lobbyist to register with the State Ethical Practices Board within five (5) days after he commences lobbying. A lobbyist is defined in Minn. Stat. Sect. 10A.01, Subd. 11 as any individual:

(a) Engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than $250, not including his own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or

(b) Who spends more than $250, not including his own traveling expenses and membership dues, in any year for the purpose of attempting to influence legistative or administrative action by communicating or urging others to communicate with public officials.

The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, St. Paul, Minnesota 55155, telephone 612/296-5615.

August 2, 1979

George R. Pettersen, M.D.
Commissioner of Health

STATE OF MINNESOTA

DEPARTMENT OF HEALTH

IN THE MATTER OF THE PROPOSED AMENDMENTS TO EXISTING RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING THE CLASSIFICATION PLAN, SEPARATION, TENURE AND REINSTATEMENT; AND LEAVES OF ABSENCE

ORDER FOR HEARING

IT IS HEREBY ORDERED that a public hearing on the above captioned rules be held in the Administration Building, Room 116, 50 Sherburne Avenue (between Cedar and Capitol Boulevard), St. Paul, Minnesota, on September 21, 1979, commencing at 9:30 A.M. and continuing until all persons have had an opportunity to be heard.

IT IS FURTHER ORDERED that a Notice of Hearing be mailed to all persons, representatives of associations, or other interested groups, who have registered their names with the Secretary of State for that purpose.

IT IS FURTHER ORDERED that the Notice of Hearing be published in the State Register.

Dated: August 2, 1979

George R. Petterson M.D.

GEORGE R. PETTERSEN, M.D.
Commissioner

STATEMENT OF COMPLIANCE WITH
MANUAL OF RULE MAKING PROCEDURES

I, Special Assistant Attorney General James A. Jorgensen, 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. Any exceptions are noted below.

James A. Jorgensen
Special Assistant Att. General

Dated: 12/19/79

STATE OF MINNESOTA
DEPARTMENT OF HEALTH

IN THE MATTER OF THE PROPOSED AMENDMENTS TO EXISTING RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING THE CLASSIFICATION PLAN, SEPARATION, TENURE AND REINSTATEMENT; AND LEAVES OF ABSENCE

AFFIDAVIT OF RECEIPT OF THE SECRETARY OF STATE'S LIST

DIANE LYNN HIRTE, being first duly sworn, deposes and says:

1) That she is an employee of the Special Services Division, Department of Public Welfare, State of Minnesota.

2) That on the 13 day of August, 1979, she went to the Secretary of State's office for the State of Minnesota and requested a current list of all representatives of associations or other interested groups or persons who have registered their names with the Secretary of State for the purpose of obtaining notices of public hearings relating to the promulgation of rules pursuant to M.S. 15.0412.

3) That on the 13 day of August, 1979, in response to the above request, the Secretary of State provided her with such a list, a copy of which is attached hereto and incorporated by reference.

Further affaint sayeth not.

Diane L. Hirte

Subscribed and sworn to before me

this 20 day of August

1979.

Margaret Holt

MARGARET HOLT
NOTARY PUBLIC-MINNESOTA
[illegible] COUNTY
My Comm. Expires Oct. 22, 1984

STATE OF MINNESOTA
DEPARTMENT OF HEALTH

IN THE MATTER OF THE PROPOSED AMENDMENTS TO EXISTING RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING THE CLASSIFICATION PLAN, SEPARATION, TENURE AND REINSTATEMENT; AND LEAVES OF ABSENCE

CERTIFICATE OF DELIVERY
SECRETARY OF STATE'S
LIST

I hereby certify that the attached 326 labels 8 sheets constitute the complete list of persons, associations, and other interested groups who as of 2:45 o'clock P.M. this 14th day of August, 1979, have requested pursuant to M.S. _____ 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 Donna Brett

STATE OF MINNESOTA
DEPARTMENT OF HEALTH

IN THE MATTER OF THE PROPOSED AMENDMENTS TO EXISTING RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING THE CLASSIFICATION PLAN, SEPARATION, TENURE AND REINSTATEMENTS; AND LEAVES OF ABSENCE

AFFIDAVIT OF MAILING

DIANE LYNN HIRTE, being first duly sworn, deposes and says:

That on the 15 day of August, 1979 at the City of St. Paul, County of Ramsey, State of Minnesota, she 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.

Diane L. Hirte

Subscribed and sworn to before me this

20 day of August, 1979.

Margaret Holt

MARGARET HOLT
NOTARY PUBLIC-MINNESOTA
RAMSEY COUNTY
My Comm. Expires Dec. 2, 1984

STATE OF MINNESOTA
DEPARTMENT OF HEALTH

IN THE MATTER OF THE PROPOSED AMENDMENTS TO EXISTING RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING THE CLASSIFICATION PLAN, SEPARATION, TENURE AND REINSTATEMENT; AND LEAVES OF ABSENCE

AFFIDAVIT OF ADDITIONAL MAILING

DIANE LYNN HIRTE, being first duly sworn, deposes and says:

That on the 15 day of August, 1979, at the City of St. Paul, County of Ramsey, State of Minnesota, in addition to mailing the attached Notice of Hearing to all persons and associations listed on the Secretary of State's list, she also 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 the following agencies:

All Minnesota County Welfare Departments
All Minnesota Human Service Boards
All Minnesota Area Mental Health Boards
All Minnesota State Hospitals
32 County and Local Civil Defense Agencies
3 County Public Health Departments
Headwaters Nutrition Project
Senior Staff Representatives

Diane L. Hirte

Subscribed and sworn to before me

this 20 day of August 1979.

Margaret Holt

MARGARET HOLT
NOTARY PUBLIC-MINNESOTA
RAMSEY COUNTY
My Comm. Expires Sept. 22, 1984

RECEIVED
SEP 19 1979
OFFICE OF HEARING
EXAMINERS

contacting Mr. Wayne P. Anderson at the above address. Questions concerning the issues raised in this Order or concerning informal disposition or discovery may be directed to Special Assistant Attorney General Robert C. Moilanen, Minnesota Pollution Control Agency, 1935 W. County Road B2, Roseville, Minnesota, 55113, (612) 296-7702.

The hearing will be held before Mr. Allan Klein, 1745 University Avenue, St. Paul, Minnesota 55104, (612) 296-8104, a Hearing Examiner appointed by the Chief Hearing Examiner of the State of Minnesota. All parties have the right to be represented throughout the proceeding by legal counsel, by themselves, or by a person of their choice (if such representation is not otherwise prohibited as the unauthorized practice of law). The hearing will be conducted pursuant to the contested case procedures set out in Minn. Stat. §§ 15.0411 through 15.042 (1978), 9 MCAR §§ 2.201-2.299 and Minn. Rules MPCA 1-13, to the extent that the latter rules do not conflict with 9 MCAR § 2.201-2.299. The above-cited procedural rules are available for inspection at the Office of Hearing Examiners and the Minnesota Pollution Control Agency or may be purchased from the Documents Section of the Department of Administration, 140 Centennial Building, St. Paul, Minnesota 55155, (612) 296-2874. The rules provide generally for the procedural rights of the parties.

Any person desiring to intervene as a party must submit to the Hearing Examiner and serve upon all existing parties a Petition to Intervene, pursuant to 9 MCAR § 2.210, by September 9, 1979. The Petition must show how that person's legal rights, duties and privileges may be affected by the decision in this case. The Petition must also set forth the grounds and purpose for which intervention is sought and indicate the petitioner's statutory right to intervene if one should exist. A party to a case has the right to present evidence, rebuttal testimony, and argument with respect to the issues and to cross-examine witnesses. Further, parties may be entitled, pursuant to 9 MCAR § 2.216, to issuance of subpoenas requiring the attendance of witnesses and the production of documents relevant to any matter involved in the hearing. Interested persons may present oral or written statements at the hearing without becoming parties at the discretion of the Hearing Examiner in accordance with 9 MCAR § 2.210(e), but may not cross-examine witnesses. At the present time, the representatives of parties to this proceeding who should be served with such Petition to Intervene are:

Mr. Morrison Kerschner
Attorney for Richard Hagstrom
Rufer, Hefte, Pemberton, Schulze, Sorlie & Sefkow
Fergus Falls, Minnesota 56537

Mr. Thomas Athens
Attorney for Jack Lesmeister
18 North 10th Street
Wheaton, Minnesota 56296

Mr. Robert Moilanen
Attorney for Minnesota Pollution Control Agency Staff
1935 W. County Road B2
Roseville, Minnesota 55113

All persons are advised that, if they intend to appear as parties at the hearing scheduled for September 19, 1979, at 10:30 a.m., a Notice of Appearance form must be completed and returned to the Hearing Examiner within 20 days of the date of service of the Notice of and Order for Hearing. A Notice of Appearance form is enclosed with all Orders mailed and may also be obtained through contacting Mr. Robert Moilanen at the above address. SHOULD A PARTY FAIL TO APPEAR AT THE HEARING, THE ALLEGATIONS MADE IN THIS ORDER MAY BE TAKEN AS TRUE. Persons attending the hearing should bring all evidence bearing on the case including any records or other documents.

If persons have good reason for requesting a delay of the hearing, the request must be made in writing to the Hearing Examiner at least five days prior to the hearing in accordance with 9 MCAR § 2.217 E. A copy of the request must be served on the Agency and any other parties.

August 3, 1979.

Department of Public Welfare
Department of Health
Department of Public Safety

Merit System

Notice of Intent to Solicit Outside Opinion Concerning Merit System Rules

Notice is hereby given that the Minnesota Department of Public Welfare (12 MCAR), the Minnesota Department of Health (7 MCAR) and the Minnesota Department of Public Safety (11 MCAR) are considering proposed amendments to those rules affecting their compensation plans and salary schedules.

If adopted, these rule changes will alter the salaries paid to those personnel in agencies under the jurisdiction of the Merit System which have not negotiated a compensation plan with a bargaining unit's exclusive representative. The jurisdiction of the Merit System includes most County Welfare Agencies and Human Services Boards, some County and Local Emergency Services Agencies, and some County and Local Public Health Agencies.

The proposed rule changes are:

12 MCAR § 2.840

7 MCAR § 1.314

11 MCAR § 1.140

The Minnesota Department of Public Welfare, the Minnesota Department of Health and the Minnesota Department of Public Safety are also considering proposed amendments to those rules affecting:

(1) the annual salary survey;

(2) the establishment of a salary schedule for a new classification by agencies with an exclusive representative;

(3) the salary adjustment for 1980.

If adopted, these rules will alter various personnel policies in agencies under jurisdiction of the Merit System.

The proposed rule changes are:

12 MCAR § 2.494 Compensation plan.

D. Adjustment of the Official Salary Schedule of the Minnesota Merit System.

E. Negotiation of a salary schedule.

7 MCAR § 1.239 Compensation plan.

D. Adjustment of the Official Salary Schedule of the Minnesota Merit System.

E. Negotiation of a salary schedule.

11 MCAR § 1.094 Compensation plan.

D. Adjustment of the Official Salary Schedule of the Minnesota Merit System.

E. Negotiation of a salary schedule.

12 MCAR § 2.516 Salary adjustments and increases.

B. Adjustments to be made in accordance with Merit System Official Compensation Plan.

7 MCAR § 1.260 Salary adjustments and increases.

B. Adjustments to be made in accordance with Merit System Official Compensation Plan.

11 MCAR § 1.116 Salary adjustments and increases.

B. Adjustments to be made in accordance with Merit System Official Compensation Plan.

Additionally, the Minnesota Department of Public Welfare and the Minnesota Department of Health are considering proposed amendments to those rules affecting their position classification specifications.

If adopted, these rule changes will create new position classifications and will alter existing position classification specifications under the jurisdiction of the Merit System.

The proposed rules creating new classes are:

12 MCAR § 2.655 Nutrition Project Director.

12 MCAR § 2.656 Nutrition Project Assistant Director.

12 MCAR § 2.619 Housing Coordinator.

7 MCAR § 1.269 Nutrition Assistant.

The proposed rules altering existing position classification specifications are:

12 MCAR § 2.693 Homemaker/Home Health Aide.

12 MCAR § 2.578 Financial Assistance Supervisor I.

12 MCAR § 2.579 Financial Assistance Supervisor II.

All interested or affected persons are requested to participate. Statements of information and comment may be made orally or in writing. Written statements of information and comment may be addressed to:

Ralph W. Corey, Supervisor
Minnesota Merit System
Fourth Floor, Centennial Office Building
658 Cedar Street
St. Paul, Minnesota 55155

Oral statements of information and comment will be received during regular business hours over the telephone at (612) 296-3996.

All statements of information and comment must be received by August 27, 1979. Any written material received by the Department shall become part of the hearing record.

Under the provisions of Minn. Stat. § 10A.01, subd. 11 (1974), any individual representing persons or associations attempting to influence administrative action, such as the promulgation of these proposed rules and amendments, must register with the Ethical Practices Board as a lobbyist within five days of the commencement of such activity by the individual. The Ethical Practices Board is located at Room 401, State Office Building, St. Paul, Minnesota 55155.

Minnesota State Retirement System

Regular Meeting of the Board of Directors

Regular quarterly meeting of the Board of Directors, Minnesota State Retirement System, will be held on Friday, August 17, 1979, at 9:00 a.m. in the office of the System, 529 Jackson Street, St. Paul, Minnesota.

Our file # 567 c.1
Welfare

12/27 call to Jim V - left message
12/28 J. notified of spelling error & time of effectiveness
12/31 correction memo rec'd.

Permanent Rule X

Temporary Rule _____

RULES REVIEW CHECKLIST

DATE RULES RECEIVED 12/19 DUE DATE 1/8

Resubmitted and Received _____

a. Returned to Agency w/o Filing w/Secretary of State _____
b. Approved _____ Date Sent Back to Agency _____

- -

1. Rules as Adopted ✓
2. Rules as Proposed ✓
3. Certificate of Board's Authorizing Resolution, where applicable N/A
4. Order for Hearing ✓
5. Notice of Hearing ✓ 9.21.79
   Sufficiency ✓
6. Secretary of State's List ✓ (one copy only)
7. Certificate of Acquisition of Secretary of State's List ✓ date inconsistent with No. 8
8. Secretary of State's Certification of Delivery of Secretary of State's List to Agency ✓ date inconsistent with No. 7
9. Affidavit of Mailing ✓
   At least 30 days prior to hearing ✓
10. Publication in State Register ✓ no copy submitted but
    At least 30 days prior to hearing ✓ see H.E. report.
11. Statement of Need and Evidence ✓
12. Hearing Examiner's Report ✓
13. Agency's Findings of Fact ✓ incorporated in No. 15 - order adopting
14. Certificate of Board's Resolution Adopting Rules, where applicable N/A
15. Order Adopting ✓ spelling error in title - "Ten Year" instead of "Tenure"
16. Report of Chief Hearing Examiner ✓
17. Order Approving Incorporation by Reference, where applicable N/A
18. Certificate of Compliance with Rulemaking Procedures ✓
19. Copy of Notice of Intent to Solicit Outside Opinion, where applicable ✓ 8.13.79
20. Petition by Public, where applicable N/A

STATE OF MINNESOTA

DEPARTMENT OF HEALTH

IN THE MATTER OF THE PROPOSED ADOPTION OF A NEW RULE AND AMENDMENT OF EXISTING RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING THE COMPENSATION PLAN; SALARY ADJUSTMENTS AND INCREASES; AND CLASSIFICATION PLAN

AFFIDAVIT OF RECEIPT OF THE SECRETARY OF STATE'S LIST

DIANE LYNN HIRTE, being duly sworn on oath deposes and says:

1) That she is an employee of the Special Services Division of the Department of Public Welfare for the State of Minnesota.

2) That on the 10th day of September, 1979, she went to the Secretary of State's office for the State of Minnesota and requested a current list of all representatives of associations or other interested groups or persons who had registered their names with the Secretary of State for the purpose of obtaining notices of public hearings relating to the promulgation of rules pursuant to M.S. 15.0412.

3) That on the 10th day of September, 1979, in response to the above request, the Secretary of State provided her with such a list, a copy of which is attached hereto and incorporated by reference.

Further affiant sayeth not.

Diane L Hirte

Subscribed and sworn to before me

this 14 day of September,

1979.

Margaret Holt

MARGARET HOLT
NOTARY PUBLIC-MINNESOTA
RAMSEY COUNTY
My Comm. Expires Sept. 22, 1984

STATE OF MINNESOTA

DEPARTMENT OF HEALTH

IN THE MATTER OF THE PROPOSED ADOPTION OF A NEW RULE AND AMENDMENT OF EXISTING RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING THE COMPENSATION PLAN; SALARY ADJUSTMENTS AND INCREASES; AND CLASSIFICATION PLAN

CERTIFICATE OF DELIVERY OF THE SECRETARY OF STATE'S LIST

I hereby certify that the attached 326 labels 13 sheets constitute the complete list of persons, associations, and other interested groups who as of 9:05 o'clock AM .P. this 10th day of September 1979, have requested pursuant to M.S. 1976, 15.0412 Subd. 4, 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

Dana Bott

STATE OF MINNESOTA

DEPARTMENT OF HEALTH

IN THE MATTER OF THE PROPOSED ADOPTION OF A NEW RULE AND AMENDMENT OF EXISTING RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING THE COMPENSATION PLAN; SALARY ADJUSTMENTS AND INCREASES; AND CLASSIFICATION PLAN

AFFIDAVIT OF MAILING

DIANE LYNN HIRTE, being first duly sworn, deposes and says:

That on the 13 day of September, 1979, at the City of St. Paul, County of Ramsey, State of Minnesota, she served the attached Notice of Hearing by depositing on 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.

Diane L. Hirte

Subscribed and sworn to before me

this 14 day of September 1979.

Margaret Holt

MARGARET HOLT
NOTARY PUBLIC-MINNESOTA
RAMSEY COUNTY
My Comm. Expires Sept. 30, 1984

STATE OF MINNESOTA

DEPARTMENT OF HEALTH

IN THE MATTER OF THE PROPOSED ADOPTION OF A NEW RULE AND AMENDMENT OF EXISTING RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING THE COMPENSATION PLAN; SALARY ADJUSTMENTS AND INCREASES; AND CLASSIFICATION PLAN

AFFIDAVIT OF ADDITIONAL MAILING

DIANE LYNN HIRTE, being first duly sworn, deposes and says:

That on the 13th day of September, 1979, at the City of St. Paul, County of Ramsey, State of Minnesota, in addition to mailing the attached Notice of Hearing to all persons and associations listed on the Secretary of State's list, she also 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 the following agencies:

All Minnesota County Welfare Departments
All Minnesota Human Service Boards
All Minnesota Area Mental Health Boards
All Minnesota State Hospitals
Chairman of Welfare Boards
17 Unions
3 Co-ncils
Lois Borden
3 Personnel Offices
Comm. of Health and Safety
39 Civil Defense Offices
3 Public Health Offices
Headwaters Nutrition

Diane L. Hirte

Subscribed and sworn to before me

this 14 day of September,

1979.

Margaret Holt

MARGARET HOLT
NOTARY PUBLIC-MINNESOTA
RAMSEY COUNTY
My Comm. Expires Sept. 22, 1984

RECEIVED
SEP 14 1979
OFFICE OF HEARING
EXAMINERS

STATE OF MINNESOTA

DEPARTMENT OF HEALTH

IN THE MATTER OF THE PROPOSED ADOPTION OF A NEW RULE AND AMENDMENT OF EXISTING RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING THE COMPENSATION PLAN; SALARY ADJUSTMENTS AND INCREASES; AND CLASSIFICATION PLAN

NOTICE OF HEARING

Notice is hereby given that a public hearing in the above-entitled matter will be held pursuant to Minn. Stat. § 15.0412, subd. 4, in the State Office Building, Room 83, 435 Park Street, St. Paul, Minnesota, on October 15, 1979, commencing at 9:30 A.M.

All interested or affected persons will have an opportunity to participate concerning the rules captioned above. Statements may be made orally and written material may be submitted. In addition, whether or not an appearance is made at the hearing, written statements or materials may be submitted to Harry Seymore Crump, Hearing Examiner, Office of Hearing Examiners, 1745 University Ave., St. Paul, Minnesota 55104 (612) 296-8111 either before the hearing or within five (5) working days after the close of the hearing. The hearing examiner may keep the record open for a longer period not to exceed 20 calendar days. All such statements will be entered into and become part of the record.

Proposed revisions to 7 MCAR § 1.314 amend the Merit System Compensation Plan for positions in local health departments which are under the Minnesota Merit System. Proposed revisions to the 1979 Compensation Plan establish the salary range for the new classification listed elsewhere in this notice.

As a result of the 1979 Minnesota Merit System Salary Survey, conducted in accordance with 7 MCAR § 1.239 D., a new Compensation Plan is proposed for 1980. It is recommended that: Professional and Administrative Plans A, B, and C be adjusted 7% at minimum, maximum and intervening steps, with some exceptions; Health Services Support Personnel Plans A, B, and C be adjusted 7% at minimum, maximum and intervening steps, with some exceptions; Clerical Compensation Plans A, B, C, D, E, and F be adjusted $50 at minimum, maximum and intervening steps; and Building Maintenance Plans A and B be adjusted two steps at minimum, maximum and intervening steps. The effective date of these adjustments is January 1, 1979, or the beginning date of the first payroll period following January 1, 1979, for agencies on a bi-weekly or four-week payroll period.

Proposed revisions to 7 MCAR § 1.260 B. 2. recommend a general adjustment of 7% for incumbents on the Professional and Administrative and Health Services Support Personnel Plans, a general adjustment of $50 for incumbents on the Clerical Plans, and a general adjustment of two steps for incumbents on the Building Maintenance Plans. The effective date of these recommended adjustments is January 1, 1979, or the beginning date of the first payroll period following January 1, 1979, for

agencies on a bi-weekly or four-week payroll period.

Proposed revisions to 7 MCAR § 1.239 involve adding a section to provide for recommending salary adjustments in even-numbered years equivalent to 80 percent of the increase in the June to June Bureau of Labor Statistics Twin City consumer price index for urban wage earners and clerical workers rounded to the nearest tenth of a percent and not to exceed 8%, to be effective the next succeeding January 1, or for those agencies on a bi-weekly or four-week payroll period on the beginning date of the first payroll period following the next succeeding January 1. Changes in language of the current rule are made to make it consistent with the new section and the rules of the Department of Public Welfare Merit System (12 MCAR § 2.494) and Department of Public Safety Merit System (11 MCAR § 1.2094).

The proposed revision to 7 MCAR § 1.239 E. 1. requires the appointing authority and exclusive representative, where there is one, to negotiate a salary schedule for new classifications established in the middle of a contract period within sixty days of the establishment of the classification. Currently the Merit System Supervisor is responsible for establishing such salary schedules where no such procedure for establishing a schedule exists in the labor contract.

The proposed rule creating a new classification is 7 MCAR § 1.269 for Nutrition Assistant. This new classification is being proposed in response to an expressed need for such a class from Anoka and Olmsted County Public Health Departments.

The proposed rule changes will result in approximately $3744 increased local expenditure. The authority for the proposed rule change is contained in Minn. Stat. § 144.071.

Copies of the proposed rules are now available and at least one free copy may be obtained by writing to Ralph Corey, Merit System, Department of Public Welfare, Centennial Office Building, St. Paul, Minnesota 55155, telephone (612) 296-3996. Additional copies will be available at the door on the date of the hearing.

Notice is hereby given that 25 days prior to the hearing a statement of need and reasonableness will be available for review at the agency and at the Office of Hearing Examiners. This statement of need and reasonableness will include a summary of all of the evidence which will be presented by the agency at the hearing justifying both the need for the reasonableness of the proposed and amended rules. Copies of the statement of need and reasonableness may be obtained from the Office of Hearing Examiners at a minimal charge.

Any person may request notification of the date on which the hearing examiner's report will be available, after which date the commissioner may not take any final action on the rules for a period of five (5) working days. Any person may request notification of the date on which the hearing record has been submitted to the Attorney General by the agency. If you desire to be so notified, you may so indicate at the hearing. After the hearing, you may request notification by sending a written request to the hearing examiner, in the case of the hearing examiner's report, or to the agency, in the case of the agency's submission or resubmission to the Attorney General.

In addition, please be advised that Minn. Stat. Ch. 10A requires each lobbyist to register with the State Ethical Practices Board within five (5) days after he commences lobbying. A lobbyist is defined in Minn. Stat. Sect. 10A.01, Subd. 11 as any individual:

(a) Engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than $250, not including his own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or

(b) Who spends more than $250, not including his own traveling expenses and membership dues, in any year for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials.

The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, St. Paul, Minnesota 55155, telephone (612) 296-5615.

August 22, 1979

George R. Pettersen, M.D.

Commissioner of Health

ERRORS IN THE ENCLOSED NOTICES OF HEARING

The enclosed Notices of Hearing for the Department of Health, Department of Public Safety and Department of Public Welfare list the effective date of the proposed salary adjustments in the Compensation Plans and the general adjustments for incumbents as January 1, 1979, or the beginning date of the first payroll period following January 1, 1979 for agencies on a bi-weekly or four-week payroll period. This is incorrect. The correct date is January 1, 1980, or the beginning date of the first payroll period following January 1, 1980 for agencies on a bi-weekly or four-week payroll period.

STATE OF MINNESOTA

DEPARTMENT OF HEALTH

IN THE MATTER OF THE PROPOSED ADOPTION OF A NEW RULE AND AMENDMENT OF EXISTING RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING THE COMPENSATION PLAN; SALARY ADJUSTMENTS AND INCREASES; AND CLASSIFICATION PLAN

ORDER FOR HEARING

IT IS HEREBY ORDERED that a public hearing on the above captioned rules be held in the Auditorium, State Office Building, Room 83, 435 Park Street, St. Paul, Minnesota, on October 15, 1979, commencing at 9:30 A.M. and continuing until all persons have had an opportunity to be heard.

IT IS FURTHER ORDERED that a Notice of Hearing be mailed to all persons, representatives of associations, or other interested groups, who have registered their names with the Secretary of State for that purpose.

IT IS FURTHER ORDERED that the Notice of Hearing be published in the State Register.

Dated: August 22, 1979

George R. Pettersen M.D.

George R. Pettersen, M.D.
Commissioner

RECEIVED
SEP 19 1979
OFFICE OF HEARING
EXAMINERS

contacting Mr. Wayne P. Anderson at the above address. Questions concerning the issues raised in this Order or concerning informal disposition or discovery may be directed to Special Assistant Attorney General Robert C. Moilanen, Minnesota Pollution Control Agency, 1935 W. County Road B2, Roseville, Minnesota, 55113, (612) 296-7702.

The hearing will be held before Mr. Allan Klein, 1745 University Avenue, St. Paul, Minnesota 55104, (612) 296-8104, a Hearing Examiner appointed by the Chief Hearing Examiner of the State of Minnesota. All parties have the right to be represented throughout the proceeding by legal counsel, by themselves, or by a person of their choice (if such representation is not otherwise prohibited as the unauthorized practice of law). The hearing will be conducted pursuant to the contested case procedures set out in Minn. Stat. §§ 15.0411 through 15.042 (1978), 9 MCAR §§ 2.201-2.299 and Minn. Rules MPCA 1-13, to the extent that the latter rules do not conflict with 9 MCAR § 2.201-2.299. The above-cited procedural rules are available for inspection at the Office of Hearing Examiners and the Minnesota Pollution Control Agency or may be purchased from the Documents Section of the Department of Administration, 140 Centennial Building, St. Paul, Minnesota 55155, (612) 296-2874. The rules provide generally for the procedural rights of the parties.

Any person desiring to intervene as a party must submit to the Hearing Examiner and serve upon all existing parties a Petition to Intervene, pursuant to 9 MCAR § 2.210, by September 9, 1979. The Petition must show how that person's legal rights, duties and privileges may be affected by the decision in this case. The Petition must also set forth the grounds and purpose for which intervention is sought and indicate the petitioner's statutory right to intervene if one should exist. A party to a case has the right to present evidence, rebuttal testimony, and argument with respect to the issues and to cross-examine witnesses. Further, parties may be entitled, pursuant to 9 MCAR § 2.216, to issuance of subpoenas requiring the attendance of witnesses and the production of documents relevant to any matter involved in the hearing. Interested persons may present oral or written statements at the hearing without becoming parties at the discretion of the Hearing Examiner in accordance with 9 MCAR § 2.210(e), but may not cross-examine witnesses. At the present time, the representatives of parties to this proceeding who should be served with such Petition to Intervene are:

Mr. Morrison Kerschner
Attorney for Richard Hagstrom
Rufer, Hefte, Pemberton, Schulze, Sorlie & Sefkow
Fergus Falls, Minnesota 56537

Mr. Thomas Athens
Attorney for Jack Lesmeister
18 North 10th Street
Wheaton, Minnesota 56296

Mr. Robert Moilanen
Attorney for Minnesota Pollution Control Agency Staff
1935 W. County Road B2
Roseville, Minnesota 55113

All persons are advised that, if they intend to appear as parties at the hearing scheduled for September 19, 1979, at 10:30 a.m., a Notice of Appearance form must be completed and returned to the Hearing Examiner within 20 days of the date of service of the Notice of and Order for Hearing. A Notice of Appearance form is enclosed with all Orders mailed and may also be obtained through contacting Mr. Robert Moilanen at the above address. SHOULD A PARTY FAIL TO APPEAR AT THE HEARING, THE ALLEGATIONS MADE IN THIS ORDER MAY BE TAKEN AS TRUE. Persons attending the hearing should bring all evidence bearing on the case including any records or other documents.

If persons have good reason for requesting a delay of the hearing, the request must be made in writing to the Hearing Examiner at least five days prior to the hearing in accordance with 9 MCAR § 2.217 E. A copy of the request must be served on the Agency and any other parties.

August 3, 1979.

Department of Public Welfare
Department of Health
Department of Public Safety

Merit System

Notice of Intent to Solicit Outside Opinion Concerning Merit System Rules

Notice is hereby given that the Minnesota Department of Public Welfare (12 MCAR), the Minnesota Department of Health (7 MCAR) and the Minnesota Department of Public Safety (11 MCAR) are considering proposed amendments to those rules affecting their compensation plans and salary schedules.

If adopted, these rule changes will alter the salaries paid to those personnel in agencies under the jurisdiction of the Merit System which have not negotiated a compensation plan with a bargaining unit's exclusive representative. The jurisdiction of the Merit System includes most County Welfare Agencies and Human Services Boards, some County and Local Emergency Services Agencies, and some County and Local Public Health Agencies.

The proposed rule changes are:

12 MCAR § 2.840

7 MCAR § 1.314

11 MCAR § 1.140

The Minnesota Department of Public Welfare, the Minnesota Department of Health and the Minnesota Department of Public Safety are also considering proposed amendments to those rules affecting:

(1) the annual salary survey;

(2) the establishment of a salary schedule for a new classification by agencies with an exclusive representative;

(3) the salary adjustment for 1980.

If adopted, these rules will alter various personnel policies in agencies under jurisdiction of the Merit System.

The proposed rule changes are:

12 MCAR § 2.494 Compensation plan.

D. Adjustment of the Official Salary Schedule of the Minnesota Merit System.

E. Negotiation of a salary schedule.

7 MCAR § 1.239 Compensation plan.

D. Adjustment of the Official Salary Schedule of the Minnesota Merit System.

E. Negotiation of a salary schedule.

11 MCAR § 1.094 Compensation plan.

D. Adjustment of the Official Salary Schedule of the Minnesota Merit System.

E. Negotiation of a salary schedule.

12 MCAR § 2.516 Salary adjustments and increases.

B. Adjustments to be made in accordance with Merit System Official Compensation Plan.

7 MCAR § 1.260 Salary adjustments and increases.

B. Adjustments to be made in accordance with Merit System Official Compensation Plan.

11 MCAR § 1.116 Salary adjustments and increases.

B. Adjustments to be made in accordance with Merit System Official Compensation Plan.

Additionally, the Minnesota Department of Public Welfare and the Minnesota Department of Health are considering proposed amendments to those rules affecting their position classification specifications.

If adopted, these rule changes will create new position classifications and will alter existing position classification specifications under the jurisdiction of the Merit System.

The proposed rules creating new classes are:

12 MCAR § 2.655 Nutrition Project Director.

12 MCAR § 2.656 Nutrition Project Assistant Director.

12 MCAR § 2.619 Housing Coordinator.

7 MCAR § 1.269 Nutrition Assistant.

The proposed rules altering existing position classification specifications are:

12 MCAR § 2.693 Homemaker/Home Health Aide.

12 MCAR § 2.578 Financial Assistance Supervisor I.

12 MCAR § 2.579 Financial Assistance Supervisor II.

All interested or affected persons are requested to participate. Statements of information and comment may be made orally or in writing. Written statements of information and comment may be addressed to:

Ralph W. Corey, Supervisor
Minnesota Merit System
Fourth Floor, Centennial Office Building
658 Cedar Street
St. Paul, Minnesota 55155

Oral statements of information and comment will be received during regular business hours over the telephone at (612) 296-3996.

All statements of information and comment must be received by August 27, 1979. Any written material received by the Department shall become part of the hearing record.

Under the provisions of Minn. Stat. § 10A.01, subd. 11 (1974), any individual representing persons or associations attempting to influence administrative action, such as the promulgation of these proposed rules and amendments, must register with the Ethical Practices Board as a lobbyist within five days of the commencement of such activity by the individual. The Ethical Practices Board is located at Room 401, State Office Building, St. Paul, Minnesota 55155.

Minnesota State Retirement System

Regular Meeting of the Board of Directors

Regular quarterly meeting of the Board of Directors, Minnesota State Retirement System, will be held on Friday, August 17, 1979, at 9:00 a.m. in the office of the System, 529 Jackson Street, St. Paul, Minnesota.

STATEMENT OF COMPLIANCE WITH
MANUAL OF RULE MAKING PROCEDURES

I, Special Assistant Attorney General James A. Jorgensen, 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. Any exceptions are noted below.

James A. Jorgensen
Special Assistant Att. General

Dated: 12/19/79

DPW ADOPTED
Exhibit D

A-6 Working Copy

12 MCAR § 2.493 Classification Plan

D. Incumbents of Reallocated Positions

1. When a position in one class is reallocated to a different class, the incumbent shall not be deemed eligible to continue in this position except as provided in 12 MCAR § 2.493 D. 2. or unless he would have been eligible for original appointment, promotion, transfer, or demotion to the new class of positions. If he is ineligible to continue in such a position, he may be transferred, promoted, or demoted by appropriate action of the appointing authority in accordance with such provisions of these rules as may be deemed to be applicable. If ineligibility of a permanent or probationary incumbent of a reallocated position arises from the existence of an eligible register established from an examination that the incumbent did not take, he may be permitted to take the same or equivalent examination from which the existing register was established, providing that his name is not on the existing register; he did not take and fail the examination from which the existing register was established; and he was eligible to take the examination at the time it was given. The names of successful candidates examined under this rule shall be placed on the existing register in accordance with the score attained. In any case in which the incumbent is ineligible to continue in the position and he is not transferred, promoted, or demoted, the provisions of these rules about layoff shall apply. Any transfer, promotion, demotion or layoff in accordance with such provisions of these rules must occur within sixty days of the notification of reallocation of the position.

2. If a position is reallocated as a direct result of the change in size of the employing agency without change in duties and functions, an incumbent with permanent or probationary status in the lower class shall be permitted to take a non-competitive qualifying examination without regard to the qualifications for the class. An incumbent whose name is on a competitive promotional register for the higher class may be certified to the position regardless of the relative ranks of other candidates on the eligible register.

3. The Commissioner of Public Welfare may authorize the reallocation of a position from one classification to a higher designated classification when the duties to be performed in the higher class are not significantly different from those performed in the lower class and where both classifications are in the same occupational grouping. Incumbents of positions so reallocated must meet the specified minimum qualifications for the higher designated class and promotions shall be made following a non-competitive promotional examination which shall include an evaluation by the appointing authority of the incumbents' ability to perform in the higher class.

If the incumbent examined in accordance with the above procedure successfully completes the examination process, notwithstanding the provisions of 12 MCAR § 2.498 C. 2., the Supervisor may certify only the name of the eligible incumbent to the appointing authority. Notwithstanding the provisions of 12 MCAR § 2.500 B. 1. a., an employee appointed under the provision of this rule will not be required to serve a new probationary period in the higher classification.

12 MCAR § 2.503 Separation, Tenure and Reinstatement

D. Layoff

1. An appointing authority may lay off an employee in the classified service by reason of abolishment of the position, lack of funds, shortage of work or other reason outside the control of the employee. No permanent employee, however, shall be laid off while any emergency, provisional, limited-term or probationary employee is continued in a position of the same class in the agency. Layoff shall be made in inverse order of seniority by employment conditions in the class of work in the agency. Seniority for purposes of layoff shall be the length of service in the class from which layoff occurs in the agency.

2. If two or more persons in the class in which layoff occurs have equal seniority, the order of layoff shall be in inverse order of the date of acquisition of permanent status in the class. If a tie still remains, the order of layoff shall be determined by the average of the last two service ratings, if available, or the last service rating if only one is available and the employee with the lowest such average or rating shall be laid off first. If no service ratings are available, the order of layoff shall be determined by the appointing authority in such a way as to retain in the agency the employee(s) considered most valuable.

3. Any permanent or probationary employee about to be laid off shall be demoted to replace the employee with the least seniority in the next lower class in which that employee previously served, unless the employee elects to be laid off.

4. The appointing authority shall notify in writing the employee and the Supervisor at least 10 working days before the effective date of the layoff and shall state the reason for the layoff. If the appointing authority fails to certify before the effective date thereof that the layoff was for reasons not reflecting discredit on the employee, it shall be deemed a dismissal and shall be subject to the rules regarding dismissal.

5. The names of permanent or probationary employees laid off or demoted in lieu of layoff shall be placed in order of seniority on the layoff list for the class and the agency from which the layoff took place. The affected employees shall have their names placed also on the reemployment list for the class from which the layoff took place and any other class in which they have permanent or probationary status prior to layoff.

6. Names of laid off employees will remain on the layoff list for a minimum of one year and eligibility shall be extended to a period of time equal to the employee's previous service to the Merit System not to exceed five years.

7. Whenever an appointing authority submits a requisition to fill a vacancy or a new position in the agency and a layoff list exists for that agency for the class in which the position to be filled is classified, the one name highest on the layoff list shall be certified to the agency for appointment.

8. The provisions of this rule shall apply to all layoffs, except where otherwise provided in written contract between an agency and an exclusive bargaining representative.

E. Tenure of Office

1. The tenure of office of every permanent employee shall be during good behavior and the satisfactory performance of his duties as recorded by his service ratings. This provision, however, shall not be interpreted to prevent the separation of an employee for cause or the separation of an employee because of lack of funds or curtailment of work or by retirement of the employee, when made in accordance with these rules.

F. Reinstatement to Previous Class of Positions

1. Upon written request of an appointing authority to and with the approval of the Merit System Supervisor, an employee who has successfully passed a merit examination and has acquired permanent status in a class under these rules may be reinstated to a position in the same class in the Merit System program at any time within two years after the date of his resignation. Under the same conditions, a reinstatement may be made within a period of time, not to exceed five years, equivalent to the continuous period of the employee's service since January 1, 1940, in a county welfare agency. Reinstatement shall be without benefit of previously acquired seniority. Upon approval of the Merit System Supervisor, reinstatement may be made directly by an appointing authority, provided that there is a vacancy. The Supervisor may require such employee to pass a qualifying examination.

G. Reinstatement of Probationer

1. Upon written request of an appointing authority and with the approval of the Merit System Supervisor, a probationary employee who has resigned in good standing may be reinstated as a probationary employee to a position in the same class previously held in the Merit System at any time within a year after the date on which his resignation became effective.

H. Retirement

1. Any employee in the Merit System who attains the age of 70 may be retired at the option of the appointing authority. For the purpose of these rules, the age of the employee shall be the age attained on his last birthday and shall be subject to verification.

I. Reemployment of Former Permanent or Probationary Employees

1. Former permanent or probationary Merit System employees who voluntarily separate in good standing with a satisfactory or better separation rating may, upon request, have their names placed on a reemployment list for their last class of employment and for any other classes in which they possessed permanent status prior to separation. Requests must include which classes, locations and employment conditions the former employee is willing to consider and must be submitted to the Merit System within one year of separation. A person may remain on the reemployment list(s) for up to three years and must return to the Merit System within four years of separation. Former employees reemployed under the provisions of this rule must serve a new probationary period upon appointment.

12 MCAR § 2.504 Leaves of Absence

A. In General

1. Leave policies stated in this subdivision B are minimum standards and shall apply to all employees except when otherwise negotiated by the appointing authority with an exclusive representative. At the discretion of the board, such negotiated benefits may be applied to all employees of the agency.

2. Beyond the minimum standards listed in subdivision B the appointing authority may adopt an optional leave of absence policy to the extent allowed in subdivision C.

3. Agencies without an exclusive representative that adopt an optional leave policy beyond the minimum standards listed in subdivision B shall file a copy with the Supervisor.

B. Minimum Policy

1. Jury or Witness Duty

a. After notice to the appointing authority, any employee under the Merit System shall be granted leave with pay for:

service upon a jury or

appearance before a court, legislative committee, or other judicial or quasi-judicial body as a witness in action involving the Federal Government, State of Minnesota, or a political subdivision thereof, in response to a subpoena or other direction by proper authority.

b. At the option of the appointing authority the employee may be required to turn over to the agency any per-diem payment received as a result of serving on a jury or as a witness in the above-listed actions. Monies received as expenses shall be kept by the employee.

c. Any absence, whether voluntary or in a response to a legal order to appear and testify in private litigation, not as an employee of the county but as an individual, shall be taken as annual leave, as leave of absence without pay, or as a deduction from authorized accumulated overtime.

2. Leaves of Absence Without Pay

a. Any person holding a permanent or probationary position in the classified service of the Minnesota Merit System shall be granted a leave of absence without pay on the grounds of sickness or disability and may be granted a leave of absence without pay for other good or sufficient reasons, provided that no such leave shall exceed one year. Disabilities caused or contributed to by pregnancy, miscarrage, abortion, childbirth, and recovery therefrom are, for all job-related purposes, temporary disabilities and the women so affected shall be treated the same as other persons who are not so affected, but who are similar in their ability or inability to work. The appointing authority shall establish the proof required of the existence of sickness or disability and the continuance thereof during said one-year period. The appointing authority may require that the employee produce medical certification from a registered practicing physician that he/she is fit for work before returning the employee to the job. Any employee who is granted a leave of absence without pay shall be accorded thereby an unqualified right to be reinstated to the same position if such leave is for

60 calendar days or less. An employee who is granted a leave of absence without pay shall be accorded thereby an unqualified right to be reinstated to a position in the same class at the expiration of leave, except that when all the positions in the class previously held by such employee have been abolished, the name of the employee shall be restored to the appropriate reemployment register provided for in 12 MCAR § 2.503 D. 5. If all the positions in the class are filled, the least senior employee in the class shall vacate his/her position subject to any eligibility for layoff, transfer, or demotion that he/she may have acquired under these rules. An employee on leave of absence, with the approval of the appointing authority and the Supervisor, may be reinstated to his/her class before the expiration of the leave in the same manner. Upon certification by the registered practicing physician, the employee who is physically or mentally capable of returning to work must comply within ten working days or face termination. If such an employee within the specified days cannot return to work, he/she must notify the appointing authority and request an approval for a leave of absence.

3. Vacation Leave

a. Upon the satisfactory completion of six full months of service in the Merit System, vacation leave shall accrue to the employee for the time served at the rate of one working day for each full month of service. No vacation leave shall be accrued or granted during the first six months of service in the Merit System; but upon satisfactory completion of such period, vacation leave shall accure to the employee for the time served. Unused vacation leave shall accumulate to a total of at least 24 working days. The county agency shall determine the time at which vacation leave may be taken.

b. Vacation leave shall not accumulate to an employee while in a non-pay status, except to employees on military leave.

c. A permanent employee who is transferred or promoted from one county agency to another shall be paid for the number of working days of unused vacation leave accumulated to his credit.

d. Any employee with six full months of satisfactory service in the Merit System who is separated by layoff, resignation, death, or otherwise, shall be paid for the number of working days of unused vacation leave accumulated to his credit.

4. Sick Leave

a. Every permanent, probationary, provisional, limited-term and trainee employee shall earn sick leave at the rate of one working day for each completed month of service, and such accrued sick leave may be used under the conditions hereinafter prescribed:

Absence necessitated by employee's inability to perform the duties of his/her position by reason of illness or injury, by necessity for medical or dental care, by reason of pre and post natal care, by exposure to contagious disease under circumstances in which the health of the employees with whom associated or members of the public necessarily dealt with would be endangered by attendance on duty, or by illness in the employee's immediate family, for such period as shall be necessary. The term "immediate family" shall be limited to the spouse, minor children, or parent when the parent has no other person to provide the necessary nursing care, living in the household of the employee. Within the discretion of the appointing authority, use of sick leave also may be authorized in cases of death of the spouse, children, and wards of the employee and the brothers, sisters, parents, or grandparents of either the employee or his/her spouse.

b. Unused sick leave shall accumulate to a total of at least 100 working days.

c. Sick leave with pay shall not be granted to emergency, hourly, or per-diem employees.

d. Sick leave shall not accumulate to an employee while in a non-pay status, except employees on military leave.

e. Sick leave during vacation leave: When sickness occurs within a period of vacation leave, the period of illness may, on presentation of a report from a registered practicing physician, be charged as sick leave and the charge against vacation leave reduced accordingly.

f. The appointing authority may require the employee to produce medical certification from a registered practicing physician attesting to the need for sick leave and/or attesting that the employee is fit to return to work.

g. A former Merit System employee who is reinstated in accordance with Merit System rules, except as a provisional or emergency appointee, may have his/her previous accumulated and unused balance of sick leave revived and placed to his/her credit upon approval of the new appointing authority.

5. Military Leave

a. Employees who are in service in the armed forces of the state or the United States shall be entitled to leave of absence as provided for by Minnesota Statutes, Section 192.261.

6. Record of Leaves

a. Each appointing authority shall maintain a record of leaves with pay granted to employees.

7. Holidays

a. Permanent, probationary, provisional, limited-term, and trainee employees whose normally scheduled work day falls on a holiday listed below shall receive time off with pay. Compensatory time off shall be allowed for work done on these days except when payment is received. Emergency employees are not eligible for holiday pay. Employees who work less than full time and who are eligible for holiday pay shall receive such pay equivalent to the number of hours they normally would have been scheduled to work on that day if it had not been a holiday.

New Year's Day--January 1
Lincoln's and Washington's Birthday--the third Monday in February
Memorial Day--the last Monday in May
Independence Day--July 4
Labor Day--the first Monday in September
Christopher Columbus Day--the second Monday in October
Veteran's Day--November 11
Thanksgiving Day--the fourth Thursday in November
Christmas Day--December 25

b. When New Year's Day, Independence Day, Veteran's Day, or Christmas Day falls on Sunday, the following Monday shall be a holiday. When New Year's Day, Independence Day, Veteran's Day, or Christmas Day falls on Saturday the preceding Friday shall be a holiday.

C. Optional Policy

1. Beyond the minimum standards listed above, the appointing authority may adopt an optional leave of absence policy. The adoption of such a policy shall only be to increase the availability and use of leave of absences to employees.

2. Funeral Leave

a. Funeral leave, exclusive of sick leave or vacation leave, may be granted. Each appointing authority shall prepare written regulations governing such leave.

b. Funeral leave may be authorized in cases of death of the spouse, children, and wards and the brothers, sisters, parents, or grandparents of either the employee or his/her spouse.

3. Additional holidays may be designated, with or without pay, to conform with the county-wide policy.

4. Educational Leave

a. Educational leave, with or without pay, may be granted for a period not to exceed two years to any permanent or probationary employee. Such leave shall be for work-related programs which are in the best interest of the agency and consistent with the agency's training and staff development plan approved by the Department of Public Welfare Staff Development Director. Such leave shall otherwise be subject to 12 MCAR § 2.504 A. 3. The appointing authority may allow the employee to continue to accrue eligibility for incentive increases, as in 12 MCAR § 2.516 D. 2., and such salary increases may be granted at the same time the increase would have been granted, but for the leave of absence. Educational leave with pay shall be approved by the Supervisor prior to authorization.

b. In an instance in which an appointing authority grants an educational leave of absence to the agency director in order that the director can pursue a course of academic study and when it does not appear feasible to fill the vacant position through a contract with a neighboring county or by employing a new director on a temporary basis during the period of leave, the appointing authority may elect to name one of its professional staff members as acting director for the period of leave, not to exceed two years. The professional staff member shall remain in his/her present class and serve as director only in an acting capacity; however if the appointing authority so elects, it can increase the salary of the person so named up to, but not to exceed, the maximum salary of his/her class.

12 MCAR § 2.592

ADULT DAY CARE CENTER SUPERVISOR

A. KIND OF WORK:

Under general supervision, plans, supervises and administers a therapeutic day care program for adults; assists in preparation of the budget for the center, and performs related work.

B. EXAMPLES OF WORK: (Illustrative only)

Plans directs, supervises a program for the care, training, education and social rehabilitative services for physically and emotionally handicapped adults. Supervises the records, evaluations, progress reports, and program plans for participants. Plans, supervises and administers a program of family counseling. Consults with other professionals on the needs of participants. Assists in selecting adequate personnel for the center. Trains new staff. Evaluates staff performance and recommends appropriate action. Identifies and documents adult day care center funding sources needs and assists in preparation of the budget for the center. May make presentations to the Board on the needs of the center and participants. Answers correspondence relating to center and participants. Maintains contact with the public and other resource agencies as required.

C. KNOWLEDGES AND ABILITIES REQUIRED:

Knowledge of adult day care center programming, operations, policies and procedures. Knowledge of adult physical and emotional disabilities. Knowledge of resources available to assist in the rehabilitation of the emotionally or physically handicapped adults. Knowledge of state laws relating to disabilities and adult day care centers. Knowledge of budgeting. Ability to plan, direct and administer the program and implement a schedule of activities. Ability to communicate effectively orally and in writing. Ability to supervise and direct the work of others. Ability to plan and communicate effectively orally and in writing. Ability to supervise and direct the work of others. Ability to plan and conduct meetings. Ability to plan, direct, and participate in counseling sessions. Ability to establish and maintain effective relationships with staff, clients, and community in general. Ability to maintain records as required. Ability to organize effectively and efficiently. Ability to evaluate performance and stimulate growth.

D. MINIMUM QUALIFICATIONS OF EDUCATION AND EXPERIENCE:

Bachelor's degree from an accredited college with a major in special education, occupational therapy, rehabilitation counseling, social work, psychology, sociology, or related field.

OR

Two years of experience in rehabilitation counseling, social work, occupational therapy, or related areas will substitute for the required education on a year-for-year basis, not to exceed two years.

12 MCAR § 2.654

ADULT DAY CARE CENTER PROGRAM COORDINATOR

A. KIND OF WORK:

Under direct supervision, is responsible for day-to-day implementation of individual client's activities in an adult day care center; assists the center supervisor in planning and directing the program of the center; participates in periodic evaluations of participants; and performs related work as assigned.

B. EXAMPLES OF WORK: (Illustrative only)

Plans, in conjunction with an occupational therapist consultant, individual occupational therapy activities and goals. Determines skills and interests of clients by interview and observation. Utilizes self-care, educational, recreational, exercise, homemaking, social, work/play and craft activities to achieve goals for the client. Instructs and engages clients in activities to achieve own treatment goals. Observes and reports progress and reviews findings with client and other team members. Assists in planning the space, equipment and supplies needed for center. May purchase supplies and equipment, and maintain inventory and cost accounts. Maintains records on center participants. Assists supervisor in recruiting, training and supervising volunteers, aides and program support personnel. Consults and collaborates with family in providing optimal service. Attends in-service meetings, parent meetings, staff meetings and workshops.

C. KNOWLEDGES AND ABILITIES REQUIRED:

Knowledge of adult day care center programming, operation, policies and procedures. Knowledge of adult physical and emotional disabilities. Knowledge of resources available to assist in the rehabilitation of the emotionally or physically handicapped adults. Knowledge of the area of occupational therapy. Ability to plan and implement programs and schedule of activities. Ability to communicate effectively orally and in writing. Ability to coordinate staff activities. Ability to maintain good working relationships with co-workers and supervisory staff. Ability to conduct meetings. Ability to maintain records as required.

D. MINIMUM QUALIFICATIONS OF EDUCATION AND EXPERIENCE:

High school diploma, or the equivalent, and two years of experience as an occupational therapy assistant.

NOTE: Applicants must be certified occupational therapy assistants.

12 MCAR § 2.593

CENTER COORDINATOR

A. KIND OF WORK:

Under direct supervision, is responsible for the coordination of social services and support activities in a day care or senior citizen's center. Acts as team leader for staff in the center and performs related work as assigned.

B. EXAMPLES OF WORK: (Illustrative only)

Coordinates plans at a day care or senior citizen's center. Coordinates, plans, and directs activities designed to meet the physical, emotional, and creative needs of the users. Develops and puts into effect procedures designed to facilitate operation of existing and planned programs for senior citizens or day care. Plans regular staff-user meetings. Serves as a resource for interested local and county agencies, public and private. Informs the general public of the services that exist and what new services are needed. Coordinates a program of community education and encourages participation in existing community programs. Consults with agency staff, board members, and state staff about existing and planned programs and problems. Recommends fiscal purchasing and other management activities. Assures the maintenance of adequate records. Attends and participates in professional meetings and conferences.

C. KNOWLEDGES AND ABILITIES REQUIRED:

Knowledge of the principles and methods of social work. Knowledge of the organizational and administrative procedures involved in the operation of a day care or senior citizen's center. Knowledge of community organization and resources. Knowledge of principles of health and safety as they relate to an overall health and safety program for the center. Knowledge of current research and literature in the field of day care of senior citizens. Ability to establish and maintain working relationships with state staff, board members, agency staff, and the community. Ability to direct performance of the staff. Ability to organize and conduct education programs. Ability to assist in the preparation of the budget. Ability to write and speak effectively.

D. MINIMUM QUALIFICATIONS OF EDUCATION AND EXPERIENCE:

A master's degree in social work from an accredited school.

OR

A bachelor's degree in social work, psychology, or a closely related field, and two years of full-time paid experience as a social worker in a public or private social service agency.

OR

On a promotional basis only, a bachelor's degree in any field will substitute for the bachelor's degree requirement in social work, psychology, sociology, or closely related field.

12 MCAR § 2.623

FINANCIAL ASSISTANCE SPECIALIST

A. KIND OF WORK:

Under general supervision, performs a large percentage of time as an intake worker in one or more of the financial assistance programs; acts as a lead worker in one or more of the financial assistance programs; performs quality control functions; and preforms related work as assigned.

B. EXAMPLES OF WORK (Illustrative only)

Determines initial eligibility for financial assistance programs, which includes one or both of the following: screening and/or initial interview and initial determination of eligibility. Advises clients of the procedure for appeals. Acts as a resource person to agency personnel. Directs the implementation of new, or revision of existing department policies, and coordinates same with other agency personnel. As assigned, develops plans for smooth transactions resulting from changes in program requirements. Compiles research and statistical data for presentation. Assists in formulating procedural requirements to meet clients' financial needs and communicating or coordinating the new procedures. Assists in training new or transferred personnel. Explains new or revised manual material to staff and outside agencies. Makes contacts with relatives, employees, vendors, etc., to clarify and verify facts needed for Quality-Control Review, and notes instances of lack of conformity to rules and regulations and informs the administration.

C. KNOWLEDGES AND ABILITIES REQUIRED:

Knowledge of agency programs, operations, policies, and procedures, or knowledge of a specialized area of financial programs. Knowledge of financial case-management techniques. Knowledge of interviewing techniques. Knowledge of community resources. Knowledge of functions of the social-services program and other related agencies. Knowledge of human behavior. Knowledge of office procedures and policies. Ability to train other staff members. Ability to analyze problems on specific financial-assistance programs and establish procedures for solving the problems. Ability to construct reports on procedures and policies. Ability to establish and maintain good relationships with staff, clients, and the community in general. Ability to accept and profit by supervision. Ability to organize and coordinate job activities Ability to make decisions. Ability to remain objective. Ability to accurately and rapidly process detailed information. Ability to establish and maintain accurate and systematic records. Ability to express ideas clearly and ability to comprehend and follow written and verbal instructions. Ability to communicate in a verbal and written manner.

D. MINIMUM QUALIFICATIONS OF EDUCATION AND EXPERIENCE:

Three years of successful experience as either a Financial Worker I or II, or the equivalent.

OR

Thirty months of successful experience as either a Financial Worker I or II, or the equivalent, and completion of two years of study at an accredited two or four-year college, or similar institution, with emphasis in the behavioral sciences, business, or closely related subjects (at least 23 quarter credits or 16 semester credits).

OR

Two years of successful experience as either a Financial Worker I or II, or the equivalent, and completion of a bachelor's degree from an accredited four-year college or similar institution with a major in the behavioral sciences, business, or closely related subjects.

12 MCAR § 2.622

FINANCIAL WORKER II

A. KIND OF WORK:

Under general supervision, performs a variety of tasks related to the determination of eligibility for income maintenance programs, including food stamps, and grant determination; may assist the child support officers in carrying out routine assignments associated with support collections work; and performs related work as assigned.

B. EXAMPLES OF WORK: (Illustrative only)

Determines eligibility of clients for income maintenance programs, including food stamps, according to federal, state, and county standards. Interviews clients to obtain necessary factual information, and verifies information received from clients. Interviews clients receiving financial assistance and/or food stamps to determine their continued eligibility. Explains application procedures to individuals or groups and assists individuals in completing the application forms for income maintenance programs, including food stamps. Maintains complete and accurate records on clients' eligibility. Maintains records for food stamp program and compiles necessary reports. Assists child support officers in maintaining case files, keeping records of support payments, compiling necessary statistical information, and completing reports. Explains social service, income maintenance, and other community programs to individuals or groups. Explains and interprets policy and rules for clients and other individuals. Informs clients of the right and method of appeal and other legal rights. Responds to complaints of clients. May make initial response to community complaints about clients, agency and programs. Assesses clients' problems and, when appropriate, makes referrals to social services or appropriate community resources. Makes contacts with community resources as assigned. Visits nursing home patients, supplies them with needed information and assistance. May prepare presentations to the board. Presents pertinent information at agency conferences or appeals. Provides input into the development and evaluation processes of agency policies, programs, and procedures. Composes correspondence and constructs reports as needed.

C. KNOWLEDGES AND ABILITIES REQUIRED:

Knowledge of interviewing techniques. Knowledge of agency programs, operations, policies, and procedures. Knowledge of available community resources. Knowledge of human behavior. Knowledge of office procedures and practices. Ability to establish and maintain good working relationships with clients, public, and co-workers. Ability to accept and profit by supervision. Ability to organize and coordinate job activities. Ability to make decisions. Ability to remain objective. Ability to accurately and rapidly process detailed information. Ability to establish and maintain accurate and systematic records. Ability to express ideas clearly and ability to comprehend and follow written and verbal instructions. Ability to communicate in a verbal and written manner.

D. MINIMUM QUALIFICATIONS OF EDUCATION AND EXPERIENCE:

Two years of successful experience as a Financial Worker I, or in a class equivalent to Financial Worker I in a public welfare agency.

OR

Eighteen months of successful experience as a Financial Worker I, or in a class equivalent to a Financial Worker I in a public welfare agency, and completion of two years study at an accredited two- or four-year college, or similar institution, with emphasis in the behavioral sciences, business, or closely related subjects (at least 23 quarter credits or 16 semester credits).

OR

One year of successful experience as a Financial Worker I, or in a class equivalent to a Financial Worker I in a public welfare agency, and completion of a bachelor's degree from an accredited four-year college or similar institution with a major in the behavioral sciences, business, or closely related subjects.

12 MCAR § 2.640

SENIOR CASE AIDE

A. KIND OF WORK:

Under general supervision, performs a variety of tasks related to the rendering of appropriate paraprofessional social services; and performs related work as assigned. The work is performed under the direction of a social worker, Social Service Supervisor, or a Welfare Director.

B. EXAMPLES OF WORK: (Illustrative only)

Determines eligibility of clients for social services and maintains complete and accurate records on client eligibility. Reviews case records for completion of required agency forms. Explains social service, income maintenance, and other community programs and services to individuals or groups. Explains application procedures to individuals or groups and assists individuals in completing social service application forms. Interviews clients to obtain and verify necessary factual information. Assists social worker in making appropriate referrals to the financial unit and/or other community resources. Makes contact with community resources as assigned. Informs client of the right to appeal and of other rights. Responds to initial complaints of clients. Performs clerical functions as assigned. Performs statistical operations relevant to social service program procedures. Assists the social service workers in processing purchase of service contracts. Composes correspondence and constructs reports as needed. Assists social workers in working with client groups, day care, foster care, and volunteers.

C. KNOWLEDGES AND ABILITIES REQUIRED:

Knowledge of interviewing techniques and skills at conducting interviews. Knowledge of available resources. Knowledge of federal, state, and county requirements, regulations and policies relating to social service programs. Knowledge of human behavior. Knowledge of basic mathematics. Ability to relate to people in an appropriate manner. Ability to organize and coordinate job activities. Ability to accurately and rapidly process detailed information. Ability to make decisions. Ability to remain objective. Ability to establish and maintain good working relationships with clients, public, and co-workers. Ability to accept and profit by supervision. Ability to evaluate agency policies, programs, and procedures. Ability to express ideas clearly and ability to comprehend and follow written and verbal instructions. Ability to communicate effectively in a verbal and written manner.

D. MINIMUM QUALIFICATIONS OF EDUCATION AND EXPERIENCE:

Two years of successful experience as a Case Aide, or in a class equivalent to Case Aide in a public welfare agency.

OR

Eighteen months of successful experience as a Case Aide, or in a class equivalent to a Case Aide in a public welfare agency, and completion of two years of study at an accredited two or four-year college or similar institution, with emphasis in the behavioral sciences (at least 23 quarter credits or 16 semester credits).

OR

One year of successful experience as a Case Aide, or in a class equivalent to a Case Aide in a public welfare agency, and completion of a bachelor's degree from an accredited four-year college or similar institution with a major in the behavioral sciences.

12 MCAR § 2.621

FINANCIAL WORKER I

A. KIND OF WORK:

Under supervision, performs a variety of assigned tasks related to the determination of eligibility for income maintenance programs and grant determination; may assist child support officers in carrying out routine assignments associated with support collections work; and performs related work as assigned.

B. EXAMPLES OF WORK: (Illustrative only)

Determines eligibility of clients for income maintenance programs, including food stamps, according to federal, state, and county standards. Interviews clients to obtain necessary factual information, and verifies information received from clients. Interviews clients receiving financial assistance and/or food stamps to determine their continued eligibility. Explains application procedures to individuals or groups and assists individuals in completing the application forms for income maintenance programs, including food stamps. Maintains complete and accurate records on client eligibility. Maintains records for food stamp program and compiles necessary reports. Assists child support officers in maintaining case files, keeping records of support payments, compiling necessary statistical information, and completing reports. Explains social service, income maintenance, and other community programs and services to individuals or groups. Explains and interprets policy and rules for clients and other individuals. Informs clients of the right and method of appeal and other legal rights. Responds to complaints of clients. May make initial response to community complaints about clients, agency, and programs. Assesses clients' problems and, when appropriate, makes referrals to social services or appropriate community resources. Makes contacts with community resources as assigned. Make home visits to gather information when clients are unable to come into the office. May prepare presentations to the board. Presents pertinent information at agency conferences or appeals. Composes correspondence and constructs reports as needed.

C. KNOWLEDGES AND ABILITIES REQUIRED:

Knowledge of interviewing techniques. Knowledge of basic mathematics. Knowledge of human behavior. Knowledge of available community resources. Ability to perform under federal, state, and county requirements, regulations, and policies relating to income maintenance programs. Ability to establish and maintain good working relationships with clients, public, and co-workers. Ability to accept and profit by supervision. Ability to organize and coordinate job activities. Ability to accurately and rapidly process detailed information. Ability to maintain accurate and systematic records. Ability to make decisions. Ability to remain objective. Ability to express ideas clearly and ability to comprehend and follow written and verbal instructions. Ability to communicate in a verbal and written manner.

D. MINIMUM QUALIFICATIONS OF EXPERIENCE AND EDUCATION:

High school diploma and three years of successful clerical experience and/or experience working with the public, or the equivalent.

OR

High school diploma, or the equivalent, and two years of successful clerical experience in a public welfare agency.

OR

Two years of successful experience as a Community Service Aide or similar experience in a private non-profit agency or other public agency.

OR

Two years of study at an accredited two- or four-year college or similar institution, with emphasis in the behavioral sciences, business, or closely related subjects (at least 23 quarter credits or 16 semester credits).

12 MCAR § 2.626

COORDINATOR OF AGING

A. KIND OF WORK:

Under general supervision, provides technical assistance in the organization of committees and senior citizens programs and provides a continuous consultative service to these committees and programs; coordinates participation of and serves as liaison with community groups and agencies with existing and planned programs; and performs related work as assigned.

B. EXAMPLES OF WORK: (Illustrative only)

Plans and evaluates programs for senior citizens. Implements procedures designed to facilitate operation of existing and planned programs for senior citizens. Serves as a resource and liaison for interested local and community agencies, public and private Provides public information on the services that exist and what new services are needed. Develops participation in senior citizens organizations (local, county, regional) as appropriate. Works with civic, church, and other community groups (public and private) to develop and maintain interest and participation in senior citizens programs. Develops and coordinates existing and potential volunteer services to the elderly. Consults and plans with agency staff about existing and needed services (Senior Companion, Foster Grandparent, Volunteer Transportation). Creates public awareness of the special needs and potentials of senior citizens. Provides technical assistance and facilitates grant applications.

C. KNOWLEDGES AND ABILITIES REQUIRED:

Basic knowledge of community organization. Knowledge of local, state and federal resources. Knowledge of social, psychological and economic needs of senior citizens. Knowledge of agency direct services and volunteer services. Ability to express ideas clearly, both orally and in writing. Ability to maintain good working relationships with community groups, agency staff, and volunteer workers. Ability to identify oneself with the problems faced by senior citizens. Ability to develop and organize groups and activities for senior citizens. Ability to maintain records of activities. Ability to coordinate job activities.

D. MINIMUM QUALIFICATIONS OF EDUCATION AND EXPERIENCE:

Graduation from a standard high school or its equivalent and two years of experience in direct or volunteer services involving community organizations.

OR

College training with emphasis in the behavioral sciences, social work, gerontology, or related fields may be substituted for the required experience on a year-for-year basis.

12 MCAR § 2.581

COLLECTION SERVICES SUPERVISOR II

A. KIND OF WORK:

Does responsible professional work in the administration of a unit of a large support and collections division involving interpretation of policies and the supervision of staff; assumes responsibility for a designated area of the program and performs related work as assigned.

B. EXAMPLES OF WORK: (Illustrative only)

Reviews cases recommended for investigation and maintains liaison with the county attorney's office. Recommends the type of action when there is a determination of fraud. Maintains a liaison with enforcement personnel and community resources necessary to effect support collections. Initiates the legal procedure for collection when necessary. Prepares reports to support enforcement actions. Assists in the development of policies and procedures on collections through conferences and consultation with division heads, the agency director, and representatives of the Department of Public Welfare. Supervises employees and evaluates staff performance and staff needs. Assists in the development of standards and controls necessary in the administration of the program.

C. KNOWLEDGES AND ABILITIES REQUIRED:

Knowledge of federal and state welfare laws, with particular emphasis on provisions for the recovery of lawfully ordered support payments. Knowledge of legal methods and procedures that may be employed in collections from individuals and estates. Knowledge of community resources and agency organizations and service. Knowledge of accounting procedures. Ability to supervise and direct the work of others. Ability to formulate and effect policies and procedures. Ability to be firm and fair in the negotiations of final settlements. Ability to work effectively with the courts and legal representatives in the county's interest.

D. MINIMUM QUALIFICATIONS OF EDUCATION AND EXPERIENCE:

Graduation from an accredited four-year college plus four years of full-time paid experience in related collections work or as a social worker. Substitution, on a year-for-year basis, of graduate training in a recognized school of public administration, business, law, or social work, is permissible.

OR

On a promotional basis, employees may substitute related collections experience or social work experience for education on a year-for-year basis.

12 MCAR § 2.646

DEVELOPMENTAL ACHIEVEMENT CENTER TEACHER

A. KIND OF WORK:

Under general supervision, plans curriculum for the care, training, and education of the mentally retarded; teaches self-care and/or other special skills to developmental achievement center participants, consults with other professionals in the field, participates in periodic evaluations of participants, and performs related work as assigned.

B. EXAMPLES OF WORK: (Illustrative only)

Plans a curriculum for the care, training, and education of the mentally retarded, in conjunction with the developmental achievement center director. Teaches self-care and/or other special skills. Assists director in administering a program of parental counseling. Participates in conferences with parents. Consults with other professionals on needs of participants. Attends in-service meetings, parent meetings, staff meetings, and workshops. Maintains records on center participants. May supervise developmental achievement center instructors.

C. KNOWLEDGES AND ABILITIES REQUIRED:

Knowledge of developmental achievement center program, operations, policies, and procedures. Knowledge of mental retardation and learning problems. Knowledge of resources available to serve the mentally retarded. Ability to plan and administer curriculum and implement schedule of activities. Ability to relate to mentally retarded and their needs in learning process. Ability to maintain good working relationships with co-workers and supervisory staff. Ability to provide training in self-care and other areas of specialized learning. Ability to communicate orally and in writing.

D. MINIMUM QUALIFICATIONS OF EDUCATION AND EXPERIENCE:

Bachelor's degree from an accredited four-year college with a major in early childhood education, special education, social work, psychology, nursing, or a closely related field.

12 MCAR § 2.624

FAMILY SERVICE AIDE I

A. KIND OF WORK:

Under supervision, assists in care and management of children in their own home; instructs families in their homes in household skills and management; often performs household duties necessary to carry out the foregoing functions or finds other qualified individuals to perform such household duties; frequently carries on duties in families in which the mothers and/or fathers are absent or are physically or mentally unable to perform these functions and in households of aged, or disabled, or other persons who are in need of and can benefit by such services; works closely with the social worker in determining capabilities of each family or individual in these areas; and performs related work as assigned.

B. EXAMPLES OR WORK: (Illustrative only)

May teach client to manage and care for children, while assisting in that care. Assists in budgeting and expense planning. Teaches elements of nutrition to families and individuals, and assists in and instructs in planning, preparation, and serving of meals. Instructs families and individuals in the elements of personal hygiene. Instructs families and individuals in basic housekeeping skills. Assists clients in purchasing groceries and household supplies. May shop for clients unable to perform this function. Assists clients in finding housing, furniture, or household appliances. May transport clients or find agency-approved transportation for clients. May assist social workers in finding housekeepers or volunteers to perform household duties in the home of a client.

C. KNOWLEDGES AND ABILITIES REQUIRED:

Knowledge of child-care methods. Knowledge of housekeeping skills. Knowledge of the principles of home management. Knowledge of elements of nutrition and meal planning. Knowledge of elements of personal hygiene. Knowledge of first-aid skills and home safety. Knowledge of budgeting. Ability to understand and work with children in their own homes. Ability to teach individuals. Ability to accept and adapt to varying life styles, and home environments. Ability to establish good working relationships with supervisors and co-workers. Ability to accept and profit by supervision. Ability to establish effective working relationships with clients. Ability to retain confidentiality of home conditions and situations. Ability to exercise tact and good judgment in working with children and adults. Ability to take command of emergencies and to make decisions. Ability to communicate effectively orally. Ability to organize work effectively and efficiently.

D. MINIMUM QUALIFICATIONS OF EDUCATION AND EXPERIENCE:

Five years of successful homemaking experience in own home or in a homemaking situation.

OR

College or vocational training that includes courses in home economics, or related subjects, may be substituted for the homemaking experience on the basis of one year of training for two years of experience.

NOTE: The following may be required by some county welfare agencies. Satisfactory physical condition as evidenced by a physical examination immediately prior to employment.

AND/OR

Ability to drive an automobile.

12 MCAR § 2.625

FAMILY SERVICE AIDE II

A. KIND OF WORK:

Under supervision, instructs clients individually or in groups about the application of housekeeping and home-management skills in their homes; demonstrates effective homemaking and child-care techniques; works closely with the social worker in assessing client's capacity for satisfactory homemaking performance; may recommend the placement and monitor the work of a Family Service Aide I, Housekeeper, or chore service worker in a home; acts as liaison between the worker and the professional and administrative staff; and performs related work as assigned.

B. EXAMPLES OF WORK: (Illustrative only)

Teaches principles and methods of child care to individuals and groups. Teaches effective management of household resources and basic homemaking principles and skills to individuals and groups. Teaches individual clients as well as groups of clients about menu planning, food purchasing, and food preparation. Teaches clothing care and laundry methods to individuals and groups. Teaches and demonstrates methods to establish an adequate level of physical care of members of the family. Acquaints clients with available resources. Recommends the assignment of a Family Service Aide I, Housekeeper, or chore service worker in the home and may, in conjunction with the social worker, monitor the work assigned. Maintains records of progress and termination of cases. May complete forms for purchase of service and may maintain a list of billings for services. May maintain some records, forms, and receipts as required by the agency. Participates in case conferences with supervisor and social worker. May transport clients or find agency-approved transportation for clients.

C. KNOWLEDGES AND ABILITIES REQUIRED:

Knowledge of child-care methods. Knowledge of housekeeping skills. Knowledge of the principles of home management. Knowledge of teaching methods and techniques. Knowledge of elements of nutrition and meal planning. Knowledge of elements of personal hygiene. Knowledge of human behavior. Knowledge of the principles of family budgeting. Knowledge of available community resources. Ability to teach and to motivate people to learn and apply their new knowledge. Ability to accept and adapt to varying life styles, and home environments. Ability to monitor the work of others. Ability to establish and maintain good working relationships with supervisors and co-workers. Ability to accept and profit by supervision. Ability to establish effective working relationships with clients. Ability to retain confidentiality of home conditions and situations. Ability to evaluate in conjunction with the social worker, the homemaking strengths and weaknesses of clients. Ability to work with and lead groups. Ability to organize work effectively and efficiently. Ability to communicate effectively orally.

D. MINIMUM QUALIFICATIONS OF EDUCATION AND EXPERIENCE:

Seven years of successful homemaking experience, involving child care, in own home or in a homemaking situation.

OR

College or vocational training that includes courses in home economics or related courses, may be substituted for homemaking experience on the basis of one year of training for two years of experience.

OR

When taking a promotional examination, a candidate may substitute one year of successful experience in the agency in the class of Family Service Aide I for two years of the homemaking experience in own home.

NOTE: The following may be required by some county welfare agencies:
Satisfactory physical condition as evidenced by a physical examination immediately prior to employment;

AND/OR

Ability to drive an automobile.

12 MCAR § 2.588

FAMILY SERVICE COORDINATOR I

A. KIND OF WORK:

Under supervision performs supervisory work of some difficulty and complexity; is responsible for recruiting family service aides, housekeepers, and/or chore service workers, for planning and carrying out preliminary and in-service training sessions for these workers, and for their effective job performance serves as liaison between the administrative and professional staff and the family service aides, housekeepers, and chore service workers; and performs related work as assigned.

B. EXAMPLES OF WORK (Illustrative only)

Assists in the determination of need for homemaking services in conjunction with the social worker. Recruits family service aides, housekeepers, and/or chore service workers, taking into account the Department's Affirmative Action Plan. Assists in planning a program of orientation and training of family service aides, housekeepers, and chore service workers. Instructs workers during orientation and provides in-service training. Works with social workers in planning assignment of family service aides, housekeepers, and chore service personnel. Shares the continuing supervision of the family service aides, housekeepers, and chore service workers with the social worker. Assists in and/or evaluates the county family service aide and chore service program as well as the individual workers. Maintains records of progress and termination of cases. Completes forms for purchase of service, maintains a list of billings for services, and checks to see that billings are correct. Develops and maintains records, forms, and receipts as required by the agency. Assists often in preparation of public-information materials. Plans and conducts periodic staff meetings for the family service aides, housekeepers, and chore service personnel.

C. KNOWLEDGES AND ABILITIES REQUIRED:

Knowledge of home-management principles and methods. Knowledge of available community resources. Knowledge of social service programs and some knowledge of public assistance programs. Knowledge of agency services. Knowledge of human behavior. Knowledge of the principles of supervision. Knowledge of training methods and techniques. Ability to direct, supervise, and evaluate the work of others. Ability to establish and maintain constructive relationships with agency staff and community. Ability to understand and relate to many different lifestyles and ethnic backgrounds. Ability to make mature decisions. Ability to be fair and consistent in dealings with clients. Ability to communicate effectively both orally and in writing.

D. MINIMUM QUALIFICATIONS OF EDUCATION AND EXPERIENCE:

Three years of experience as a Family Service Aide II or five years experience as a Family Service Aide I.

OR

Completion of two full years of study at an accredited two-year or four-year college, with emphasis on home economics, or a closely related subject.

12 MCAR § 2.586

FAMILY SERVICE COORDINATOR II

A. KIND OF WORK:

Under general supervision, is responsible for providing supervision and consultation to a large number of homemakers, family service aides, or housekeepers; develops and administers a comprehensive orientation and in-service training program for homemakers, family service aides, or housekeepers; performs specialized work in connection with the homemaking program; and performs related work as assigned.

B. EXAMPLES OF WORK: (Illustrative only)

Explains appropriate utilization of homemaker or family service aide services to social service staff. Develops the content of training programs for homemakers, family service aides, or housekeepers. Conducts in-service training. Supervises homemakers, family service aides, or housekeepers in the performance of their duties. Evaluates staff performance. Plans, organizes, and conducts classes for clients on home-management skills. Consults with agency staff and community on problems relating to homemaker services. Reviews and approves requests for and assignments of staff. Evaluates the county homemaker and family service aide and chore service program. Maintains record of progress and termination of cases. Prepares public information materials.

C. KNOWLEDGES AND ABILITIES REQUIRED:

Knowledge of home-management principles and methods. Knowledge of community resources. Knowledge of human behavior. Knowledge of the principles and techniques of social case work. Knowledge of social and economic problems. Knowledge of principles of supervision. Ability to develop and administer a training program for homemakers. Ability to direct and supervise the work of others. Ability to evaluate performance and stimulate growth and development. Ability to establish and maintain good professional relationships with agency staff and community. Ability to communicate effectively both orally and in writing.

D. MINIMUM QUALIFICATIONS OF EDUCATION AND EXPERIENCE:

Graduation from an accredited four-year college with a major in home economics, nursing or related field and one year experience as a home economist or nurse or in a related field.

12 MCAR § 2.840 Compensation Plan - 1979

A. Professional

1. Plan A*

a. Class of Positions	1	2	3	4	5	6	7	8	9	10
Accountant I	1138	1190	1241	1298	1359	1423	1486	1553	1623	
Accountant II	1359	1423	1486	1553	1623	1696	1773	1855	1940	
Adm. Asst. I	1268	1326	1390	1454	1518	1588	1657	1734	1814	1896
Adm. Asst. II	1390	1454	1518	1588	1657	1734	1814	1896	1983	2071
Adm. Asst. III	1553	1623	1696	1773	1855	1940	2028	2120	2220	
Adm. Services Director	1696	1773	1855	1940	2028	2120	2220	2321	2426	
Adult Day Care Ctr. Supvr.	1041	1088	1138	1190	1241	1298	1359	1423	1486	1553
Asst. Human Services Dir.	1696	1773	1855	1940	2028	2120	2220	2321	2426	
Asst. Welfare Director	2120	2220	2321	2426	2533	2644	2759	2884	3015	
Assoc. M.-&-P. Analyst	994	1041	1088	1138						
Auditor	1241	1298	1359	1423	1486	1553	1623	1696	1773	1855
Center Coordinator	1138	1190	1241	1298	1359	1423	1486	1553	1623	1696
Chemical Dependency Coord.	1138	1190	1241	1298	1359	1423	1486	1553	1623	1696
Collection Services Supvr. II	1215	1268	1326	1390	1454	1518	1588	1657	1734	1814
Community Health Serv. Supvr.	1268	1326	1390	1454	1518	1588	1657	1734	1814	1896
Community-Rela. Spec.	1298	1359	1423	1486	1553	1623	1696	1773	1855	
Computer Programmer	994	1041	1088	1138	1190	1241	1298			
Day-Care Center Supvr.	1268	1326	1390	1454	1518	1588	1657	1734	1814	
Dev. Achievement Center Dir.	1041	1088	1138	1190	1241	1298	1359	1423	1486	1553
Dev. Achievement Ctr. Teacher	951	994	1041	1088	1138	1190	1241	1298	1359	1423
Dev. Disabilities Coord.	1041	1088	1138	1190	1241	1298	1359	1423	1486	1553
Dietitian	951	994	1041	1088	1138	1190	1241	1298	1359	
Dir. of Assessment Systems	1326	1390	1454	1518	1588	1657	1734	1814	1896	1983

Dir. of Business Mgmt. I	1518	1588	1657	1734	1814	1896	1983	2071		
Dir. of Business Mgmt. II	1855	1940	2028	2120	2220	2321	2426	2533	2644	
Dir. of Finan. Assist.	1696	1773	1855	1940	2028	2120	2220	2321	2426	
Dir. of Planning	1696	1773	1855	1940	2028	2120	2220	2321	2426	
Dir. of Pub. Hlth. Nurs. I	1241	1298	1359	1423	1486	1553	1623	1696	1773	
Dir. of Soc. Serv.	1696	1773	1855	1940	2028	2120	2220	2321	2426	
Dir. of Support Services	1696	1773	1855	1940	2028	2120	2220	2321	2426	
Education Supervisor	1190	1241	1298	1359	1423	1486	1553	1623	1696	
Emp. Guid. Couns. I	951	994	1041	1088	1138	1190	1241	1298	1359	
Emp. Guid. Couns. II	994	1041	1088	1138	1190	1241	1298	1359	1423	
Emp. Guid. Couns. III	1041	1088	1138	1190	1241	1298	1359	1423	1486	
Finan. Assist. Supvr. III	1268	1326	1390	1454	1518	1588	1657	1734	1814	1896
Finan. Assist. Supvr. IV	1390	1454	1518	1588	1657	1734	1814	1896	1983	2071
Home Care Coordinator	1088	1138	1190	1241	1298	1359	1423	1486		
Homemaker Coordinator II	1088	1138	1190	1241	1298	1359	1423	1486		
Homemaker Supervisor	1190	1241	1298	1359	1423	1486	1553	1623	1696	
Human Services Dir. I	1518	1588	1657	1734	1814	1896	1983	2071	2169	2268
Human Services Dir. II	1773	1855	1940	2028	2120	2220	2321	2426	2533	
Human Services Dir. III	1940	2028	2120	2220	2321	2426	2533	2644	2759	
Human Services Supvr. I	1268	1326	1390	1454	1518	1588	1657	1734	1814	1896
Marriage Counselor	1241	1298	1359	1423	1486	1553	1623	1696	1773	
Med.-Care Advisor	1041	1088	1138	1190	1241	1298	1359	1423	1486	
Med.-Serv. Adm.	1696	1773	1855	1940	2028	2120	2220	2321		
Mental Health Worker	1138	1190	1241	1298	1359	1423	1486	1553	1623	
Meth.-&-Proc. Analyst	1163	1215	1268	1326	1390	1454	1518	1588	1657	
Meth.-&-Proc. Supvr.	1359	1423	1486	1553	1623	1696	1773	1855	1940	
Nursing Care Advisor	1041	1088	1138	1190	1241	1298	1359	1423	1486	
Occupa. Supvr.-Inst. I	910	951	994	1041	1088	1138	1190	1241	1298	1359

Occupa. Supvr.-Inst. II	1041	1088	1138	1190	1241	1298	1359	1423	1486	1553
Office Manager	951	994	1041	1088	1138	1190	1241	1298	1359	
Personnel Officer	951	994	1041	1088	1138	1190	1241	1298	1359	1423
Personnel Director	1326	1390	1454	1518	1588	1657	1734	1814	1896	1983
Physical Therapist	951	994	1041	1088	1138	1190	1241	1298		
Planner (Human Services)	1190	1241	1298	1359	1423	1486	1553	1623	1696	
Policy/Program Analyst	1326	1390	1454	1518	1588	1657	1734	1814	1896	1983
Programmer Analyst	1190	1241	1298	1359	1423	1486	1553	1623		
Psychologist I	1138	1190	1241	1298	1359	1423	1486	1553	1623	
Psychologist II	1359	1423	1486	1553	1623	1696	1773	1855	1940	
Psychologist III	1588	1657	1734	1814	1896	1983	2071	2169		
Psychologist IV	1734	1814	1896	1983	2071	2169	2268	2373		
Public Health Educator I	994	1041	1088	1138	1190	1241	1298	1359		
Public Health Educator II	1241	1298	1359	1423	1486	1553	1623	1696		
Public Health Nurse	994	1041	1088	1138	1190	1241	1298			
Pub. Hlth. Nur. (Team Leader)	1041	1088	1138	1190	1241	1298	1359			
Registered Nurse (A.A. Deg., 3 yr. Dip. or B.S. Deg.)	951	994	1041	1088	1138	1190				
Sanitarian I	994	1041	1088	1138						
Sanitarian II	1088	1138	1190	1241	1298	1359	1423	1486		
Senior Public Health Nurse	1088	1138	1190	1241	1298	1359	1423			
Social Worker I	951	994	1041	1088						
Social Worker II	1041	1088	1138	1190	1241	1298	1359	1423	1486	1553
Social Worker III	1138	1190	1241	1298	1359	1423	1486	1553	1623	1696
Social Worker Trainee	869									
Soc.-Serv. Supvr. I	1268	1326	1390	1454	1518	1588	1657	1734	1814	1896
Soc.-Serv. Supvr. II	1390	1454	1518	1588	1657	1734	1814	1896	1983	2071
Soc.-Serv. Supvr. III	1553	1623	1696	1773	1855	1940	2028	2120	2220	
Soc.-Serv. Supvr. Trainee	1215	1268	1326	1390	1454	1518				

Staff-Trng. Supvr. I	1298	1359	1423	1486	1553	1623	1696	1773	1855	
Staff-Trng. Supvr. II	1423	1486	1553	1623	1696	1773	1855	1940	2028	
Student Soc. Worker (Intern)	Rate proposed by appointing authority.									
Student Soc. Worker (SWEP)	Rate proposed by appointing authority.									
Systems Prog.-Analyst	1359	1423	1486	1553	1623	1696	1773			
Trainee	Rate proposed by appointing authority and approved by the Merit System Supervisor and the Commissioner of Public Welfare.									
Vol.-Serv. Coord. I	951	994	1041	1088	1138	1190	1241	1298	1359	
Vol.-Serv. Coord. II	1190	1241	1298	1359	1423	1486	1553	1623	1696	
Welfare Director I	1390	1454	1518	1588	1657	1734	1814	1896	1983	2071
Welfare Director II	1518	1588	1657	1734	1814	1896	1983	2071	2169	2268
Welfare Director III	1773	1855	1940	2028	2120	2220	2321	2426	2533	
Welfare Director IV	1940	2028	2120	2220	2321	2426	2533	2644	2759	
Welfare Director V	2644	2759	2884	3015	3150	3292	3447	3594	3750	
Work-Exp. & Trng. Spec.	1190	1241	1298	1359	1423	1486	1553	1623	1696	

*The salary steps herein shall not include any amounts paid by any county welfare board under the provisions of Minn. Stat. § 471.61.

2. Plan B*

a. Class of Positions	1	2	3	4	5	6	7	8	9	10
Accountant I	1138	1190	1241	1298	1359	1423	1486	1553	1623	
Accountant II	1359	1423	1486	1553	1623	1696	1773	1855	1940	
Adm. Asst. I	1326	1390	1454	1518	1588	1657	1734	1814	1896	1983
Adm. Asst. II	1454	1518	1588	1657	1734	1814	1896	1983	2071	2169
Adm. Asst. III	1623	1696	1773	1855	1940	2028	2120	2220	2321	
Adm. Services Director	1773	1855	1940	2028	2120	2220	2321	2426	2533	
Adult Day Care Ctr. Supvr.	1088	1138	1190	1241	1298	1359	1423	1486	1553	1623
Asst. Human Services Dir.	1696	1773	1855	1940	2028	2120	2220	2321	2426	
Asst. Welfare Director	2120	2220	2321	2426	2533	2644	2759	2884	3015	
Assoc. M.-&-P. Analyst	1041	1088	1138	1190						
Auditor	1298	1359	1423	1486	1553	1623	1696	1773	1855	1940
Center Coordinator	1190	1241	1298	1359	1423	1486	1553	1623	1696	1773
Chemical Dependency Coord.	1190	1241	1298	1359	1423	1486	1553	1623	1696	1773
Collection Services Supvr. II	1268	1326	1390	1454	1518	1588	1657	1734	1814	1896
Community Health Serv. Supvr.	1326	1390	1454	1518	1588	1657	1734	1814	1896	1983
Community-Rela. Spec.	1359	1423	1486	1553	1623	1696	1773	1855	1940	
Computer Programmer	1041	1088	1138	1190	1241	1298	1359			
Day-Care Center Supvr.	1326	1390	1454	1518	1588	1657	1734	1814	1896	
Dev. Achievement Center Dir.	1088	1138	1190	1241	1298	1359	1423	1486	1553	1623
Dev. Achievement Ctr. Teacher	994	1041	1088	1138	1190	1241	1298	1359	1423	1486
Dev. Disabilities Coord.	1088	1138	1190	1241	1298	1359	1423	1486	1553	1623
Dietitian	994	1041	1088	1138	1190	1241	1298	1359	1423	
Dir. of Assessment Systems	1390	1454	1518	1588	1657	1734	1814	1896	1983	2071

Dir. of Business Mgmt. I	1518	1588	1657	1734	1814	1896	1983	2071		
Dir. of Business Mgmt. II	1855	1940	2028	2120	2220	2321	2426	2533	2644	
Dir. of Finan. Asst.	1773	1855	1940	2028	2120	2220	2321	2426	2533	
Dir. of Planning	1773	1855	1940	2028	2120	2220	2321	2426	2533	
Dir. of Pub. Hlth. Nurs. I	1298	1359	1423	1486	1553	1623	1696	1773	1855	
Dir. of Soc. Serv.	1773	1855	1940	2028	2120	2220	2321	2426	2533	
Dir. of Support Services	1773	1855	1940	2028	2120	2220	2321	2426	2533	
Education Supervisor	1241	1298	1359	1423	1486	1553	1623	1696	1773	
Emp. Guid. Couns. I	994	1041	1088	1138	1190	1241	1298	1359	1423	
Emp. Guid. Couns. II	1041	1088	1138	1190	1241	1298	1359	1423	1486	
Emp. Guid. Couns. III	1088	1138	1190	1241	1298	1359	1423	1486	1553	
Finan. Assist. Supvr. III	1326	1390	1454	1518	1588	1657	1734	1814	1896	1983
Finan. Assist. Supvr. IV	1454	1518	1588	1657	1734	1814	1896	1983	2071	2169
Home Care Coordinator	1138	1190	1241	1298	1359	1423	1486	1553		
Homemaker Coordinator II	1138	1190	1241	1298	1359	1423	1486	1553		
Homemaker Supervisor	1241	1298	1359	1423	1486	1553	1623	1696	1773	
Human Services Dir. I	1518	1588	1657	1734	1814	1896	1983	2071	2169	2268
Human Services Dir. II	1773	1855	1940	2028	2120	2220	2321	2426	2533	
Human Services Dir. III	1940	2028	2120	2220	2321	2426	2533	2644	2759	
Human Services Supvr. I	1326	1390	1454	1518	1588	1657	1734	1814	1896	1983
Marriage Counselor	1298	1359	1423	1486	1553	1623	1696	1773	1855	
Med.-Care Advisor	1088	1138	1190	1241	1298	1359	1423	1486	1553	
Med.-Serv. Adm.	1773	1855	1940	2028	2120	2220	2321	2426		
Mental Health Worker	1190	1241	1298	1359	1423	1486	1553	1623	1696	
Meth.-&-Proc. Analyst	1215	1268	1326	1390	1454	1518	1588	1657	1734	
Meth.-&-Proc. Supvr.	1423	1486	1553	1623	1696	1773	1855	1940	2028	
Nursing Care Advisor	1088	1138	1190	1241	1298	1359	1423	1486	1553	
Occupa. Supvr.-Inst. I	951	994	1041	1088	1138	1190	1241	1298	1359	1423

Occupa. Supvr.-Inst. II	1088	1138	1190	1241	1298	1359	1423	1486	1553	1623
Office Manager	994	1041	1088	1138	1190	1241	1298	1359	1423	
Personnel Officer	994	1041	1088	1138	1190	1241	1298	1359	1423	1486
Personnel Director	1390	1454	1518	1588	1657	1734	1814	1896	1983	2071
Physical Therapist	994	1041	1088	1138	1190	1241	1298	1359		
Planner (Human Services)	1241	1298	1359	1423	1486	1553	1623	1696	1773	
Policy/Program Analyst	1390	1454	1518	1588	1657	1734	1814	1896	1983	2071
Programmer Analyst	1241	1298	1359	1423	1486	1553	1623	1696		
Psychologist I	1190	1241	1298	1359	1423	1486	1553	1623	1696	
Psychologist II	1423	1486	1553	1623	1696	1773	1855	1940	2028	
Psychologist III	1657	1734	1814	1896	1983	2071	2169	2268		
Psychologist IV	1814	1896	1983	2071	2169	2268	2373	2477		
Public Health Educator I	1041	1088	1138	1190	1241	1298	1359	1423		
Public Health Educator II	1298	1359	1423	1486	1553	1623	1696	1773		
Public Health Nurse	1041	1088	1138	1190	1241	1298	1359			
Pub. Hlth. Nur. (Team Leader)	1088	1138	1190	1241	1298	1359	1423			
Registered Nurse (A.A. Deg., 3 yr. Dip. or B.S. Deg.)	994	1041	1088	1138	1190	1241				
Sanitarian I	1041	1088	1138	1190						
Sanitarian II	1138	1190	1241	1298	1359	1423	1486	1553		
Senior Public Health Nurse	1138	1190	1241	1298	1359	1423	1486			
Social Worker I	994	1041	1088	1138						
Social Worker II	1088	1138	1190	1241	1298	1359	1423	1486	1553	1623
Social Worker III	1190	1241	1298	1359	1423	1486	1553	1623	1696	1773
Social Worker Trainee	869									
Soc.-Serv. Supvr. I	1326	1390	1454	1518	1588	1657	1834	1814	1896	1983
Soc.-Serv. Supvr. II	1454	1518	1588	1657	1734	1814	1896	1983	2071	2169
Soc.-Serv. Supvr. III	1623	1696	1773	1855	1940	2028	2120	2220	2321	
Soc.-Serv. Supvr. Trainee	1268	1326	1390	1454	1518	1588				

Staff-Trng. Supvr. I	1359	1423	1486	1553	1623	1696	1773	1855	1940	
Staff-Trng. Supvr. II	1486	1553	1623	1696	1773	1855	1940	2028	2120	
Student Soc. Worker (Intern)	Rate proposed by appointing authority.									
Student Soc. Worker (SWEP)	Rate proposed by appointing authority.									
Systems Prog.-Analyst	1423	1486	1553	1623	1696	1773	1855			
Trainee	Rate proposed by appointing authority and approved by the Merit System Supervisor and the Commissioner of Public Welfare.									
Vol.-Serv. Coord. I	994	1041	1088	1138	1190	1241	1298	1359	1423	
Vol.-Serv. Coord. II	1241	1298	1359	1423	1486	1553	1623	1696	1773	
Welfare Director I	1390	1454	1518	1588	1657	1734	1814	1896	1983	2071
Welfare Director II	1518	1588	1657	1734	1814	1896	1983	2071	2169	2268
Welfare Director III	1773	1855	1940	2028	2120	2220	2321	2426	2533	
Welfare Director IV	1940	2028	2120	2220	2321	2426	2533	2644	2759	
Welfare Director V	2644	2759	2884	3015	3150	3292	3447	3594	3750	
Work-Exp. & Trng. Spec.	1241	1298	1359	1423	1486	1553	1623	1696	1773	

*The salary steps herein shall not include any amounts paid by any county welfare board under the provisions of Minn. Stat. § 471.61.

3. Plan C*

a. Class of Positions	1	2	3	4	5	6	7	8	9	10
Accountant I	1138	1190	1241	1298	1359	1423	1486	1553	1623	
Accountant II	1359	1423	1486	1553	1623	1696	1773	1855	1940	
Adm. Asst. I	1390	1454	1518	1588	1657	1734	1814	1896	1983	2071
Adm. Asst. II	1518	1588	1657	1734	1814	1896	1983	2071	2169	2268
Adm. Asst. III	1696	1773	1855	1940	2028	2120	2220	2321	2426	
Adm. Services Director	1855	1940	2028	2120	2220	2321	2425	2533	2644	
Adult Day Care Ctr. Supvr.	1138	1190	1241	1298	1359	1423	1486	1553	1623	1696
Asst. Human Services Dir.	1696	1773	1855	1940	2028	2120	2220	2321	2426	
Asst. Welfare Director	2120	2220	2321	2426	2533	2644	2759	2884	3015	
Assoc. M.-&-P. Analyst	1088	1138	1190	1241						
Auditor	1359	1423	1486	1553	1623	1696	1773	1855	1940	2028
Center Coordinator	1241	1298	1359	1423	1486	1553	1623	1696	1773	1855
Chemical Dependency Coord.	1241	1298	1359	1423	1486	1553	1623	1696	1773	1855
Collection Services Supvr. II	1326	1390	1454	1518	1588	1657	1734	1814	1896	1983
Community Health Serv. Supvr.	1390	1454	1518	1588	1657	1734	1814	1896	1983	2071
Community-Rela. Spec.	1423	1486	1553	1623	1696	1773	1855	1940	2028	
Computer Programmer	1088	1138	1190	1241	1298	1359	1423			
Day-Care Center Supvr.	1390	1454	1518	1588	1657	1734	1814	1896	1983	
Dev. Achievement Center Dir.	1138	1190	1241	1298	1359	1423	1486	1553	1623	1696
Dev. Achievement Ctr. Teacher	1041	1088	1138	1190	1241	1298	1359	1423	1486	1553
Dev. Disabilities Coord.	1138	1190	1241	1298	1359	1423	1486	1553	1623	1696
Dietitian	1041	1088	1138	1190	1241	1298	1359	1423	1486	
Dir. of Assessment Systems	1454	1518	1588	1657	1734	1814	1896	1983	2071	2169

Dir. of Business Mgmt. I	1518	1588	1657	1734	1814	1896	1983	2071		
Dir. of Business Mgmt. II	1855	1940	2028	2120	2220	2321	2426	2533	2644	
Dir. of Finan. Asst.	1855	1940	2028	2120	2220	2321	2426	2533	2644	
Dir. of Planning	1855	1940	2028	2120	2220	2321	2426	2533	2644	
Dir. of Pub.-Hlth. Nurs. I	1359	1423	1486	1553	1623	1696	1773	1855	1940	
Dir. of Soc. Serv.	1855	1940	2028	2120	2220	2321	2426	2533	2644	
Dir. of Support Services	1855	1940	2028	2120	2220	2321	2426	2533	2644	
Education Supervisor	1298	1359	1423	1486	1553	1623	1696	1773	1855	
Emp. Guid. Couns. I	1041	1088	1138	1190	1241	1298	1359	1423	1486	
Emp. Guid. Couns. II	1088	1138	1190	1241	1298	1359	1423	1486	1553	
Emp. Guid. Couns. III	1138	1190	1241	1298	1359	1423	1486	1553	1623	
Finan. Assist. Supvr. III	1390	1454	1518	1588	1657	1734	1814	1896	1983	2071
Finan. Assist. Supvr. IV	1518	1588	1657	1734	1814	1896	1983	2071	2169	2268
Home Care Coordinator	1190	1241	1298	1359	1423	1486	1553	1623		
Homemaker Coordinator II	1190	1241	1298	1359	1423	1486	1553	1623		
Homemaker Supervisor	1298	1359	1423	1486	1553	1623	1696	1773	1855	
Human Services Dir. I	1518	1588	1657	1734	1814	1896	1983	2071	2169	2268
Human Services Dir. II	1773	1855	1940	2028	2120	2220	2321	2426	2533	
Human Services Dir. III	1940	2028	2120	2220	2321	2426	2533	2644	2759	
Human Services Supvr. I	1390	1454	1518	1588	1657	1734	1814	1896	1983	2071
Marriage Counselor	1359	1423	1486	1553	1623	1696	1773	1855	1940	
Med.-Care Advisor	1138	1190	1241	1298	1359	1423	1486	1553	1623	
Med.-Serv. Adm.	1855	1940	2028	2120	2220	2321	2426	2533		
Mental Health Worker	1241	1298	1359	1423	1486	1553	1623	1696	1773	
Meth.-&-Proc. Analyst	1268	1326	1390	1454	1518	1588	1657	1734	1814	
Meth.-&-Proc. Supvr.	1486	1553	1623	1696	1773	1855	1940	2028	2120	
Nursing Care Advisor	1138	1190	1241	1298	1359	1423	1486	1553	1623	
Occupa. Supvr.-Inst. I	994	1041	1088	1138	1190	1241	1298	1359	1423	1486

Occupa. Supvr.-Inst. II	1138	1190	1241	1298	1359	1423	1486	1553	1623	1696
Office Manager	1041	1088	1138	1190	1241	1298	1359	1423	1486	
Personnel Officer	1041	1088	1138	1190	1241	1298	1359	1423	1486	1553
Personnel Director	1454	1518	1588	1657	1734	1814	1896	1983	2071	2169
Physical Therapist	1064	1111	1163	1215	1268	1326	1390	1454		
Planner (Human Services)	1298	1359	1423	1486	1553	1623	1696	1773	1855	
Policy/Program Analyst	1454	1518	1588	1657	1734	1814	1896	1983	2071	2169
Programmer Analyst	1298	1359	1423	1486	1553	1623	1696	1773		
Psychologist I	1241	1298	1359	1423	1486	1553	1623	1696	1773	
Psychologist II	1486	1553	1623	1696	1773	1855	1940	2028	2120	
Psychologist III	1734	1814	1896	1983	2071	2169	2268	2373		
Psychologist IV	1896	1983	2071	2169	2268	2373	2477	2587		
Public Health Educator I	1088	1138	1190	1241	1298	1359	1423	1486		
Public Health Educator II	1359	1423	1486	1553	1623	1696	1773	1855		
Public Health Nurse	1111	1163	1215	1268	1326	1390	1454			
Pub. Hlth. Nur. (Team Leader)	1163	1215	1268	1326	1390	1454	1518			
Registered Nurse (A.A. Deg., 3 yr. Dip. or B.S. Deg.)	1064	1111	1163	1215	1268	1326				
Sanitarian I	1088	1138	1190	1241						
Sanitarian II	1190	1241	1298	1359	1423	1486	1553	1623		
Senior Public Health Nurse	1215	1268	1326	1390	1454	1518	1588			
Social Worker I	1041	1088	1138	1190						
Social Worker II	1138	1190	1241	1298	1359	1423	1486	1553	1623	1696
Social Worker III	1241	1298	1359	1423	1486	1553	1623	1696	1773	1855
Social Worker Trainee	869									
Soc.-Serv. Supvr. I	1390	1454	1518	1588	1657	1734	1814	1896	1983	2071
Soc.-Serv. Supvr. II	1518	1588	1657	1734	1814	1896	1983	2071	2169	2268
Soc.-Serv. Supvr. III	1696	1773	1855	1940	2028	2120	2220	2321	2426	
Soc.-Serv. Supvr. Trainee	1326	1390	1454	1518	1588	1657				

Staff-Trng. Supvr. I	1423	1486	1553	1623	1696	1773	1855	1940	2028
Staff-Trng. Supvr. II	1553	1623	1696	1773	1855	1940	2028	2120	2220
Student Soc. Worker (Intern)	Rate proposed by appointing authority.								
Student Soc. Worker (SWEP)	Rate proposed by appointing authority.								
Systems Prog.-Analyst	1486	1553	1623	1696	1773	1855	1940		
Trainee	Rate proposed by appointing authority and approved by the Merit System Supervisor and the Commissioner of Public Welfare.								
Vol.-Serv. Coord. I	1041	1088	1138	1190	1241	1298	1359	1423	1486
Vol.-Serv. Coord. II	1298	1359	1423	1486	1553	1623	1696	1773	1855
Welfare Director I	1390	1454	1518	1588	1657	1734	1814	1896	1983	2071
Welfare Director II	1518	1588	1657	1734	1814	1896	1983	2071	2169	2268
Welfare Director III	1773	1855	1940	2028	2120	2220	2321	2426	2533
Welfare Director IV	1940	2028	2120	2220	2321	2426	2533	2644	2759
Welfare Director V	2644	2759	2884	3015	3150	3292	3447	3594	3750
Work-Exp. & Trng. Spec.	1298	1359	1423	1486	1553	1623	1696	1773	1855

*The salary steps herein shall not include any amounts paid by any county welfare board under the provisions of Minn. Stat. § 471.61.

B. Support Personnel

1. Plan A*

a. Class of Positions	1	2	3	4	5	6	7	8	9
Account Clerk	696	728	762	797	833	869	910	951	
Accounting Officer I	869	910	951	994	1041	1088	1138	1190	1241
Accounting Officer II	951	994	1041	1088	1138	1190	1241	1298	1359
Accounting Officer III	1064	1111	1163	1215	1268	1326	1390	1454	1518
Adult Day Care Ctr. Prog. Coord.	710	744	779	815	851	889	930	971	1017
Asst. Residential Facility Opr.(s)	570	593	622	651	680	710	744	779	
Case Aide	696	728	762	797	833	869			
Chemical Dependency Counselor	910	951	994	1041	1088	1138	1190		
Child Support Officer I	869	910	951	994	1041	1088	1138	1190	1241
Child Support Officer II	971	1017	1064	1111	1163	1215	1268	1326	
Collection Services Supvr. I	1111	1163	1215	1268	1326	1390	1454	1518	
Community-Service Aide	437	455	478	501	524	547	570		
Coordinator of Aging	710	744	779	815	851	889	930	971	1017
Dev. Achievement Center Inst.	570	593	622	651	680	710			
Finan.-Assistance Spec.	889	930	971	1017	1064	1111	1163	1215	
Finan.-Assistance Supvr. I	971	1017	1064	1111	1163	1215	1268	1326	1390
Finan.-Assistance Supvr. II	1111	1163	1215	1268	1326	1390	1454	1518	
Financial Worker I	696	728	762	797	833	869			
Financial Worker II	779	815	851	889	930	971	1017	1064	1111
Home Health Aide	547	570	593	622	651	680	710		
Home Health Aide Coordinator	779	815	851	889	930	971	1017		
Homemaker I	547	570	593	622	651	680	710		
Homemaker II	593	622	651	680	710	744	779	815	
Homemaker Coordinator I	779	815	851	889	930	971	1017		
Homemaker/Home Health Aide	547	570	593	622	651	680	710		

Housekeeper	Rate proposed by appointing authority and approved by the Merit System Supervisor and the Commissioner of Public Welfare.								
Licensed Practical Nurse	710	744	779	815	851	889			
Public Health Aide	437	455	478	501	524	547	570		
Residential Facility Operator(s)	593	622	651	680	710	744	779	815	
Senior Case Aide	779	815	851	889	930	971	1017	1064	1111
Senior Citizen's Aide	437	455	478	501	524	547	570		
Transportation Coordinator	728	762	797	833	869	910	951	994	
Welfare Fraud Investigator	1111	1163	1215	1268	1326	1390	1454		
Welfare Fraud Unit Supvr.	1215	1268	1326	1390	1454	1518	1588		

*The salary steps herein shall not include any amounts paid by any county welfare board under the provisions of Minn. Stat. § 471.61.

2. Plan B*

a. Class of Positions	1	2	3	4	5	6	7	8	9
Account Clerk	728	762	797	833	869	910	951	994	
Accounting Officer I	869	910	951	994	1041	1088	1138	1190	1241
Accounting Officer II	951	994	1041	1088	1138	1190	1241	1298	1359
Accounting Officer III	1064	1111	1163	1215	1268	1326	1390	1454	1518
Adult Day Care Ctr. Prog. Coord.	744	779	815	851	889	930	971	1017	1064
Asst. Residential Facility Opr.(s)	593	622	651	680	710	744	779	815	
Case Aide	728	762	797	833	869	910			
Chemical Dependency Counselor	951	994	1041	1088	1138	1190	1241		
Child Support Officer I	910	951	994	1041	1088	1138	1190	1241	1298
Child Support Officer II	1017	1064	1111	1163	1215	1268	1326	1390	
Collection Services Supvr. I	1163	1215	1268	1326	1390	1454	1518	1588	
Community-Service Aide	455	478	501	524	547	570	593		
Coordinator of Aging	744	779	815	851	889	930	971	1017	1064
Dev. Achievement Center Inst.	593	622	651	680	710	744			
Finan.-Assistance Spec.	930	971	1017	1064	1111	1163	1215	1268	
Finan.-Assistance Supvr. I	1017	1064	1111	1163	1215	1268	1326	1390	1454
Finan.-Assistance Supvr. II	1163	1215	1268	1326	1390	1454	1518	1588	
Financial Worker I	728	762	797	833	869	910			
Financial Worker II	815	851	889	930	971	1017	1064	1111	1163
Home Health Aide	570	593	622	651	680	710	744		
Home Health Aide Coordinator	815	851	889	930	971	1017	1064		
Homemaker I	570	593	622	651	680	710	744		
Homemaker II	622	651	680	710	744	779	815	851	
Homemaker Coordinator I	815	851	889	930	971	1017	1064		
Homemaker/Home Health Aide	570	593	622	651	680	710	744		

Housekeeper	Rate proposed by appointing authority and approved by the Merit System Supervisor and the Commissioner of Public Welfare.								
Licensed Practical Nurse	744	779	815	851	889	930			
Public Health Aide	455	478	501	524	547	570	593		
Residential Facility Opr.(s)	622	651	680	710	744	779	815	851	
Senior Case Aide	815	851	889	930	971	1017	1064	1111	1163
Senior Citizen's Aide	455	478	501	524	547	570	593		
Transportation Coordinator	762	797	833	869	910	951	994	1041	
Welfare Fraud Investigator	1163	1215	1268	1326	1390	1454	1518		
Welfare Fraud Unit Supervisor	1268	1326	1390	1454	1518	1588	1657		

*The salary steps herein shall not include any amounts paid by any county welfare board under the provisions of Minn. Stat. § 471.61.

3. Plan C*

a. Class of Positions	1	2	3	4	5	6	7	8	9
Account Clerk	762	797	833	869	910	951	994	1041	
Accounting Officer I	869	910	951	994	1041	1088	1138	1190	1241
Accounting Officer II	951	994	1041	1088	1138	1190	1241	1298	1359
Accounting Officer III	1064	1111	1163	1215	1268	1326	1390	1454	1518
Adult Day Care Ctr. Prog. Coord.	779	815	851	889	930	971	1017	1064	1111
Asst. Residential Facility Opr.(s)	622	651	680	710	744	779	815	851	
Case Aide	762	797	833	869	910	951			
Chemical Dependency Counselor	994	1041	1088	1138	1190	1241	1298		
Child Support Officer I	951	994	1041	1088	1138	1190	1241	1298	1359
Child Support Officer II	1064	1111	1163	1215	1268	1326	1390	1454	
Collection Services Supvr. I	1215	1268	1326	1390	1454	1518	1588		
Community-Service Aide	478	501	524	547	570	593	622		
Coordinator of Aging	779	815	851	889	930	971	1017	1064	1111
Dev. Achievement Center Inst.	622	651	680	710	744	779			
Finan.-Assistance Spec.	971	1017	1064	1111	1163	1215	1268	1326	
Finan.-Assistance Supvr. I	1064	1111	1163	1215	1268	1326	1390	1454	1518
Finan.-Assistance Supvr. II	1215	1268	1326	1390	1454	1518	1588	1657	
Financial Worker I	762	797	833	869	910	951			
Financial Worker II	851	889	930	971	1017	1064	1111	1163	1215
Home Health Aide	593	622	651	680	710	744	779		
Home Health Aide Coordinator	851	889	930	971	1017	1064	1111		
Homemaker I	593	622	651	680	710	744	779		
Homemaker II	651	680	710	744	779	815	851	889	
Homemaker Coordinator I	851	889	930	971	1071	1064	1111		
Homemaker/Home Health Aide	593	622	651	680	710	744	779		

Housekeeper	Rate proposed by appointing authority and approved by the Merit System Supervisor and the Commissioner of Public Welfare.								
Licensed Practical Nurse	779	815	851	889	930	971			
Public Health Aide	478	501	524	547	570	593	622		
Residential Facility Opr.(s)	651	680	710	744	779	815	851	889	
Senior Case Aide	851	889	930	971	1017	1064	1111	1163	1215
Senior Citizen's Aide	478	501	524	547	570	593	622		
Transportation Coordinator	797	833	869	910	951	994	1041	1088	
Welfare Fraud Investigator	1215	1268	1326	1390	1454	1518	1588		
Welfare Fraud Unit Supvr.	1326	1390	1454	1518	1588	1657	1734		

*The salary steps herein shall not include any amounts paid by any county welfare board under the provisions of Minn. Stat. § 471.61.

APPROVED AS TO FORM AND LEGALITY

JAN 07 1980 19

WARREN SPANNAUS, ATTORNEY GENERAL

BY Joanne Hinderaker

SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
JAN - 7 1980
Joan Anderson Growe
Secretary of State
2:00 p.m.

DPW-80-009-HC

STATE OF MINNESOTA

DEPARTMENT OF PUBLIC WELFARE

IN THE MATTER OF THE PROPOSED ADOPTION OF NEW RULES AND AMENDMENTS OF EXISTING RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING THE COMPENSATION PLAN; THE CLASSIFICATION PLAN; SEPERATION, TEN YEAR AND REINSTATEMENT; AND LEAVES OF ABSENCE

ORDER ADOPTING RULES

The above entitled matter was heard by Harry Seymore Crump, Hearing Examiner from the State Office of Hearing Examiners on September 21, 1979, at 9:30 a.m. in the Administration Building, Room 116, 50 Sherburne Avenue, in the County of Ramsey, State of Minnesota.

Proper notice required by Minn. Stat. § 15.0412 (1978) was served upon all persons, associations, and other interested groups registered with the Secretary of State for that purpose.

At said hearing, new rules as well as proposed amendments to existing rules were considered as originally proposed and shown in Exhibit A attached hereto. Ralph Corey, Supervisor of the Minnesota Merit System, made the agency presentation at the hearing. The hearing continued until all interested persons and groups had an opportunity to be heard. Based upon all the records and proceedings the Examiner issued a Report of Hearing Examiner dated November 5, 1979, a copy of which is attached hereto as Exhibit B. The Examiner's Report contained findings of fact, conclusions and a recommendation.

Pursuant to Minn. Stat. § 15.0412, subd. 4 (1978), the Examiner's Report has been available to all affected persons for over five days subsequent to the date of the Report.

After affording interested persons an opportunity to submit written and/or oral statements, having reviewed all of the testimony, having considered all of the evidence adduced, having considered the Report of the Hearing Examiner, and upon all of the proceedings and testimony herein and applicable standards and criteria, and having

determined the need for and reasonableness of the above-captioned rules,

NOW THEREFORE, it is ordered that the Commissioner hereby adopts and incorporates herein the Report of Hearing Examiner, dated November 5, 1979.

IT IS FURTHER ORDERED THAT the above-captioned rules from and after this day of November 27, 1979, shall read in their entirety as set forth in the attached Exhibit D.

Dated: November 27, 1979.

STATE OF MINNESOTA
DEPARTMENT OF PUBLIC WELFARE

ARTHUR E. NOOT
Commissioner

STATE OF MINNESOTA
OFFICE OF HEARING EXAMINERS

FOR THE MINNESOTA MERIT SYSTEM

In the Matter of the Proposed Adoption of New Rules and Amendments of Existing Rules of the Minnesota Merit System Governing the Compensation Plan; the Classification Plan; Separation, Tenure and Reinstatement; and Leaves of Absence.

REPORT OF HEARING EXAMINER

The above-entitiled matter came on for hearing before Harry Seymour Crump, Hearing Examiner from the State Office of Hearing Examiners, on September 21, 1979, at 9:30 a.m. in the Administration Building, Room 116, 50 Sherburne Avenue in the City of Saint Paul, County of Ramsey, State of Minnesota.

The agency panel consisted of the following: James Jorgenson, Special Assistant Attorney General assigned to the Department of Public Welfare, appeared on behalf of the Merit System; Eleanor Hoover, Personnel Director for the DPW; Minnesota Merit System Council members Dan Gustafson, Chairman, and Kenneth Maas; John McKasy from the Department of Health; Edmund Jasinski, Training Director, Department of Public Safety; Betty Carlson, Assistant Merit Supervisor; and Dudley Younkin, staff member of the Merit System. Ralph Corey, Supervisor of the Minnesota Merit System, testified in support of the proposed rules and amendments. (Minnesota Merit System is a collective title for the programs of implementing statewide merit systems within the individual agencies of the Department of Public Welfare, Department of Health, and Department of Public Safety.)

Approximately 20 people attended the hearing. Nine persons signed the register. One person spoke at the hearing. The hearing continued until all interested persons and groups had an opportunity to be heard.

This proceeding is a rules hearing held pursuant to Minn. Stat. Ch. 15 to determine whether the proposed rules should be adopted and given the force of law. Copies of this Report are available for review from the Office of the Merit System Supervisor and the Office of Hearing Examiners.

Pursuant to Minn. Stat. § 15.0412, subd. 4, this Report shall be available for review to all affected individuals upon request for at least five days.

Because the Minnesota Merit System (hereinafter the "System") administers the statewide merit systems for three separate agencies, these proposed rule amendments are a joint effort. The adopting agencies are the Department of Public Welfare, the Department of Health, and the Department of Public Safety. 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.

Thereafter, the Departments of Public Welfare, Health, and Public Safety, shall, if they propose to adopt the rules as originally proposed or amended,

submit a copy of the Order Adopting Rules, a copy of any additional agency findings, a copy of the rules as originally proposed, and a copy of the rules as adopted to the Chief Hearing Examiner for review pursuant to Minn. Stat. § 15.052, subd. 4 (1978). The submission to the Chief Hearing Examiner shall precede review by the Attorney General. 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 (1978) within ten calendar days. The Agencies will be responsible for filing the rules with the Attorney General and for notifying persons who have indicated that they wish to be notified of such filing.

Based upon all the records and proceedings herein, the Examiner makes the following:

FINDINGS OF FACT

Procedural Requirements

1. On August 2, 1979, the Merit System filed the following documents with the Hearing Examiner:

(a) A copy of the proposed rules.
(b) The Order for the Hearing proposed to be issued.
(c) The Notice of Hearing proposed to be issued.
(d) A Statement of the number of persons expected to attend the hearing and estimated length of the Agency's presentation.

2. On August 20, 1979, Notices of Hearing and copies of the proposed rules were published at 4 State Register 170 (Department of Health), 4 State Register 176 (Department of Public Safety), and 4 State Register 178 (Department of Public Welfare).

3. On August 15, 1979, the Merit System mailed the Notice of Hearing to all persons and associations who had registered their names with the Secretary of State for the purpose of receiving such notice.

4. On August 24, 1979, the Merit System filed the following documents:

(a) Order for Hearing.
(b) The Notice of Hearing as mailed.
(c) The Affidavit of Receipt of the Secretary of State's list.
(d) The Affidavit of Mailing the Notice to all persons on the Secretary of State's list.
(e) The Statement of Need and Reasonableness.
(f) The Secretary of State's Certificate.
(g) Pursuant to Minn. Stat. § 15.0412, subd. 6 (1978), notice seeking outside opinions was published in the State Register on May 7, 1979, at 3 State Register 2015. One comment was received by the Merit System on September 19, 1979, from the Personnel Director of Saint Louis County. See, Exhibit C. This letter was introduced at the hearing.
(h) The names of personnel who will represent the Merit System at the hearing together with the names of any other witnesses solicited to appear on its behalf.

The documents were available for inspection at the Office of Hearing Examiners from the date of filing to the date of the hearing.

5. The record remained open through October 11, 1979, for the receipt of written comments. Four prehearing comments were received. These were letters in support of the proposed rules and amendments. Four post-hearing comments were received and made part of the record herein.

Statutory Authority

6. The Agencies base their authority to adopt these amendments on Minn. Stat. §§ 12.22, subd. 3; 144.071 and 393.07, subd. 5.

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 regulations, 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 SCD 94 A.a. and SCD 94 D.5.

In Exhibit G, James A. Jorgensen, Special Assistant Attorney General, cites as further authority, 11 MCAR § 1.2091:

> If and when it appears desirable in the interest of good administration, the governor, through the Commissioner of Public Safety and with the advice and recommendation of the council, may amend these rules after compliance with the provisions of Minnesota Statutes, Chapter 15 . . . 11 MCAR §§ 1.2093 and 1.2094 and relate to the Classification and Compensation Plans, respectively.

The letter continues: "In order to allay any doubt which may exist concerning the effectiveness of the above cited rule provisions, the Merit System will have the governor and the commissioner of Public Safety co-sign the order adopting the Public Safety rules proposed in both the September 21, 1979 hearings."

The Hearing Examiner finds that although the language of the above-existing rules appear to delegate to the Commissioner of Public Safety authority to act on behalf of the Governor in matters relative to the Merit System for Public Safety personnel, this provision should not be construed to imply that one rule can be authority to adopt another rule. Furthermore, the Hearing Examiner urges in the future that an exhibit be submitted which was executed by the Governor indicating the Commissioner of Public Safety is acting for the Governor in the adoption of rules relative to the Merit System. As for the proposed rules, it is implicit that the Commissioner herein may adopt the proposed rules. However, as the counsel has stated, the Governor should co-sign the Order adopting the rules.

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.

Exhibit G also cites as authority of the Commissioner of DPW to promulgate rules for the Merit System Minn. Stat. § 256.01, subd. 4:

> The State agency shall:
>
> * * *
>
> (3) establish adequate standards for personnel employed by the counties and the state agency . . . and to make the necessary rules and regulations to maintain such standards.

The letter continues: ". . . [F]urther support for DPW's rulemaking authority is found in references to DPW Merit System rules and regulations. [See, e.g., Minn. Stat. §§ 375.62, 393.07, subd. 3 (1978).] In addition to all of the above, the Commissioner's authority is generally recognized in Minn. Stat. § 256.011. That section provides that federal grants-in-aid programs shall be administered 'pursuant to and in accordance with rules and regulations promulgated and adopted by the Commissioner of Public Welfare'. Eligibility for and continued receipt of federal grants-in-aid programs are conditioned upon the governmental units administering the programs being under an approved merit system operating according to the Standards for a Merit System of Personnel Administration. 44 FR 10245, 5 C.F.R. § 900.109 1.(a). Non-compliance with the standards can result in the Office of Personnel Management recommending grant termination proceedings to the appropriate federal agency. 44 FR (2/16/79), 5 C.F.R. § 900.612-620."

7. In conformance with 5 C.F.R. Part 900, Subpart F, the Minnesota Legislature enacted Minn. Stat. §§ 12.22, subd. 3, 144.071, and 393.07, subd. 5, which respectively authorize the commissioners to adopt methods of implementing merit systems within their individual agencies.

8. Pursuant to authority granted by Section 393.07, the Commissioner (then Director) of Public Welfare adopted rules for a merit system for employees of county welfare boards. In State ex rel. Hennepin County Welfare Board, et al. v. Fitzsimmons, et al., 239 Minn. 407, 58 N.W.2d 882, 889 (1953), the court held:

> . . . [I]t 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 or 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.

9. Since 1953, changes have been made in Federal law and regulations. The relevant regulations are now found in 45 C.F.C. Part 70. These standards require that in order to be eligible for federal grant-in-aid funds, the Minnesota Merit System must specifically include, among other things, a position classification plan (45 C.F.R. § 70.7), a comprehensive compensation plan (45 C.F.R. § 70.8), and an active recruitment, selection and appointment program (45 C.F.R. §§ 70.9, 70.10 and 70.11).

10. Minnesota adopted the Public Employment Labor Relations Act (PELRA), Minn. Stat. §§ 179.61-179.77 in 1971. Proposed rule amendments should not conflict with rights of public employees and System employees.

Need and Reasonableness

A. Personnel Policies and Procedures.

11. Proposed amendments to 12 MCAR § 2.493, 7 MCAR § 1.238, and 11 MCAR § 1.2093 authorize the respective Commissioners to reallocate positions under certain "junior-senior" plans of promotion by (a) allowing the incumbent to take non-competitive promotional examination, (b) certifying only the name of the eligible incumbent whose position is reallocated, and (c) removing the requirement of serving a new probationary period. The proposed amendments reflect current practice and would establish authority in rule form for the procedure. Exhibits A and B, letters from Wayne Larson, Chairman of the Welfare Directors Association, and Elwyn K. Boe, Director of Koochiching Family Services, indicate support for eliminating the probationary period for employees reallocated to a higher class.

By letter, the Personnel Director of St. Louis County, Anthony J. Bruno, Jr., suggested that "may" be inserted into 12 MCAR § 2.493 D.3., paragraph 2, so that the waiver of the probationary period be left to the discretion of the counties. (Exhibit C) By a post-hearing comment, Mr. Corey opposed the substitution of language which would make the serving of a probationary period optional with the appointing authority with no conditions attached. (Exhibit H)

Jerry Serfling, Business Representative for AFSCME Council 91, spoke in opposition to Mr. Bruno's suggestion saying there was no need for a new probationary period.

Exhibit H consists of a letter addressed to Arthur E. Noot, Commissioner of DPW, from C. E. Melberg, Beltrami County Welfare Director. The Beltrami County Welfare Board suggested that the junior-senior plan be removed completely and that there should be no probation and salary increases during the change to senior. By letter dated October 3, 1979, Mr. Corey stated that based on the support of 47 merit system agencies, the Merit System is not in a position to recommend discontinuance of the plans on a statewide basis. Mr. Corey stated also that the Merit System rules do not require a salary increase be granted upon promotion.

The Hearing Examiner finds that the rule, as proposed, is needed and reasonable.

12. A minor amendment to 7 MCAR § 1.238 A.1. would change "State Board of Health" to "Commissioner", thus bringing it into conformity with Minn. Laws 1977, Chapter 205 which abolished the State Board of Health and transferred all powers and duties to the Commissioner.

There were no comments made about this amendment.

The Hearing Examiner finds this amendment to be needed and reasonable.

13. Proposed amendments to 12 MCAR § 2.503 and 7 MCAR § 1.249 deal with separation, tenure and reinstatement including proposed language for an orderly system of lay-offs, tie-breaking methods, bumping provisions, notification requirement, reemployment list, return from lay off, and a provision (Paragraph 8 of 12 MCAR § 2.503 and 7 MCAR § 1.249) for exclusion of the proposed rule if otherwise provided in a collective bargaining agreement. The proposed rule is needed to provide for a system of considering applicants with previous experience in similar positions and referring former satisfactory employees to current vacancies.

Jerry Serfling suggested that language similar to the exclusionary provision in proposed Paragraph 8, above, be inserted into 12 MCAR § 2.493 D. as Paragraph 4. By post-hearing comment, Ralph Corey opposed this suggestion on the grounds that the junior-senior plan of promotion involves reclassification of positions, which authority he asserts, belongs by rule to the Merit System and is not a subject under a collective bargaining agreement. Mr. Corey stated that Mr. Serfling's proposal would substantially change the wording and intent of the proposed Merit System amendment to the rule.

The Hearing Examiner finds the amendment, as proposed, is needed and reasonable.

14. Proposed amendments to 12 MCAR § 2.504 and 7 MCAR § 1.250 deal with leaves of absence by identifying current minimum and optional leave policies. Existing languge relating to educational leaves is deleted and established in the optional subdivision of the rule. Educational leaves would be granted with or without pay, thus complying with federal requirements relative to state plans for staff development (45 C.F.R. § 205.202).

By letter (Exhibit E), the Counsel clarified that the citations of federal regulations were references to appropriate materials and not to be incorporated by reference into the rules; thus, there is no conflict with Minn. Stat. 15.0412, subd. 4 or 9 MCAR § 2.108.

In Exhibit G, Mr. Bruno suggested the insertion of the word "successful" into the proposed amendment relating to completion of a probationary period.

Responding to that suggestion, Mr. Corey proposed changes in the original language proposed by inserting the word "satisfactory"; thus, the proposed language of 12 MCAR § 2.504 B.3.a. becomes: "Upon the satisfactory completion . . . "; proposed language of 7 MCAR § 1.250 B.3.a. becomes: "Upon the satisfactory completion of . . . "; the proposed language of 12 MCAR § 2.504 B.3.d. becomes: ". . . with six full months of satisfactory service in the Merit System . . ."; and the proposed language of 7 MCAR § 1.250 B.3.d. becomes: ". . . with six full months of satisfactory service in the Merit System . . . ". These substitutions are acceptable to Mr. Bruno, according to Mr. Corey, who discussed them with him.

The Hearing Examiner finds that these proposed amendments, as modified, are needed and reasonable and appear not to constitute a substantial change.

Classification Plan and Compensation Plan

15. The second category of proposed amendments relate to new and revised class specifications. The rules affected are: 12 MCAR § 2.581, 12 MCAR § 2.586, 12 MCAR § 2.588, 12 MCAR § 2.592, 12 MCAR § 2.593, 12 MCAR § 2.621, 12 MCAR § 2.622, 12 MCAR § 2.623, 12 MCAR § 2.624, 12 MCAR § 2.625, 12 MCAR § 2.626, 12 MCAR § 2.640, 12 MCAR § 2.646, and 12 MCAR § 2.654.

These proposed amendments would revise eleven (11) existing class specifications and establish three new classifications. The revisions and additions are based on recommendations made by committees of incumbents and their supervisors with a final review of the draft of the class specifications by groups of incumbents and supervisors. Some additional changes were made after the Merit System Council held hearings.

The first two proposed amendments are for Adult Day Care Center Supervisor, 12 MCAR § 2.592, the Adult Day Care Program Coordinator, 12 MCAR § 2.654. The next proposed amendments are for Center Coordinator, 12 MCAR § 2.593, Financial Assistance Specialist, 12 MCAR § 2.623, Financial Worker II, 12 MCAR § 2.622, Senior Case Aide, 12 MCAR § 2.640, Financial Worker I, 12 MCAR § 2.621, Coordinator of Aging, 12 MCAR § 2.626, Collection Services Supervisor II, 12 MCAR § 2.581, and Developmental Achievement Center Teacher, 12 MCAR § 2.646. The changes involve updating of terminology, clarification of responsibilities for positions, in some cases addition of abilities, reduction of minimum experience requirements and specification of type of college training required. The changes in minimum qualifications are necessary to conform to the United States Office of Personnel Management's Standards for a Merit System of Personnel Administration, which require that job-related minimum requirements be established wherever they are needed for entrance to a classification. These standards, set forth in 45 C.F.R. Part 70, were incorporated by reference into the Statement of Need and Reasonableness, not the Rules, thus providing no conflict with Minn. Stat. § 15.0412 or 9 MCAR § 2.108.

There were no comments regarding these proposed rules.

The Hearing Examiner finds that these proposed rules are needed and reasonable.

16. The next four proposed amendments primarily involve the reduction in the minimum qualifications of education and experience including the following

title changes: Homemaker I to Family Service Aide I, 12 MCAR § 2.624; Homemaker II to Family Service Aide II, 12 MCAR § 2.625; Homemaker Coordinator I to Family Service Aide Coordinator I, 12 MCAR § 2.588; and Homemaker Coordinator II to Family Service Coordinator II, 12 MCAR § 2.586.

Mr. Corey introduced two letters: One, marked Exhibit D, from Barbara Wilkes, Vice-President of the Minnesota Homemakers Association, and one, previously introduced as Exhibit A from Wayne Larson. Both letters supported the proposed changes.

The Hearing Examiner adopts the portion of the Statement of Need and Reasonableness relative to the above amendments as facts herein, and finds these amendments are needed and reasonable.

17. Proposed amendments to 12 MCAR § 2.840 A. and B. incorporate the compensation plan for the various classes under the Public Welfare Merit System. The amendments establish salary ranges for the rest of 1979, for the three proposed new classifications and are based primarily on comparisons with Merit System salary ranges for existing classes with comparable minimum qualifications and duties and responsibilities, and where possible, on comparison with salary ranges for similar positions in other jurisdictions.

The Hearing Examiner finds that these amendments are needed and reasonable.

18. Any Findings herein which may be termed as Conclusions are hereby adopted as such.

Based upon the foregoing Findings of Fact, the Hearing Examiner makes the following:

CONCLUSIONS

1. The Minnesota Merit System gave proper notice of the promulgation of the proposed rule provisions.

2. The System has statutory authority, as cited, to take the action proposed, to wit, the promulgation, deletion and amendment of the proposed rules.

3. The System has fulfilled all relevant, substantive and procedural requirements of law or rule.

4. The System has demonstrated the need for and reasonbleness of the proposed rules and proposed amendments and deletions by an affirmative presentation of facts in the record.

Based upon the foregoing Conclusions, the Hearing Examiner makes the following:

RECOMMENDATION

It is recommended that the proposed rules be adopted by the Minnesota Merit System as recommended by the Hearing Examiner.

Dated: November 5, 1979.

HARRY SEYMOUR CRUMP
Hearing Examiner

STATE OF MINNESOTA
OFFICE OF HEARING EXAMINERS

FOR THE MINNESOTA MERIT SYSTEM

IN THE MATTER OF THE PROPOSED ADOPTION OF NEW RULES AND AMENDMENTS OF EXISTING RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING THE COMPENSATION PLAN; THE CLASSIFICATION PLAN; SEPARATION, TENURE AND REINSTATEMENT; AND LEAVES OF ABSENCE.	REPORT OF THE CHIEF HEARING EXAMINER

WHEREAS, a hearing was held on September 21, 1979, before Harry S. Crump, 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 Minnesota Merit System on November 5, 1979; and

WHEREAS, the Minnesota Merit System has now determined to adopt rules pursuant to Minn. Stat. § 15.0412, subd. 4; and

WHEREAS, the Minnesota Merit System has submitted said rules to the Chief Hearing Examiner for review pursuant to Minn. Stat. § 15.052, subd. 4, and 9 MCAR § 2.110; and

WHEREAS, the Chief Hearing Examiner finds that the final proposed rules are not substantially different from those proposed at the public hearing and that the Minnesota Merit System has met all requirements of Minn. Stat. § 15.0412, subd. 4.

NOW, THEREFORE, upon receipt of this Report, the Minnesota Merit System has the responsibility of submitting the complete hearing record and the rules as adopted by the System to the Attorney General, notifying all persons who requested to be informed that the hearing record has been submitted to the Attorney General, and publishing in the State Register, all pursuant to Minn. Stat. § 15.0412, subd. 4.

Dated this 17th day
of December, 1979.

Duane R. Harves
DUANE R. HARVES
Chief Hearing Examiner

RECEIVED
SEP 19 1979
OFFICE OF HEARING
EXAMINERS

contacting Mr. Wayne P. Anderson at the above address. Questions concerning the issues raised in this Order or concerning informal disposition or discovery may be directed to Special Assistant Attorney General Robert C. Moilanen, Minnesota Pollution Control Agency, 1935 W. County Road B2, Roseville, Minnesota, 55113, (612) 296-7702.

The hearing will be held before Mr. Allan Klein, 1745 University Avenue, St. Paul, Minnesota 55104, (612) 296-8104, a Hearing Examiner appointed by the Chief Hearing Examiner of the State of Minnesota. All parties have the right to be represented throughout the proceeding by legal counsel, by themselves, or by a person of their choice (if such representation is not otherwise prohibited as the unauthorized practice of law). The hearing will be conducted pursuant to the contested case procedures set out in Minn. Stat. §§ 15.0411 through 15.042 (1978), 9 MCAR §§ 2.201-2.299 and Minn. Rules MPCA 1-13, to the extent that the latter rules do not conflict with 9 MCAR § 2.201-2.299. The above-cited procedural rules are available for inspection at the Office of Hearing Examiners and the Minnesota Pollution Control Agency or may be purchased from the Documents Section of the Department of Administration, 140 Centennial Building, St. Paul, Minnesota 55155, (612) 296-2874. The rules provide generally for the procedural rights of the parties.

Any person desiring to intervene as a party must submit to the Hearing Examiner and serve upon all existing parties a Petition to Intervene, pursuant to 9 MCAR § 2.210, by September 9, 1979. The Petition must show how that person's legal rights, duties and privileges may be affected by the decision in this case. The Petition must also set forth the grounds and purpose for which intervention is sought and indicate the petitioner's statutory right to intervene if one should exist. A party to a case has the right to present evidence, rebuttal testimony, and argument with respect to the issues and to cross-examine witnesses. Further, parties may be entitled, pursuant to 9 MCAR § 2.216, to issuance of subpoenas requiring the attendance of witnesses and the production of documents relevant to any matter involved in the hearing. Interested persons may present oral or written statements at the hearing without becoming parties at the discretion of the Hearing Examiner in accordance with 9 MCAR § 2.210(e), but may not cross-examine witnesses. At the present time, the representatives of parties to this proceeding who should be served with such Petition to Intervene are:

Mr. Morrison Kerschner
Attorney for Richard Hagstrom
Rufer, Hefte, Pemberton, Schulze, Sorlie & Sefkow
Fergus Falls, Minnesota 56537

Mr. Thomas Athens
Attorney for Jack Lesmeister
18 North 10th Street
Wheaton, Minnesota 56296

Mr. Robert Moilanen
Attorney for Minnesota Pollution Control Agency Staff
1935 W. County Road B2
Roseville, Minnesota 55113

All persons are advised that, if they intend to appear as parties at the hearing scheduled for September 19, 1979, at 10:30 a.m., a Notice of Appearance form must be completed and returned to the Hearing Examiner within 20 days of the date of service of the Notice of and Order for Hearing. A Notice of Appearance form is enclosed with all Orders mailed and may also be obtained through contacting Mr. Robert Moilanen at the above address. SHOULD A PARTY FAIL TO APPEAR AT THE HEARING, THE ALLEGATIONS MADE IN THIS ORDER MAY BE TAKEN AS TRUE. Persons attending the hearing should bring all evidence bearing on the case including any records or other documents.

If persons have good reason for requesting a delay of the hearing, the request must be made in writing to the Hearing Examiner at least five days prior to the hearing in accordance with 9 MCAR § 2.217 E. A copy of the request must be served on the Agency and any other parties.

August 3, 1979.

Department of Public Welfare
Department of Health
Department of Public Safety

Merit System

Notice of Intent to Solicit Outside Opinion Concerning Merit System Rules

Notice is hereby given that the Minnesota Department of Public Welfare (12 MCAR), the Minnesota Department of Health (7 MCAR) and the Minnesota Department of Public Safety (11 MCAR) are considering proposed amendments to those rules affecting their compensation plans and salary schedules.

If adopted, these rule changes will alter the salaries paid to those personnel in agencies under the jurisdiction of the Merit System which have not negotiated a compensation plan with a bargaining unit's exclusive representative. The jurisdiction of the Merit System includes most County Welfare Agencies and Human Services Boards, some County and Local Emergency Services Agencies, and some County and Local Public Health Agencies.

The proposed rule changes are:

12 MCAR § 2.840

7 MCAR § 1.314

11 MCAR § 1.140

The Minnesota Department of Public Welfare, the Minnesota Department of Health and the Minnesota Department of Public Safety are also considering proposed amendments to those rules affecting:

(1) the annual salary survey;

(2) the establishment of a salary schedule for a new classification by agencies with an exclusive representative;

(3) the salary adjustment for 1980.

If adopted, these rules will alter various personnel policies in agencies under jurisdiction of the Merit System.

The proposed rule changes are:

12 MCAR § 2.494 Compensation plan.

D. Adjustment of the Official Salary Schedule of the Minnesota Merit System.

E. Negotiation of a salary schedule.

7 MCAR § 1.239 Compensation plan.

D. Adjustment of the Official Salary Schedule of the Minnesota Merit System.

E. Negotiation of a salary schedule.

11 MCAR § 1.094 Compensation plan.

D. Adjustment of the Official Salary Schedule of the Minnesota Merit System.

E. Negotiation of a salary schedule.

12 MCAR § 2.516 Salary adjustments and increases.

B. Adjustments to be made in accordance with Merit System Official Compensation Plan.

7 MCAR § 1.260 Salary adjustments and increases.

B. Adjustments to be made in accordance with Merit System Official Compensation Plan.

11 MCAR § 1.116 Salary adjustments and increases.

B. Adjustments to be made in accordance with Merit System Official Compensation Plan.

Additionally, the Minnesota Department of Public Welfare and the Minnesota Department of Health are considering proposed amendments to those rules affecting their position classification specifications.

If adopted, these rule changes will create new position classifications and will alter existing position classification specifications under the jurisdiction of the Merit System.

The proposed rules creating new classes are:

12 MCAR § 2.655 Nutrition Project Director.

12 MCAR § 2.656 Nutrition Project Assistant Director.

12 MCAR § 2.619 Housing Coordinator.

7 MCAR § 1.269 Nutrition Assistant.

The proposed rules altering existing position classification specifications are:

12 MCAR § 2.693 Homemaker/Home Health Aide.

12 MCAR § 2.578 Financial Assistance Supervisor I.

12 MCAR § 2.579 Financial Assistance Supervisor II.

All interested or affected persons are requested to participate. Statements of information and comment may be made orally or in writing. Written statements of information and comment may be addressed to:

Ralph W. Corey, Supervisor
Minnesota Merit System
Fourth Floor, Centennial Office Building
658 Cedar Street
St. Paul, Minnesota 55155

Oral statements of information and comment will be received during regular business hours over the telephone at (612) 296-3996.

All statements of information and comment must be received by August 27, 1979. Any written material received by the Department shall become part of the hearing record.

Under the provisions of Minn. Stat. § 10A.01, subd. 11 (1974), any individual representing persons or associations attempting to influence administrative action, such as the promulgation of these proposed rules and amendments, must register with the Ethical Practices Board as a lobbyist within five days of the commencement of such activity by the individual. The Ethical Practices Board is located at Room 401, State Office Building, St. Paul, Minnesota 55155.

Minnesota State Retirement System

Regular Meeting of the Board of Directors

Regular quarterly meeting of the Board of Directors, Minnesota State Retirement System, will be held on Friday, August 17, 1979, at 9:00 a.m. in the office of the System, 529 Jackson Street, St. Paul, Minnesota.

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE ARTHUR E. NOOT
COMMISSIONER OF PUBLIC WELFARE

BEFORE GEORGE R. PETTERSEN, M.D.
COMMISSIONER OF HEALTH

BEFORE JOHN P. SOPSIC
COMMISSIONER OF PUBLIC SAFETY

IN THE MATTER OF THE PROPOSED ADOPTION OF NEW RULES AND AMENDMENTS OF EXISTING RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING THE COMPENSATION PLAN; THE CLASSIFICATION PLAN; SEPARATION, TENURE AND REINSTATEMENT: AND LEAVES OF ABSENCE

STATEMENT OF NEED AND REASONABLENESS

The following considerations constitute the statutory and regulatory authority upon which the above-cited rule amendments are based:

1. 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. 42 USC Ch. 62. [1/]

1/ Also see sections of the United States Code cited hereinafter where the following programs have a statutory requirement for the establishment and maintenance of personnel standards on a merit basis:

Aid to Families With Dependent Children - "AFDC"
[42 USC § 602 (a) (5) (A)]
Food Stamps [7 USC § 2020 (e) (6) (B)]
Medical Assistance = "MA" [42 USC § 1396a (a) (4) (A)]
Social Services [42 USC § 1397b (d) (1) (D)]
Comprehensive Mental Health Services [42 USC § 2689T (a) (1) (d)]
Aid to the Blind [42 USC § 1202 (a) (5) (A)]
Aid to the Permanently and Totally Disabled [42 USC § 1352 (a) (5) (A)]
Aid to the Aged, Blind or Disabled [42 USC § 1382 (a) (5) (A)]
Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation [42 USC § 4573 (a) (5)]
Drug Abuse Prevention [21 USC § 1176 (e) (8)]
Comprehensive Health Planning [42 USC 300M-1(b) (4) (B)]
Health Resources Development [42 USC § 300o-2(b)]
Civil Defense Personnel and Administrative Expenses [50 USC Appx. § 2286(a) (4)]
Medical Facilities Assistance [42 USC § 300o-1(b)]

Maternal and Child Health Services/Crippled Children Services
[42 USC § 705(a) (3) (a)]
Developmental Disabilities Services and Facilities Construction
[42 USC § 6063(b) (7)]
State and Community Programs on Aging [12 USC § 3027(a) (4)]
Nutrition Programs for the Elderly [42 USC § 3045d (a) (3)]

2. Pursuant to such Congressional action the U.S. Department of Health, Education and Welfare (HEW), Department of Labor and Department of Defense promulgated 5 CFR Part 900, Subpart F which imposes upon the State of Minnesota general requirements for a merit system of personnel administration. Those standards require that in order to be eligible for federal grant-in-aid funds the Minnesota Merit System must specifically include, among other things, a position classification plan (5 CFR § 900.604-1), a comprehensive compensation plan (5 CFR § 900.604-1), and an active recruitment, selection and appointment program (5 CFR §§ 900.602-900.603).

3. Under the aforementioned grant-in-aid programs the State of Minnesota, through its appropriate agencies, is the grantee of federal program and administrative funds and, accordingly, the State is under an affirmative obligation to insure that such monies are properly and efficiently expended in compliance with applicable federal standards.

4. In conformance with 5 CFR Part 900, Subpart F, the Minnesota Legislature enacted Minn. Stat. § 12.22 subd. 3, § 144.071 and § 393.07 subd. 5, which respectively authorize the commissioner of public safety, the commissioner of health, and the commissioner of public welfare to adopt necessary methods of personnel administration for implementing merit systems within their individual agencies. Collectively, the resulting programs are referred to as the "Minnesota Merit System".

5. Pursuant to such statutory authority those state agencies have adopted comprehensive administrative rules which regulate administration of the Minnesota Merit System. 2/

2/ 12 MCAR §§ 2.490-2.841, 11 MCAR §§ 1.2090-1.2141 and 7 MCAR §§ 1.235-1.315.

6. The above-cited proposed rule amendments are promulgated in accordance with the provisions of applicable Minnesota statutes and expressly guarantee the rights of public employers and Minnesota Merit System employees in conformance with the terms of the state's Public Employment Labor Relation Act [Minn. Stat. §§ 179.61-179.77].

7 The Minnesota Supreme Court has expressly recognized the authority of the Commissioner of Public Welfare and, implicitly, the similar authority of the Commissioner of Public Safety and the Commissioner of Health, to adopt such rules by declaring:

> . . . it is clear that the Director of Social Welfare 3/ was clearly right in adopting and promulgating a merit plan which includes 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 program nor the determination of his tenure of office and individual compensation.

State ex rel. Hennepin County Welfare Board and another v. Robert F. Fitzsimmons, et al., 239 Minn. 407, 420, 58 N.W. 2d 882, 890 (1953). (Footnote added.)

3/ The "Director of Social Service" was the former title of the current office of "Commissioner of Public Welfare".

II. The justification establishing the reasonableness of the specific substantive provisions of the proposed rules, all of which concern the Minnesota Merit System operation, is as follows:

A. PERSONNEL POLICIES AND PROCEDURES

1. 12 MCAR § 2.493, 7 MCAR § 1.238, and 11 MCAR § 1.2093

These rules deal with the classification plan. The proposed amendments to MCAR § 2.493, 7 MCAR § 1.238 and 11 MCAR § 1.2093 relate to incumbents of positions which are reallocated under junior-senior plans currently in existence (Social Worker I to II, Financial Worker I to II, and Case Aide to Senior Case Aide). The proposed changes establish provisions to allow the incumbent of a position reallocated under a junior-senior plan to take a non-competitive promotional examination. They also provide for certification of only the name of the eligible incumbent whose position is reallocated and removes the requirement that the incumbent serve a new probationary period subsequent to appointment in the higher classification. Much of the content of the proposed amendments represent what already is practiced by the Merit System with respect to reallocations under junior-senior plans. These proposed amendments are necessary to establish in rule form authority for this procedure rather than to continue the present practice without support from the rules.

A minor amendment is proposed to 7 MCAR 1.238 A. 1. to change "State Board of Health" to "Commissioner". This revision is necessary to bring the language into conformity with Minn. Laws 1977, Chapter 305 which eliminates all references to the Board of Health and to the Secretary and Executive Officer. Minn. Laws 1977 § 305.39 amended Minn. Stat. § 144.011 (1976) by abolishing the State Board of Health and transferring all powers and duties to the Commissioner of Health.

2. 12 MCAR § 2.503, 7 MCAR § 1.249

These rules deal with separation, tenure, and reinstatement. (Under the provisions of 11 MCAR § 1.2091 B., the Department of Public Welfare Rules 12 MCAR §§ 2.495-2.510 also apply to the Department of Public Safety's county and local agencies.)

One of the proposed changes in 12 MCAR § 2.503 and 7 MCAR § 1.249 relates to the matter of layoff and includes the deletion of existing language and insertion of entirely new language which outlines procedures for agencies to follow in the event of layoff. The proposed amendment provides for an order of layoff, a definition of seniority for layoff purposes, a method of breaking ties where seniority is equal, a bumping provision, a notification requirement, placement of names of laid-off employees on a reemployment list as well as a layoff list, return from layoff in the event of a subsequent vacancy and a section that excludes the provisions of the proposed rule if they are otherwise provided in a collective bargaining agreement. This amendment is necessary in order to establish a clear and orderly procedure to be followed in the event of layoff.

A second proposed change to 12 MCAR § 2.503 and 7 MCAR § 1.249 establishes a reemployment list for former permanent or probationary Merit System employees who resign in good standing. Current Merit System rules provide only for reinstatement of former employees and the former employee is totally responsible for seeking out job opportunities on his/her own. The proposed change allows for referral of names from the reemployment list automatically to appropriate vacancies for which former employees are qualified, interested and available. The names referred from the reemployment list would not affect the number of names an appointing authority could consider from the regular eligible list. This proposed amendment is necessary in order to allow appointing authorities to consider another source of applicants; namely, those with previous experience in similar positions and to establish an orderly system of referring former satisfactory employees to current vacancies.

3. 12 MCAR § 2.504 and 7 MCAR § 1.250

These rules deal with leaves of absence. (Under the provisions of 11 MCAR § 1.2091 B., the Department of Public Welfare Rules 12 MCAR § 2.495-2.510 also apply to the Department of Public Safety's county and local agencies.)

The revisions proposed to 12 MCAR § 2.504 and 7 MCAR § 1.250 serve to identify minimum and optional leave policies and place them in separate subdivisions of the rule. Within the current rule, minimum leave policies which agencies must provide for employees are grouped together with those leave policies which are optional, or those which agencies may or may not adopt. These changes are necessary to clarify and better identify which leave policies are those which an agency must provide and those which are optional.

A significant proposed change in 12 MCAR § 2.504 and 7 MCAR § 1.250 deletes the current language on educational leave and establishes, under the optional subdivision, a policy to allow educational leave to be granted with or without pay. The language of the current rule suggests that educational leave may be granted only without pay. This specific proposal is necessary in order to comply with federal requirements relative to state plans for staff development (45 CFR § 205.202). A copy of these regulations are expressly incorporated herein by reference.

B. CLASSIFICATION PLAN AND COMPENSATION PLAN

1. 12 MCAR §§ 2.581, 2.586, 2.588, 2.592, 2.593, 2.621, 2.622, 2.623, 2.624, 2.625, 2.626, 2.640, 2.646, 2.654

The authority for the classification changes contained herein is Merit System Rule 12 MCAR § 2.493 A. 1. and 2. which states in part: The Commissioner of Public Welfare shall formally adopt and make effective a comprehensive classification plan for all positions. The plan shall be based on investigation and analysis of the duties and responsibilities of each position, and each position shall be allocated to its proper class in the classification plan. The plan shall be developed after consultation with supervisory officials, classification specialists, and persons technically familiar with the character of the work. When complete, the classification plan shall include for each class of positions an appropriate class title, a description of the duties and responsibilities, and the minimum requirements of training, experience and other qualifications.

These proposals are necessary to revise eleven existing class specifications and to establish three new classifications. The revisions in the existing specifications and the contents of the proposed new class specifications are primarily based on recommendations made by committees of incumbents and their supervisors and final review of the draft of the class specifications by groups of incumbents and their supervisors. The Merit System Council has held hearings on all of these class specification proposals and, as a result of these hearings, some additional changes have been made.

a. 12 MCAR §§ 2.592 and 2.654 (Adult Day Care Center Supervisor and Adult Day Care Center Program Coordinator)

The establishment of these classifications under the Public Welfare Merit System is a result of a need expressed by the Carver County Family Service Department. Carver County operates a day care center for physically and emotionally handicapped adults which recently came under the jurisdiction of the Merit System and currently has individuals employed at the Supervisor and Program Coordinator levels. The Merit System staff was assisted by staff of the Carver County Family Service Department in developing the proposed specifications. It is reasonable to establish these classes to ensure that the Merit System classification plan properly reflects the duties and responsibilities being performed by Merit System employees and is in conformance with the federal standards for a Merit System of Personnel Administration which require maintenance of a classification plan on a current basis.

b. 12 MCAR § 2.[illegible]3 (Center Coordinator)

This classification is being established under the Public Welfare Merit System as a result of a need expressed by the St. Louis County Social Service Department. The classification will be used in day care centers for both adults and children. St. Louis County currently has an individual employed in this classification. The proposed class specification was reviewed and approved by incumbents and supervisory personnel in St. Louis County. Again, it is reasonable to establish this class to ensure that the Merit System classification plan properly reflects the duties and responsibilities being performed by Merit System employees and to conform with the federal Standards for a Merit System of Personnel Administration which require maintenance of a classification plan on a current basis.

c. 12 MCAR § 2.623 (Financial Assistance Specialist)

The proposed changes in the class specification for Financial Assistance Specialist serve to clarify the major duties and responsibilities of positions in this classification. Financial Assistance Supervisors in the agencies assisted Merit System staff in suggesting changes in the illustrative examples of work, in the knowledges and abilities required, and in developing the minimum qualifications of education and experience. Currently, the Merit System class of Financial Assistance Specialist is used for individuals spending a large percentage of time performing intake in one or more financial assistance programs, which includes screening and/or initial determination of eligibility; acting as lead worker in one or more of the financial assistance programs; or performing quality control functions. Since the existing class specification, which was last reviewed in 1973, does not accurately reflect the duties performed by Financial Assistance Specialists, the revisions are necessary to adequately describe the class. The proposed additions to the "knowledges and abilities required" section add some knowledges and abilities that are considered essential. Certain knowledges and abilities were revised or deleted because they were considered inappropriate and not necessary for an individual to possess prior to being hired in the classification.

The major proposed change in the minimum requirements of education and experience allows for experience as either a Financial Worker I or II, rather than restricting the experience to one year as a Financial Worker II (formerly Senior Case Aide). The proposed minimum requirements also allow for substitution of education for experience which is consistent with the existing minimum qualifications for Financial Worker II. This is reasonable in light of the fact that the current minimum experience requirement was felt to be unnecessarily high by those Financial Assistance Supervisors who assisted Merit System staff in developing the proposed changes and are most knowledgeable relative to the skills, knowledges and abilities necessary to perform satisfactorily on the job.

d. 12 MCAR §§ 2.622 and 2.640 (Financial Worker II and Senior Case Aide)

The major proposed change in the class specification for Financial Worker II is in the minimum qualifications of education and experience, reducing the number of years of experience from three years to two years with a high school diploma, and from two years to eighteen months with two years of college. This change is necessary due to the proposed change reducing the minimum qualifications of education and experience for Financial Assistance Specialist and is also consistent with the minimum amount of experience necessary to be promoted from Social Worker I to Social Worker II, which is another existing junior-senior plan.

Additional changes in the class specification serve to update the terminology used.

Similar proposed changes in the minimum qualifications and knowledges and abilities required in the class specification for Senior Case Aide are necessary in order to update the terminology and also to make this classification consistent with the Financial Worker II specification.

e. 12 MCAR § 2.6[redacted] (Financial Worker I)

The proposed changes in the class specification for Financial Worker I update the terminology used in the kind of work and examples of work. The changes are necessary in order to conform to the terminology in the proposed Financial Worker II class specification.

f. 12 MCAR § 2.626 (Coordinator of Aging)

The proposed changes in this class specification result from suggestions made by a committee of incumbents and supervisory personnel who reviewed the class specification. Most of the changes in the illustrative examples of work section involve an updating of terminology and clarifying the appropriate responsibilities of the Coordinator of Aging classification. These changes are reasonable and necessary to ensure maintenance of the classification plan on a current basis.

The changes proposed in the "knowledges and abilities required" section include deletion of those knowledges and abilities considered inappropriate and not necessary for an individual to possess prior to being hired in the classification, updating of language, and addition of abilities that are felt to be necessary for an individual to possess prior to being hired in the classification.

The proposed changes in the minimum qualifications of education and experience reduce the number of years of experience from five to two, clarify the type of experience necessary, and also specify the type of college training which may be substituted for the experience. The proposed changes in the minimum qualifications are necessary to conform to the United States Office of Personnel Management's Standards for a Merit System of Personnel Administration, which require that job-related minimum requirements be established wherever they are needed for entrance to a classification. Job-related minimum requirements serve to ensure that candidates have a reasonable chance for success in the position and that artifically high qualifications are not established for entrance to the position. Copies of the standards are expressly incorporated herein by reference.

g. 12 MCAR § 2.591 (Collection Services Supervisor II)

The major proposed change in the class specification for Collection Service Supervisor II is in the minimum qualifications of education and experience. The change allows for substitution of relevant experience for education in qualifying to take promotional examinations. This change is necessary to conform to the Standards for a Merit System of Personnel Administration so that job-related minimum requirements exist for this position and that artifically high qualifications do not exist. Other proposed changes in the class specification are necessary to update the language used in the specification.

h. 12 MCAR § 2.646 (Developmental Achievement Center Teacher)

The only proposed revision to this class specification is to eliminate the requirement for possession of a valid Minnesota teaching certificate. This change is necessary to be consistent with the federal Standards for a Merit System of Personnel Administration by establishing job-related minimum requirements and avoiding artifically high entrance qualifications.

This classification is to be used by various human service agencies covered by the Merit System and most individuals currently employed as teachers in developmental achievement centers within these human service agencies do not possess teaching certificates. Since there is no requirement that such teachers possess a valid Minnesota teaching certificate, it is not reasonable to require applicants for the position to possess the certificate.

i. 12 MCAR §§ 2.624, 2.625, 2.588, and 2.586 (Homemaker I, Homemaker II, Homemaker Coordinator I, Homemaker Coordinator II)

The major proposed revisions to these class specifications involve the following title changes: Homemaker I to Family Service Aide I, Homemaker II to Family Service Aide II, Homemaker Coordinator I to Family Service Coordinator I, and Homemaker Coordinator II to Family Service Coordinator II. These changes were suggested by a committee of

incumbents and supervisors who felt that the current classification title of "Homemaker" is inappropriate and does not adequately describe the duties of the class because of a wide variety of duties performed by these individuals. The titles have caused problems for incumbents in making their position responsibilities clearer to the general public and the clients served.

Other proposed changes in the class specifications primarily involve reducing the minimum qualifications of education and experience. Within the Homemaker I classification, the requirement of a high school diploma is being deleted in order to make the classification consistent with the Public Health Merit System classification of Home Health Aide.

Another proposal is to allow substitution of college coursework for homemaking experience on a one year for two basis without the current limit of two years. Under the present qualifications, individuals with college degrees in home economics and little or no homemaking experience are not able to qualify for the examination.

Within the Homemaker II specification, one proposed change is the deletion of the requirement of the high school diploma and another includes the reduction of the number of years of experience from ten to seven, as ten is felt to be excessive in relation to the minimum experience required at the Homemaker I level. Again, a change to allow for substitution of college coursework for homemaking experience is being proposed.

A proposal to delete the high school diploma requirement for Homemaker Coordinator I is being made to conform to the proposed changes in the minimum qualifications of education and experience in the Homemaker I and II class specifications.

The above changes in the minimum qualifications are necessary in order to ensure that minimum qualifications for entrance to these positions are job-related and do not screen out those individuals who would be successful in these positions.

Other proposed minor changes in the class specifications involve updating the terminology in order to make it consistent with the proposed title changes and to reflect the current responsibilities and duties of each of these classes of positions.

2. 12 MCAR § 2.840 A. and B.

This rule sets the compensation plan for the various classes under the Public Welfare Merit System. Revisions to this rule are necessary to set salary ranges for the remainder of 1979 for all of the aforementioned new classes. The proposed salaries are based primarily on comparison with Merit System salary ranges for existing classes with equivalent minimum qualifications and duties and responsibilities and, where possible, on comparison with salary rates for similar jobs in other jurisdictions. The proposed salaries provide for fair and equitable salary rates and are reasonable.

a. The proposed salary range for Adult Day Care Center Supervisor has been established by examining the duties and minimum qualifications required in comparison to other Merit System classes, since a comparable classification is not evident in other civil service jurisdictions. The proposed range for Adult Day Care Center Supervisor was set at the same salary range as that of the Developmental Achievement Center Instructor classification since the responsibilities, as well as the minimum qualifications of education and experience, are comparable.

b. The proposed salary range for Center Coordinator has been set at the Social Worker III salary level, since a master's degree in social work is required for both positions.

c. The Adult Day Care Center Program Coordinator proposed salary range was established by reviewing the minimum qualifications required in comparison to other Merit System classes, as well as by examining the pay scale for the State of Minnesota classification of Human Service Specialist, which is the level at which certified occupation therapy assistants in the state hospitals are hired. The salary range for Human Service Specialist is $842 to $1037 per month. The 1979 proposed C plan salary range for Adult Day Care Center Program Coordinator is $779 to $1111 per month.

The aforegoing authorities and comments are submitted in justification of final adoption of the above cited proposed rule amendments.

Ralph W. Corey
Merit System Supervisor

DATED: August 14, 1979.

STATE OF MINNESOTA

DEPARTMENTS OF PUBLIC WELFARE, PUBLIC SAFETY AND HEALTH

IN THE MATTER OF THE PROPOSED ADOPTION
OF NEW RULES AND AMENDMENTS OF EXISTING
RULES OF THE MINNESOTA MERIT SYSTEM
GOVERNING THE COMPENSATION PLAN; SALARY
ADJUSTMENTS AND INCREASES; AND
CLASSIFICATION PLAN

PERSONNEL TO TESTIFY

Ralph W. Corey, Merit System Supervisor, will testify for the Minnesota Merit System at the public hearing in the above-entitled matter to be held on September 21, 1979, commencing at 9:30 A.M. in the Administration Building, Room 116, 50 Sherburne Avenue, St. Paul, Minnesota.

Betty Carlson, Senior Personnel Representative with the Merit System, will also be present.

Dated: August 15, 1979

Ralph W. Corey

Ralph W. Corey

Merit System Supervisor

STATEMENT OF COMPLIANCE WITH
MANUAL OF RULE MAKING PROCEDURES

I, Special Assistant Attorney General James A. Jorgensen, 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. Any exceptions are noted below.

James A. Jorgensen
Special Assistant Att. General

Dated: 12/19/79

STATE OF MINNESOTA
DEPARTMENT OF PUBLIC WELFARE

IN THE MATTER OF THE PROPOSED ADOPTION OF NEW RULES AND AMENDMENT OF EXISTING RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING THE COMPENSATION PLAN; THE CLASSIFICATION PLAN; SEPARATION, TENURE AND REINSTATEMENT AND LEAVES OF ABSENCE.

CERTIFICATE OF DELIVERY
SECRETARY OF STATE
LIST

I hereby certify that the attached 326 labels 3 sheets constitute the complete list of persons, associations, and other interested groups who as of 2:45 o'clock P.M. this 14th day of August, 1979, have requested pursuant to M.S. _____ 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 Donna Scott

STATE OF MINNESOTA
DEPARTMENT OF PUBLIC WELFARE

IN THE MATTER OF THE PROPOSED ADOPTION OF NEW RULES AND AMENDMENT OF EXISTING RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING THE COMPENSATION PLAN; THE CLASSIFICATION PLAN; SEPARATION, TENURE AND REINSTATEMENT AND LEAVES OF ABSENCE.

AFFIDAVIT OF RECEIPT OF THE SECRETARY OF STATE'S LIST

DIANE LYNN HIRTE, being first duly sworn, deposes and says:

1) That she is an employee of the Special Services Division, Department of Public Welfare, State of Minnesota.

2) That on the 13 day of August, 1979, she went to the Secretary of State's office for the State of Minnesota and requested a current list of all representatives of associations or other interested groups or persons who have registered their names with the Secretary of State for the purpose of obtaining notices of public hearings relating to the promulgation of rules pursuant to M.S. 15.0412.

3) That on the 13 day of August, 1979, in response to the above request, the Secretary of State provided her with such a list, a copy of which is attached hereto and incorporated by reference.

Further affiant sayeth not.

Diane L. Hirte

Subscribed and sworn to before me

this 20 day of August

1979.

Margaret Holt

MARGARET HOLT
NOTARY PUBLIC-MINNESOTA
RAMSEY COUNTY
My Comm. Expires Sept. 22, 1984

STATE OF MINNESOTA
DEPARTMENT OF PUBLIC WELFARE

IN THE MATTER OF THE PROPOSED ADOPTION OF NEW RULES AND AMENDMENT OF EXISTING RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING THE COMPENSATION PLAN; THE CLASSIFICATION PLAN; SEPARATION, TENURE AND REINSTATEMENT AND LEAVES OF ABSENCE.

AFFIDAVIT OF MAILING

DIANE LYNN HIRTE, being first duly sworn, deposes and says:

That on the 15 day of August, 1979 at the City of St. Paul, County of Ramsey, State of Minnesota, she 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.

Diane Lynn Hirte

Subscribed and sworn to before me this

20 day of August 1979.

Margaret Hall

NOTARY PUBLIC MINNESOTA

STATE OF MINNESOTA
DEPARTMENT OF PUBLIC WELFARE

IN THE MATTER OF THE PROPOSED ADOPTION OF NEW RULES AND AMENDMENT OF EXISTING RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING THE COMPENSATION PLAN; THE CLASSIFICATION PLAN; SEPARATION, TENURE AND REINSTATEMENT AND LEAVES OF ABSENCE.

AFFIDAVIT OF ADDITIONAL MAILING

DIANE LYNN HIRTE, being first duly sworn, deposes and says:

That on the 15 day of August, 1979, at the City of St. Paul, County of Ramsey, State of Minnesota, in addition to mailing the attached Notice of Hearing to all persons and associations listed on the Secretary of State's list, she also 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 the following agencies:

All Minnesota County Welfare Departments
All Minnesota Human Service Boards
All Minnesota Area Mental Health Boards
All Minnesota State Hospitals
32 County Public Health Departments
3 County Public Health Departments
Headwaters Nutrition Project
Senior Staff Representatives

Diane L. Hirte

Subscribed and sworn to before me

this 20 day of August 1979.

Margaret Holt

STATE OF MINNESOTA
DEPARTMENT OF PUBLIC WELFARE

IN THE MATTER OF THE PROPOSED ADOPTION OF NEW RULES AND AMENDMENT OF EXISTING RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING THE COMPENSATION PLAN; THE CLASSIFICATION PLAN; SEPARATION, TENURE AND REINSTATEMENT AND LEAVES OF ABSENCE.

NOTICE OF HEARING

Notice is hereby given that a public hearing in the above-entitled matter will be held pursuant to Minn. Stat. § 15.0412, subd. 4, in the Administration Building, Room 116, 50 Sherburne Ave. (between Cedar and Capital Blvd.) St. Paul, Minnesota on September 21, 1979, commencing at 9:30 A.M.

All interested or affected persons will have an opportunity to participate concerning the rules captioned above. Statements may be made orally and written material may be submitted. In addition, whether or not an appearance is made at the hearing, written statements or material may be submitted to Harry Seymore Crump, Hearing Examiner, Office of Hearing Examiners, 1745 University Ave., St. Paul, Minnesota, 55104, (612) 296-8111 either before the hearing or within five (5) working days after the close of the hearing. The hearing examiner may keep the record open for a longer period not to exceed 20 calendar days. All such statements will be entered into and become part of the record.

Proposed revisions to 12 MCAR § 2.493 D. authorize the Commissioner of Public Welfare to reallocate positions to certain designated classes under certain circumstances, provide for the administration of non-competitive promotional examinations in such situations, the certification of only the name of the eligible incumbent and elimination of the need for the employee promoted under this provision to serve a new probationary period in the higher classification.

Proposed revisions to 12 MCAR § 2.503 D. establish a new procedure to be followed in the event of a layoff in the classified service including a definition of seniority for purpose of layoff, order of layoff, method of breaking ties in cases of equal seniority, a bumping provision, notification requirement, placement of names of laid off employees on the layoff list and the reemployment list, return from layoff to a subsequent vacancy and an exclusion of the provisions of the rule if they are otherwise provided in a collective bargaining agreement.

Proposed revisions to 12 MCAR § 2.503 create a reemployment list(s) containing names of former permanent or probationary Merit System employees who voluntarily separate in good standing with a satisfactory or better separation rating. Proposed revisions to 12 MCAR § 2.504 A. B. and C. clarify present language relative to leaves of absence, separate minimum leave policies and optional leave policies and place them in separate sections of the rule and provide for an optional policy of granting educational leave with or without pay to employees.

Proposed rules creating new classifications are 12 MCAR § 2.592 for Adult Day Care Center Supervisor; 12 MCAR § 2.654 for Adult Day Care Center Program Coordinator and 12 MCAR § 2.593 for Center Coordinator. These new classifications are being proposed in response to an expressed need for each such class from one or more county welfare agencies. Proposed revisions to current rules which alter and in some cases retitle existing position classification specifications are 12 MCAR § 2.624 for Family Service Aide I (presently Homemaker I); 12 MCAR § 2.625 for Family Service Aide II (presently Homemaker II); 12 MCAR 2.588 for Family Service Coordinator I (presently Homemaker Coordinator I); 12 MCAR § 2.586 for Family Service Coordinator II (presently Homemaker Coordinator II); 12 MCAR § 2.621 for Financial Worker I; 12 MCAR § 2.622 for Financial Worker II; 12 MCAR § 2.623 for Financial Assistance Specialist; 12 MCAR § 2.640 for Senior Case Aide; 12 MCAR § 2.626 for Coordinator of Aging; 12 MCAR § 2.581 for Collection Services Supervisor II and 12 MCAR § 2.646 for Developmental Achievement Center Teacher. These revisions are proposed to reflect more descriptive class titles and to update current classification specifications including minimum qualifications for such classifications.

None of these proposed rule changes will result in increased county expenditures. The authority for the proposed new rules and proposed rule amendments is contained in Minn. Stat. § 393.07 subd. 5.

Copies of the proposed rule are now available and at least one free copy may be obtained by writing to Ralph Corey, Merit System, Department of Public Welfare, Centennial Building, St. Paul, MN 55155, Telephone: 612/296-3996. Additional copies will be available at the door on the date of the hearing.

Notice is hereby given that 25 days prior to the hearing a statement of need and reasonableness will be available for review at the agency and at the Office of Hearing Examiners. This statement of need and reasonableness will include a summary of all of the evidence which will be presented by the agency at the hearing justifying both the need for and the reasonableness of the proposed and amended rules. Copies of the statement of need and reasonableness may be obtained from the Office of Hearing Examiners at a minimal charge.

Any person may request notification of the date on which the hearing examiner's report will be available, after which date the commissioner may not take any final action on the rules for a period of five (5) working days. Any person may request notification of the date on which the hearing record has been submitted to the Attorney General by the agency. If you desire to be so notified, you may so indicate at the hearing. After the hearing, you may request notification by sending a written request to the hearing examiner, in the case of the hearing examiner's report, or to the agency, in the case of the agency's submission or resubmission to the Attorney General.

In addition, please be advised that Minn. Stat. Ch. 10A requires each lobbyist to register with the State Ethical Practices Board within five (5) days after he commences lobbying. A lobbyist is defined in Minn. Stat. Section 10A.01, Subd. 11 as any individual:

(a) Engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than $250, not including his own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or

administrative action by communicating or urging others to communicate with public officials; or

(b) Who spends more than $250, not including his own traveling expenses and membership dues, in any year for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials.

The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, Saint Paul, Minnesota 55155, telephone (612) 296-5615.

August 6, 1979

Arthur E. Noot
Commissioner of Public Welfare

STATE OF MINNESOTA

DEPARTMENT OF PUBLIC WELFARE

IN THE MATTER OF THE PROPOSED ADOPTION OF NEW RULES AND AMENDMENTS OF EXISTING RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING THE COMPENSATION PLAN; THE CLASSIFICATION PLAN; SEPARATION, TENURE AND REINSTATEMENT; AND LEAVES OF ABSENCE

ORDER FOR HEARING

IT IS HEREBY ORDERED that a public hearing on the above captioned rules be held in the Administration Building, Room 116, 50 Sherburne Avenue (between Cedar and Capitol Boulevard), St. Paul, Minnesota, on September 21, 1979, commencing at 9:30 A.M. and continuing until all persons have had an opportunity to be heard.

IT IS FURTHER ORDERED that a Notice of Hearing be mailed to all persons, representatives of associations, or other interested groups, who have registered their names with the Secretary of State for that purpose.

IT IS FURTHER ORDERED that the Notice of Hearing be published in the State Register.

Dated: August 2, 1979

Arthur E. Noot
Commissioner

STATE OF MINNESOTA
DEPARTMENT OF PUBLIC WELFARE

IN THE MATTER OF THE PROPOSED ADOPTION OF NEW RULES AND AMENDMENT OF EXISTING RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING THE COMPENSATION PLAN; SALARY ADJUSTMENTS AND INCREASES; AND CLASSIFICATION PLAN

AFFIDAVIT OF MAILING

Linda M. Peterson, being first duly sworn, deposes and says:

That on the 19 day of December, 1979, at the City of St. Paul, County of Ramsey, State of Minnesota, she served the attached Notice 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 who requested to be notified when the above captioned rule(s) were submitted to the Attorney General's Office for review as to form and legality.

Linda M. Peterson

Subscribed and sworn to before me this

19 day of December, 1979

Notary Public,

Ramsey County, Minnesota

My Commissioner Expires

Sept. 22, 1984

Margaret Holt



IN THE MATTER OF THE PROPOSED ADOPTION OF NEW RULES AND AMENDMENT OF EXISTING RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING THE COMPENSATION PLAN; SALARY ADJUSTMENTS AND INCREASES; AND CLASSIFICATION PLAN

To all Interested Persons:

Pursuant to your request and in accordance with Minnesota Statutes, Section 15.0412, subdivision 4 and Rule HE 102, PLEASE TAKE NOTICE that the above-captioned rule(s) have been submitted to the Attorney General's Office on 12-19-79 for review as to form and legality. Pursuant to Rule ATTYGEN 305, any person may question the legality of the above-captioned rules within ten (10) days after receipt of the rule by the Attorney General. Thereafter, the Office of the Attorney General shall conduct its review. If you desire to question the legality of the above-captioned rules, you should direct your comments to the Attorney General's Office, G-25 Administration Building, 50 Sherburne Avenue, Saint Paul, Minnesota 55155.

If you are interested in determining what changes, if any, were made in the proposed rules after the hearing and before submission to the Attorney General you may contact James Jorgensen, Department of Public Welfare, 4th Floor, Centennial Office Building, St. Paul, MN 55155, 612-296-8404.

Robert J. Hampe
AUTHORIZED SIGNATURE

ADMIN 1000 (Rev. 1/78)

STATE OF MINNESOTA

DEPARTMENT ATTORNEY GENERAL

Office Memorandum

TO : ARTHUR E. NOOT
Commissioner
Department of Public Welfare

DATE: January 8, 1980

Attn: James Jorgensen

FROM : JOANNE E. HINDERAKER JEH
Special Assistant
Attorney General

PHONE: 296-4692

SUBJECT: Rules as Approved In the Matter of the Proposed Adoption of Rules of the Minnesota Merit System Governing the Compensation Plan; Salary Adjustments and Increases; and the Classification Plan

and

In the Matter of the Proposed Adoption of New Rules and Amendments of Existing Rules of the Minnesota Merit System Governing the Compensation Plan; the Classification Plan; Separation, Ten Year and Reinstatement; and Leaves of Absence

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.

JEH/bw
Encl.
cc: Duane Harves
Susan Robertson

Our File #567 C-2

DPW - Welfare.

12/27 - call re: ...

12/28 - J.J. notified of spelling error + time of effectiveness

Permanent Rule X

Temporary Rule

RULES REVIEW CHECKLIST

DATE RULES RECEIVED 12.19 DUE DATE 1/8

Resubmitted and Received

a. Returned to Agency w/o Filing w/Secretary of State

b. Approved Date Sent Back to Agency

- -

1. Rules as Adopted ✓

2. Rules as Proposed ✓

3. Certificate of Board's Authorizing Resolution, where applicable N/A

4. Order for Hearing ✓

5. Notice of Hearing ✓ 10.15.79
   Sufficiency ✓
   Errata Notice ✓

6. Secretary of State's List ✓ (one copy only)

7. Certificate of Acquisition of Secretary of State's List ✓

8. Secretary of State's Certification of Delivery of Secretary of State's List to Agency ✓

9. Affidavit of Mailing ✓
   At least 30 days prior to hearing ✓

10. Publication in State Register ✓ copy not submitted but
    At least 30 days prior to hearing ✓ see H.E. report
    Errata Notice ✓ see H.E. report

11. Statement of Need and Evidence ✓

12. Hearing Examiner's Report ✓

13. Agency's Findings of Fact ✓ incorporated in No. 15.

14. Certificate of Board's Resolution Adopting Rules, where applicable N/A

15. Order Adopting ✓

16. Report of Chief Hearing Examiner ✓

17. Order Approving Incorporation by Reference, where applicable N/A

18. Certificate of Compliance with Rulemaking Procedures ✓

19. Copy of Notice of Intent to Solicit Outside Opinion, where applicable ✓

20. Petition by Public, where applicable N/A

DPW-80-010-HC

STATE OF MINNESOTA

DEPARTMENT OF PUBLIC WELFARE

IN THE MATTER OF THE PROPOSED ADOPTION OF RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING THE COMPENSATION PLAN; SALARY ADJUSTMENTS AND INCREASES; AND THE CLASSIFICATION PLAN

ORDER ADOPTING RULES

The above entitled matter was heard before Harry Seymore Crump, Hearing Examiner from the State Office of Hearing Examiners on October 15, 1979, at 9:30 a.m. in the State Office Building, St. Paul, Minnesota.

Proper notice required by Minn. Stat. § 15.0412 (1978) was served upon all persons, associations, and other interested groups registered with the Secretary of State for that purpose.

At said hearing, proposed amendments to the above-captioned rules were considered as originally proposed as shown in Exhibit A attached hereto. Mr. Ralph Corey, Supervisor of the Minnesota Merit System, made the agency presentation at the hearing. The hearing continued until all interested persons and groups had an opportunity to be heard. Based upon all the records and proceedings the Examiner issued a Report of Hearing Examiner, dated November 16, 1979, a copy of which is attached hereto as Exhibit B. The Examiner's Report contained findings of fact, conclusions and a recommendation.

Pursuant to Minn. Stat. § 15.0412, subd. 4 (1978), the Examiner's Report has been available to all affected persons for over five days subsequent to the date of the Report.

After affording interested persons an opportunity to present written and/or oral statements, having reviewed all of the testimony, having considered all of the evidence adduced, having considered the Report of the Hearing Examiner, and upon all of the proceedings and testimony herein and applicable statutory standards and criteria, and

having determined the need for and reasonableness of the above-captioned rules,

NOW THEREFORE IT IS ORDERED THAT the Commissioner hereby adopts and incorporates herein the Report of Hearing Examiner, dated November 16, 1979, except as follows: that part of the Hearing Examiner's Report identified as Finding of Fact 14 and appearing on page 6 which states,

> However, the Hearing Examiner further urges that in the alternative, lump-sum payments for Clerical Salary Schedule employees at the maximum salary range should be made in accordance with the general percentage adjustment granted other employees depending on which benefits the employee most.

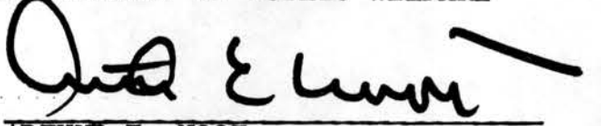
and; the Hearing Examiner's Recommendation which appears on page 8 and states,

> The Merit System should consider changes which benefit clerical employees who have reached their maximum salary range provided such changes do not constitute substantial changes.

IT IS FURTHER ORDERED THAT the above-captioned rules from and after this day of November 27, 1979, shall read in their entirety as set forth in the attached Exhibit D.

Dated: November 27, 1979.

STATE OF MINNESOTA
DEPARTMENT OF PUBLIC WELFARE



ARTHUR E. NOOT
Commissioner

PROPOSED

12 MCAR § 2.516 Salary Adjustments and Increases

B. Adjustments to be Made in Accordance with Merit System Official Compensation Plan

2. General adjustment recommended is ~~five~~ seven percent for employees on the Professional~~,~~ and Support~~, and Maintenance and Trades~~ Salary Schedules, ~~and forty~~ fifty dollars for employees on the Clerical Salary Schedules~~.~~, and two steps for employees on the Maintenance and Trades Salary Schedules.

12 MCAR § 2.840 Compensation Plan - ~~1979~~ 1980

A. Professional
1. Plan A*

a. Class of Positions	1	2	3	4	5	6	7	8	9	10
Accountant I	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	~~1623~~ 1737	
Accountant II	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	~~1623~~ 1737	~~1696~~ 1815	~~1773~~ 1897	~~1855~~ 1985	~~1940~~ 2076	2170
Adm. Asst. I	~~1268~~ 1357	~~1326~~ 1419	~~1390~~ 1487	~~1454~~ 1556	~~1518~~ 1624	~~1588~~ 1699	~~1657~~ 1773	~~1734~~ 1855	~~1814~~ 1941	~~1896~~ 2029
Adm. Asst. II	~~1390~~ 1487	~~1454~~ 1556	~~1518~~ 1624	~~1588~~ 1699	~~1657~~ 1773	~~1734~~ 1855	~~1814~~ 1941	~~1896~~ 2029	~~1983~~ 2122	~~2071~~ 2216
Adm. Asst. III	~~1553~~ 1737	~~1623~~ 1815	~~1696~~ 1897	~~1773~~ 1985	~~1855~~ 2076	~~1940~~ 2170	~~2028~~ 2268	~~2120~~ 2375	~~2220~~ 2483	
Adm. Services Director	~~1696~~ 1815	~~1773~~ 1897	~~1855~~ 1985	~~1940~~ 2076	~~2028~~ 2170	~~2120~~ 2268	~~2220~~ 2375	~~2321~~ 2483	~~2426~~ 2596	
Adult Day Care Center Supvr.	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662
Asst. Human Services Director	~~1696~~ 1815	~~1773~~ 1897	~~1855~~ 1985	~~1940~~ 2076	~~2028~~ 2170	~~2120~~ 2268	~~2220~~ 2375	~~2321~~ 2483	~~2426~~ 2596	
Asst. Welfare Director	~~2120~~ 2268	~~2220~~ 2375	~~2321~~ 2483	~~2426~~ 2596	~~2533~~ 2710	~~2644~~ 2829	~~2759~~ 2952	~~2884~~ 3086	~~3015~~ 3226	
Assoc. M.-&-P. Analyst	~~994~~ 1064	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218						
Auditor	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	~~1623~~ 1737	~~1696~~ 1815	~~1773~~ 1897	~~1855~~ 1985
Center Coordinator	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	~~1623~~ 1737	~~1696~~ 1815
Chemical Dependency Coord.	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	~~1623~~ 1737	~~1696~~ 1815
Collection Services Supvr. II	~~1215~~ 1300	~~1268~~ 1357	~~1326~~ 1419	~~1390~~ 1487	~~1454~~ 1556	~~1518~~ 1624	~~1588~~ 1699	~~1657~~ 1773	~~1734~~ 1855	~~1814~~ 1941
Community-Health Serv. Supvr.	~~1268~~ 1357	~~1326~~ 1419	~~1390~~ 1487	~~1454~~ 1556	~~1518~~ 1624	~~1588~~ 1699	~~1657~~ 1773	~~1734~~ 1855	~~1814~~ 1941	~~1896~~ 2029
Community-Rela. Spec.	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	~~1623~~ 1737	~~1696~~ 1815	~~1773~~ 1897	~~1855~~ 1985	

Computer Programmer	~~994~~ 1064	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389			
Day Care Center Supvr.	~~1268~~ 1357	~~1326~~ 1419	~~1390~~ 1487	~~1454~~ 1556	~~1518~~ 1624	~~1588~~ 1699	~~1657~~ 1773	~~1734~~ 1855	~~1814~~ 1941	
Dev. Achievement Center Dir.	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662
Dev. Achievement Center Teacher	~~951~~ 1018	~~994~~ 1064	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523
Dev. Disabilities Coord.	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662
Dietitian	~~951~~ 1064	~~994~~ 1114	~~1041~~ 1164	~~1088~~ 1218	~~1138~~ 1273	~~1190~~ 1328	~~1241~~ 1389	~~1298~~ 1454	~~1359~~ 1523	
Dir. of Assessment Systems	~~1326~~ 1419	~~1390~~ 1487	~~1454~~ 1556	~~1518~~ 1624	~~1588~~ 1699	~~1657~~ 1773	~~1734~~ 1855	~~1814~~ 1941	~~1896~~ 2029	~~1983~~ 2122
Dir. of Business Mgmt. I	~~1518~~ 1624	~~1588~~ 1699	~~1657~~ 1773	~~1734~~ 1855	~~1814~~ 1941	~~1896~~ 2029	~~1983~~ 2122	~~2071~~ 2216		
Dir. of Business Mgmt. II	~~1855~~ 1985	~~1940~~ 2076	~~2028~~ 2170	~~2120~~ 2268	~~2220~~ 2375	~~2321~~ 2483	~~2426~~ 2596	~~2533~~ 2710	~~2644~~ 2829	
Dir. of Financial Asst.	~~1696~~ 1815	~~1773~~ 1897	~~1855~~ 1985	~~1940~~ 2076	~~2028~~ 2170	~~2120~~ 2268	~~2220~~ 2375	~~2321~~ 2483	~~2426~~ 2596	
Dir. of Planning	~~1696~~ 1815	~~1773~~ 1897	~~1855~~ 1985	~~1940~~ 2076	~~2028~~ 2170	~~2120~~ 2268	~~2220~~ 2375	~~2321~~ 2483	~~2426~~ 2596	
Dir. of Pub. Hlth. Nurs. I	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	~~1623~~ 1737	~~1696~~ 1815	~~1773~~ 1897	
Dir. of Soc. Serv.	~~1696~~ 1815	~~1773~~ 1897	~~1855~~ 1985	~~1940~~ 2076	~~2028~~ 2170	~~2120~~ 2268	~~2220~~ 2375	~~2321~~ 2483	~~2426~~ 2596	
Dir. of Support Services	~~1696~~ 1815	~~1773~~ 1897	~~1855~~ 1985	~~1940~~ 2076	~~2028~~ 2170	~~2120~~ 2268	~~2220~~ 2375	~~2321~~ 2483	~~2426~~ 2596	
Education Supervisor	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	~~1623~~ 1737	~~1696~~ 1815	
Emp. Guid. Couns. I	~~951~~ 1018	~~994~~ 1064	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	
Emp. Guid. Couns. II	~~994~~ 1064	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	
Emp. Guid. Couns. III	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	

Family Service Coord. II	~~1088~~	~~1138~~	~~1190~~	~~1241~~	~~1298~~	~~1359~~	~~1423~~	~~1486~~		
	1164	1218	1273	1328	1389	1454	1523	1590		
Finan. Asst. Supvr. III	~~1268~~	~~1326~~	~~1390~~	~~1454~~	~~1518~~	~~1588~~	~~1657~~	~~1734~~	~~1814~~	~~1896~~
	1357	1419	1487	1556	1624	1699	1773	1855	1941	2029
Finan. Asst. Supvr. IV	~~1390~~	~~1454~~	~~1518~~	~~1588~~	~~1657~~	~~1734~~	~~1814~~	~~1896~~	~~1983~~	~~2071~~
	1487	1556	1624	1699	1773	1855	1941	2029	2122	2216
Home Care Coordinator	~~1088~~	~~1138~~	~~1190~~	~~1241~~	~~1298~~	~~1359~~	~~1423~~	~~1486~~		
	1164	1218	1273	1328	1389	1454	1523	1590		
Homemaker Supervisor	~~1190~~	~~1241~~	~~1298~~	~~1359~~	~~1423~~	~~1486~~	~~1553~~	~~1623~~	~~1696~~	
	1273	1328	1389	1454	1523	1590	1662	1737	1815	
Human Services Dir. I	~~1518~~	~~1588~~	~~1657~~	~~1734~~	~~1814~~	~~1896~~	~~1983~~	~~2071~~	~~2169~~	~~2268~~
	1624	1699	1773	1855	1941	2029	2122	2216	2321	2427
Human Services Dir. II	~~1773~~	~~1855~~	~~1940~~	~~2028~~	~~2120~~	~~2220~~	~~2321~~	~~2426~~	~~2533~~	
	1897	1985	2076	2170	2268	2375	2483	2596	2710	
Human Services Dir. III	~~1940~~	~~2028~~	~~2120~~	~~2220~~	~~2321~~	~~2426~~	~~2533~~	~~2644~~	~~2759~~	
	2076	2170	2268	2375	2483	2596	2710	2829	2952	
Human Services Supvr. I	~~1268~~	~~1326~~	~~1390~~	~~1454~~	~~1518~~	~~1588~~	~~1657~~	~~1734~~	~~1814~~	~~1896~~
	1357	1419	1487	1556	1624	1699	1773	1855	1941	2029
Marriage Counselor	~~1241~~	~~1298~~	~~1359~~	~~1423~~	~~1486~~	~~1553~~	~~1623~~	~~1696~~	~~1773~~	
	1328	1389	1454	1523	1590	1662	1737	1815	1897	
Med.-Care Advisor	~~1041~~	~~1088~~	~~1138~~	~~1190~~	~~1241~~	~~1298~~	~~1359~~	~~1423~~	~~1486~~	
	1114	1164	1218	1273	1328	1389	1454	1523	1590	
Med.-Serv. Adm.	~~1696~~	~~1773~~	~~1855~~	~~1940~~	~~2028~~	~~2120~~	~~2220~~	~~2321~~		
	1815	1897	1985	2076	2170	2268	2375	2483		
Mental Health Worker	~~1138~~	~~1190~~	~~1241~~	~~1298~~	~~1359~~	~~1423~~	~~1486~~	~~1553~~	~~1623~~	
	1218	1273	1328	1389	1454	1523	1590	1662	1737	
Meth.-&-Proc. Analyst	~~1163~~	~~1215~~	~~1268~~	~~1326~~	~~1390~~	~~1454~~	~~1518~~	~~1588~~	~~1657~~	
	1244	1300	1357	1419	1487	1556	1624	1699	1773	
Meth.-&-Proc. Supvr.	~~1359~~	~~1423~~	~~1486~~	~~1553~~	~~1623~~	~~1696~~	~~1773~~	~~1855~~	~~1940~~	
	1454	1523	1590	1662	1737	1815	1897	1985	2076	
Nursing Care Advisor	~~1041~~	~~1088~~	~~1138~~	~~1190~~	~~1241~~	~~1298~~	~~1359~~	~~1423~~	~~1486~~	
	1114	1164	1218	1273	1328	1389	1454	1523	1590	
Nutrition Proj.Asst. Dir.	~~951~~	~~994~~	~~1041~~	~~1088~~	~~1138~~	~~1190~~	~~1241~~	~~1298~~	~~1359~~	
	1018	1064	1114	1164	1218	1273	1328	1389	1454	1523
Nutrition Proj. Dir.	~~1268~~	~~1326~~	~~1390~~	~~1454~~	~~1518~~	~~1588~~	~~1657~~	~~1734~~	~~1814~~	~~1896~~
	1357	1419	1487	1556	1624	1699	1773	1855	1941	2029

12 MCAR § 2.693

FAMILY SERVICE/~~HOMEMAKER~~/HOME-HEALTH-AIDE

A. KIND OF WORK:

Under supervision, instructs families in their homes in household skills and management; performs personal health care services in the home; works closely with the social worker or public health nurses in determining and evaluating the plan for care of clients, patients and their families; and performs related work as assigned. This work is performed under the supervision of a public health nurse or home-health-aide coordinator and/or a social worker, a social service supervisor, or a ~~homemaker~~ family service coordinator. Work requiring nursing judgment must be under the supervision of a nurse.

B. EXAMPLES OF WORK: (Illustrative only)

Plans menus, purchases food, and prepares and serves meals including special diets as required. Assists in budgeting and expense planning. Provides personal care to children and/or disabled household members including bathing, dressing, feeding, personal hygiene, medication, and therapy as prescribed by the health staff. Teaches and instructs clients/patients in homemaking, child care, and personal care skills. Performs light housekeeping services including cleaning, washing, ironing, and mending of clothes and linens. Transports and escorts children and adults to schools, clinics, libraries, doctors' offices, and recreational facilities. Reports any changes in patient's or family's condition and reports on patient/family activities.

C. KNOWLEDGES AND ABILITIES REQUIRED:

Knowledge of the principles of home management. Knowledge of elements of nutrition and meal planning. Knowledge of personal health care practices and principles. Knowledge of first-aid and home safety. Knowledge of child-care methods. Knowledge of the process of aging and behavior of the aged. Knowledge of emotional problems accompanying illness. Knowledge of budgeting. Ability to adapt to a variety of home and personal situations. Ability to maintain an interest in and project a

sympathetic and cheerful attitude in caring for the sick at home. Ability to follow written and oral instructions. Ability to accept and profit by supervision. Ability to retain confidentiality of home conditions and situations. Ability to exercise tact and good judgment in working with children and adults.

D. MINIMUM QUALIFICATIONS OF EDUCATION AND EXPERIENCE:

1. Five years of successful nurses' aid, child-care, or homemaking experience.

   Note: The following may be required by county welfare and human services agencies:

2. Satisfactory physical condition as evidenced by a physical examination immediately prior to employment;

3. Completion of a training program for Home-Health-Aides prior to appointment to this class as set forth by the Social Security Act;

4. Possession of a valid Minnesota driver's license.

Occupa. Supvr.-Inst. I	~~910~~ 974	~~951~~ 1018	~~994~~ 1064	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454
Occupa. Supvr.-Inst. II	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662
Office Manager	~~951-~~ 1018	~~994-~~ 1064	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	
Personnel Officer	~~951~~ 1018	~~994~~ 1064	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523
Personnel Director	~~1326~~ 1419	~~1390~~ 1487	~~1454~~ 1556	~~1518~~ 1624	~~1588~~ 1699	~~1657~~ 1773	~~1734~~ 1855	~~1814~~ 1941	~~1896~~ 2029	~~1983~~ 2122
Physical Therapist	~~951~~ 1039	~~994~~ 1088	~~1041~~ 1138	~~1088~~ 1189	~~1138~~ 1244	~~1190~~ 1300	~~1241~~ 1357	~~1298~~ 1419		
Planner (Human Services)	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	~~1623~~ 1737	~~1696~~ 1815	
Policy/Program Analyst	~~1326~~ 1419	~~1390~~ 1487	~~1454~~ 1556	~~1518~~ 1624	~~1588~~ 1699	~~1657~~ 1773	~~1734~~ 1855	~~1814~~ 1941	~~1896~~ 2029	~~1983~~ 2122
Programmer Analyst	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	~~1623~~ 1737		
Psychologist I	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	~~1623~~ 1737	
Psychologist II	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	~~1623~~ 1737	~~1696~~ 1815	~~1773~~ 1897	~~1855~~ 1985	~~1940~~ 2076	
Psychologist III	~~1588~~ 1699	~~1657~~ 1773	~~1734~~ 1855	~~1814~~ 1941	~~1896~~ 2029	~~1983~~ 2122	~~2071~~ 2216	~~2169~~ 2321		
Psychologist IV	~~1734~~ 1855	~~1814~~ 1941	~~1896~~ 2029	~~1983~~ 2122	~~2071~~ 2216	~~2169~~ 2321	~~2268~~ 2427	~~2373~~ 2539		
Public Health Educator I	~~994~~ 1064	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454		
Public Health Educator II	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	~~1623~~ 1737	~~1696~~ 1815		
Public Health Nurse	~~994~~ 1114	~~1041~~ 1164	~~1088~~ 1218	~~1138~~ 1273	~~1190~~ 1328	~~1241~~ 1389	~~1298~~ 1454			
Pub.-Hlth. Nur. (Team Leader)	~~1041~~ 1164	~~1088~~ 1218	~~1138~~ 1273	~~1190~~ 1328	~~1241~~ 1389	~~1298~~ 1454	~~1359~~ 1523			
Registered Nurse (A.A. Deg., 3 yr. Dip., or B.S. Degree)	~~951~~ 1018	~~994~~ 1064	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273				

Sanitarian I	~~994~~	~~1041~~	~~1088~~	~~1138~~						
	1064	1114	1164	1218	1273					
Sanitarian II	~~1088~~	~~1138~~	~~1190~~	~~1241~~	~~1298~~	~~1359~~	~~1423~~	~~1486~~		
	1164	1218	1273	1328	1389	1454	1523	1590		
Sr. Pub. Health Nurse	~~1088~~	~~1138~~	~~1190~~	~~1241~~	~~1298~~	~~1359~~	~~1423~~			
	1218	1273	1328	1389	1454	1523	1590			
Social Worker I	~~951~~	~~994~~	~~1041~~	~~1088~~						
	1018	1064	1114	1164	1218	1273	1328	1389	1454	1523
Social Worker II	~~1041~~	~~1088~~	~~1138~~	~~1190~~	~~1241~~	~~1298~~	~~1359~~	~~1423~~	~~1486~~	~~1553~~
	1114	1164	1218	1273	1328	1389	1454	1523	1590	1662
Social Worker III	~~1138~~	~~1190~~	~~1241~~	~~1298~~	~~1359~~	~~1423~~	~~1486~~	~~1553~~	~~1623~~	~~1696~~
	1218	1273	1328	1389	1454	1523	1590	1662	1737	1815
Social Worker Trainee	~~869~~									
	930									
Soc.-Serv. Supvr. I	~~1268~~	~~1326~~	~~1390~~	~~1454~~	~~1518~~	~~1588~~	~~1657~~	~~1734~~	~~1814~~	~~1896~~
	1357	1419	1487	1556	1624	1699	1773	1855	1941	2029
Soc.-Serv. Supvr. II	~~1390~~	~~1454~~	~~1518~~	~~1588~~	~~1657~~	~~1734~~	~~1814~~	~~1896~~	~~1983~~	~~2071~~
	1487	1556	1624	1699	1773	1855	1941	2029	2122	2216
Soc.-Welf. Supvr. III	~~1553~~	~~1623~~	~~1696~~	~~1773~~	~~1855~~	~~1940~~	~~2028~~	~~2120~~	~~2220~~	
	1737	1815	1897	1985	2076	2170	2268	2375	2483	
Soc.-Welf. Supvr. Trainee	~~1215~~	~~1268~~	~~1326~~	~~1390~~	~~1454~~	~~1518~~				
	1300	1357	1419	1487	1556	1624				
Staff-Trng. Supvr. I	~~1298~~	~~1359~~	~~1423~~	~~1486~~	~~1553~~	~~1623~~	~~1696~~	~~1773~~	~~1855~~	
	1389	1454	1523	1590	1662	1737	1815	1897	1985	
Staff-Trng. Supvr. II	~~1423~~	~~1486~~	~~1553~~	~~1623~~	~~1696~~	~~1773~~	~~1855~~	~~1940~~	~~2028~~	
	1523	1590	1662	1737	1815	1897	1985	2076	2170	
Student Soc. Worker (Intern)	Rate proposed by appointing authority.									
Student Soc. Worker (SWEP)	Rate proposed by appointing authority.									
Systems Prog.-Analyst	~~1359~~	~~1423~~	~~1486~~	~~1553~~	~~1623~~	~~1696~~	~~1773~~			
	1454	1523	1590	1662	1737	1815	1897	1985		
Trainee	Rate proposed by appointing authority and approved by the Merit System Supervisor and the Commissioner of Public Welfare.									
Vol.-Serv. Coord. I	~~951~~	~~994~~	~~1041~~	~~1088~~	~~1138~~	~~1190~~	~~1241~~	~~1298~~	~~1359~~	
	1018	1064	1114	1164	1218	1273	1328	1389	1454	1523

Vol.-Serv. Coord. II	~~1190~~	~~1241~~	~~1298~~	~~1359~~	~~1423~~	~~1486~~	~~1553~~	~~1623~~	~~1696~~	
	1273	1328	1389	1454	1523	1590	1662	1737	1815	
Welfare Director I	~~1390~~	~~1454~~	~~1518~~	~~1588~~	~~1657~~	~~1734~~	~~1814~~	~~1896~~	~~1983~~	~~2071~~
	1487	1556	1624	1699	1773	1855	1941	2029	2122	2216
Welfare Director II	~~1518~~	~~1588~~	~~1657~~	~~1734~~	~~1814~~	~~1896~~	~~1983~~	~~2071~~	~~2169~~	~~2268~~
	1624	1699	1773	1855	1941	2029	2122	2216	2321	2427
Welfare Director III	~~1773~~	~~1855~~	~~1940~~	~~2028~~	~~2120~~	~~2220~~	~~2321~~	~~2426~~	~~2533~~	
	1897	1985	2076	2170	2268	2375	2483	2596	2710	
Welfare Director IV	~~1940~~	~~2028~~	~~2120~~	~~2220~~	~~2321~~	~~2426~~	~~2533~~	~~2644~~	~~2759~~	
	2076	2170	2268	2375	2483	2596	2710	2829	2952	
Welfare Director V	~~2644~~	~~2759~~	~~2884~~	~~3015~~	~~3150~~	~~3292~~	~~3447~~	~~3594~~	~~3750~~	
	2829	2952	3086	3226	3371	3522	3688	3846	4111	
Work-Exp. & Trng. Spec.	~~1190~~	~~1241~~	~~1298~~	~~1359~~	~~1423~~	~~1486~~	~~1553~~	~~1623~~	~~1696~~	
	1273	1328	1389	1454	1523	1590	1662	1737	1815	

*The salary steps herein shall not include any amounts paid by any county welfare board under the provisions of Minn. Stat. § 471.61.

2. Plan B*

a. Class of Positions	1	2	3	4	5	6	7	8	9	10
Accountant I	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	~~1623~~ 1737	
Accountant II	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	~~1623~~ 1737	~~1696~~ 1815	~~1773~~ 1897	~~1855~~ 1985	~~1940~~ 2076	2170
Adm. Asst. I	~~1326~~ 1419	~~1390~~ 1487	~~1454~~ 1556	~~1518~~ 1624	~~1588~~ 1699	~~1657~~ 1773	~~1734~~ 1855	~~1814~~ 1941	~~1896~~ 2029	~~1983~~ 2122
Adm. Asst. II	~~1454~~ 1556	~~1518~~ 1624	~~1588~~ 1699	~~1657~~ 1773	~~1734~~ 1855	~~1814~~ 1941	~~1896~~ 2029	~~1983~~ 2122	~~2071~~ 2216	~~2169~~ 2321
Adm. Asst. III	~~1623~~ 1815	~~1696~~ 1897	~~1773~~ 1985	~~1855~~ 2076	~~1940~~ 2170	~~2028~~ 2268	~~2120~~ 2375	~~2220~~ 2483	~~2321~~ 2596	
Adm. Services Director	~~1773~~ 1897	~~1855~~ 1985	~~1940~~ 2076	~~2028~~ 2170	~~2120~~ 2268	~~2220~~ 2375	~~2321~~ 2483	~~2426~~ 2596	~~2533~~ 2710	
Adult Day Care Center Supvr.	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	~~1623~~ 1737
Asst. Human Services Director	~~1696~~ 1815	~~1773~~ 1897	~~1855~~ 1985	~~1940~~ 2076	~~2028~~ 2170	~~2120~~ 2268	~~2220~~ 2375	~~2321~~ 2483	~~2426~~ 2596	
Asst. Welfare Director	~~2120~~ 2268	~~2220~~ 2375	~~2321~~ 2483	~~2426~~ 2596	~~2533~~ 2710	~~2644~~ 2829	~~2759~~ 2952	~~2884~~ 3086	~~3015~~ 3226	
Assoc. M.-&-P. Analyst	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273						
Auditor	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	~~1623~~ 1737	~~1696~~ 1815	~~1773~~ 1897	~~1855~~ 1985	~~1940~~ 2076
Center Coordinator	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	~~1623~~ 1737	~~1696~~ 1815	~~1773~~ 1897
Chemical Dependency Coord.	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	~~1623~~ 1737	~~1696~~ 1815	~~1773~~ 1897
Coll. Serv. Supvr. II	~~1268~~ 1357	~~1326~~ 1419	~~1390~~ 1487	~~1454~~ 1556	~~1518~~ 1624	~~1588~~ 1699	~~1657~~ 1773	~~1734~~ 1855	~~1814~~ 1941	~~1896~~ 2029
Comm. Hlth. Serv. Supvr.	~~1326~~ 1419	~~1390~~ 1487	~~1454~~ 1556	~~1518~~ 1624	~~1588~~ 1699	~~1657~~ 1773	~~1734~~ 1855	~~1814~~ 1941	~~1896~~ 2029	~~1983~~ 2122
Community-Rela. Spec.	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	~~1623~~ 1737	~~1696~~ 1815	~~1773~~ 1897	~~1855~~ 1985	~~1940~~ 2076	
Computer Programmer	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454			
Day Care Center Supvr.	~~1326~~ 1419	~~1390~~ 1487	~~1454~~ 1556	~~1518~~ 1624	~~1588~~ 1699	~~1657~~ 1773	~~1734~~ 1855	~~1814~~ 1941	~~1896~~ 2029	

Dev. Achievement Center Dir.	~~1088~~	~~1138~~	~~1190~~	~~1241~~	~~1298~~	~~1359~~	~~1423~~	~~1486~~	~~1553~~	~~1623~~
	1164	1218	1273	1328	1389	1454	1523	1590	1662	1737
Dev. Achievement Center Teacher	~~994~~	~~1041~~	~~1088~~	~~1138~~	~~1190~~	~~1241~~	~~1298~~	~~1359~~	~~1423~~	~~1486~~
	1064	1114	1164	1218	1273	1328	1389	1454	1523	1590
Dev. Disabilities Coord.	~~1088~~	~~1138~~	~~1190~~	~~1241~~	~~1298~~	~~1359~~	~~1423~~	~~1486~~	~~1553~~	~~1623~~
	1164	1218	1273	1328	1389	1454	1523	1590	1662	1737
Dietitian	~~994~~	~~1041~~	~~1088~~	~~1138~~	~~1190~~	~~1241~~	~~1298~~	~~1359~~	~~1423~~	
	1114	1164	1218	1273	1328	1389	1454	1523	1590	
Dir. of Assessment Systems	~~1390~~	~~1454~~	~~1518~~	~~1588~~	~~1657~~	~~1734~~	~~1814~~	~~1896~~	~~1983~~	~~2071~~
	1487	1556	1624	1699	1773	1855	1941	2029	2122	2216
Dir. of Business Mgmt. I	~~1518~~	~~1588~~	~~1657~~	~~1734~~	~~1814~~	~~1896~~	~~1983~~	~~2071~~		
	1624	1699	1773	1855	1941	2029	2122	2216		
Dir. of Business Mgmt. II	~~1855~~	~~1940~~	~~2028~~	~~2120~~	~~2220~~	~~2321~~	~~2426~~	~~2533~~	~~2644~~	
	1985	2076	2170	2268	2375	2483	2596	2710	2829	
Dir. of Financial Asst.	~~1773~~	~~1855~~	~~1940~~	~~2028~~	~~2120~~	~~2220~~	~~2321~~	~~2426~~	~~2533~~	
	1897	1985	2076	2170	2268	2375	2483	2596	2710	
Dir. of Planning	~~1773~~	~~1855~~	~~1940~~	~~2028~~	~~2120~~	~~2220~~	~~2321~~	~~2426~~	~~2533~~	
	1897	1985	2076	2170	2268	2375	2483	2596	2710	
Dir. of Pub. Hlth. Nurs. I	~~1298~~	~~1359~~	~~1423~~	~~1486~~	~~1553~~	~~1623~~	~~1696~~	~~1773~~	~~1855~~	
	1389	1454	1523	1590	1662	1737	1815	1897	1985	
Dir. of Soc. Services	~~1773~~	~~1855~~	~~1940~~	~~2028~~	~~2120~~	~~2220~~	~~2321~~	~~2426~~	~~2533~~	
	1897	1985	2076	2170	2268	2375	2483	2596	2710	
Dir. of Support Services	~~1773~~	~~1855~~	~~1940~~	~~2028~~	~~2120~~	~~2220~~	~~2321~~	~~2426~~	~~2533~~	
	1897	1985	2076	2170	2268	2375	2483	2596	2710	
Education Supervisor	~~1241~~	~~1298~~	~~1359~~	~~1423~~	~~1486~~	~~1553~~	~~1623~~	~~1696~~	~~1773~~	
	1328	1389	1454	1523	1590	1662	1737	1815	1897	
Emp. Guid. Couns. I	~~994~~	~~1041~~	~~1088~~	~~1138~~	~~1190~~	~~1241~~	~~1298~~	~~1359~~	~~1423~~	
	1064	1114	1164	1218	1273	1328	1389	1454	1523	
Emp. Guid. Couns. II	~~1041~~	~~1088~~	~~1138~~	~~1190~~	~~1241~~	~~1298~~	~~1359~~	~~1423~~	~~1486~~	
	1114	1164	1218	1273	1328	1389	1454	1523	1590	
Emp. Guid. Couns. III	~~1088~~	~~1138~~	~~1190~~	~~1241~~	~~1298~~	~~1359~~	~~1423~~	~~1486~~	~~1553~~	
	1164	1218	1273	1328	1389	1454	1523	1590	1662	
Family Serv. Coord. II	~~1138~~	~~1190~~	~~1241~~	~~1298~~	~~1359~~	~~1423~~	~~1486~~	~~1553~~		
	1218	1273	1328	1389	1454	1523	1590	1662		
Finan. Asst. Supvr. III	~~1326~~	~~1390~~	~~1454~~	~~1518~~	~~1588~~	~~1657~~	~~1734~~	~~1814~~	~~1896~~	~~1983~~
	1419	1487	1556	1624	1699	1773	1855	1941	2029	2122
Finan. Asst. Supvr. IV	~~1454~~	~~1518~~	~~1588~~	~~1657~~	~~1734~~	~~1814~~	~~1896~~	~~1983~~	~~2071~~	~~2169~~
	1556	1624	1699	1773	1855	1941	2029	2122	2216	2321

Home Care Coordinator	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662		
Homemaker Supervisor	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	~~1623~~ 1737	~~1696~~ 1815	~~1773~~ 1897	
Human Services Dir. I	~~1518~~ 1624	~~1588~~ 1699	~~1657~~ 1773	~~1734~~ 1855	~~1814~~ 1941	~~1896~~ 2029	~~1983~~ 2122	~~2071~~ 2216	~~2169~~ 2321	~~2268~~ 2427
Human Services Dir. II	~~1773~~ 1897	~~1855~~ 1985	~~1940~~ 2076	~~2028~~ 2170	~~2120~~ 2268	~~2220~~ 2375	~~2321~~ 2483	~~2426~~ 2596	~~2533~~ 2710	
Human Services Dir. III	~~1940~~ 2076	~~2028~~ 2170	~~2120~~ 2268	~~2220~~ 2375	~~2321~~ 2483	~~2426~~ 2596	~~2533~~ 2710	~~2644~~ 2829	~~2759~~ 2952	
Human Services Supvr. I	~~1326~~ 1419	~~1390~~ 1487	~~1454~~ 1556	~~1518~~ 1624	~~1588~~ 1699	~~1657~~ 1773	~~1734~~ 1855	~~1814~~ 1941	~~1896~~ 2029	~~1983~~ 2122
Marriage Counselor	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	~~1623~~ 1737	~~1696~~ 1815	~~1773~~ 1897	~~1855~~ 1985	
Med.-Care Advisor	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	
Med.-Serv. Adm.	~~1773~~ 1897	~~1855~~ 1985	~~1940~~ 2076	~~2028~~ 2170	~~2120~~ 2268	~~2220~~ 2375	~~2321~~ 2483	~~2426~~ 2596		
Mental Health Worker	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	~~1623~~ 1737	~~1696~~ 1815	
Meth.-&-Proc. Analyst	~~1215~~ 1300	~~1268~~ 1357	~~1326~~ 1419	~~1390~~ 1487	~~1454~~ 1556	~~1518~~ 1624	~~1588~~ 1699	~~1657~~ 1773	~~1734~~ 1855	
Meth.-&-Proc. Supvr.	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	~~1623~~ 1737	~~1696~~ 1815	~~1773~~ 1897	~~1855~~ 1985	~~1940~~ 2076	~~2028~~ 2170	
Nursing Care Advisor	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	
Nutrition Proj. Asst. Dir.	~~994~~ 1064	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	1590
Nutrition Proj. Dir.	~~1326~~ 1419	~~1390~~ 1487	~~1454~~ 1556	~~1518~~ 1624	~~1588~~ 1699	~~1657~~ 1773	~~1734~~ 1855	~~1814~~ 1941	~~1896~~ 2029	~~1983~~ 2122
Occup. Supvr.-Inst. I	~~951~~ 1018	~~994~~ 1064	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523
Occupa. Supvr.-Inst. II	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	~~1623~~ 1737
Office Manager	~~994~~ 1064	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	
Personnel Officer	~~994~~ 1064	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590

Personnel Director	~~1390~~	~~1454~~	~~1518~~	~~1588~~	~~1657~~	~~1734~~	~~1814~~	~~1896~~	~~1983~~	~~2071~~
	1487	1556	1624	1699	1773	1855	1941	2029	2122	2216
Physical Therapist	~~994~~	~~1041~~	~~1088~~	~~1138~~	~~1190~~	~~1241~~	~~1298~~	~~1359~~		
	1088	1138	1189	1244	1300	1357	1419	1487		
Planner (Human Services)	~~1241~~	~~1298~~	~~1359~~	~~1423~~	~~1486~~	~~1553~~	~~1623~~	~~1696~~	~~1773~~	
	1328	1389	1454	1523	1590	1662	1737	1815	1897	
Policy/Program Analyst	~~1390~~	~~1454~~	~~1518~~	~~1588~~	~~1657~~	~~1734~~	~~1814~~	~~1896~~	~~1983~~	~~2071~~
	1487	1556	1624	1699	1773	1855	1941	2029	2122	2216
Programmer Analyst	~~1241~~	~~1298~~	~~1359~~	~~1423~~	~~1486~~	~~1553~~	~~1623~~	~~1696~~		
	1328	1389	1454	1523	1590	1662	1737	1815		
Psychologist I	~~1190~~	~~1241~~	~~1298~~	~~1359~~	~~1423~~	~~1486~~	~~1553~~	~~1623~~	~~1696~~	
	1273	1328	1389	1454	1523	1590	1662	1737	1815	
Psychologist II	~~1423~~	~~1486~~	~~1553~~	~~1623~~	~~1696~~	~~1773~~	~~1855~~	~~1940~~	~~2028~~	
	1523	1590	1662	1737	1815	1897	1985	2076	2170	
Psychologist III	~~1657~~	~~1734~~	~~1814~~	~~1896~~	~~1983~~	~~2071~~	~~2169~~	~~2268~~		
	1773	1855	1941	2029	2122	2216	2321	2427		
Psychologist IV	~~1814~~	~~1896~~	~~1983~~	~~2071~~	~~2169~~	~~2268~~	~~2373~~	~~2477~~		
	1941	2029	2122	2216	2321	2427	2539	2650		
Pub. Health Educator I	~~1041~~	~~1088~~	~~1138~~	~~1190~~	~~1241~~	~~1298~~	~~1359~~	~~1423~~		
	1114	1164	1218	1273	1328	1389	1454	1523		
Pub. Health Educator II	~~1298~~	~~1359~~	~~1423~~	~~1486~~	~~1553~~	~~1623~~	~~1696~~	~~1773~~		
	1389	1454	1523	1590	1662	1737	1815	1897		
Public Health Nurse	~~1041~~	~~1088~~	~~1138~~	~~1190~~	~~1241~~	~~1298~~	~~1359~~			
	1164	1218	1273	1328	1389	1454	1523			
Pub. Hlth. Nurse (Team Leader)	~~1088~~	~~1138~~	~~1190~~	~~1241~~	~~1298~~	~~1359~~	~~1423~~			
	1218	1273	1328	1389	1454	1523	1590			
Registered Nurse (A.A. Deg., 3 yr. Dip., or B.S. Deg.)	~~994~~	~~1041~~	~~1088~~	~~1138~~	~~1190~~	~~1241~~				
	1064	1114	1164	1218	1273	1328				
Sanitarian I	~~1041~~	~~1088~~	~~1138~~	~~1190~~						
	1114	1164	1218	1273	1328					
Sanitarian II	~~1138~~	~~1190~~	~~1241~~	~~1298~~	~~1359~~	~~1423~~	~~1486~~	~~1553~~		
	1218	1273	1328	1389	1454	1523	1590	1662		
Sr. Pub. Health Nurse	~~1138~~	~~1190~~	~~1241~~	~~1298~~	~~1359~~	~~1423~~	~~1486~~			
	1273	1328	1389	1454	1523	1590	1662			
Social Worker I	~~994~~	~~1041~~	~~1088~~	~~1138~~						
	1064	1114	1164	1218	1273	1328	1389	1454	1523	1590

Social Worker II	~~1088~~	~~1138~~	~~1190~~	~~1241~~	~~1298~~	~~1359~~	~~1423~~	~~1486~~	~~1553~~	~~1623~~
	1164	1218	1273	1328	1389	1454	1523	1590	1662	1737
Social Worker III	~~1190~~	~~1241~~	~~1298~~	~~1359~~	~~1423~~	~~1486~~	~~1553~~	~~1623~~	~~1696~~	~~1773~~
	1273	1328	1389	1454	1523	1590	1662	1737	1815	1897
Social Worker Trainee	~~869~~									
	930									
Soc. Serv. Supvr. I	~~1326~~	~~1390~~	~~1454~~	~~1518~~	~~1588~~	~~1657~~	~~1734~~	~~1814~~	~~1896~~	~~1983~~
	1419	1487	1556	1624	1699	1773	1855	1941	2029	2122
Soc. Serv. Supvr. II	~~1454~~	~~1518~~	~~1588~~	~~1657~~	~~1734~~	~~1814~~	~~1896~~	~~1983~~	~~2071~~	~~2169~~
	1556	1624	1699	1773	1855	1941	2029	2122	2216	2321
Soc. Welf. Supvr. III	~~1623~~	~~1696~~	~~1773~~	~~1855~~	~~1940~~	~~2028~~	~~2120~~	~~2220~~	~~2321~~	
	1815	1897	1985	2076	2170	2268	2375	2483	2596	
Soc. Welf. Supvr. Trainee	~~1268~~	~~1326~~	~~1390~~	~~1454~~	~~1518~~	~~1588~~				
	1357	1419	1487	1556	1624	1699				
Staff Trng. Supvr. I	~~1359~~	~~1423~~	~~1486~~	~~1553~~	~~1623~~	~~1696~~	~~1773~~	~~1855~~	~~1940~~	
	1454	1523	1590	1662	1737	1815	1897	1985	2076	
Staff Trng. Supvr. II	~~1486~~	~~1553~~	~~1623~~	~~1696~~	~~1773~~	~~1855~~	~~1940~~	~~2028~~	~~2120~~	
	1590	1662	1737	1815	1897	1985	2076	2170	2268	
Student Soc. Worker (Intern)	Rate proposed by appointing authority.									
Student Soc. Worker (SWEP)	Rate proposed by appointing authority.									
Systems Prog.-Analyst	~~1423~~	~~1486~~	~~1553~~	~~1623~~	~~1696~~	~~1773~~	~~1855~~			
	1523	1590	1662	1737	1815	1897	1985	2076		
Trainee	Rate proposed by appointing authority and approved by the Merit System Supervisor and the Commissioner of Public Welfare.									
Vol.-Serv. Coord. I	~~994~~	~~1041~~	~~1088~~	~~1138~~	~~1190~~	~~1241~~	~~1298~~	~~1359~~	~~1423~~	
	1064	1114	1164	1218	1273	1328	1389	1454	1523	1590
Vol.-Serv. Coord. II	~~1241~~	~~1298~~	~~1359~~	~~1423~~	~~1486~~	~~1553~~	~~1623~~	~~1696~~	~~1773~~	
	1328	1389	1454	1523	1590	1662	1737	1815	1897	
Welfare Director I	~~1390~~	~~1454~~	~~1518~~	~~1588~~	~~1657~~	~~1734~~	~~1814~~	~~1896~~	~~1983~~	~~2071~~
	1487	1556	1624	1699	1773	1855	1941	2029	2122	2216
Welfare Director II	~~1518~~	~~1588~~	~~1657~~	~~1734~~	~~1814~~	~~1896~~	~~1983~~	~~2071~~	~~2169~~	~~2268~~
	1624	1699	1773	1855	1941	2029	2122	2216	2321	2427
Welfare Director III	~~1773~~	~~1855~~	~~1940~~	~~2028~~	~~2120~~	~~2220~~	~~2321~~	~~2426~~	~~2533~~	
	1897	1985	2076	2170	2268	2375	2483	2596	2710	
Welfare Director IV	~~1940~~	~~2028~~	~~2120~~	~~2220~~	~~2321~~	~~2426~~	~~2533~~	~~2644~~	~~2759~~	
	2076	2170	2268	2375	2483	2596	2710	2829	2952	

Welfare Director V	~~2644~~	~~2759~~	~~2884~~	~~3015~~	~~3150~~	~~3292~~	~~3447~~	~~3594~~	~~3750~~
	2829	2952	3086	3226	3371	3522	3688	3846	4111
Work-Exp. & Trng. Spec.	~~1241~~	~~1298~~	~~1359~~	~~1423~~	~~1486~~	~~1553~~	~~1623~~	~~1696~~	~~1773~~
	1328	1389	1454	1523	1590	1662	1737	1815	1897

*The salary steps herein shall not include any amounts paid by any county welfare board under the provisions of Minn. Stat. § 471.61.

3. Plan C*

a. Class of Positions	1	2	3	4	5	6	7	8	9	10
Accountant I	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	~~1623~~ 1737	
Accountant II	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	~~1623~~ 1737	~~1696~~ 1815	~~1773~~ 1897	~~1855~~ 1985	~~1940~~ 2076	2170
Adm. Asst. I	~~1390~~ 1487	~~1454~~ 1556	~~1518~~ 1624	~~1588~~ 1699	~~1657~~ 1773	~~1734~~ 1855	~~1814~~ 1941	~~1896~~ 2029	~~1983~~ 2122	~~2071~~ 2216
Adm. Asst. II	~~1518~~ 1624	~~1588~~ 1699	~~1657~~ 1773	~~1734~~ 1855	~~1814~~ 1941	~~1896~~ 2029	~~1983~~ 2122	~~2071~~ 2216	~~2169~~ 2321	~~2268~~ 2427
Adm. Asst. III	~~1696~~ 1897	~~1773~~ 1985	~~1855~~ 2076	~~1940~~ 2170	~~2028~~ 2268	~~2120~~ 2375	~~2220~~ 2483	~~2321~~ 2596	~~2426~~ 2710	
Adm. Services Director	~~1855~~ 1985	~~1940~~ 2076	~~2028~~ 2170	~~2120~~ 2268	~~2220~~ 2375	~~2321~~ 2483	~~2426~~ 2596	~~2533~~ 2710	~~2644~~ 2829	
Adult Day Care Center Supvr.	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	~~1623~~ 1737	~~1696~~ 1815
Asst. Human Services Director	~~1696~~ 1815	~~1773~~ 1897	~~1855~~ 1985	~~1940~~ 2076	~~2028~~ 2170	~~2120~~ 2268	~~2220~~ 2375	~~2321~~ 2483	~~2426~~ 2596	
Asst. Welfare Director	~~2120~~ 2268	~~2220~~ 2375	~~2321~~ 2483	~~2426~~ 2596	~~2533~~ 2710	~~2644~~ 2829	~~2759~~ 2952	~~2884~~ 3086	~~3015~~ 3226	
Assoc. M-&-P. Analyst	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328						
Auditor	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	~~1623~~ 1737	~~1696~~ 1815	~~1773~~ 1897	~~1855~~ 1985	~~1940~~ 2076	~~2028~~ 2170
Center Coordinator	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	~~1623~~ 1737	~~1696~~ 1815	~~1773~~ 1897	~~1855~~ 1985
Chemical Dependency Coord.	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	~~1623~~ 1737	~~1696~~ 1815	~~1773~~ 1897	~~1855~~ 1985
Collections Serv. Supvr. II	~~1326~~ 1419	~~1390~~ 1487	~~1454~~ 1556	~~1518~~ 1624	~~1588~~ 1699	~~1657~~ 1773	~~1734~~ 1855	~~1814~~ 1941	~~1896~~ 2029	~~1983~~ 2122
Comm.-Hlth. Serv. Supvr.	~~1390~~ 1487	~~1454~~ 1556	~~1518~~ 1624	~~1588~~ 1699	~~1657~~ 1773	~~1734~~ 1855	~~1814~~ 1941	~~1896~~ 2029	~~1983~~ 2122	~~2071~~ 2216
Community-Rela. Spec.	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	~~1623~~ 1737	~~1696~~ 1815	~~1773~~ 1897	~~1855~~ 1985	~~1940~~ 2076	~~2028~~ 2170	
Computer Programmer	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523			
Day Care Center Supvr.	~~1390~~ 1487	~~1454~~ 1556	~~1518~~ 1624	~~1588~~ 1699	~~1657~~ 1773	~~1734~~ 1855	~~1814~~ 1941	~~1896~~ 2029	~~1983~~ 2122	

Dev. Achievement Center Dir.	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	~~1623~~ 1737	~~1696~~ 1815
Dev. Achievement Center Teacher	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662
Dev. Disabilities Coord.	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	~~1623~~ 1737	~~1696~~ 1815
Dietitian	~~1041~~ 1164	~~1088~~ 1218	~~1138~~ 1273	~~1190~~ 1328	~~1241~~ 1389	~~1298~~ 1454	~~1359~~ 1523	~~1423~~ 1590	~~1486~~ 1662	
Dir. of Assessment Systems	~~1454~~ 1556	~~1518~~ 1624	~~1588~~ 1699	~~1657~~ 1773	~~1734~~ 1855	~~1814~~ 1941	~~1896~~ 2029	~~1983~~ 2122	~~2071~~ 2216	~~2169~~ 2321
Dir. of Bus. Mgmt. I	~~1518~~ 1624	~~1588~~ 1699	~~1657~~ 1773	~~1734~~ 1855	~~1814~~ 1941	~~1896~~ 2029	~~1983~~ 2122	~~2071~~ 2216		
Dir. of Business Mgmt. II	~~1855~~ 1985	~~1940~~ 2076	~~2028~~ 2170	~~2120~~ 2268	~~2220~~ 2375	~~2321~~ 2483	~~2426~~ 2596	~~2533~~ 2710	~~2644~~ 2829	
Dir. of Financial Asst.	~~1855~~ 1985	~~1940~~ 2076	~~2028~~ 2170	~~2120~~ 2268	~~2220~~ 2375	~~2321~~ 2483	~~2426~~ 2596	~~2533~~ 2710	~~2644~~ 2829	
Dir. of Planning	~~1855~~ 1985	~~1940~~ 2076	~~2028~~ 2170	~~2120~~ 2268	~~2220~~ 2375	~~2321~~ 2483	~~2426~~ 2596	~~2533~~ 2710	~~2644~~ 2829	
Dir. of Pub. Hlth. Nurs. I	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	~~1623~~ 1737	~~1696~~ 1815	~~1773~~ 1897	~~1855~~ 1985	~~1940~~ 2076	
Dir. of Soc. Serv.	~~1855~~ 1985	~~1940~~ 2076	~~2028~~ 2170	~~2120~~ 2268	~~2220~~ 2375	~~2321~~ 2483	~~2426~~ 2596	~~2533~~ 2710	~~2644~~ 2829	
Dir. of Support Services	~~1855~~ 1985	~~1940~~ 2076	~~2028~~ 2170	~~2120~~ 2268	~~2220~~ 2375	~~2321~~ 2483	~~2426~~ 2596	~~2533~~ 2710	~~2644~~ 2829	
Education Supervisor	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	~~1623~~ 1737	~~1696~~ 1815	~~1773~~ 1897	~~1855~~ 1985	
Emp. Guid. Couns. I	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	
Emp. Guid. Couns. II	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	
Emp. Guid. Couns. III	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	~~1623~~ 1737	
Family Service Coord. II	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	~~1623~~ 1737		
Finan. Asst. Supvr. III	~~1390~~ 1487	~~1454~~ 1556	~~1518~~ 1624	~~1588~~ 1699	~~1657~~ 1773	~~1734~~ 1855	~~1814~~ 1941	~~1896~~ 2029	~~1983~~ 2122	~~2071~~ 2216
Finan. Asst. Supvr. IV	~~1518~~ 1624	~~1588~~ 1699	~~1657~~ 1773	~~1734~~ 1855	~~1814~~ 1941	~~1896~~ 2029	~~1983~~ 2122	~~2071~~ 2216	~~2169~~ 2321	~~2268~~ 2427
Home Care Coordinator	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	~~1623~~ 1737		

Homemaker Supervisor	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	~~1623~~ 1737	~~1696~~ 1815	~~1773~~ 1897	~~1855~~ 1985	
Human Services Dir. I	~~1518~~ 1624	~~1588~~ 1699	~~1657~~ 1773	~~1734~~ 1855	~~1814~~ 1941	~~1896~~ 2029	~~1983~~ 2122	~~2071~~ 2216	~~2169~~ 2321	~~2268~~ 2427
Human Services Dir. II	~~1773~~ 1897	~~1855~~ 1985	~~1940~~ 2076	~~2028~~ 2170	~~2120~~ 2268	~~2220~~ 2375	~~2321~~ 2483	~~2426~~ 2596	~~2533~~ 2710	
Human Services Dir. III	~~1940~~ 2076	~~2028~~ 2170	~~2120~~ 2268	~~2220~~ 2375	~~2321~~ 2483	~~2426~~ 2596	~~2533~~ 2710	~~2644~~ 2829	~~2759~~ 2952	
Human Services Supvr. I	~~1390~~ 1487	~~1454~~ 1556	~~1518~~ 1624	~~1588~~ 1699	~~1657~~ 1773	~~1734~~ 1855	~~1814~~ 1941	~~1896~~ 2029	~~1983~~ 2122	~~2071~~ 2216
Marriage Counselor	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	~~1623~~ 1737	~~1696~~ 1815	~~1773~~ 1897	~~1855~~ 1985	~~1940~~ 2076	
Med.-Care Advisor	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	~~1623~~ 1737	
Med.-Serv. Adm.	~~1855~~ 1985	~~1940~~ 2076	~~2028~~ 2170	~~2120~~ 2268	~~2220~~ 2375	~~2321~~ 2483	~~2426~~ 2596	~~2533~~ 2710		
Mental Health Worker	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	~~1623~~ 1737	~~1696~~ 1815	~~1773~~ 1897	
Meth.-&-Proc. Analyst	~~1268~~ 1357	~~1326~~ 1419	~~1390~~ 1487	~~1454~~ 1556	~~1518~~ 1624	~~1588~~ 1699	~~1657~~ 1773	~~1734~~ 1855	~~1814~~ 1941	
Meth.-&-Proc. Supvr.	~~1486~~ 1590	~~1553~~ 1662	~~1623~~ 1737	~~1696~~ 1815	~~1773~~ 1897	~~1855~~ 1985	~~1940~~ 2076	~~2028~~ 2170	~~2120~~ 2268	
Nursing Care Advisor	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	~~1623~~ 1737	
Nutrition Proj. Asst. Dir.	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	1662
Nutrition Proj. Dir.	~~1390~~ 1487	~~1454~~ 1556	~~1518~~ 1624	~~1588~~ 1699	~~1657~~ 1773	~~1734~~ 1855	~~1814~~ 1941	~~1896~~ 2029	~~1983~~ 2122	~~2071~~ 2216
Occup. Supvr.-Inst. I	~~994~~ 1064	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590
Occup. Supvr.-Inst. II	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662	~~1623~~ 1737	~~1696~~ 1815
Office Manager	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	
Personnel Officer	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454	~~1423~~ 1523	~~1486~~ 1590	~~1553~~ 1662
Personnel Director	~~1454~~ 1556	~~1518~~ 1624	~~1588~~ 1699	~~1657~~ 1773	~~1734~~ 1855	~~1814~~ 1941	~~1896~~ 2029	~~1983~~ 2122	~~2071~~ 2216	~~2169~~ 2321

Physical Therapist	~~1064~~	~~1111~~	~~1163~~	~~1215~~	~~1268~~	~~1326~~	~~1390~~	~~1454~~		
	1164	1218	1273	1328	1389	1454	1523	1590		
Planner (Human Services)	~~1298~~	~~1359~~	~~1423~~	~~1486~~	~~1553~~	~~1623~~	~~1696~~	~~1773~~	~~1855~~	
	1389	1454	1523	1590	1662	1737	1815	1897	1985	
Policy/Program Analyst	~~1454~~	~~1518~~	~~1588~~	~~1657~~	~~1734~~	~~1814~~	~~1896~~	~~1983~~	~~2071~~	~~2169~~
	1556	1624	1699	1773	1855	1941	2029	2122	2216	2321
Programmer Analyst	~~1298~~	~~1359~~	~~1423~~	~~1486~~	~~1553~~	~~1623~~	~~1696~~	~~1773~~		
	1389	1454	1523	1590	1662	1737	1815	1897		
Psychologist I	~~1241~~	~~1298~~	~~1359~~	~~1423~~	~~1486~~	~~1553~~	~~1623~~	~~1696~~	~~1773~~	
	1328	1389	1454	1523	1590	1662	1737	1815	1897	
Psychologist II	~~1486~~	~~1553~~	~~1623~~	~~1696~~	~~1773~~	~~1855~~	~~1940~~	~~2028~~	~~2120~~	
	1590	1662	1737	1815	1897	1985	2076	2170	2268	
Psychologist III	~~1734~~	~~1814~~	~~1896~~	~~1983~~	~~2071~~	~~2169~~	~~2268~~	~~2373~~		
	1855	1941	2029	2122	2216	2321	2427	2539		
Psychologist IV	~~1896~~	~~1983~~	~~2071~~	~~2169~~	~~2268~~	~~2373~~	~~2477~~	~~2587~~		
	2029	2122	2216	2321	2427	2539	2650	2768		
Pub. Health Educator I	~~1088~~	~~1138~~	~~1190~~	~~1241~~	~~1298~~	~~1359~~	~~1423~~	~~1486~~		
	1164	1218	1273	1328	1389	1454	1523	1590		
Pub. Health Educator II	~~1359~~	~~1423~~	~~1486~~	~~1553~~	~~1623~~	~~1696~~	~~1773~~	~~1855~~		
	1454	1523	1590	1662	1737	1815	1897	1985		
Public Health Nurse	~~1111~~	~~1163~~	~~1215~~	~~1268~~	~~1326~~	~~1390~~	~~1454~~			
	1244	1300	1357	1419	1487	1556	1624			
Pub. Hlth. Nurse (Team Leader)	~~1163~~	~~1215~~	~~1268~~	~~1326~~	~~1390~~	~~1454~~	~~1518~~			
	1300	1357	1419	1487	1556	1624	1699			
Registered Nurse (A.A. Deg., 3 yr. Dip., or B.S. Deg.)	~~1064~~	~~1111~~	~~1163~~	~~1215~~	~~1268~~	~~1326~~				
	1138	1189	1244	1300	1357	1419				
Sanitarian I	~~1088~~	~~1138~~	~~1190~~	~~1241~~						
	1164	1218	1273	1328	1389					
Sanitarian II	~~1190~~	~~1241~~	~~1298~~	~~1359~~	~~1423~~	~~1486~~	~~1553~~	~~1623~~		
	1273	1328	1389	1454	1523	1590	1662	1737		
Sr. Pub. Health Nurse	~~1215~~	~~1268~~	~~1326~~	~~1390~~	~~1454~~	~~1518~~	~~1588~~			
	1357	1419	1487	1556	1624	1699	1773			
Social Worker I	~~1041~~	~~1088~~	~~1138~~	~~1190~~						
	1114	1164	1218	1273	1328	1389	1454	1523	1590	1662
Social Worker II	~~1138~~	~~1190~~	~~1241~~	~~1298~~	~~1359~~	~~1423~~	~~1486~~	~~1553~~	~~1623~~	~~1696~~
	1218	1273	1328	1389	1454	1523	1590	1662	1737	1815

Social Worker III	~~1241~~	~~1298~~	~~1359~~	~~1423~~	~~1486~~	~~1553~~	~~1623~~	~~1696~~	~~1773~~	~~1855~~
	1328	1389	1454	1523	1590	1662	1737	1815	1897	1985
Social Worker Trainee	~~869~~									
	930									
Soc. Serv. Supvr. I	~~1390~~	~~1454~~	~~1518~~	~~1588~~	~~1657~~	~~1734~~	~~1814~~	~~1896~~	~~1983~~	~~2071~~
	1487	1556	1624	1699	1773	1855	1941	2029	2122	2216
Soc. Serv. Supvr. II	~~1518~~	~~1588~~	~~1657~~	~~1734~~	~~1814~~	~~1896~~	~~1983~~	~~2071~~	~~2169~~	~~2268~~
	1624	1699	1773	1855	1941	2029	2122	2216	2321	2427
Soc. Welf. Supvr. III	~~1696~~	~~1773~~	~~1855~~	~~1940~~	~~2028~~	~~2120~~	~~2220~~	~~2321~~	~~2426~~	
	1897	1985	2076	2170	2268	2375	2483	2596	2710	
Soc. Welf. Supvr. Trainee	~~1326~~	~~1390~~	~~1454~~	~~1518~~	~~1588~~	~~1657~~				
	1419	1487	1556	1624	1699	1773				
Staff Trng. Supvr. I	~~1423~~	~~1486~~	~~1553~~	~~1623~~	~~1696~~	~~1773~~	~~1855~~	~~1940~~	~~2028~~	
	1523	1590	1662	1737	1815	1897	1985	2076	2170	
Staff Trng. Supvr. II	~~1553~~	~~1623~~	~~1696~~	~~1773~~	~~1855~~	~~1940~~	~~2028~~	~~2120~~	~~2220~~	
	1662	1737	1815	1897	1985	2076	2170	2268	2375	
Student Soc. Worker (Intern)	Rate proposed by appointing authority.									
Student Soc. Worker (SWEP)	Rate proposed by appointing authority.									
Systems Prog.-Analyst	~~1486~~	~~1553~~	~~1623~~	~~1696~~	~~1773~~	~~1855~~	~~1940~~			
	1590	1662	1737	1815	1897	1985	2076	2170		
Trainee	Rate proposed by appointing authority and approved by the Merit System Supervisor and the Commissioner of Public Welfare.									
Vol.-Serv. Coord. I	~~1041~~	~~1088~~	~~1138~~	~~1190~~	~~1241~~	~~1298~~	~~1359~~	~~1423~~	~~1486~~	
	1114	1164	1218	1273	1328	1389	1454	1523	1590	1662
Vol.-Serv. Coord. II	~~1298~~	~~1359~~	~~1423~~	~~1486~~	~~1553~~	~~1623~~	~~1696~~	~~1773~~	~~1855~~	
	1389	1454	1523	1590	1662	1737	1815	1897	1985	
Welfare Director I	~~1390~~	~~1454~~	~~1518~~	~~1588~~	~~1657~~	~~1734~~	~~1814~~	~~1896~~	~~1983~~	~~2071~~
	1487	1556	1624	1699	1773	1855	1941	2029	2122	2216
Welfare Director II	~~1518~~	~~1588~~	~~1657~~	~~1734~~	~~1814~~	~~1896~~	~~1983~~	~~2071~~	~~2169~~	~~2268~~
	1624	1699	1773	1855	1941	2029	2122	2216	2321	2427
Welfare Director III	~~1773~~	~~1855~~	~~1940~~	~~2028~~	~~2120~~	~~2220~~	~~2321~~	~~2426~~	~~2533~~	
	1897	1985	2076	2170	2268	2375	2483	2596	2710	
Welfare Director IV	~~1940~~	~~2028~~	~~2120~~	~~2220~~	~~2321~~	~~2426~~	~~2533~~	~~2644~~	~~2759~~	
	2076	2170	2268	2375	2483	2596	2710	2829	2952	

Welfare Director V	~~2644~~	~~2759~~	~~2884~~	~~3015~~	~~3150~~	~~3292~~	~~3447~~	~~3594~~	~~3750~~
	2829	2952	3086	3226	3371	3522	3688	3846	4111
Work-Exp. & Trng. Spec.	~~1298~~	~~1359~~	~~1423~~	~~1486~~	~~1553~~	~~1623~~	~~1696~~	~~1773~~	~~1855~~
	1389	1454	1523	1590	1662	1737	1815	1897	1985

*The salary steps herein shall not include any amounts paid by any county welfare board under the provisions of Minn. Stat. § 471.61.

B. Support Personnel

1. Plan A*

a. Class of Positions	1	2	3	4	5	6	7	8	9
Account Clerk	~~696~~	~~728~~	~~762~~	~~797~~	~~833~~	~~869~~	~~910~~	~~951~~	
	745	779	815	853	891	930	974	1018	
Accounting Officer I	~~869~~	~~910~~	~~951~~	~~994~~	~~1041~~	~~1088~~	~~1138~~	~~1190~~	~~1241~~
	930	974	1018	1064	1114	1164	1218	1273	1328
Accounting Officer II	~~951~~	~~994~~	~~1041~~	~~1088~~	~~1138~~	~~1190~~	~~1241~~	~~1298~~	~~1359~~
	1018	1064	1114	1164	1218	1273	1328	1389	1454
Accounting Officer III	~~1064~~	~~1111~~	~~1163~~	~~1215~~	~~1268~~	~~1326~~	~~1390~~	~~1454~~	~~1518~~
	1138	1189	1244	1300	1357	1419	1487	1556	1624
Adult Day Care Center Prog. Coord.	~~710~~	~~774~~	~~779~~	~~815~~	~~851~~	~~889~~	~~930~~	~~971~~	~~1017~~
	760	796	834	872	911	951	995	1039	1088
Asst. Residential Fac. Opr.(s)	~~570~~	~~593~~	~~622~~	~~651~~	~~680~~	~~710~~	~~744~~	~~779~~	
	610	635	666	697	728	760	796	834	
Case Aide	~~696~~	~~728~~	~~762~~	~~797~~	~~833~~	~~869~~			
	760	796	834	872	911	951	995	1039	1088
Chemical Dependency Couns.	~~910~~	~~951~~	~~994~~	~~1041~~	~~1088~~	~~1138~~	~~1190~~		
	974	1018	1064	1114	1164	1218	1273		
Child Support Officer I	~~869~~	~~910~~	~~951~~	~~994~~	~~1041~~	~~1088~~	~~1138~~	~~1190~~	~~1241~~
	930	974	1018	1064	1114	1164	1218	1273	1328
Child Support Officer II	~~971~~	~~1017~~	~~1064~~	~~1111~~	~~1163~~	~~1215~~	~~1268~~	~~1326~~	
	1039	1088	1138	1189	1244	1300	1357	1419	
Coll. Serv. Supvr. I	~~1111~~	~~1163~~	~~1215~~	~~1268~~	~~1326~~	~~1390~~	~~1454~~	~~1518~~	
	1189	1244	1300	1357	1419	1487	1556	1624	
Community-Service Aide	~~437~~	~~455~~	~~478~~	~~501~~	~~524~~	~~547~~	~~570~~		
	511	536	561	585	610	635	666		
Coord. of Aging	~~710~~	~~744~~	~~779~~	~~815~~	~~851~~	~~889~~	~~930~~	~~971~~	~~1017~~
	779	815	853	891	930	974	1018	1064	1114
Dev. Achievement Center Inst.	~~570~~	~~593~~	~~622~~	~~651~~	~~680~~	~~710~~			
	610	635	666	697	728	760			
Family Service Aide I	~~547~~	~~570~~	~~593~~	~~622~~	~~651~~	~~680~~	~~710~~		
	585	610	635	666	697	728	760		
Family Service Aide II	~~593~~	~~622~~	~~651~~	~~680~~	~~710~~	~~744~~	~~779~~	~~815~~	
	635	666	697	728	760	796	834	872	
Family Service Coord. I	~~779~~	~~815~~	~~851~~	~~889~~	~~930~~	~~971~~	~~1017~~		
	834	872	911	951	995	1039	1088		
Family Service/Home Health Aide	~~547~~	~~570~~	~~593~~	~~622~~	~~651~~	~~680~~	~~710~~		
	585	610	635	666	697	728	760		

Finan.-Asst. Specialist	~~889~~	~~930~~	~~971~~	~~1017~~	~~1064~~	~~1111~~	~~1163~~	~~1215~~	
	974	1018	1064	1114	1164	1218	1273	1328	
Finan.-Asst. Supvr. I	~~971~~	~~1017~~	~~1064~~	~~1111~~	~~1163~~	~~1215~~	~~1268~~	~~1326~~	~~1390~~
	1088	1138	1189	1244	1300	1357	1419	1487	1556
Finan.-Asst. Supvr. II	~~1111~~	~~1163~~	~~1215~~	~~1268~~	~~1326~~	~~1390~~	~~1454~~	~~1518~~	
	1189	1244	1300	1357	1419	1487	1556	1624	1699
Financial Worker I	~~696~~	~~728~~	~~762~~	~~797~~	~~833~~	~~869~~			
	760	796	834	872	911	951	995	1039	1088
Financial Worker II	~~779~~	~~815~~	~~951~~	~~889~~	~~930~~	~~971~~	~~1017~~	~~1064~~	~~1111~~
	853	891	930	974	1018	1064	1114	1164	1218
Home Health Aide	~~574~~	~~570~~	~~593~~	~~622~~	~~651~~	~~680~~	~~710~~		
	585	610	635	666	697	728	760		
Home Health Aide Coordinator	~~779~~	~~815~~	~~851~~	~~889~~	~~930~~	~~971~~	~~1017~~		
	834	872	911	951	995	1039	1088		
Housekeeper	Rate proposed by appointing authority and approved by the Merit System Supervisor and the Commissioner of Public Welfare.								
Housing Coordinator	~~889~~	~~930~~	~~971~~	~~1017~~	~~1064~~	~~1111~~	~~1163~~	~~1215~~	~~1268~~
	951	995	1039	1088	1138	1189	1244	1300	1357
Licensed Practican Nurse	~~710~~	~~744~~	~~779~~	~~815~~	~~851~~	~~889~~			
	760	796	834	872	911	951			
Public Health Aide	~~437~~	~~455~~	~~478~~	~~501~~	~~524~~	~~547~~	~~570~~		
	511	536	561	585	610	635	666		
Residential Fac. Opr.(s)	~~593~~	~~622~~	~~651~~	~~680~~	~~710~~	~~744~~	~~779~~	~~815~~	
	635	666	697	728	760	796	834	872	
Senior Case Aide	~~779~~	~~815~~	~~851~~	~~889~~	~~930~~	~~971~~	~~1017~~	~~1064~~	~~1111~~
	853	891	930	974	1018	1064	1114	1164	1218
Senior Citizen's Aide	~~437~~	~~455~~	~~478~~	~~501~~	~~524~~	~~547~~	~~570~~		
	511	536	561	585	610	635	666		
Transportation Coord.	~~728~~	~~762~~	~~797~~	~~833~~	~~869~~	~~910~~	~~951~~	~~994~~	
	779	815	853	891	930	974	1018	1064	
Welfare Fraud Investigator	~~1111~~	~~1163~~	~~1215~~	~~1268~~	~~1326~~	~~1390~~	~~1454~~		
	1189	1244	1300	1357	1419	1487	1556		
Welfare Fraud Unit Supvr.	~~1215~~	~~1268~~	~~1326~~	~~1390~~	~~1454~~	~~1518~~	~~1588~~		
	1300	1357	1419	1487	1556	1624	1699		

*The salary steps herein shall not include any amounts paid by any county welfare board under the provisions of Minn. Stat. § 471.61.

B. Support Personnel
2. Plan B*

a. Class of Positions	1	2	3	4	5	6	7	8	9
Account Clerk	~~728~~ 779	~~762~~ 815	~~797~~ 853	~~833~~ 891	~~869~~ 930	~~910~~ 974	~~951~~ 1018	~~994~~ 1064	
Accounting Officer I	~~869~~ 930	~~910~~ 974	~~951~~ 1018	~~994~~ 1064	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328
Accounting Officer II	~~951~~ 1018	~~994~~ 1064	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454
Accounting Officer III	~~1064~~ 1138	~~1111~~ 1189	~~1163~~ 1244	~~1215~~ 1300	~~1268~~ 1357	~~1326~~ 1419	~~1390~~ 1487	~~1454~~ 1556	~~1518~~ 1624
Adult Day Care Center Prog. Coord.	~~744~~ 796	~~779~~ 834	~~815~~ 872	~~851~~ 911	~~889~~ 951	~~930~~ 995	~~971~~ 1039	~~1017~~ 1088	~~1064~~ 1138
Asst. Residential Fac. Opr.(s)	~~593~~ 635	~~622~~ 666	~~651~~ 697	~~680~~ 728	~~710~~ 760	~~744~~ 796	~~779~~ 834	~~815~~ 872	
Case Aide	~~728~~ 796	~~762~~ 834	~~797~~ 872	~~833~~ 911	~~869~~ 951	~~910~~ 995	1039	1088	1138
Chemical Dependency Couns.	~~951~~ 1018	~~994~~ 1064	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328		
Child Support Officer I	~~910~~ 974	~~951~~ 1018	~~994~~ 1064	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389
Child Support Officer II	~~1017~~ 1088	~~1064~~ 1138	~~1111~~ 1189	~~1163~~ 1244	~~1215~~ 1300	~~1268~~ 1357	~~1326~~ 1419	~~1390~~ 1487	
Coll. Serv. Supvr. I	~~1163~~ 1244	~~1215~~ 1300	~~1268~~ 1357	~~1326~~ 1419	~~1390~~ 1487	~~1454~~ 1556	~~1518~~ 1624	~~1588~~ 1699	
Community-Serv. Aide	~~455~~ 536	~~478~~ 561	~~501~~ 585	~~524~~ 610	~~547~~ 635	~~570~~ 666	~~593~~ 697		
Coord. of Aging	~~744~~ 815	~~779~~ 853	~~815~~ 891	~~851~~ 930	~~889~~ 974	~~930~~ 1018	~~971~~ 1064	~~1017~~ 1114	~~1064~~ 1164
Dev. Achievement Center Inst.	~~593~~ 635	~~622~~ 666	~~651~~ 697	~~680~~ 728	~~710~~ 760	~~744~~ 796			
Family Service Aide I	~~570~~ 610	~~593~~ 635	~~622~~ 666	~~651~~ 697	~~680~~ 728	~~710~~ 760	~~744~~ 796		
Family Service Aide II	~~622~~ 666	~~651~~ 697	~~680~~ 728	~~710~~ 760	~~744~~ 796	~~779~~ 834	~~815~~ 872	~~851~~ 911	
Family Service Coord. I	~~815~~ 872	~~851~~ 911	~~889~~ 951	~~930~~ 995	~~971~~ 1039	~~1017~~ 1088	~~1064~~ 1138		
Family Service/Home Health Aide	~~570~~ 610	~~593~~ 635	~~622~~ 666	~~651~~ 697	~~680~~ 728	~~710~~ 760	~~744~~ 796		

Finan.-Asst. Specialist	~~930~~ 1018	~~971~~ 1064	~~1017~~ 1114	~~1064~~ 1164	~~1111~~ 1218	~~1163~~ 1273	~~1215~~ 1328	~~1268~~ 1389	
Finan.-Asst. Supvr. I	~~1017~~ 1138	~~1064~~ 1189	~~1111~~ 1244	~~1163~~ 1300	~~1215~~ 1357	~~1268~~ 1419	~~1326~~ 1487	~~1390~~ 1556	~~1454~~ 1624
Finan.-Asst. Supvr. II	~~1163~~ 1244	~~1215~~ 1300	~~1268~~ 1357	~~1326~~ 1419	~~1390~~ 1487	~~1454~~ 1556	~~1518~~ 1624	~~1588~~ 1699	1773
Financial Worker I	~~728~~ 796	~~762~~ 834	~~797~~ 872	~~833~~ 911	~~869~~ 951	~~910~~ 995	1039	1088	1138
Financial Worker II	~~815~~ 891	~~851~~ 930	~~889~~ 974	~~930~~ 1018	~~971~~ 1064	~~1017~~ 1114	~~1064~~ 1164	~~1111~~ 1218	~~1163~~ 1273
Home Health Aide	~~570~~ 610	~~593~~ 635	~~622~~ 666	~~651~~ 697	~~680~~ 728	~~710~~ 760	~~744~~ 796		
Home Health Aide Coordinator	~~815~~ 872	~~851~~ 911	~~889~~ 951	~~930~~ 995	~~971~~ 1039	~~1017~~ 1088	~~1064~~ 1138		
Housekeeper	Rate proposed by appointing authority and approved by the Merit System Supervisor and the Commissioner of Public Welfare.								
Housing Coordinator	~~930~~ 995	~~971~~ 1039	~~1017~~ 1088	~~1064~~ 1138	~~1111~~ 1189	~~1163~~ 1244	~~1215~~ 1300	~~1268~~ 1357	~~1326~~ 1419
Licensed Practical Nurse	~~744~~ 796	~~779~~ 834	~~815~~ 872	~~851~~ 911	~~889~~ 951	~~930~~ 995			
Public Health Aide	~~455~~ 536	~~478~~ 561	~~501~~ 585	~~524~~ 610	~~547~~ 635	~~570~~ 666	~~593~~ 697		
Residential Fac. Opr.(s)	~~622~~ 666	~~651~~ 697	~~680~~ 728	~~710~~ 760	~~744~~ 796	~~779~~ 834	~~815~~ 872	~~851~~ 911	
Senior Case Aide	~~815~~ 891	~~851~~ 930	~~889~~ 974	~~930~~ 1018	~~971~~ 1064	~~1017~~ 1114	~~1064~~ 1164	~~1111~~ 1218	~~1163~~ 1273
Senior Citizen's Aide	~~455~~ 536	~~478~~ 561	~~501~~ 585	~~524~~ 610	~~547~~ 635	~~570~~ 666	~~593~~ 697		
Transportation Coordinator	~~762~~ 815	~~797~~ 853	~~833~~ 891	~~869~~ 930	~~910~~ 974	~~951~~ 1018	~~994~~ 1064	~~1041~~ 1114	
Welfare Fraud Investigator	~~1163~~ 1244	~~1215~~ 1300	~~1268~~ 1357	~~1326~~ 1419	~~1390~~ 1487	~~1454~~ 1556	~~1518~~ 1624		
Welfare Fraud Unit Supvr.	~~1268~~ 1357	~~1326~~ 1419	~~1390~~ 1487	~~1454~~ 1556	~~1518~~ 1624	~~1588~~ 1699	~~1657~~ 1773		

*The salary steps herein shall not include any amounts paid by any county welfare board under the provisions of Minn. Stat. § 471.61.

B. Support Personnel

3. Plan C*

a. Class of Positions	1	2	3	4	5	6	7	8	9
Account Clerk	~~762~~ 815	~~797~~ 853	~~833~~ 891	~~869~~ 930	~~910~~ 974	~~951~~ 1018	~~994~~ 1064	~~1041~~ 1114	
Accounting Officer I	~~869~~ 930	~~910~~ 974	~~951~~ 1018	~~994~~ 1064	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328
Accounting Officer II	~~951~~ 1018	~~994~~ 1064	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454
Accounting Officer III	~~1064~~ 1138	~~1111~~ 1189	~~1163~~ 1244	~~1215~~ 1300	~~1268~~ 1357	~~1326~~ 1419	~~1390~~ 1487	~~1454~~ 1556	~~1518~~ 1624
Adult Day Care Center Prog. Coord.	~~779~~ 834	~~815~~ 872	~~851~~ 911	~~889~~ 951	~~930~~ 995	~~971~~ 1039	~~1017~~ 1088	~~1064~~ 1138	~~1111~~ 1189
Asst. Residential Facility Opr.(s)	~~622~~ 666	~~651~~ 697	~~680~~ 728	~~710~~ 760	~~744~~ 796	~~779~~ 834	~~815~~ 872	~~851~~ 911	
Case Aide	~~762~~ 834	~~797~~ 872	~~833~~ 911	~~869~~ 951	~~910~~ 995	~~951~~ 1039	1088	1138	1189
Chemical Dependency Counselor	~~994~~ 1064	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389		
Child Support Officer I	~~951~~ 1018	~~994~~ 1064	~~1041~~ 1114	~~1088~~ 1164	~~1138~~ 1218	~~1190~~ 1273	~~1241~~ 1328	~~1298~~ 1389	~~1359~~ 1454
Child Support Officer II	~~1064~~ 1138	~~1111~~ 1189	~~1163~~ 1244	~~1215~~ 1300	~~1268~~ 1357	~~1326~~ 1419	~~1390~~ 1487	~~1454~~ 1556	
Coll. Serv. Supvr. I	~~1215~~ 1300	~~1268~~ 1357	~~1326~~ 1419	~~1390~~ 1487	~~1454~~ 1556	~~1518~~ 1624	~~1588~~ 1699	~~1657~~ 1773	
Community-Serv. Aide	~~478~~ 561	~~501~~ 585	~~524~~ 610	~~547~~ 635	~~570~~ 666	~~593~~ 697	~~622~~ 728		
Coord. of Aging	~~779~~ 853	~~815~~ 891	~~851~~ 930	~~889~~ 974	~~930~~ 1018	~~971~~ 1064	~~1017~~ 1114	~~1064~~ 1164	~~1111~~ 1218
Dev. Achievement Center Inst.	~~622~~ 666	~~651~~ 697	~~680~~ 728	~~710~~ 760	~~744~~ 796	~~779~~ 834			
Family Service Aide I	~~593~~ 635	~~622~~ 666	~~651~~ 697	~~680~~ 728	~~710~~ 760	~~744~~ 796	~~779~~ 834		
Family Service Aide II	~~651~~ 697	~~680~~ 728	~~710~~ 760	~~744~~ 796	~~779~~ 834	~~815~~ 872	~~851~~ 911	~~889~~ 951	
Family Service Coord. I	~~851~~ 911	~~889~~ 951	~~930~~ 995	~~971~~ 1039	~~1017~~ 1088	~~1064~~ 1138	~~1111~~ 1189		
Family Service/Home Health Aide	~~593~~ 635	~~622~~ 666	~~651~~ 697	~~680~~ 728	~~710~~ 760	~~744~~ 796	~~779~~ 834		

Finan.-Asst. Spec.	~~971~~	~~1017~~	~~1064~~	~~1111~~	~~1163~~	~~1215~~	~~1268~~	~~1326~~	
	1064	1114	1164	1218	1273	1328	1389	1454	
Finan.-Asst. Supvr. I	~~1064~~	~~1111~~	~~1163~~	~~1215~~	~~1268~~	~~1326~~	~~1390~~	~~1454~~	~~1518~~
	1189	1244	1300	1357	1419	1487	1556	1624	1699
Finan.-Asst. Supvr. II	~~1215~~	~~1268~~	~~1326~~	~~1390~~	~~1454~~	~~1518~~	~~1588~~	~~1657~~	
	1300	1357	1419	1487	1556	1624	1699	1773	1855
Financial Worker I	~~762~~	~~797~~	~~833~~	~~869~~	~~910~~	~~951~~			
	834	872	911	951	995	1039	1088	1138	1189
Financial Worker II	~~851~~	~~889~~	~~930~~	~~971~~	~~1017~~	~~1064~~	~~1111~~	~~1163~~	~~1215~~
	930	974	1018	1064	1114	1164	1218	1273	1328
Home Health Aide	~~593~~	~~622~~	~~651~~	~~680~~	~~710~~	~~744~~	~~779~~		
	635	666	697	728	760	796	834		
Home Health Aide Coord.	~~851~~	~~889~~	~~930~~	~~971~~	~~1017~~	~~1064~~	~~1111~~		
	911	951	995	1039	1088	1138	1189		
Housekeeper	Rate proposed by appointing authority and approved by the Merit System Supervisor and the Commissioner of Public Welfare.								
Housing Coordinator	~~971~~	~~1017~~	~~1064~~	~~1111~~	~~1163~~	~~1215~~	~~1268~~	~~1326~~	~~1390~~
	1039	1088	1138	1189	1244	1300	1357	1419	1487
Licensed Practical Nurse	~~779~~	~~815~~	~~851~~	~~889~~	~~930~~	~~971~~			
	834	872	911	951	995	1039			
Public Health Aide	~~478~~	~~501~~	~~524~~	~~547~~	~~570~~	~~593~~	~~622~~		
	561	585	610	635	666	697	728		
Residential Fac. Opr.(s)	~~651~~	~~680~~	~~710~~	~~744~~	~~779~~	~~815~~	~~851~~	~~889~~	
	697	728	760	796	834	872	911	951	
Senior Case Aide	~~851~~	~~889~~	~~930~~	~~971~~	~~1017~~	~~1064~~	~~1111~~	~~1163~~	~~1215~~
	930	974	1018	1064	1114	1164	1218	1273	1328
Senior Citizen's Aide	~~478~~	~~501~~	~~524~~	~~547~~	~~570~~	~~593~~	~~622~~		
	561	585	610	635	666	697	728		
Transportation Coordinator	~~797~~	~~833~~	~~869~~	~~910~~	~~951~~	~~994~~	~~1041~~	~~1088~~	
	853	891	930	974	1018	1064	1114	1164	
Welfare Fraud Investigator	~~1215~~	~~1268~~	~~1326~~	~~1390~~	~~1454~~	~~1518~~	~~1588~~		
	1300	1357	1419	1487	1556	1624	1699		
Welfare Fraud Unit Supvr.	~~1326~~	~~1390~~	~~1454~~	~~1518~~	~~1588~~	~~1657~~	~~1734~~		
	1419	1487	1556	1624	1699	1773	1855		

*The salary steps herein shall not include any amounts paid by any county welfare board under the provisions of Minn. Stat. § 471.61.

C. Clerical

1. Plan A*

a. Class of Positions	1	2	3	4	5	6	7	8	9
Bkkp. Machine Operator	~~539~~ 589	~~558~~ 608	~~579~~ 629	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762
Clerical Supervisor	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876	~~858~~ 908	~~890~~ 940	~~924~~ 974
Clerk I	~~474~~ 524	~~491~~ 541	~~507~~ 557	~~523~~ 573	~~539~~ 589	~~558~~ 608	~~579~~ 629	~~600~~ 650	~~621~~ 671
Clerk II	~~539~~ 589	~~558~~ 608	~~579~~ 629	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762
Clerk III	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876
Clerk-Typist I (1)	~~491~~ 541	~~507~~ 557	~~523~~ 573	~~539~~ 589	~~558~~ 608	~~579~~ 629	~~600~~ 650	~~621~~ 671	~~642~~ 692
Clerk-Typist II	~~539~~ 589	~~558~~ 608	~~579~~ 629	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762
Clerk-Typist III	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876
Clerk Specialist	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876	~~858~~ 908	~~890~~ 940	~~924~~ 974	~~961~~ 1011
Clerk-Steno I	~~523~~ 573	~~539~~ 589	~~558~~ 608	~~579~~ 629	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736
Clerk-Steno II	~~579~~ 629	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816
Clerk-Steno III	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876	~~858~~ 908
Information Systems Specialist	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876	~~858~~ 908	~~890~~ 940
Keypunch Operator	~~523~~ 573	~~538~~ 589	~~558~~ 608	~~579~~ 629	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736
Swbd. Operator I	~~507~~ 557	~~523~~ 573	~~539~~ 589	~~558~~ 608	~~579~~ 629	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713
Swbd. Operator II	~~539~~ 589	~~558~~ 608	~~579~~ 629	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762

*The salary steps herein shall not include any amounts paid by any county welfare board under the provisions of Minn. Stat. § 471.61.

(1) Employees in this class assigned on a full-time basis to transcribing machine operation may be paid within the county range for Clerk-Stenographer I.

2. Plan B*

a. Class of Positions	1	2	3	4	5	6	7	8	9
Bkkp. Machine Operator	~~558~~ 608	~~579~~ 629	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789
Clerical Supervisor	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876	~~858~~ 908	~~890~~ 940	~~924~~ 974	~~961~~ 1011
Clerk I	~~491~~ 541	~~507~~ 557	~~523~~ 573	~~539~~ 589	~~558~~ 608	~~579~~ 629	~~600~~ 650	~~621~~ 671	~~642~~ 692
Clerk II	~~558~~ 608	~~579~~ 629	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789
Clerk III	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876	~~858~~ 908
Clerk-Typist I (1)	~~507~~ 557	~~523~~ 573	~~539~~ 589	~~558~~ 608	~~579~~ 629	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713
Clerk-Typist II	~~558~~ 608	~~579~~ 629	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789
Clerk-Typist III	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876	~~858~~ 908
Clerk Specialist	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876	~~858~~ 908	~~890~~ 940	~~924~~ 974	~~961~~ 1011	~~998~~ 1048
Clerk-Steno I	~~539~~ 589	~~558~~ 608	~~579~~ 629	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762
Clerk-Steno II	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845
Clerk-Steno III	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876	~~858~~ 908	~~890~~ 940
Information Systems Specialist	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876	~~858~~ 908	~~890~~ 940	~~924~~ 974
Key Punch Operator	~~539~~ 589	~~558~~ 608	~~579~~ 629	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762
Swbd. Operator I	~~523~~ 573	~~539~~ 589	~~558~~ 608	~~579~~ 629	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736
Swbd. Operator II	~~558~~ 608	~~579~~ 629	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789

*The salary steps herein shall not include any amounts paid by any county welfare board under the provisions of Minn. Stat. § 471.61.

(1) Employees in this class assigned on a full-time basis to transcribing machine operation may be paid within the county range for Clerk-Stenographer I.

C. Clerical

3. Plan C*

a. Class of Positions	1	2	3	4	5	6	7	8	9
Bkkp. Machine Operator	~~579~~ 629	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816
Clerical Supervisor	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876	~~858~~ 908	~~890~~ 940	~~924~~ 974	~~961~~ 1011	~~998~~ 1048
Clerk I	~~507~~ 557	~~523~~ 573	~~539~~ 589	~~558~~ 608	~~579~~ 629	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713
Clerk II	~~579~~ 629	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816
Clerk III	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876	~~858~~ 908	~~890~~ 940
Clerk-Typist I (1)	~~523~~ 573	~~539~~ 589	~~558~~ 608	~~579~~ 629	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736
Clerk-Typist II	~~579~~ 629	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816
Clerk-Typist III	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876	~~858~~ 908	~~890~~ 940
Clerk Specialist	~~766~~ 816	~~795~~ 845	~~826~~ 876	~~858~~ 908	~~890~~ 940	~~924~~ 974	~~961~~ 1011	~~998~~ 1048	~~1037~~ 1087
Clerk-Steno I	~~558~~ 608	~~579~~ 629	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789
Clerk-Steno II	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876
Clerk-Steno III	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876	~~858~~ 908	~~890~~ 940	~~924~~ 974
Information Systems Specialist	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876	~~858~~ 908	~~890~~ 940	~~924~~ 974	~~961~~ 1011
Keypunch Operator	~~558~~ 608	~~579~~ 629	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789
Swbd. Operator I	~~539~~ 589	~~558~~ 608	~~579~~ 629	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762
Swbd. Operator II	~~579~~ 629	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816

*The salary steps herein shall not include any amounts paid by any county welfare board under the provisions of Minn. Stat. § 471.61.

(1) Employees in this class assigned on a full-time basis to transcribing machine operation may be paid within the county range for Clerk-Stenographer I.

4. Plan D*

a. Class of Positions	1	2	3	4	5	6	7	8	9
Bkkp. Machine Operator	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845
Clerical Supervisor	~~766~~ 816	~~795~~ 845	~~826~~ 876	~~858~~ 908	~~890~~ 940	~~924~~ 974	~~961~~ 1011	~~998~~ 1048	~~1037~~ 1087
Clerk I	~~523~~ 573	~~539~~ 589	~~558~~ 608	~~579~~ 629	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736
Clerk II	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845
Clerk III	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876	~~858~~ 908	~~890~~ 940	~~924~~ 974
Clerk-Typist I (1)	~~539~~ 589	~~558~~ 608	~~579~~ 629	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762
Clerk-Typist II	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845
Clerk-Typist III	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876	~~858~~ 908	~~890~~ 940	~~924~~ 974
Clerk Specialist	~~795~~ 845	~~826~~ 876	~~858~~ 908	~~890~~ 940	~~924~~ 974	~~961~~ 1011	~~998~~ 1048	~~1037~~ 1087	~~1079~~ 1129
Clerk-Steno I	~~579~~ 629	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816
Clerk-Steno II	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876	~~858~~ 908
Clerk-Steno III	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876	~~858~~ 908	~~890~~ 940	~~924~~ 974	~~961~~ 1011
Information Systems Specialist	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876	~~858~~ 908	~~890~~ 940	~~924~~ 974	~~961~~ 1011	~~998~~ 1048
Keypunch Operator	~~579~~ 629	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816
Swbd. Operator I	~~558~~ 608	~~579~~ 629	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789
Swbd. Operator II	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845

*The salary steps herein shall not include any amounts paid by any county welfare board under the provisions of Minn. Stat. § 471.61.

(1) Employees in this class assigned on a full-time basis to transcribing machine operation may be paid within the county range for Clerk-Stenographer I.

C. Clerical

5. Plan E*

a. Class of Positions	1	2	3	4	5	6	7	8
Bkkp. Machine Operator	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876
Clerical Supervisor	~~826~~ 876	~~858~~ 908	~~890~~ 940	~~924~~ 974	~~961~~ 1011	~~998~~ 1048	~~1037~~ 1087	~~1079~~ 1129
Clerk I	~~558~~ 608	~~579~~ 629	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762
Clerk II	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876
Clerk III	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876	~~858~~ 908	~~890~~ 940	~~924~~ 974	~~961~~ 1011
Clerk-Typist I (1)	~~579~~ 629	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789
Clerk-Typist II	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876
Clerk-Typist III	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876	~~858~~ 908	~~890~~ 940	~~924~~ 974	~~961~~ 1011
Clerk Specialist	~~858~~ 908	~~890~~ 940	~~924~~ 974	~~961~~ 1011	~~998~~ 1048	~~1037~~ 1087	~~1079~~ 1129	~~1122~~ 1172
Clerk-Steno I	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845
Clerk-Steno II	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876	~~858~~ 908	~~890~~ 940
Clerk-Steno III	~~766~~ 816	~~795~~ 845	~~826~~ 876	~~858~~ 908	~~890~~ 940	~~924~~ 974	~~961~~ 1011	~~998~~ 1048
Information Systems Specialist	~~795~~ 845	~~826~~ 876	~~858~~ 908	~~890~~ 940	~~924~~ 974	~~961~~ 1011	~~998~~ 1048	~~1037~~ 1087
Keypunch Operator	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845
Swbd. Operator I	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816
Swbd. Operator II	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876

*The salary steps herein shall not include any amounts paid by any county welfare board under the provisions of Minn. Stat. § 471.61.

(1) Employees in this class assigned on a full-time basis to transcribing machine operation may be paid within the county range for Clerk-Stenographer I.

6. Plan F*

a. Class of Positions	1	2	3	4	5	6	7	8
Bkkp. Machine Operator	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876	~~858~~ 908
Clerical Supervisor	~~858~~ 908	~~890~~ 940	~~924~~ 974	~~961~~ 1011	~~998~~ 1048	~~1037~~ 1087	~~1079~~ 1129	~~1122~~ 1172
Clerk I	~~600~~ 650	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816
Clerk II	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876	~~858~~ 908
Clerk III	~~766~~ 816	~~795~~ 845	~~826~~ 876	~~858~~ 908	~~890~~ 940	~~924~~ 974	~~961~~ 1011	~~998~~ 1048
Clerk-Typist I (1)	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845
Clerk-Typist II	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876	~~858~~ 908
Clerk-Typist III	~~766~~ 816	~~795~~ 845	~~826~~ 876	~~858~~ 908	~~890~~ 940	~~924~~ 974	~~961~~ 1011	~~998~~ 1048
Clerk Specialist	~~890~~ 940	~~924~~ 974	~~961~~ 1011	~~998~~ 1048	~~1037~~ 1087	~~1079~~ 1129	~~1122~~ 1172	~~1167~~ 1217
Clerk-Steno I	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876
Clerk-Steno II	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876	~~858~~ 908	~~890~~ 940	~~924~~ 974
Clerk-Steno III	~~795~~ 845	~~826~~ 876	~~858~~ 908	~~890~~ 940	~~924~~ 974	~~961~~ 1011	~~998~~ 1048	~~1037~~ 1087
Information Systems Specialist	~~826~~ 876	~~858~~ 908	~~890~~ 940	~~924~~ 974	~~961~~ 1011	~~998~~ 1048	~~1037~~ 1087	~~1079~~ 1129
Keypunch Operator	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876	~~858~~ 908
Swbd. Operator I	~~621~~ 671	~~642~~ 692	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845
Swbd. Operator II	~~663~~ 713	~~686~~ 736	~~712~~ 762	~~739~~ 789	~~766~~ 816	~~795~~ 845	~~826~~ 876	~~858~~ 908

*The salary steps herein shall not include any amounts paid by any county welfare board under the provisions of Minn. Stat. § 471.61.

(1) Employees in this class assigned on a full-time basis to transcribing machine operation may be paid within the county range for Clerk-Stenographer I.

D. Maintenance & Trades

1. Plan A*

a. Class of Positions	1	2	3	4	5	6	7
Auto Driver	~~585~~	~~607~~	~~631~~	~~658~~	~~687~~	~~715~~	~~746~~
	631	658	687	715	746	778	812
Bus Driver	~~631~~	~~658~~	~~687~~	~~715~~	~~746~~	~~778~~	~~812~~
	687	715	746	778	812	845	881
Janitor (1)	~~631~~	~~658~~	~~687~~	~~715~~	~~746~~	~~778~~	~~812~~
	687	715	746	778	812	845	881
Laborer	~~$3.63/hour~~						
	$3.95/hour						
Maintenance Worker	~~658~~	~~687~~	~~715~~	~~746~~	~~778~~	~~812~~	~~845~~
	715	746	778	812	845	881	920

~~*The salary~~ steps herein ~~shall not include any amounts paid by any county welfare board under the provisions of Minn. Stat. § 471.61.~~

~~(1) Employees who are required to work for a period of at least five hours after 6 P.M. on a regular scheduled basis may be paid a shift differential in the amount of one salary step above their normal day-work rate.~~

2. Plan B*

a. Class of Positions	1	2	3	4	5	6	7
Auto Driver	~~746~~	~~778~~	~~812~~	~~845~~	~~881~~	~~920~~	~~959~~
	812	845	881	920	959	1000	1044
Bus Driver	~~778~~	~~812~~	~~845~~	~~881~~	~~920~~	~~959~~	~~1000~~
	845	881	920	959	1000	1044	1089
Janitor (1)	~~746~~	~~778~~	~~812~~	~~845~~	~~881~~	~~920~~	~~959~~
	812	845	881	920	959	1000	1044
Laborer	~~$4.47/hour~~						
	$4.86/hour						
Maintenance Worker	~~812~~	~~845~~	~~881~~	~~920~~	~~959~~	~~1000~~	~~1044~~
	881	920	959	1000	1044	1089	1136

*The salary steps herein shall not include any amount paid by any county welfare board under the provisions of Minn. Stat. § 471.61.

(1) Employees who are required to work for a period of at least five hours after 6 P.M. on a regular scheduled basis may be paid a shift differential in the amount of one salary step above their normal day-work rate.

12 MCAR § 2.494 Compensation Plan

D. Adjustment of the Official Salary Schedule of the Minnesota Merit System

1. The compensation plan provided in 12 MCAR § 2.840 shall be adjusted for changes in the level of salary rates in business and government ~~and~~ for similar and competing types of employment and for changes in the Twin City Consumer Price Index.

2. In every odd-numbered year ~~T~~the 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~~ used in previous reviews. The Supervisor shall complete this study and report the findings to the Commissioner of Public Welfare on or before July 31 of each ~~year~~ odd-numbered 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 ~~(particularly with the teaching profession, for professional rates)~~ of four per cent or more, the Commissioner of Public Welfare shall announce a public hearing for a general adjustment of the compensation plan. If the changes in the labor market are of less than four per cent or differ significantly for various types of employment, the Commissioner may announce a public hearing to adjust the compensation plan in whole or in part.

4. The announcement of the public hearing to the ~~county~~ affected agencies and employee organizations shall include the proposed compensation plan, an explanation of the adjustments proposed and a summary of the findings of the survey upon which the proposed adjustment is based.

5. The public hearing shall provide opportunity for all interested individuals and groups to present evidence, testimony, and views of the proposed compensation plan. Following the public hearing and after consideration of all the evidence, the Commissioner shall make his decision. An amended compensation plan shall not be effective until the next succeeding January 1, or for those agencies on a bi-weekly

or four-week payroll period on the beginning date of the first payroll period following the next succeeding January 1.

6. The ~~County Welfare Board~~ appointing authority may implement an adjusted compensation plan by adjusting the salaries of the employees to the same ~~alphabetically~~ numerically designated salary rate on the adjusted plan that such employees were paid under the former plan.

7. In every even-numbered year, the Supervisor shall conduct a review of the changes in the consumers price index for urban wage earners and clerical workers for Minneapolis-St. Paul, as published by the Bureau of Labor Statistics, new series index (1967=100). The Supervisor shall recommend that all rates of pay in the Professional, Support, Clerical and Maintenance and Trades salary schedules be adjusted by an amount equal to 80 percent of the increase between the consumer price index for June of the current year and the consumer price index for June of the preceding year. This amount shall be rounded to the nearest tenth of a percent and may not exceed 8%. The new recommended monthly salary rates shall be rounded to the nearest whole dollar. The same percentage increase recommended by the Supervisor for all rates of pay shall be recommended as a general salary adjustment for all incumbents of positions in the Professional, Support, Clerical and Maintenance and Trades salary schedules. An amended compensation plan resulting from these recommendations shall not be effective until the next succeeding January 1, or for those agencies on a bi-weekly or four-week payroll period on the beginning date of the first payroll period following the next succeeding January 1.

E. Negotiation of 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 consistent with the functions outlined in the class specifications. Initial, intervening, and maximum rates of pay for each 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 ageney as negotiated and the minimum qualifications for the new class.~~ the appointing authority and the exclusive representative shall negotiate a salary schedule for the new classification within sixty days of the date of establishment of the classification.

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.

12 MCAR § 2.578

FINANCIAL ASSISTANCE SUPERVISOR I

A. KIND OF WORK:

Under general supervision, supervises a small number of income maintenance personnel working in one or more of the financial assistance programs; ~~employees working in the public assistance program;~~ interprets policies, rules, and regulations; coordinates activities of the financial unit with the social-service unit; and performs related work as assigned.

B. EXAMPLES OF WORK: (Illustrative only)

Supervises and assigns work to staff. Holds individual and group conferences with subordinates and interprets policies, rules, and regulations. Reviews case records ~~of subordinates~~ to see that agency policies and regulations are adhered to and proper procedures are being followed. Assists in selecting adequate personnel for the unit. Trains new employees. Evaluates staff performance and recommends appropriate action. ~~When necessary, acts as intermediary between client and case aide and hears informal appeals.~~ Interviews clients when special problems arise, listens to grievances, and recommends appropriate action. ~~Makes work-load assignment.~~ Maintains necessary contacts with other agencies and vendors. ~~Coordinates and reviews inter-agency referrals.~~ Assists in facilitating referrals to social services. Attends appeal hearings. May present material to ~~welfare~~ board. Makes special studies and surveys as occasion demands. Attends appropriate meetings and training sessions. Coordinates food stamp, or food distribution~~,~~ program. ~~Follows up on unusual medical bills.~~ Directs activities of clerical staff assigned to the division. ~~Assists in selecting adequate personnel for the unit.~~

C. KNOWLEDGES AND ABILITIES REQUIRED:

~~Thorough~~ kKnowledge of financial-aid programs, operations, policies, and procedures. ~~Thorough~~ kKnowledge of the federal program for public assistance as expressed in the Social Security Act. ~~Considerable~~ kKnowledge of community resources. Knowledge of ~~the~~ social-~~service-program~~ and economic problems. Knowledge of functions of other

~~welfare~~ social service and financial agencies. Knowledge of federal and state ~~the~~ laws ~~on which the state program is based~~ relevant to public assistance programs, and a broad understanding of the objectives and functions of the state welfare program. ~~Knowledge of family economics.~~ Ability to supervise and direct the work of others. Ability to evaluate performance and stimulate growth. Ability to organize efficiently ~~and to care for details in an orderly fashion~~ and effectively. Ability to establish and maintain good relationships with staff, clients, and community in general. Ability to understand and effectively carry out complex oral and written directions.

D. MINIMUM QUALIFICATIONS OF EDUCATION AND EXPERIENCE:

~~Two years of sueeessful experienee as a Senior Case Aide in a publie welfare agency.~~ Four years of experience as either a Financial Worker I or II, or the equivalent.

OR

Three years of experience as either a Financial Worker I or II, or the equivalent, and completion of two years of study at an accredited two or four-year college, with emphasis in the behavioral sciences, business, or closely related subjects (at least 23 quarter credits or 16 semester credits).

OR

Thirty months of experience as either a Financial Worker I or II, or the equivalent, and completion of a bachelor's degree from an accredited four-year college or similar institution with a major in the behavioral sciences, business or closely related subjects.

FINANCIAL ASSISTANCE SUPERVISOR II

A. KIND OF WORK:

Under general supervision, ~~is responsible for~~ supervis~~ing~~es a large number of employees ~~working in the public assistance program in a large area~~ working in one or more of the financial assistance programs; has ~~direct~~ involvement in policy development; interprets policies, rules, and regulations; coordinated activities of the financial unit with the social-service unit; and performs related work as assigned.

B. EXAMPLES OF WORK: (Illustrative only)

Supervises and assigns work to staff. Analyzes, evaluates, and suggests modification in procedures involved in the management of the public assistance division. Holds individual and group conferences with subordinates and interprets policies, rules, and regulations. Reviews case records ~~of subordinates~~ to see that agency policies and regulations are adhered to and proper procedures are being followed. Assists in selecting adequate personnel for the unit. Trains new employees. Evaluates staff performance and recommends appropriate action. ~~When necessary, acts as intermediary between client and case aide and hears formal appeals.~~ Interviews clients when special problems arise, listens to grievances, and recommends appropriate action. ~~Makes work-load assignment.~~ Maintains necessary contacts with other agencies and vendors. ~~Coordinates and reviews inter-agency referrals.~~ Assists in facilitating referrals to social services. Attends appeal hearings. May present material to ~~welfare~~ board. Makes special studies and surveys as occasion demands. Attends appropriate meetings and training sessions. Coordinates food stamp, or food distribution~~,~~ program. ~~Follows up on unusual medical bills.~~ Directs activities of clerical staff assigned to the division. ~~Assists in selecting adequate personnel for the unit.~~

C. KNOWLEDGES AND ABILITIES REQUIRED:

~~Extensive~~ kKnowledge of financial-aid programs, operations, policies, and procedures. ~~Extensive~~ kKnowledge of the federal program for public assistance as

expressed in the Social Security Act. ~~Considerable~~ kKnowledge of community resources. ~~Considerable~~ kKnowledge of ~~the~~ federal and state laws ~~on which the state program is based~~ relevant to public assistance programs, and a broad understanding of the objectives and functions of the state welfare program. Knowledge of ~~the~~ social ~~service program~~ and economic problems. Knowledge of functions of other ~~welfare~~ social service and financial agencies. ~~Knowledge of family economies.~~ Ability to supervise and direct the work of others. Ability to evaluate performance and stimulate growth. Ability to organize efficiently ~~and to care for details in an orderly fashion~~ and effectively. Ability to establish and maintain good relationships with staff, clients, and community in general. Ability to understand and effectively carry out complex oral and written directions.

D. MINIMUM QUALIFICATIONS OF EDUCATION AND EXPERIENCE:

One ~~Two~~ years of ~~successful~~ experience as a Financial Assistance Supervisor I.

OR

Two years of experience as a Financial Assistance Specialist.

HOUSING COORDINATOR

A. KIND OF WORK:

Under general supervision, administers a housing rehabilitation program, determines eligibility of clients for program, advises agency director and board on program policies and standards, and performs related work as assigned.

B. EXAMPLES OF WORK: (Illustrative only)

Performs initial on-site inspection of homes in order to determine what repairs and/or improvements are needed and advises clients on financial arrangements. Assists clients in completing applications for the housing rehabilitation program. Interviews clients to obtain necessary factual information, and verifies information received from clients. Determines financial eligibility of client for the housing rehabilitation program. Presents the client's application to the Board for approval and submits application and necessary verification to the appropriate funding authority for approval. Obtains bids and selects contractors. Carries out "in-progress" work inspections to check quality of contractor's work. Prepares and makes presentations to the Board and community groups explaining the housing rehabilitation program.

C. KNOWLEDGES AND ABILITIES REQUIRED:

Knowledge of state building code requirements. Knowledge of financing regulations and procedures. Knowledge of basic mathematics. Knowledge of available community resources. Ability to establish and maintain good working relationships with agency staff members, clients, and building contractors. Ability to organize and coordinate job activities. Ability to maintain accurate and systematic records. Ability to communicate orally and in writing.

D. MINIMUM QUALIFICATIONS OF EDUCATION AND EXPERIENCE:

High school diploma, or the equivalent, and two years of experience in one of the following fields: real estate appraisal, building inspectors, or closely related occupation involving appraisal of dwellings and/or estimating of cost of building construction and repairs.

NUTRITION PROJECT DIRECTOR

A. KIND OF WORK:

Under the direction of an administrative board and the State Department of Public Welfare administers a nutrition program in a regional area as designated by the state's regional boundaries; supervises professional, support, and clerical staff; participates with the community and social service agencies in developing nutrition programs and supportive services for the elderly; is responsible for providing reports as required; and performs related work as required.

B. EXAMPLES OF WORK: (Illustrative only)

Plans and develops nutrition programs for the most effective service to meet the needs of the elderly. Directs the preparation of and presents the annual budget for approval by board. Interprets federal, state, and county policies and procedures to staff, board and community. Furnishes the board with total information on nutrition program activities for the region and their respective counties. Presents material on the nutrition program to the board. Analyzes and evaluates nutrition program policies through conferences, staff meetings, and consultation. Evaluates staff needs, and recommends personnel changes to board. Recruits personnel and administers tests in accordance with affirmative action procedures and Minnesota Merit System rules. Supervises the preparation of statistical, financial, and activity reports. Meets with professional groups, and caterers for discussion of contracts for price of meals. Conducts a public information program. Meets and confers with local advisory committees, elderly participants, and community groups. Assumes responsibility for office management and directs the purchasing of all supplies and equipment.

C. KNOWLEDGES AND ABILITIES REQUIRED:

Knowledge of laws and regulations relating to the nutrition program. Knowledge of methods, procedures and principles of nutrition program administration. Knowledge of the functions and organization of the state, federal, and local agencies involved with the nutrition program. Knowledge of fiscal management and office procedures.

Ability to supervise staff in a manner that will stimulate growth and development. Ability to plan and organize work effectively. Ability to establish and maintain good working relationships with staff, citizens, and community officials. Ability to formulate new methods and techniques to meet the changing demands of the nutrition program. Ability to be able to maintain good working relationship with county welfare and/or human service boards.

D. MINIMUM QUALIFICATIONS OF EDUCATION AND EXPERIENCE:

Graduation from any accredited four-year college with a major in business administration, or related fields, and two years of experience assisting in the administration of a nutrition program.

On a promotional basis two years of full-time paid experience administering a nutrition program may be substituted for each year of college.

12 MCAR § 2.656

NUTRITION PROJECT ASSISTANT DIRECTOR

A. KIND OF WORK:

Under the direction of a Nutrition Project Director, assists in planning fiscal budget and accounting procedures for the year; assists in supervising and coordinating staff, site, and program activities; and performs related work as required.

B. EXAMPLES OF WORK: (Illustrative only)

Assists director in hiring and training of staff. Assists in the supervision of part-time site managers. Assists in the supervision of office staff and assigns work load. Assists director in evaluating performance of employees. Assists in preparation of budget and program planning for yearly operation. Prepares complete budget reports and statistical reports as required. Assists with contract negotiations at catered sites. Maintains and is responsible for all bookkeeping records and accounts for fiscal year end audit. Assists in year end audit. Maintains all pertinent ledgers and accounts for the program. Prepares financial and statistical reports for the board and the state. Processes all bills related to program expenses for presentation at monthly board meetings. Represents Nutrition Project Director at nutrition sites, community meetings, advisory councils and other agency meetings.

C. KNOWLEDGES AND ABILITIES REQUIRED:

Knowledge of federal, state, and local policies concerning the nutrition program, and a broad understanding of the objectives and functions of the nutrition program. Knowledge of community resources and agencies that provide service to the elderly. Knowledge of principles and practices of accounting and record keeping practices. Ability to coordinate planning activities of nutrition program's objectives and goals. Ability to maintain good working relationships with board, other staff members, and other community agencies. Ability to communicate effectively to maintain effective professional and public relations. Ability to supervise and evaluate program employees.

Ability to appraise and review reports from state. Ability to work with and communicate with the elderly.

D. MINIMUM QUALIFICATIONS OF EDUCATION AND EXPERIENCE:

High school diploma, or the equivalent, and two years of experience supervising clerical operations, maintaining financial records, or performing related duties.

OR

Two years of study at an accredited two- or four-year college or similar institution, with emphasis in business administration or related fields.

12 MCAR § 2.840 Compensation Plan - 1979

A. Professional

1. Plan A*

a. Class of Positions	1	2	3	4	5	6	7	8	9	10
Accountant I	1138	1190	1241	1298	1359	1423	1486	1553	1623	
Accountant II	1359	1423	1486	1553	1623	1696	1773	1855	1940	
Adm. Asst. I	1268	1326	1390	1454	1518	1588	1657	1734	1814	1896
Adm. Asst. II	1390	1454	1518	1588	1657	1734	1814	1896	1983	2071
Adm. Asst. III	1553	1623	1696	1773	1855	1940	2028	2120	2220	
Adm. Services Director	1696	1773	1855	1940	2028	2120	2220	2321	2426	
Adult Day Care Ctr. Supvr.	1041	1088	1138	1190	1241	1298	1359	1423	1486	1553
Asst. Human Services Dir.	1696	1773	1855	1940	2028	2120	2220	2321	2426	
Asst. Welfare Director	2120	2220	2321	2426	2533	2644	2759	2884	3015	
Assoc. M.-&-P. Analyst	994	1041	1088	1138						
Auditor	1241	1298	1359	1423	1486	1553	1623	1696	1773	1855
Center Coordinator	1138	1190	1241	1298	1359	1423	1486	1553	1623	1696
Chemical Dependency Coord.	1138	1190	1241	1298	1359	1423	1486	1553	1623	1696
Collection Services Supvr. II	1215	1268	1326	1390	1454	1518	1588	1657	1734	1814
Community Health Serv. Supvr.	1268	1326	1390	1454	1518	1588	1657	1734	1814	1896
Community-Rela. Spec.	1298	1359	1423	1486	1553	1623	1696	1773	1855	
Computer Programmer	994	1041	1088	1138	1190	1241	1298			
Day-Care Center Supvr.	1268	1326	1390	1454	1518	1588	1657	1734	1814	
Dev. Achievement Center Dir.	1041	1088	1138	1190	1241	1298	1359	1423	1486	1553
Dev. Achievement Ctr. Teacher	951	994	1041	1088	1138	1190	1241	1298	1359	1423
Dev. Disabilities Coord.	1041	1088	1138	1190	1241	1298	1359	1423	1486	1553
Dietitian	951	994	1041	1088	1138	1190	1241	1298	1359	
Dir. of Assessment Systems	1326	1390	1454	1518	1588	1657	1734	1814	1896	1983

Dir. of Business Mgmt. I	1518	1588	1657	1734	1814	1896	1983	2071		
Dir. of Business Mgmt. II	1855	1940	2028	2120	2220	2321	2426	2533	2644	
Dir. of Finan. Assist.	1696	1773	1855	1940	2028	2120	2220	2321	2426	
Dir. of Planning	1696	1773	1855	1940	2028	2120	2220	2321	2426	
Dir. of Pub. Hlth. Nurs. I	1241	1298	1359	1423	1486	1553	1623	1696	1773	
Dir. of Soc. Serv.	1696	1773	1855	1940	2028	2120	2220	2321	2426	
Dir. of Support Services	1696	1773	1855	1940	2028	2120	2220	2321	2426	
Education Supervisor	1190	1241	1298	1359	1423	1486	1553	1623	1696	
Emp. Guid. Couns. I	951	994	1041	1088	1138	1190	1241	1298	1359	
Emp. Guid. Couns. II	994	1041	1088	1138	1190	1241	1298	1359	1423	
Emp. Guid. Couns. III	1041	1088	1138	1190	1241	1298	1359	1423	1486	
Family Serv. Coord. II	1088	1138	1190	1241	1298	1359	1423	1486		
Finan. Assist. Supvr. III	1268	1326	1390	1454	1518	1588	1657	1734	1814	1896
Finan. Assist. Supvr. IV	1390	1454	1518	1588	1657	1734	1814	1896	1983	2071
Home Care Coordinator	1088	1138	1190	1241	1298	1359	1423	1486		
~~Homemaker Coordinator II~~	~~1088~~	~~1138~~	~~1190~~	~~1241~~	~~1298~~	~~1359~~	~~1423~~	~~1486~~		
Homemaker Supervisor	1190	1241	1298	1359	1423	1486	1553	1623	1696	
Human Services Dir. I	1518	1588	1657	1734	1814	1896	1983	2071	2169	2268
Human Services Dir. II	1773	1855	1940	2028	2120	2220	2321	2426	2533	
Human Services Dir. III	1940	2028	2120	2220	2321	2426	2533	2644	2759	
Human Services Supvr. I	1268	1326	1390	1454	1518	1588	1657	1734	1814	1896
Marriage Counselor	1241	1298	1359	1423	1486	1553	1623	1696	1773	
Med.-Care Advisor	1041	1088	1138	1190	1241	1298	1359	1423	1486	
Med.-Serv. Adm.	1696	1773	1855	1940	2028	2120	2220	2321		
Mental Health Worker	1138	1190	1241	1298	1359	1423	1486	1553	1623	
Meth.-&-Proc. Analyst	1163	1215	1268	1326	1390	1454	1518	1588	1657	
Meth.-&-Proc. Supvr.	1359	1423	1486	1553	1623	1696	1773	1855	1940	
Nursing Care Advisor	1041	1088	1138	1190	1241	1298	1359	1423	1486	
Nutrition Project Asst. Dir.	951	994	1041	1088	1138	1190	1241	1298	1359	
Nutrition Project Director	1268	1326	1390	1454	1518	1588	1657	1734	1814	1896
Occupa. Supvr.-Inst. I	910	951	994	1041	1088	1138	1190	1241	1298	1359

Occupa. Supvr.-Inst. II	1138	1190	1241	1298	1359	1423	1486	1553	1623	1696
Office Manager	1041	1088	1138	1190	1241	1298	1359	1423	1486	
Personnel Officer	1041	1088	1138	1190	1241	1298	1359	1423	1486	1553
Personnel Director	1454	1518	1588	1657	1734	1814	1896	1983	2071	2169
Physical Therapist	1064	1111	1163	1215	1268	1326	1390	1454		
Planner (Human Services)	1298	1359	1423	1486	1553	1623	1696	1773	1855	
Policy/Program Analyst	1454	1518	1588	1657	1734	1814	1896	1983	2071	2169
Programmer Analyst	1298	1359	1423	1486	1553	1623	1696	1773		
Psychologist I	1241	1298	1359	1423	1486	1553	1623	1696	1773	
Psychologist II	1486	1553	1623	1696	1773	1855	1940	2028	2120	
Psychologist III	1734	1814	1896	1983	2071	2169	2268	2373		
Psychologist IV	1896	1983	2071	2169	2268	2373	2477	2587		
Public Health Educator I	1088	1138	1190	1241	1298	1359	1423	1486		
Public Health Educator II	1359	1423	1486	1553	1623	1696	1773	1855		
Public Health Nurse	1111	1163	1215	1268	1326	1390	1454			
Pub. Hlth. Nur. (Team Leader)	1163	1215	1268	1326	1390	1454	1518			
Registered Nurse (A.A. Deg., 3 yr. Dip. or B.S. Deg.)	1064	1111	1163	1215	1268	1326				
Sanitarian I	1088	1138	1190	1241						
Sanitarian II	1190	1241	1298	1359	1423	1486	1553	1623		
Senior Public Health Nurse	1215	1268	1326	1390	1454	1518	1588			
Social Worker I	1041	1088	1138	1190						
Social Worker II	1138	1190	1241	1298	1359	1423	1486	1553	1623	1696
Social Worker III	1241	1298	1359	1423	1486	1553	1623	1696	1773	1855
Social Worker Trainee	869									
Soc.-Serv. Supvr. I	1390	1454	1518	1588	1657	1734	1814	1896	1983	2071
Soc.-Serv. Supvr. II	1518	1588	1657	1734	1814	1896	1983	2071	2169	2268
Soc.-Serv. Supvr. III	1696	1773	1855	1940	2028	2120	2220	2321	2426	
Soc.-Serv. Supvr. Trainee	1326	1390	1454	1518	1588	1657				

Staff-Trng. Supvr. I	1423	1486	1553	1623	1696	1773	1855	1940	2028	
Staff-Trng. Supvr. II	1553	1623	1696	1773	1855	1940	2028	2120	2220	
Student Soc. Worker (Intern)	Rate proposed by appointing authority.									
Student Soc. Worker (SWEP)	Rate proposed by appointing authority.									
Systems Prog.-Analyst	1486	1553	1623	1696	1773	1855	1940			
Trainee	Rate proposed by appointing authority and approved by the Merit System Supervisor and the Commissioner of Public Welfare.									
Vol.-Serv. Coord. I	1041	1088	1138	1190	1241	1298	1359	1423	1486	
Vol.-Serv. Coord. II	1298	1359	1423	1486	1553	1623	1696	1773	1855	
Welfare Director I	1390	1454	1518	1588	1657	1734	1814	1896	1983	2071
Welfare Director II	1518	1588	1657	1734	1814	1896	1983	2071	2169	2268
Welfare Director III	1773	1855	1940	2028	2120	2220	2321	2426	2533	
Welfare Director IV	1940	2028	2120	2220	2321	2426	2533	2644	2759	
Welfare Director V	2644	2759	2884	3015	3150	3292	3447	3594	3750	
Work-Exp. & Trng. Spec.	1298	1359	1423	1486	1553	1623	1696	1773	1855	

*The salary steps herein shall not include any amounts paid by any county welfare board under the provisions of Minn. Stat. § 471.61.

Occupa. Supvr.-Inst. II	1041	1088	1138	1190	1241	1298	1359	1423	1486	1553
Office Manager	951	994	1041	1088	1138	1190	1241	1298	1359	
Personnel Officer	951	994	1041	1088	1138	1190	1241	1298	1359	1423
Personnel Director	1326	1390	1454	1518	1588	1657	1734	1814	1896	1983
Physical Therapist	951	994	1041	1088	1138	1190	1241	1298		
Planner (Human Services)	1190	1241	1298	1359	1423	1486	1553	1623	1696	
Policy/Program Analyst	1326	1390	1454	1518	1588	1657	1734	1814	1896	1983
Programmer Analyst	1190	1241	1298	1359	1423	1486	1553	1623		
Psychologist I	1138	1190	1241	1298	1359	1423	1486	1553	1623	
Psychologist II	1359	1423	1486	1553	1623	1696	1773	1855	1940	
Psychologist III	1588	1657	1734	1814	1896	1983	2071	2169		
Psychologist IV	1734	1814	1896	1983	2071	2169	2268	2373		
Public Health Educator I	994	1041	1088	1138	1190	1241	1298	1359		
Public Health Educator II	1241	1298	1359	1423	1486	1553	1623	1696		
Public Health Nurse	994	1041	1088	1138	1190	1241	1298			
Pub. Hlth. Nur. (Team Leader)	1041	1088	1138	1190	1241	1298	1359			
Registered Nurse (A.A. Deg., 3 yr. Dip. or B.S. Deg.)	951	994	1041	1088	1138	1190				
Sanitarian I	994	1041	1088	1138						
Sanitarian II	1088	1138	1190	1241	1298	1359	1423	1486		
Senior Public Health Nurse	1088	1138	1190	1241	1298	1359	1423			
Social Worker I	951	994	1041	1088						
Social Worker II	1041	1088	1138	1190	1241	1298	1359	1423	1486	1553
Social Worker III	1138	1190	1241	1298	1359	1423	1486	1553	1623	1696
Social Worker Trainee	869									
Soc.-Serv. Supvr. I	1268	1326	1390	1454	1518	1588	1657	1734	1814	1896
Soc.-Serv. Supvr. II	1390	1454	1518	1588	1657	1734	1814	1896	1983	2071
Soc.-Serv. Supvr. III	1553	1623	1696	1773	1855	1940	2028	2120	2220	
Soc.-Serv. Supvr. Trainee	1215	1268	1326	1390	1454	1518				

Staff-Trng. Supvr. I	1298	1359	1423	1486	1553	1623	1696	1773	1855	
Staff-Trng. Supvr. II	1423	1486	1553	1623	1696	1773	1855	1940	2028	
Student Soc. Worker (Intern)	Rate proposed by appointing authority.									
Student Soc. Worker (SWEP)	Rate proposed by appointing authority.									
Systems Prog.-Analyst	1359	1423	1486	1553	1623	1696	1773			
Trainee	Rate proposed by appointing authority and approved by the Merit System Supervisor and the Commissioner of Public Welfare.									
Vol.-Serv. Coord. I	951	994	1041	1088	1138	1190	1241	1298	1359	
Vol.-Serv. Coord. II	1190	1241	1298	1359	1423	1486	1553	1623	1696	
Welfare Director I	1390	1454	1518	1588	1657	1734	1814	1896	1983	2071
Welfare Director II	1518	1588	1657	1734	1814	1896	1983	2071	2169	2268
Welfare Director III	1773	1855	1940	2028	2120	2220	2321	2426	2533	
Welfare Director IV	1940	2028	2120	2220	2321	2426	2533	2644	2759	
Welfare Director V	2644	2759	2884	3015	3150	3292	3447	3594	3750	
Work-Exp. & Trng. Spec.	1190	1241	1298	1359	1423	1486	1553	1623	1696	

*The salary steps herein shall not include any amounts paid by any county welfare board under the provisions of Minn. Stat. § 471.61.

A. Professional

2. Plan B*

a. Class of Positions	1	2	3	4	5	6	7	8	9	10
Accountant I	1138	1190	1241	1298	1359	1423	1486	1553	1623	
Accountant II	1359	1423	1486	1553	1623	1696	1773	1855	1940	
Adm. Asst. I	1326	1390	1454	1518	1588	1657	1734	1814	1896	1983
Adm. Asst. II	1454	1518	1588	1657	1734	1814	1896	1983	2071	2169
Adm. Asst. III	1623	1696	1773	1855	1940	2028	2120	2220	2321	
Adm. Services Director	1773	1855	1940	2028	2120	2220	2321	2426	2533	
Adult Day Care Ctr. Supvr.	1088	1138	1190	1241	1298	1359	1423	1486	1553	1623
Asst. Human Services Dir.	1696	1773	1855	1940	2028	2120	2220	2321	2426	
Asst. Welfare Director	2120	2220	2321	2426	2533	2644	2759	2884	3015	
Assoc. M.-&-P. Analyst	1041	1088	1138	1190						
Auditor	1298	1359	1423	1486	1553	1623	1696	1773	1855	1940
Center Coordinator	1190	1241	1298	1359	1423	1486	1553	1623	1696	1773
Chemical Dependency Coord.	1190	1241	1298	1359	1423	1486	1553	1623	1696	1773
Collection Services Supvr. II	1268	1326	1390	1454	1518	1588	1657	1734	1814	1896
Community Health Serv. Supvr.	1326	1390	1454	1518	1588	1657	1734	1814	1896	1983
Community-Rela. Spec.	1359	1423	1486	1553	1623	1696	1773	1855	1940	
Computer Programmer	1041	1088	1138	1190	1241	1298	1359			
Day-Care Center Supvr.	1326	1390	1454	1518	1588	1657	1734	1814	1896	
Dev. Achievement Center Dir.	1088	1138	1190	1241	1298	1359	1423	1486	1553	1623
Dev. Achievement Ctr. Teacher	994	1041	1088	1138	1190	1241	1298	1359	1423	1486
Dev. Disabilities Coord.	1088	1138	1190	1241	1298	1359	1423	1486	1553	1623
Dietitian	994	1041	1088	1138	1190	1241	1298	1359	1423	
Dir. of Assessment Systems	1390	1454	1518	1588	1657	1734	1814	1896	1983	2071

Dir. of Business Mgmt. I	1518	1588	1657	1734	1814	1896	1983	2071		
Dir. of Business Mgmt. II	1855	1940	2028	2120	2220	2321	2426	2533	2644	
Dir. of Finan. Asst.	1773	1855	1940	2028	2120	2220	2321	2426	2533	
Dir. of Planning	1773	1855	1940	2028	2120	2220	2321	2426	2533	
Dir. of Pub. Hlth. Nurs. I	1298	1359	1423	1486	1553	1623	1696	1773	1855	
Dir. of Soc. Serv.	1773	1855	1940	2028	2120	2220	2321	2426	2533	
Dir. of Support Services	1773	1855	1940	2028	2120	2220	2321	2426	2533	
Education Supervisor	1241	1298	1359	1423	1486	1553	1623	1696	1773	
Emp. Guid. Couns. I	994	1041	1088	1138	1190	1241	1298	1359	1423	
Emp. Guid. Couns. II	1041	1088	1138	1190	1241	1298	1359	1423	1486	
Emp. Guid. Couns. III	1088	1138	1190	1241	1298	1359	1423	1486	1553	
Family Serv. Coord. II	1138	1190	1241	1298	1359	1423	1486	1553		
Finan. Assist. Supvr. III	1326	1390	1454	1518	1588	1657	1734	1814	1896	1983
Finan. Assist. Supvr. IV	1454	1518	1588	1657	1734	1814	1896	1983	2071	2169
Home Care Coordinator	1138	1190	1241	1298	1359	1423	1486	1553		
~~Homemaker Coordinator II~~	~~1138~~	~~1190~~	~~1241~~	~~1298~~	~~1359~~	~~1423~~	~~1486~~	~~1553~~		
Homemaker Supervisor	1241	1298	1359	1423	1486	1553	1623	1696	1773	
Human Services Dir. I	1518	1588	1657	1734	1814	1896	1983	2071	2169	2268
Human Services Dir. II	1773	1855	1940	2028	2120	2220	2321	2426	2533	
Human Services Dir. III	1940	2028	2120	2220	2321	2426	2533	2644	2759	
Human Services Supvr. I	1326	1390	1454	1518	1588	1657	1734	1814	1896	1983
Marriage Counselor	1298	1359	1423	1486	1553	1623	1696	1773	1855	
Med.-Care Advisor	1088	1138	1190	1241	1298	1359	1423	1486	1553	
Med.-Serv. Adm.	1773	1855	1940	2028	2120	2220	2321	2426		
Mental Health Worker	1190	1241	1298	1359	1423	1486	1553	1623	1696	
Meth.-&-Proc. Analyst	1215	1268	1326	1390	1454	1518	1588	1657	1734	
Meth.-&-Proc. Supvr.	1423	1486	1553	1623	1696	1773	1855	1940	2028	
Nursing Care Advisor	1088	1138	1190	1241	1298	1359	1423	1486	1553	
Nutrition Project Asst. Dir.	994	1041	1088	1138	1190	1241	1298	1359	1423	
Nutrition Project Director	1326	1390	1454	1518	1588	1657	1734	1814	1896	1983
Occupa. Supvr.-Inst. I	951	994	1041	1088	1138	1190	1241	1298	1359	1423

Occupa. Supvr.-Inst. II	1088	1138	1190	1241	1298	1359	1423	1486	1553	1623
Office Manager	994	1041	1088	1138	1190	1241	1298	1359	1423	
Personnel Officer	994	1041	1088	1138	1190	1241	1298	1359	1423	1486
Personnel Director	1390	1454	1518	1588	1657	1734	1814	1896	1983	2071
Physical Therapist	994	1041	1088	1138	1190	1241	1298	1359		
Planner (Human Services)	1241	1298	1359	1423	1486	1553	1623	1696	1773	
Policy/Program Analyst	1390	1454	1518	1588	1657	1734	1814	1896	1983	2071
Programmer Analyst	1241	1298	1359	1423	1486	1553	1623	1696		
Psychologist I	1190	1241	1298	1359	1423	1486	1553	1623	1696	
Psychologist II	1423	1486	1553	1623	1696	1773	1855	1940	2028	
Psychologist III	1657	1734	1814	1896	1983	2071	2169	2268		
Psychologist IV	1814	1896	1983	2071	2169	2268	2373	2477		
Public Health Educator I	1041	1088	1138	1190	1241	1298	1359	1423		
Public Health Educator II	1298	1359	1423	1486	1553	1623	1696	1773		
Public Health Nurse	1041	1088	1138	1190	1241	1298	1359			
Pub. Hlth. Nur. (Team Leader)	1088	1138	1190	1241	1298	1359	1423			
Registered Nurse (A.A. Deg., 3 yr. Dip. or B.S. Deg.)	994	1041	1088	1138	1190	1241				
Sanitarian I	1041	1088	1138	1190						
Sanitarian II	1138	1190	1241	1298	1359	1423	1486	1553		
Senior Public Health Nurse	1138	1190	1241	1298	1359	1423	1486			
Social Worker I	994	1041	1088	1138						
Social Worker II	1088	1138	1190	1241	1298	1359	1423	1486	1553	1623
Social Worker III	1190	1241	1298	1359	1423	1486	1553	1623	1696	1773
Social Worker Trainee	869									
Soc.-Serv. Supvr. I	1326	1390	1454	1518	1588	1657	1834	1814	1896	1983
Soc.-Serv. Supvr. II	1454	1518	1588	1657	1734	1814	1896	1983	2071	2169
Soc.-Serv. Supvr. III	1623	1696	1773	1855	1940	2028	2120	2220	2321	
Soc.-Serv. Supvr. Trainee	1268	1326	1390	1454	1518	1588				

Staff-Trng. Supvr. I	1359	1423	1486	1553	1623	1696	1773	1855	1940	
Staff-Trng. Supvr. II	1486	1553	1623	1696	1773	1855	1940	2028	2120	
Student Soc. Worker (Intern)	Rate proposed by appointing authority.									
Student Soc. Worker (SWEP)	Rate proposed by appointing authority.									
Systems Prog.-Analyst	1423	1486	1553	1623	1696	1773	1855			
Trainee	Rate proposed by appointing authority and approved by the Merit System Supervisor and the Commissioner of Public Welfare.									
Vol.-Serv. Coord. I	994	1041	1088	1138	1190	1241	1298	1359	1423	
Vol.-Serv. Coord. II	1241	1298	1359	1423	1486	1553	1623	1696	1773	
Welfare Director I	1390	1454	1518	1588	1657	1734	1814	1896	1983	2071
Welfare Director II	1518	1588	1657	1734	1814	1896	1983	2071	2169	2268
Welfare Director III	1773	1855	1940	2028	2120	2220	2321	2426	2533	
Welfare Director IV	1940	2028	2120	2220	2321	2426	2533	2644	2759	
Welfare Director V	2644	2759	2884	3015	3150	3292	3447	3594	3750	
Work-Exp. & Trng. Spec.	1241	1298	1359	1423	1486	1553	1623	1696	1773	

*The salary steps herein shall not include any amounts paid by any county welfare board under the provisions of Minn. Stat. § 471.61.

A. Professional

3. Plan C*

a. Class of Positions	1	2	3	4	5	6	7	8	9	10
Accountant I	1138	1190	1241	1298	1359	1423	1486	1553	1623	
Accountant II	1359	1423	1486	1553	1623	1696	1773	1855	1940	
Adm. Asst. I	1390	1454	1518	1588	1657	1734	1814	1896	1983	2071
Adm. Asst. II	1518	1588	1657	1734	1814	1896	1983	2071	2169	2268
Adm. Asst. III	1696	1773	1855	1940	2028	2120	2220	2321	2426	
Adm. Services Director	1855	1940	2028	2120	2220	2321	2425	2533	2644	
Adult Day Care Ctr. Supvr.	1138	1190	1241	1298	1359	1423	1486	1553	1623	1696
Asst. Human Services Dir.	1696	1773	1855	1940	2028	2120	2220	2321	2426	
Asst. Welfare Director	2120	2220	2321	2426	2533	2644	2759	2884	3015	
Assoc. M.-&-P. Analyst	1088	1138	1190	1241						
Auditor	1359	1423	1486	1553	1623	1696	1773	1855	1940	2028
Center Coordinator	1241	1298	1359	1423	1486	1553	1623	1696	1773	1855
Chemical Dependency Coord.	1241	1298	1359	1423	1486	1553	1623	1696	1773	1855
Collection Services Supvr. II	1326	1390	1454	1518	1588	1657	1734	1814	1896	1983
Community Health Serv. Supvr.	1390	1454	1518	1588	1657	1734	1814	1896	1983	2071
Community-Rela. Spec.	1423	1486	1553	1623	1696	1773	1855	1940	2028	
Computer Programmer	1088	1138	1190	1241	1298	1359	1423			
Day-Care Center Supvr.	1390	1454	1518	1588	1657	1734	1814	1896	1983	
Dev. Achievement Center Dir.	1138	1190	1241	1298	1359	1423	1486	1553	1623	1696
Dev. Achievement Ctr. Teacher	1041	1088	1138	1190	1241	1298	1359	1423	1486	1553
Dev. Disabilities Coord.	1138	1190	1241	1298	1359	1423	1486	1553	1623	1696
Dietitian	1041	1088	1138	1190	1241	1298	1359	1423	1486	
Dir. of Assessment Systems	1454	1518	1588	1657	1734	1814	1896	1983	2071	2169

Dir. of Business Mgmt. I	1518	1588	1657	1734	1814	1896	1983	2071		
Dir. of Business Mgmt. II	1855	1940	2028	2120	2220	2321	2426	2533	2644	
Dir. of Finan. Asst.	1855	1940	2028	2120	2220	2321	2426	2533	2644	
Dir. of Planning	1855	1940	2028	2120	2220	2321	2426	2533	2644	
Dir. of Pub.-Hlth. Nurs. I	1359	1423	1486	1553	1623	1696	1773	1855	1940	
Dir. of Soc. Serv.	1855	1940	2028	2120	2220	2321	2426	2533	2644	
Dir. of Support Services	1855	1940	2028	2120	2220	2321	2426	2533	2644	
Education Supervisor	1298	1359	1423	1486	1553	1623	1696	1773	1855	
Emp. Guid. Couns. I	1041	1088	1138	1190	1241	1298	1359	1423	1486	
Emp. Guid. Couns. II	1088	1138	1190	1241	1298	1359	1423	1486	1553	
Emp. Guid. Couns. III	1138	1190	1241	1298	1359	1423	1486	1553	1623	
Family Serv. Coord. II	1190	1241	1298	1359	1423	1486	1553	1623		
Finan. Assist. Supvr. III	1390	1454	1518	1588	1657	1734	1814	1896	1983	2071
Finan. Assist. Supvr. IV	1518	1588	1657	1734	1814	1896	1983	2071	2169	2268
Home Care Coordinator	1190	1241	1298	1359	1423	1486	1553	1623		
~~Homemaker Coordinator-II~~	~~1190~~	~~1241~~	~~1298~~	~~1359~~	~~1423~~	~~1486~~	~~1553~~	~~1623~~		
Homemaker Supervisor	1298	1359	1423	1486	1553	1623	1696	1773	1855	
Human Services Dir. I	1518	1588	1657	1734	1814	1896	1983	2071	2169	2268
Human Services Dir. II	1773	1855	1940	2028	2120	2220	2321	2426	2533	
Human Services Dir. III	1940	2028	2120	2220	2321	2426	2533	2644	2759	
Human Services Supvr. I	1390	1454	1518	1588	1657	1734	1814	1896	1983	2071
Marriage Counselor	1359	1423	1486	1553	1623	1696	1773	1855	1940	
Med.-Care Advisor	1138	1190	1241	1298	1359	1423	1486	1553	1623	
Med.-Serv. Adm.	1855	1940	2028	2120	2220	2321	2426	2533		
Mental Health Worker	1241	1298	1359	1423	1486	1553	1623	1696	1773	
Meth.-&-Proc. Analyst	1268	1326	1390	1454	1518	1588	1657	1734	1814	
Meth.-&-Proc. Supvr.	1486	1553	1623	1696	1773	1855	1940	2028	2120	
Nursing Care Advisor	1138	1190	1241	1298	1359	1423	1486	1553	1623	
Nutrition Project Asst. Dir.	1041	1088	1138	1190	1241	1298	1359	1423	1486	
Nutrition Project Director	1390	1454	1518	1588	1657	1734	1814	1896	1983	2071
Occupa. Supvr.-Inst. I	994	1041	1088	1138	1190	1241	1298	1359	1423	1486

B. Support Personnel

1. Plan A*

a. Class of Positions	1	2	3	4	5	6	7	8	9
Account Clerk	696	728	762	797	833	869	910	951	
Accounting Officer I	869	910	951	994	1041	1088	1138	1190	1241
Accounting Officer II	951	994	1041	1088	1138	1190	1241	1298	1359
Accounting Officer III	1064	1111	1163	1215	1268	1326	1390	1454	1518
Adult Day Care Ctr. Prog. Coord.	710	744	779	815	851	889	930	971	1017
Asst. Residential Facility Opr.(s)	570	593	622	651	680	710	744	779	
Case Aide	696	728	762	797	833	869			
Chemical Dependency Counselor	910	951	994	1041	1088	1138	1190		
Child Support Officer I	869	910	951	994	1041	1088	1138	1190	1241
Child Support Officer II	971	1017	1064	1111	1163	1215	1268	1326	
Collection Services Supvr. I	1111	1163	1215	1268	1326	1390	1454	1518	
Community-Service Aide	437	455	478	501	524	547	570		
Coordinator of Aging	710	744	779	815	851	889	930	971	1017
Dev. Achievement Center Inst.	570	593	622	651	680	710			
Family Service Aide I	547	570	593	622	651	680	710		
Family Service Aide II	593	622	651	680	710	744	779	815	
Family Service Coordinator I	779	815	851	889	930	971	1017		
Family Service/Home Health Aide	547	570	593	622	651	680	710		
Finan.-Assistance Spec.	889	930	971	1017	1064	1111	1163	1215	
Finan.-Assistance Supvr. I	971	1017	1064	1111	1163	1215	1268	1326	1390
Finan.-Assistance Supvr. II	1111	1163	1215	1268	1326	1390	1454	1518	
Financial Worker I	696	728	762	797	833	869			
Financial Worker II	779	815	851	889	930	971	1017	1064	1111
Home Health Aide	547	570	593	622	651	680	710		
Home Health Aide Coordinator	779	815	851	889	930	971	1017		

~~Homemaker I~~	~~547~~	~~570~~	~~593~~	~~622~~	~~651~~	~~680~~	~~710~~		
~~Homemaker II~~	~~593~~	~~622~~	~~651~~	~~680~~	~~710~~	~~744~~	~~779~~	~~815~~	
~~Homemaker Coordinator I~~	~~779~~	~~815~~	~~851~~	~~889~~	~~930~~	~~971~~	~~1017~~		
~~Homemaker/Home-Health-Aide~~	~~547~~	~~570~~	~~593~~	~~622~~	~~651~~	~~680~~	~~710~~		
Housekeeper	Rate proposed by appointing authority and approved by the Merit System Supervisor and the Commissioner of Public Welfare.								
Housing Coordinator	889	930	971	1017	1064	1111	1163	1215	1268
Licensed Practical Nurse	710	744	779	815	851	889			
Public Health Aide	437	455	478	501	524	547	570		
Residential Facility Operator(s)	593	622	651	680	710	744	779	815	
Senior Case Aide	779	815	851	889	930	971	1017	1064	1111
Senior Citizen's Aide	437	455	478	501	524	547	570		
Transportation Coordinator	728	762	797	833	869	910	951	994	
Welfare Fraud Investigator	1111	1163	1215	1268	1326	1390	1454		
Welfare Fraud Unit Supvr.	1215	1268	1326	1390	1454	1518	1588		

*The salary steps herein shall not include any amounts paid by any county welfare board under the provisions of Minn. Stat. § 471.61.

B. Support Personnel

2. Plan B*

a. Class of Positions	1	2	3	4	5	6	7	8	9
Account Clerk	728	762	797	833	869	910	951	994	
Accounting Officer I	869	910	951	994	1041	1088	1138	1190	1241
Accounting Officer II	951	994	1041	1088	1138	1190	1241	1298	1359
Accounting Officer III	1064	1111	1163	1215	1268	1326	1390	1454	1518
Adult Day Care Ctr. Prog. Coord.	744	779	815	851	889	930	971	1017	1064
Asst. Residential Facility Opr.(s)	593	622	651	680	710	744	779	815	
Case Aide	728	762	797	833	869	910			
Chemical Dependency Counselor	951	994	1041	1088	1138	1190	1241		
Child Support Officer I	910	951	994	1041	1088	1138	1190	1241	1298
Child Support Officer II	1017	1064	1111	1163	1215	1268	1326	1390	
Collection Services Supvr. I	1163	1215	1268	1326	1390	1454	1518	1588	
Community-Service Aide	455	478	501	524	547	570	593		
Coordinator of Aging	744	779	815	851	889	930	971	1017	1064
Dev. Achievement Center Inst.	593	622	651	680	710	744			
Family Service Aide I	570	593	622	651	680	710	744		
Family Service Aide II	622	651	680	710	744	779	815	851	
Family Service Coordinator I	815	851	889	930	971	1017	1064		
Family Service/Home Health Aide	570	593	622	651	680	710	744		
Finan.-Assistance Spec.	930	971	1017	1064	1111	1163	1215	1268	
Finan.-Assistance Supvr. I	1017	1064	1111	1163	1215	1268	1326	1390	1454
Finan.-Assistance Supvr. II	1163	1215	1268	1326	1390	1454	1518	1588	
Financial Worker I	728	762	797	833	869	910			
Financial Worker II	815	851	889	930	971	1017	1064	1111	1163
Home Health Aide	570	593	622	651	680	710	744		
Home Health Aide Coordinator	815	851	889	930	971	1017	1064		

~~Homemaker I~~	~~570~~	~~593~~	~~622~~	~~651~~	~~680~~	~~710~~	~~744~~		
~~Homemaker II~~	~~622~~	~~651~~	~~680~~	~~710~~	~~744~~	~~779~~	~~815~~	~~851~~	
~~Homemaker Coordinator I~~	~~815~~	~~851~~	~~889~~	~~930~~	~~971~~	~~1017~~	~~1064~~		
~~Homemaker/Home Health Aide~~	~~570~~	~~593~~	~~622~~	~~651~~	~~680~~	~~710~~	~~744~~		
Housekeeper	Rate proposed by appointing authority and approved by the Merit System Supervisor and the Commissioner of Public Welfare.								
Housing Coordinator	930	971	1017	1064	1111	1163	1215	1268	1326
Licensed Practical Nurse	744	779	815	851	889	930			
Public Health Aide	455	478	501	524	547	570	593		
Residential Facility Opr.(s)	622	651	680	710	744	779	815	851	
Senior Case Aide	815	851	889	930	971	1017	1064	1111	1163
Senior Citizen's Aide	455	478	501	524	547	570	593		
Transportation Coordinator	762	797	833	869	910	951	994	1041	
Welfare Fraud Investigator	1163	1215	1268	1326	1390	1454	1518		
Welfare Fraud Unit Supervisor	1268	1326	1390	1454	1518	1588	1657		

*The salary steps herein shall not include any amounts paid by any county welfare board under the provisions of Minn. Stat. § 471.61.

B. Support Personnel

3. Plan C*

a. Class of Positions	1	2	3	4	5	6	7	8	9
Account Clerk	762	797	833	869	910	951	994	1041	
Accounting Officer I	869	910	951	994	1041	1088	1138	1190	1241
Accounting Officer II	951	994	1041	1088	1138	1190	1241	1298	1359
Accounting Officer III	1064	1111	1163	1215	1268	1326	1390	1454	1518
Adult Day Care Ctr. Prog. Coord.	779	815	851	889	930	971	1017	1064	1111
Asst. Residential Facility Opr.(s)	622	651	680	710	744	779	815	851	
Case Aide	762	797	833	869	910	951			
Chemical Dependency Counselor	994	1041	1088	1138	1190	1241	1298		
Child Support Officer I	951	994	1041	1088	1138	1190	1241	1298	1359
Child Support Officer II	1064	1111	1163	1215	1268	1326	1390	1454	
Collection Services Supvr. I	1215	1268	1326	1390	1454	1518	1588		
Community-Service Aide	478	501	524	547	570	593	622		
Coordinator of Aging	779	815	851	889	930	971	1017	1064	1111
Dev. Achievement Center Inst.	622	651	680	710	744	779			
Family Service Aide I	593	622	651	680	710	744	779		
Family Service Aide II	651	680	710	744	779	815	851	889	
Family Service Coordinator I	851	889	930	971	1017	1064	1111		
Family Service/Home Health Aide	593	622	651	680	710	744	779		
Finan.-Assistance Spec.	971	1017	1064	1111	1163	1215	1268	1326	
Finan.-Assistance Supvr. I	1064	1111	1163	1215	1268	1326	1390	1454	1518
Finan.-Assistance Supvr. II	1215	1268	1326	1390	1454	1518	1588	1657	
Financial Worker I	762	797	833	869	910	951			
Financial Worker II	851	889	930	971	1017	1064	1111	1163	1215
Home Health Aide	593	622	651	680	710	744	779		
Home Health Aide Coordinator	851	889	930	971	1017	1064	1111		

~~Homemaker I~~	~~593~~	~~622~~	~~651~~	~~680~~	~~710~~	~~744~~	~~779~~		
~~Homemaker II~~	~~651~~	~~680~~	~~710~~	~~744~~	~~779~~	~~815~~	~~851~~	~~889~~	
~~Homemaker Coordinator I~~	~~851~~	~~889~~	~~930~~	~~971~~	~~1017~~	~~1064~~	~~1111~~		
~~Homemaker/Home Health Aide~~	~~593~~	~~622~~	~~651~~	~~680~~	~~710~~	~~744~~	~~779~~		
Housekeeper	Rate proposed by appointing authority and approved by the Merit System Supervisor and the Commissioner of Public Welfare.								
Housing Coordinator	971	1017	1064	1111	1163	1215	1268	1326	1390
Licensed Practical Nurse	779	815	851	889	930	971			
Public Health Aide	478	501	524	547	570	593	622		
Residential Facility Opr.(s)	651	680	710	744	779	815	851	889	
Senior Case Aide	851	889	930	971	1017	1064	1111	1163	1215
Senior Citizen's Aide	478	501	524	547	570	593	622		
Transportation Coordinator	797	833	869	910	951	994	1041	1088	
Welfare Fraud Investigator	1215	1268	1326	1390	1454	1518	1588		
Welfare Fraud Unit Supvr.	1326	1390	1454	1518	1588	1657	1734		

*The salary steps herein shall not include any amounts paid by any county welfare board under the provisions of Minn. Stat. § 471.61.

RECEIVED
SEP 19 1979
OFFICE OF HEARING
EXAMINERS

contacting Mr. Wayne P. Anderson at the above address. Questions concerning the issues raised in this Order or concerning informal disposition or discovery may be directed to Special Assistant Attorney General Robert C. Moilanen, Minnesota Pollution Control Agency, 1935 W. County Road B2, Roseville, Minnesota, 55113, (612) 296-7702.

The hearing will be held before Mr. Allan Klein, 1745 University Avenue, St. Paul, Minnesota 55104, (612) 296-8104, a Hearing Examiner appointed by the Chief Hearing Examiner of the State of Minnesota. All parties have the right to be represented throughout the proceeding by legal counsel, by themselves, or by a person of their choice (if such representation is not otherwise prohibited as the unauthorized practice of law). The hearing will be conducted pursuant to the contested case procedures set out in Minn. Stat. §§ 15.0411 through 15.042 (1978), 9 MCAR §§ 2.201-2.299 and Minn. Rules MPCA 1-13, to the extent that the latter rules do not conflict with 9 MCAR § 2.201-2.299. The above-cited procedural rules are available for inspection at the Office of Hearing Examiners and the Minnesota Pollution Control Agency or may be purchased from the Documents Section of the Department of Administration, 140 Centennial Building, St. Paul, Minnesota 55155, (612) 296-2874. The rules provide generally for the procedural rights of the parties.

Any person desiring to intervene as a party must submit to the Hearing Examiner and serve upon all existing parties a Petition to Intervene, pursuant to 9 MCAR § 2.210, by September 9, 1979. The Petition must show how that person's legal rights, duties and privileges may be affected by the decision in this case. The Petition must also set forth the grounds and purpose for which intervention is sought and indicate the petitioner's statutory right to intervene if one should exist. A party to a case has the right to present evidence, rebuttal testimony, and argument with respect to the issues and to cross-examine witnesses. Further, parties may be entitled, pursuant to 9 MCAR § 2.216, to issuance of subpoenas requiring the attendance of witnesses and the production of documents relevant to any matter involved in the hearing. Interested persons may present oral or written statements at the hearing without becoming parties at the discretion of the Hearing Examiner in accordance with 9 MCAR § 2.210(e), but may not cross-examine witnesses. At the present time, the representatives of parties to this proceeding who should be served with such Petition to Intervene are:

Mr. Morrison Kerschner
Attorney for Richard Hagstrom
Rufer, Hefte, Pemberton, Schulze, Sorlie & Sefkow
Fergus Falls, Minnesota 56537

Mr. Thomas Athens
Attorney for Jack Lesmeister
18 North 10th Street
Wheaton, Minnesota 56296

Mr. Robert Moilanen
Attorney for Minnesota Pollution Control Agency Staff
1935 W. County Road B2
Roseville, Minnesota 55113

All persons are advised that, if they intend to appear as parties at the hearing scheduled for September 19, 1979, at 10:30 a.m., a Notice of Appearance form must be completed and returned to the Hearing Examiner within 20 days of the date of service of the Notice of and Order for Hearing. A Notice of Appearance form is enclosed with all Orders mailed and may also be obtained through contacting Mr. Robert Moilanen at the above address. SHOULD A PARTY FAIL TO APPEAR AT THE HEARING, THE ALLEGATIONS MADE IN THIS ORDER MAY BE TAKEN AS TRUE. Persons attending the hearing should bring all evidence bearing on the case including any records or other documents.

If persons have good reason for requesting a delay of the hearing, the request must be made in writing to the Hearing Examiner at least five days prior to the hearing in accordance with 9 MCAR § 2.217 E. A copy of the request must be served on the Agency and any other parties.

August 3, 1979.

Department of Public Welfare
Department of Health
Department of Public Safety

Merit System

Notice of Intent to Solicit Outside Opinion Concerning Merit System Rules

Notice is hereby given that the Minnesota Department of Public Welfare (12 MCAR), the Minnesota Department of Health (7 MCAR) and the Minnesota Department of Public Safety (11 MCAR) are considering proposed amendments to those rules affecting their compensation plans and salary schedules.

If adopted, these rule changes will alter the salaries paid to those personnel in agencies under the jurisdiction of the Merit System which have not negotiated a compensation plan with a bargaining unit's exclusive representative. The jurisdiction of the Merit System includes most County Welfare Agencies and Human Services Boards, some County and Local Emergency Services Agencies, and some County and Local Public Health Agencies.

The proposed rule changes are:

12 MCAR § 2.840

7 MCAR § 1.314

11 MCAR § 1.140

The Minnesota Department of Public Welfare, the Minnesota Department of Health and the Minnesota Department of Public Safety are also considering proposed amendments to those rules affecting:

(1) the annual salary survey;

(2) the establishment of a salary schedule for a new classification by agencies with an exclusive representative;

(3) the salary adjustment for 1980.

If adopted, these rules will alter various personnel policies in agencies under jurisdiction of the Merit System.

The proposed rule changes are:

12 MCAR § 2.494 Compensation plan.

D. Adjustment of the Official Salary Schedule of the Minnesota Merit System.

E. Negotiation of a salary schedule.

7 MCAR § 1.239 Compensation plan.

D. Adjustment of the Official Salary Schedule of the Minnesota Merit System.

E. Negotiation of a salary schedule.

11 MCAR § 1.094 Compensation plan.

D. Adjustment of the Official Salary Schedule of the Minnesota Merit System.

E. Negotiation of a salary schedule.

12 MCAR § 2.516 Salary adjustments and increases.

B. Adjustments to be made in accordance with Merit System Official Compensation Plan.

7 MCAR § 1.260 Salary adjustments and increases.

B. Adjustments to be made in accordance with Merit System Official Compensation Plan.

11 MCAR § 1.116 Salary adjustments and increases.

B. Adjustments to be made in accordance with Merit System Official Compensation Plan.

Additionally, the Minnesota Department of Public Welfare and the Minnesota Department of Health are considering proposed amendments to those rules affecting their position classification specifications.

If adopted, these rule changes will create new position classifications and will alter existing position classification specifications under the jurisdiction of the Merit System.

The proposed rules creating new classes are:

12 MCAR § 2.655 Nutrition Project Director.

12 MCAR § 2.656 Nutrition Project Assistant Director.

12 MCAR § 2.619 Housing Coordinator.

7 MCAR § 1.269 Nutrition Assistant.

The proposed rules altering existing position classification specifications are:

12 MCAR § 2.693 Homemaker/Home Health Aide.

12 MCAR § 2.578 Financial Assistance Supervisor I.

12 MCAR § 2.579 Financial Assistance Supervisor II.

All interested or affected persons are requested to participate. Statements of information and comment may be made orally or in writing. Written statements of information and comment may be addressed to:

Ralph W. Corey, Supervisor
Minnesota Merit System
Fourth Floor, Centennial Office Building
658 Cedar Street
St. Paul, Minnesota 55155

Oral statements of information and comment will be received during regular business hours over the telephone at (612) 296-3996.

All statements of information and comment must be received by August 27, 1979. Any written material received by the Department shall become part of the hearing record.

Under the provisions of Minn. Stat. § 10A.01, subd. 11 (1974), any individual representing persons or associations attempting to influence administrative action, such as the promulgation of these proposed rules and amendments, must register with the Ethical Practices Board as a lobbyist within five days of the commencement of such activity by the individual. The Ethical Practices Board is located at Room 401, State Office Building, St. Paul, Minnesota 55155.

Minnesota State Retirement System

Regular Meeting of the Board of Directors

Regular quarterly meeting of the Board of Directors, Minnesota State Retirement System, will be held on Friday, August 17, 1979, at 9:00 a.m. in the office of the System, 529 Jackson Street, St. Paul, Minnesota.

DPW-80-010-HC

STATE OF MINNESOTA
OFFICE OF HEARING EXAMINERS

FOR THE MINNESOTA MERIT SYSTEM

IN THE MATTER OF THE PROPOSED ADOPTION OF RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING THE COMPENSATION PLAN; SALARY ADJUSTMENTS AND INCREASES; AND THE CLASSIFICATION PLAN.	REPORT OF THE CHIEF HEARING EXAMINER

WHEREAS, a hearing was held on October 15, 1979, before Harry S. Crump, 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 Minnesota Merit System on November 16, 1979; and

WHEREAS, the Minnesota Merit System has now determined to adopt rules pursuant to Minn. Stat. § 15.0412, subd. 4; and

WHEREAS, the Minnesota Merit System has submitted said rules to the Chief Hearing Examiner for review pursuant to Minn. Stat. § 15.052, subd. 4, and 9 MCAR § 2.110; and

WHEREAS, the Chief Hearing Examiner finds that the final proposed rules are not substantially different from those proposed at the public hearing and that the Minnesota Merit System has met all requirements of Minn. Stat. § 15.0412, and subd. 4.

NOW, THEREFORE, upon receipt of this Report, the Minnesota Merit System has the responsibility of submitting the complete hearing record and the rules as adopted by the System to the Attorney General, notifying all persons who requested to be informed that the hearing record has been submitted to the Attorney General, and publishing in the State Register, all pursuant to Minn. Stat. § 15.0412, subd. 4.

Dated this 17th day
of December, 1979.

DUANE R. HARVES
Chief Hearing Examiner

STATEMENT OF COMPLIANCE WITH
MANUAL OF RULE MAKING PROCEDURES

I, Special Assistant Attorney General James A. Jorgensen, 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. Any exceptions are noted below.

James A. Jorgensen
Special Assistant Att. General

Dated: 12/19/79

STATE OF MINNESOTA

DEPARTMENT OF PUBLIC WELFARE

IN THE MATTER OF THE PROPOSED ADOPTION OF NEW RULES AND AMENDMENT OF EXISTING RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING THE COMPENSATION PLAN; SALARY ADJUSTMENTS AND INCREASES; AND CLASSIFICATION PLAN

CERTIFICATE OF DELIVERY OF THE SECRETARY OF STATE'S LIST

I hereby certify that the attached 336 labels 13 sheets constitute the complete list of persons, associations, and other interested groups who as of 9:05 o'clock A.M. P.M. this 10th day of September 1979, have requested pursuant to M.S. 1976, 15.0412 Subd. 4, 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

Donna Scott

STATE OF MINNESOTA

DEPARTMENT OF PUBLIC WELFARE

IN THE MATTER OF THE PROPOSED ADOPTION OF NEW RULES AND AMENDMENT OF EXISTING RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING THE COMPENSATION PLAN; SALARY ADJUSTMENTS AND INCREASES; AND CLASSIFICATION PLAN

AFFIDAVIT OF RECEIPT OF THE SECRETARY OF STATE'S LIST

DIANE LYNN HIRTE, being duly sworn on oath deposes and says:

1) That she is an employee of the Special Services Division of the Department of Public Welfare for the State of Minnesota.

2) That on the 10th day of September, 1979, she went to the Secretary of State's office for the State of Minnesota and requested a current list of all representatives of associations or other interested groups or persons who had registered their names with the Secretary of State for the purpose of obtaining notices of public hearings relating to the promulgation of rules pursuant to M.S. 15.0412.

3) That on the 10th day of September, 1979, in response to the above request, the Secretary of State provided her with such a list, a copy of which is attached hereto and incorporated by reference.

Further affiant sayeth not.

Diane L. Hirte

Subscribed and sworn to before me

this 14 day of September,

1979.

Margaret Holt

NOTARY PUBLIC-MINNESOTA

RECEIVED
SEP 19 1979
OFFICE OF HEARING
EXAMINERS

STATE OF MINNESOTA

DEPARTMENT OF PUBLIC WELFARE

IN THE MATTER OF THE PROPOSED ADOPTION OF NEW RULES AND AMENDMENT OF EXISTING RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING THE COMPENSATION PLAN; SALARY ADJUSTMENTS AND INCREASES; AND CLASSIFICATION PLAN

AFFIDAVIT OF MAILING

Diane Lynn Hirte, being first duly sworn, deposes and says:

That on the 13th day of September, 1979, at the City of St. Paul, County of Ramsey, State of Minnesota, she 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.

Diane L. Hirte

Subscribed and sworn to before me

this 14 day of September

1979.

Margaret Holt

MARGARET HOLT
NOTARY PUBLIC-MINNESOTA
RAMSEY COUNTY
My Comm. Expires Sept. 22, 1984

STATE OF MINNESOTA

DEPARTMENT OF PUBLIC WELFARE

IN THE MATTER OF THE PROPOSED ADOPTION OF NEW RULES AND AMENDMENT OF EXISTING RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING THE COMPENSATION PLAN; SALARY ADJUSTMENTS AND INCREASES; AND CLASSIFICATION PLAN

AFFIDAVIT OF ADDITIONAL MAILING

DIANE LYNN HIRTE, being first duly sworn, deposes and says:

That on the 13th day of September, 1979, at the City of St. Paul, County of Ramsey, State of Minnesota, in addition to mailing the attached Notice of Hearing to all persons and associations listed on the Secretary of State's list, she also 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 the following agencies:

All Minnesota County Welfare Departments
All Minnesota Human Service Boards
All Minnesota Area Mental Health Boards
All Minnesota State Hospitals
Chairman of Welfare Boards
17 Unions
3 Councils
Lois Borden
3 Personnel Offices
Comm. of Health and Safety
39 Civil Defense Offices
3 Public Health Office
Headwaters Nutrition

Diane L Hirte

Subscribed and sworn to before me

this 14 day of September,

1979.

Margaret Holt

MARGARET HOLT
NOTARY PUBLIC-MINNESOTA
RAMSEY COUNTY
My Comm. Expires Sept. 22, 1984

HC

RECEIVED
SEP 14 1979
OFFICE OF HEARING
EXAMINERS

STATE OF MINNESOTA
DEPARTMENT OF PUBLIC WELFARE

IN THE MATTER OF THE PROPOSED ADOPTION OF NEW RULES AND AMENDMENT OF EXISTING RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING THE COMPENSATION PLAN; SALARY ADJUSTMENTS AND INCREASES; AND CLASSIFICATION PLAN

NOTICE OF HEARING

Notice is hereby given that a public hearing in the above-entitled matter will be held pursuant to Minn. Stat. § 15.0412, subd. 4, in the State Office Building Auditorium, Room 83, 435 Park Street, St. Paul, Minnesota, on October 15, 1979, commencing at 9:30 A.M.

All interested or affected persons will have an opportunity to participate concerning the rules captioned above. Statements may be made orally and written material may be submitted. In addition, whether or not an appearance is made at the hearing, written statements or material may be submitted to Harry S. Crump, Hearing Examiner, Office of Hearing Examiners, 1745 University Ave., St. Paul, Minnesota 55104 (612) 296-8111 either before the hearing or within five (5) working days after the close of the hearing. The hearing examiner may keep the record open for a longer period not to exceed 20 calendar days. All such statements will be entered into and become part of the record.

Proposed revisions to 12 MCAR § 2.840 amend the Merit System Compensation Plan for positions in county welfare and human service agencies which are under the Minnesota Merit System. (Those agencies with a negotiated contract with a bargaining unit's exclusive representative which provides for different salaries are not covered by 12 MCAR § 2.840.) Proposed revisions to the 1979 Compensation Plan establish salaries for the new classifications and retitled classifications listed elsewhere in this notice. As a result of the 1979 Minnesota Merit System Salary Survey, conducted in accordance with 12 MCAR § 2.494D., a new Compensation Plan is proposed for 1980. It is recommended that: Professional Compensation Plans A, B, and C be adjusted 7% at minimum, maximum, and intervening steps, with some exceptions; Support Compensation Plans A, B, and C be adjusted 7% at minimum, maximum and intervening steps, with some exceptions; Clerical Compensation Plans A, B, C, D, E and F be adjusted $50 at minimum, maximum and intervening steps; and Maintenance and Trades Compensation Plans A and B be adjusted two steps at minimum, maximum and intervening steps. The effective date of these adjustments is January 1, 1979, (or the beginning date of the first payroll period following January 1, 1979, for agencies on a bi-weekly or four-week payroll period.)

Proposed revisions to 12 MCAR § 2.516B.2 recommend a general adjustment of 7% for incumbents on the Professional and Support Plans, a general adjustment of $50 for incumbents on the Clerical Plans, and a general adjustment of two steps for incumbents on the Maintenance and Trades Plans. The effective date of these recommended adjustments is January 1, 1979, or the beginning date of the first payroll period following January 1, 1979, for agencies on a bi-weekly or four week payroll period.

Proposed revisions to 12 MCAR § 2.494 involve adding a section to provide for, recommending salary adjustments in even-numbered years equivalent to 80 percent of the increase in the June to June Bureau of Labor Statistics, Twin City, consumer price index for urban wage earners and clerical workers rounded to the nearest tenth of a percent and not to exceed 8%, to be effective the next succeeding January 1, or for those agencies on a bi-weekly or four week payroll period on the beginning date of the first payroll period following the next succeeding January 1. Changes in language of the current rule are made to make it consistent with the new section and the rules of the Department of Health Merit System (7 MCAR § 1.239D.) and Department of Public Safety Merit System (11 MCAR § 1.094).

The proposed revision to 12 MCAR § 2.494E.1. requires the appointing authority and exclusive representative, where there is one, to negotiate a salary schedule for new classifications established in the middle of a contract period within sixty days of the establishment of the classification. Currently the Merit System Supervisor is responsible to establish such salary schedules where no such procedure for establishing a schedule exists in the labor contract.

Proposed rules creating new classifications are 12 MCAR § 2.655 for Nutrition Project Director, 12 MCAR § 2.656 for Nutrition Project Assistant Director, and 12 MCAR § 2.619 for Housing Coordinator. These new classifications are being proposed in response to an expressed need for each such classes from the Headwaters Nutrition Project and the Todd county welfare department. Proposed revisions to current rules which alter and in some cases retitle existing positions are 12 MCAR § 2.693 for Family Service Aide/Home Health Aide (presently Homemaker/Home Health Aide); 12 MCAR § 2.578 for Financial Assistance Supervisor I; 12 MCAR § 2.579 for Financial Assistance Supervisor II. These revisions are proposed to reflect a more descriptive class title and to update current classification specifications including minimum qualifications for such classifications.

The proposed rule changes will result in approximately $92,086 increased county expenditures. The authority for the proposed changes is contained in Minn. Stat. § 393.07 subd. 5.

Copies of the proposed rules are now available and at least one free copy may be obtained by writing to Ralph Corey, Merit System, Department of Public Welfare, Centennial Building, St. Paul, Minnesota, 55155, telephone: 612/296-3996. Additional copies will be available at the door on the date of the hearing.

Notice is hereby given that 25 days prior to the hearing a statement of need and reasonableness will be available for review at the agency and at the Office of Hearing Examiners. This statement of need and reasonableness will include a summary of all of the evidence which will be presented by the agency at the hearing justifying both the need for and the reasonableness of the proposed and amended rules. Copies of the statement of need and reasonableness may be obtained from the Office of Hearing Examiners at a minimal charge.

Any person may request notification of the date on which the hearing examiner's report will be available, after which date the commissioner may not take any final action on the rules for a period of five (5) working days. Any person may request notification of the date on which the hearing record has been submitted to the Attorney General by the agency. If you desire to be so notified, you may so indicate at the hearing. After the hearing, you may request notification by sending a written request to the hearing examiner, in the case of the hearing examiner's report, or to the agency, in the case of the agency's submission or resubmission to the Attorney General.

In addition, please be advised that Minn. Stat. Ch. 10A requires each lobbyist to register with the State Ethical Practices Board within five (5) days after he commences lobbying. A lobbyist is defined in Minn. Stat. Section 10A.01, Subd. 11 as any individual:

(a) Engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than $250, not including his own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or

(b) Who spends more than $250, not including his own traveling expenses and membership dues, in any year for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials.

The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, St. Paul, Minnesota 55155, telephone 612/296-5615.

DATED: August 29, 1979

Arthur E. Noot

ARTHUR E. NOOT
Commissioner

RECEIVED
SEP 14 1979
OFFICE OF HEARING
EXAMINERS

ERRORS IN THE ENCLOSED NOTICES OF HEARING

The enclosed Notices of Hearing for the Department of Health, Department of Public Safety and Department of Public Welfare list the effective date of the proposed salary adjustments in the Compensation Plans and the general adjustments for incumbents as January 1, 1979, or the beginning date of the first payroll period following January 1, 1979 for agencies on a bi-weekly or four-week payroll period. This is incorrect. The correct date is January 1, 1980, or the beginning date of the first payroll period following January 1, 1980 for agencies on a bi-weekly or four-week payroll period.

STATE OF MINNESOTA

DEPARTMENT OF PUBLIC WELFARE

IN THE MATTER OF THE PROPOSED ADOPTION OF NEW RULES AND AMENDMENT OF EXISTING RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING THE COMPENSATION PLAN; SALARY ADJUSTMENTS AND INCREASES; AND CLASSIFICATION PLAN

ORDER FOR HEARING

IT IS HEREBY ORDERED that a public hearing on the above captioned rules be held in the State Office Building Auditorium, Room 83, 435 Park Street, St. Paul, Minnesota, on October 15, 1979, commencing at 9:30 A.M. and continuing until all persons have had an opportunity to be heard.

IT IS FURTHER ORDERED that a Notice of Hearing be mailed to all persons, representatives of associations, or other interested groups, who have registered their names with the Secretary of State for that purpose.

IT IS FURTHER ORDERED that the Notice of Hearing be published in the State Register.

Dated: August 21, 1979

ARTHUR E. NOOT
Commissioner of Public Welfare

RECEIVED
SEP 19 1979
OFFICE OF HEARING
EXAMINERS

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE ARTHUR E. NOOT
COMMISSIONER OF PUBLIC WELFARE

BEFORE GEORGE R. PETTERSON, M.D.
COMMISSIONER OF HEALTH

BEFORE JOHN P. SOPSIC
COMMISSIONER OF PUBLIC SAFETY

IN THE MATTER OF THE PROPOSED ADOPTION OF RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING THE COMPENSATION PLAN; SALARY ADJUSTMENTS AND INCREASES; AND THE CLASSIFICATION PLAN

STATEMENT OF NEED AND REASONABLENESS

The following considerations constitute the statutory and regulatory authority upon which the above-cited rule amendments are based:

1. 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. 42 USC Ch. 62.[1/]

1/ Also see sections of the United States Code cited hereinafter where the following programs have a statutory requirement for the establishment and maintenance of personnel standards on a merit basis:

Aid to Families With Dependent Children - "AFDC" [42 USC § 602 (a) (5) (A)]
Food Stamps [7 USC § 2020 (e) (6) (B)]
Medical Assistance = "MA" [42 USC § 1396a (a) (4) (A)]
Social Services [42 USC § 1397b (d) (1) (D)]
Comprehensive Mental Health Services [42 USC § 2689T (a) (1) (d)]
Aid to the Blind [42 USC § 1202 (a) (5) (A)]
Aid to the Permanently and Totally Disabled [42 USC § 1352 (a) (5) (A)]
Aid to the Aged, Blind or Disabled [42 USC § 1382 (a) (5) (A)]
Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation [42 USC § 4573 (a) (5)]
Drug Abuse Prevention [21 USC § 1176 (e) (8)]
Comprehensive Health Planning [42 USC 300M-1(b) (4) (B)]
Health Resources Development [42 USC § 300o-2(b)]
Civil Defense Personnel and Administrative Expenses [50 USC Appx. § 2286(a) (4)]
Medical Facilities Assistance [42 USC § 300o-1(b)]

Maternal and Child Health Services/Crippled Children Services
[42 USC § 705(a) (3) (a)]
Developmental Disabilities Services and Facilities Construction
[42 USC § 6063(b) (7)]
State and Community Programs on Aging [12 USC § 3027(a) (4)]
Nutrition Programs for the Elderly [42 USC § 3045d (a) (3)]

2. Pursuant to such Congressional action the U.S. Department of Health, Education and Welfare (HEW), Department of Labor and Department of Defense promulgated 5 CFR Part 900, Subpart F which imposes upon the State of Minnesota general requirements for a merit system of personnel administration. Those standards require that in order to be eligible for federal grant-in-aid funds the Minnesota Merit System must specifically include, among other things, a position classification plan (5 CFR § 900.604-1), a comprehensive compensation plan (5 CFR § 900.604-1), and an active recruitment, selection and appointment program (5 CFR §§ 900.602-900.603).

3. Under the aforementioned grant-in-aid programs the State of Minnesota, through its appropriate agencies, is the grantee of federal program and administrative funds and, accordingly, the State is under an affirmative obligation to insure that such monies are properly and efficiently expended in compliance with applicable federal standards.

4. In conformance with 5 CFR Part 900, Subpart F, the Minnesota Legislature enacted Minn. Stat. § 12.22 subd. 3, § 144.071 and § 393.07 subd. 5, which respectively authorize the commissioner of public safety, the commissioner of health, and the commissioner of public welfare to adopt necessary methods of personnel administration for implementing merit systems within their individual agencies. Collectively, the resulting programs are referred to as the "Minnesota Merit System".

5. Pursuant to such statutory authority those state agencies have adopted comprehensive administrative rules which regulate administration of the Minnesota Merit System. 2/

2/ 12 MCAR §§ 2.490-2.841, 11 MCAR §§ 1.2090-1.2141 and 7 MCAR §§ 1.235-1.315.

6. The above-cited proposed rule amendments are promulgated in accordance with the provisions of applicable Minnesota statutes and expressly guarantee the rights of public employers and Minnesota Merit System employees in conformance with the terms of the state's Public Employment Labor Relation Act [Minn. Stat. §§ 179.61-179.77].

7 The Minnesota Supreme Court has expressly recognized the authority of the Commissioner of Public Welfare and, implicitly, the similar authority of the Commissioner of Public Safety and the Commissioner of Health, to adopt such rules by declaring:

> . . . it is clear that the Director of Social Welfare 3/ was clearly right in adopting and promulgating a merit plan which includes 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 program nor the determination of his tenure of office and individual compensation.

State ex rel. Hennepin County Welfare Board and another v. Robert F. Fitzsimmons, et al., 239 Minn. 407, 420, 58 N.W. 2d 882, 890 (1953). (Footnote added.)

3/ The "Director of Social Welfare" was the former title of the current office of "Commissioner of Public Welfare".

II. The justification establishing the reasonableness of the specific substantive provisions of the proposed rules, all of which concern the Minnesota Merit System operation, is as follows:

A. COMPENSATION PLAN, SALARY ADJUSTMENTS AND INCREASES

1. 12 MCAR § 2.516, 7 MCAR § 1.260 and 11 MCAR § 1.2116

These rules deal with salary adjustments and increases. Amendments to 12 MCAR § 2.516.B. 2. and 7 MCAR § 1.260 B. 2. are necessary to update these rules and to implement recommended salary adjustments for Minnesota Merit System employees for 1980. The amendments propose that incumbents covered by the official Merit System Compensation Plan on the Professional and Support Salary Schedules receive a 7% adjustment in their monthly salary; that incumbents on the Clerical Salary Schedules receive a $50 increase in their monthly salary and that incumbents on the Maintenance and Trades and Building Maintenance Salary Schedules receive a two step adjustment in their monthly salary (approximately 8%).

The proposed amendment to 11 MCAR § 1.2116 B. 2. provides that incumbents covered by the official Merit System Compensation Plan on the Professional Salary Schedule receive a 7% adjustment in their monthly salary and that incumbents on the Clerical Salary Schedule receive a $50 increase in their monthly salary.

All of the proposed salary adjustments are recommended to become effective January 1, 1980, or, for those agencies on a bi-weekly or four-week payroll period, on the beginning date of the first payroll period following January 1, 1980. If these recommendations are adopted, the only requirement would be that employees covered by the official Merit System Compensation Plan at least be at the minimum salary for their class. Granting of any recommended salary adjustments to employees above the minimum salary for their class is discretionary with the appointing authorities. In addition, agencies may adopt a different general adjustment from that proposed by the Merit System for their employees as long as such adjustments at least place employees at the minimum salary for their class on the Merit System Compensation Plan adopted by the agency and not over the maximum salary. The proposed salary adjustments do not apply to agencies with negotiated collective bargaining agreements. The proposed salary

adjustments contained in these amendments are based on data shown in the 1979 Minnesota Merit System Salary Survey, which document is expressly incorporated herein by reference. Salary data from some 25 different sources were included in this survey covering salaries paid for comparable positions in public and private jurisdictions within Minnesota and elsewhere. Although the Merit System Rules do not require it, changes in the Consumer Price Index (CPI) both nationwide and in the Twin Cities have also been a factor traditionally considered when proposing salary adjustments. For the period June, 1978, to June, 1979, which is the historic base period used in the salary survey, there was an 11.1% increase in the Consumer Price Index nationwide and a 12.4% increase in the Twin City CPI. The CPI is based on urban wage earners and clerical workers buying power and was a factor taken into consideration in determining the proposed amount of increase for the professional and support employee salary adjustments. Another factor considered was the Bureau of Labor Statistics Report on Wages and Salaries in the Minneapolis-St. Paul area for 1978 which showed an 8.6% average increase in office clerical salaries from January, 1978, to January, 1979; an average salary increase of 8.3% for skilled maintenance workers for the same period; and an average salary increase of 8.1% for unskilled plant workers for this period of time. This information, together with other salary data contained in the salary survey was considered in determining the proposed amount of increase for clerical, maintenance and trades and building maintenance employee salary adjustments.

2. 12 MCAR § 2.840, 7 MCAR § 1.314 and 11 MCAR § 1.2140

These rules deal with the compensation plan. 12 MCAR § 2.494 D., 7 MCAR § 1.239 D. and 11 MCAR § 1.2094 D. require that the Merit System Supervisor conduct an annual salary survey involving a review of the changes in the level of salary rates which have occurred in the labor market since the time of the survey preceding the most recent adjustment of the compensation plan. The survey is to be completed and the findings reported to the Commissioners of Public Welfare, Health and Public Safety by July 31 of each year. If the findings reveal an increase or decrease in salary rates in the labor market for similar and/or competing employment of 4% or more,

these rules require a public hearing. The 1979 salary survey utilized data and findings of other labor market surveys as well as current salaries being paid for similar employment in other public and private jurisdictions and was based, to the extent practicable, on the same sources of data and surveys used in past studies to determine salary increases which have occurred. Actual minimum and maximum salaries for classes in the Merit System were compared to salaries for similar positions in other public agencies and business, and consideration was also given to increases in the cost-of-living and to current labor market conditions.

The proposed revisions to 12 MCAR § 2.840 A., 7 MCAR § 1.314 A. and 11 MCAR § 1.2140 A. are needed to implement recommended salary adjustments in the Merit System Compensation Plan for positions in the county welfare and human services agencies and local and county public health and emergency services agencies. Proposed amendments to 12 MCAR § 2.840 A., 7 MCAR § 1.314 A. and 11 MCAR § 1.2140 A. adjust the minimum and maximum salaries and intervening steps for all classes on the professional salary schedule by 7% effective January 1, 1980, or, for those agencies on a bi-weekly or four-week payroll period, on the beginning date of the first payroll period following January 1, 1980, with the following exceptions:

a. Welfare classes of Administrative Assistant III, Dietitian, Public Health Nurse, Public Health Nurse (Team Leader), Senior Public Health Nurse and Social Welfare Supervisor III minimum and maximum salaries adjusted approximately 12%.

b. Welfare classes of Accountant II, Nutrition Project Assistant Director, Sanitarian I, Systems Programmer Analyst and Volunteer Services Coordinator I minimum salaries adjusted 7% and maximum salaries adjusted approximately 12%.

c. Welfare class of Physical Therapist minimum and maximum salary adjusted approximately 9%.

d. Welfare class of Social Worker I minimum salary adjusted 7% and maximum salary adjusted approximately 40%.

e. Public Health classes of Public Health Nurse, Public Health Nurse (Team Leader) and Senior Public Health Nurse minimum and maximum salaries adjusted approximately 12%.

f. Public Health class of Sanitarian I minimum salary adjusted 7% and maximum salary adjusted approximately 12%.

The different adjustment proposed for categories a. and e. listed above is based on minimum and maximum salaries for comparable jobs as determined by the salary survey and by traditional salary relationships which have existed between those classes in an occupational series.

The different adjustment proposed for categories b., c. and f. listed above are based on minimum and maximum salaries for comparable jobs as determined by the salary survey.

The different adjustment proposed for category d. listed above is based on the elimination of a mandatory junior-senior plan of promotion for Social Worker I to Social Worker II. It was necessary, in view of this change, to provide a salary range for the Social Worker I class which approximates that provided for the Social Worker II classification. The current salary range for Social Worker I has only four salary steps.

The proposed amendments to 12 MCAR § 2.840 B. and 7 MCAR § 1.314 B. adjust the minimum and maximum salaries and intervening steps for all classes on the Support Salary Schedules by 7% effective January 1, 1980, or, for those agencies on a bi-weekly or four-week payroll period, on the beginning date of the first payroll period following January 1, 1980, with the following exceptions:

a. Welfare classes of Coordinator of Aging, Financial Assistance Specialist, Financial Worker II and Senior Case Aide minimum and maximum salaries adjusted approximately 9%.

b. Welfare class of Financial Assistance Supervisor I minimum and maximum salary adjusted approximately 12%.

c. Welfare class of Financial Assistance Supervisor II minimum salary adjusted 7% and maximum salary adjusted approximately 12%.

d. Welfare classes of Case Aide and Financial Worker I minimum salaries adjusted approximately 9% and maximum salaries adjusted approximately 25%.

e. Welfare classes of Community Service Aide, Public Health Aide and Senior Citizen's Aide minimum and maximum salaries adjusted approximately 17%.

f. Public Health classes of Inspector I, Inspector II and Laboratory Technician minimum and maximum salaries adjusted approximately 9%.

g. Public Health class of Medical Laboratory Assistant minimum and maximum salary adjusted approximately 12%.

h. Public Health class of Public Health Aide minimum and maximum salary adjusted approximately 17%.

The different adjustment proposed for categories a., b., c. and f. listed above is based on minimum and maximum salaries for comparable jobs as determined by the salary survey and by traditional salary relationships which have existed between classes in an occupational series.

The different adjustment proposed for category d. listed above is based on the elimination of a mandatory junior-senior plan of promotion for Financial Worker I to Financial Worker II and Case Aide to Senior Case Aide. It was necessary, in view of this change, to provide a salary range for the Financial Worker I and Case Aide classes which approximates that provided for the Financial Worker II and Senior Case Aide classes. Currently, these two classes only have six salary steps. The adjustment at the minimum of these two classes is based on minimum salaries for comparable jobs as determined by the salary survey.

The different adjustment proposed for categories e. and h. listed above are based on the necessity for conformance to the increase in the state minimum wage to $2.90 per hour effective January 1, 1980.

The different adjustment proposed for category g. listed above is based on minimum and maximum salaries for comparable jobs as determined by the salary survey. All such adjustments proposed are needed to maintain competitive salaries for Merit

System positions.

The proposed amendments to 12 MCAR § 2.749 C., 7 MCAR § 1.314 C. and 11 MCAR § 1.2140 B. are needed to implement salary recommendations for clerical classes. These amendments adjust the minimum and maximum salaries and intervening steps for all classes on the A, B, C, D, E and F Clerical Salary Schedules by $50 per month effective January 1, 1980, or, for those agencies on a bi-weekly or four-week payroll period, on the beginning date of the first payroll period following January 1, 1980. The recommended adjustments are based on comparisons to minimum and maximum salaries for comparable positions as determined by the salary survey and, to some extent, by the results of the Bureau of Labor Statistics Report on Wages and Salaries in the Minneapolis-St. Paul area for 1978 which showed an 8.6% average increase in office clerical salaries from January, 1978, to January, 1979.

Proposed amendments to 12 MCAR § 2.840 D. and 7 MCAR § 1.314 D. are needed to implement salary recommendations for all classes on the Maintenance and Trades and the Building Maintenance Salary Schedules. These amendments adjust the minimum and maximum salaries and intervening steps for all classes on these schedules by two steps (approximately 8%) effective January 1, 1980, or, for those agencies on a bi-weekly of four-week payroll period, on the beginning date of the first payroll period following January 1, 1980. The recommended adjustments are based on comparisons to minimum and maximum salaries for comparable positions as determined by the salary survey and by the results of the Bureau of Labor Statistics Report on Wages and Salaries in the Minneapolis-St. Paul area for 1978 which showed an average salary increase of 8.3% for skilled maintenance workers from January, 1978, to January, 1979; and an average salary increase of 8.1% for unskilled plant workers for the same period.

Additional justification beyond that already mentioned in support of the reasonableness of the recommended adjustments of the salary schedules includes, but is not limited to, the following:

a. Hennepin County Welfare Department employees received a general salary adjustment of 8% effective December 31, 1978, based upon a cost of living formula.

b. St. Louis County Civil Service employees received a general salary adjustment of 7.5% effective January 1, 1979.

c. Ramsey County Welfare Department employees received a general salary adjustment of 8.96% effective January 1, 1979.

d. City of Minneapolis employees received a general salary adjustment of $13.00 bi-weekly effective January 1, 1979.

e. City of St. Paul clerical employees received a 6% general salary adjustment, supervisory professional employees a 5.25% adjustment and professional employees a 5.5% adjustment, all effective on January 1, 1979.

f. Employees of the State of Minnesota did not receive a general salary adjustment on January 1, 1979, but did receive varying general salary adjustments effective July 4, 1979. Professional employees received average increases of 4.6%, trades employees received average increases of 6.8% and clerical and support employees received average increases of 5.5%. Considering progression increases available over the biennium, projected cost of living increases and increases in fringe benefits, the total compensation increase for state employees approximates 7% for each year of the biennium.

g. Employees of the Federal Government received a general salary adjustment of 5.5% in October, 1978, and may receive an additional increase of 7% in October, 1979, although Congress has not yet decided on the amount of the anticipated increase.

h. The Employment Cost Index, developed by the Bureau of Labor Statistics, United States Department of Labor, measures changes in straight time average hourly wages and salaries. It does not include increases in employee benefit costs but can be used for general comparison purposes. The index shows that for the twelve month period ending in June, 1979, wage and salary rates rose by 7.6% nationwide.

i. The Salary Survey of the College Placement Council March report indicated an average monthly salary offer of $911 per month to 1979 social service graduates which represents an increase of 8.7% over 1978 offers to such graduates. This compares to the proposed entry salaries of $1018, $1064 and $1114 per month on the Merit System A, B and C compensation plans, respectively, for Social Worker I.

j. The Endicott Survey which is a report of beginning salaries which leading companies plan to offer high-quality college graduates in 1979 showed the average anticipated monthly salary being offered to 1979 liberal arts graduates to be $1062 which represents an increase of 6.6% over the actual average offer made to 1978 liberal arts graduates.

k. Under the provisions of 12 MCAR § 2.494 D. teacher salaries are to be used in setting Merit System salaries for welfare professional employees. Teachers in only 38 of the state's 437 school districts have settled contracts for the 1979-80 and 1980-81 school year. In these districts, which comprise only 8.77% of the total, the average starting salary is $1035 per month for a 10 month school year. This represents an 8.5% increase over 1978-79 for the total compensation package (including insurance, extra-curricular pay, etc.). Again, this compares to the proposed entry salaries of $1018, $1064 and $1114 per month on the Merit System A, B and C compensation plans, respectively, for Social Worker I. Traditionally, the minimum salary for Social Worker I on the B salary schedule has been linked to the median minimum BA teacher salary.

Considerable more data was used in addition to that cited above in arriving at the recommended 1980 salary adjustments and all of the data relied upon is contained in the 1979 Minnesota Merit System Salary Survey.

B. PERSONNEL PROCEDURES AND POLICIES

1. 12 MCAR § 2.494, 7 MCAR § 1.239 and 11 MCAR § 1.2094

These rules deal with the compensation plan. Proposed amendments to 12 MCAR § 2.494 D. 1, 7 MCAR § 1.239 D. 1. and 11 MCAR § 1.2094 D. 1. require that the Merit System review changes in the Twin City Consumer Price Index when proposing adjustments to the Merit System Compensation Plan. These changes are necessary to implement the proposed amendments 12 MCAR § 2.494 D. 7., 7 MCAR § 1.239 D. 7. and 11 MCAR § 1.2094 D. 7. establishing a cost of living formula in recommending salary adjustments during even-numbered years. Likewise, proposed amendments to 12 MCAR § 2.494 D. 2., 7 MCAR § 1.239 D. 2. and 11 MCAR § 1.2049 D. 2. are necessary to conform to and provide consistency with the same proposed amendments and to continue the conducting of a salary survey during odd-numbered years.

Proposed amendments to 12 MCAR § 2.494 D. 3. and 4., 7 MCAR § 1.239 D. 3. and 4 and 11 MCAR § 1.2094 D. 3. and 4. are needed to provide consistent language in all three rules. The elimination of the last sentence in 7 MCAR § 1.239 D. 4. and 11 MCAR § 1.2094 D. 4. is reasonable based not only on the desire for consistency in language with 12 MCAR § 2.494 D. 4. but on the fact that the notice of hearing indicates the availability of such information and the Merit System has always complied and will continue to comply with such requests from individuals and groups.

A proposed amendment to 12 MCAR § 2.494 D. 3. eliminates a specific reference in the current rule to consideration of salary rates in the teaching profession when proposing salary adjustments for professional welfare classes in the official Merit System Compensation Plan. Salary rates for teachers is only one of many factors considered in determining recommended adjustments for professional classes. Comparisons of salary rates for professional level positions with similar duties and responsibilities outside the Merit System are made to appropriate professional Merit System classes and these comparisons together with general labor market conditions are also used in determining recommended salary adjustments. There are no specific teacher classifications in the official Merit System Compensation Plans and no classes where the incumbent has duties and responsibilities which are similar in nature to that of a public school teacher. While the Merit System will continue to review teacher salaries when conducting future salary surveys, there is no need or compelling rationale, in view of the above, to continue a specific rule reference to salaries in the teaching profession (or any other specific profession) when considering salary adjustments for professional classifications.

Proposed minor amendments to 12 MCAR § 2.494 D. 5., 7 MCAR § 1.239 D. 5. and 11 MCAR § 1.2094 D. 5. are needed to merely clarify the effective date for an amended compensation plan.

Proposed minor amendments to 12 MCAR § 2.494 D. 6., 7 MCAR § 1.239 D. 6. and 11 MCAR § 1.2094 D. 6. substitute the generic term "appointing authority" for specific language currently in these three sections of the rule The change proposed in 12 MCAR § 2.494 D. 6. is necessary since this rule applies both to county welfare and human services agencies and their employees while the changes proposed in 7 MCAR § 1.239 D. 6. and 11 MCAR § 1.2094 D. 6. are necessary to provide language consistent with 12 MCAR § 2.494 D. 6. Another minor amendment to 12 MCAR § 2.494 D. 6. and 7 MCAR § 1.239 D. 6. substitutes the word "numerically" for "alphabetically" and is necessary since individual salary steps in the compensation plans are identified numerically rather than alphabetically.

Proposed amendments 12 MCAR § 2.494 D. 7., 7 MCAR § 1.239 D. 7. and 11 MCAR § 1.2094 D. 7. add new language to 12 MCAR § 2.494, 7 MCAR § 1.239 and 11 MCAR § 1.2094. They provide that, in each even-numbered year, a review will be conducted by the Supervisor of the change in the Twin City Consumer Price Index for urban wage earners and clerical workers. As a result of that review, recommended general salary adjustments for all classes on the official salary schedule of the Minnesota Merit System will be made in an amount equal to 80 percent of the increase in that index which occurred between June of the preceding year and June of the current year. That amount will be rounded to the nearest tenth of a percent and may not exceed 8%. The same percentage increase recommended for all rates of pay on the official salary schedule of the Minnesota Merit System would also be recommended as a general salary adjustment for all incumbents of positions on all salary schedules. The recommended adjustments would result in an amended compensation plan to be effective the following January 1 or on the beginning date of the first payroll period after the following January 1 for those agencies on a bi-weekly or four-week payroll period.

Presently, the rules require that a salary survey be conducted by the Supervisor on an annual basis. The process of collecting, analyzing and printing the salary survey data together with recommendations for salary adjustments is a complicated, lengthy and time-consuming process involving the full time involvement of nearly all the Merit System staff. During this period of time the level of service being provided by the Merit System staff to agencies does suffer in terms of timeliness in responding to personnel issues and problems encountered by the various agencies. It is necessary to consider some alternative to the annual salary survey to increase the level of service being provided by the Merit System during the time of the year when all staff are heavily or completely involved in the salary survey process. In addition to a recognition of this need, it has also been noted that salary rates for a specific classification do not typically vary significantly from the general change in salary rates that occur within a jurisdiction during a one year period. Rather, they are more likely to approximate that general increase in rates. This has been shown to be true over the years by the relatively few number of Merit System classes that are recommended to have their salary ranges adjusted by a different percentage than the general adjustment recommended for the majority of classes each year. The proposed amendment is reasonable in that it will alleviate the

concern expressed over the level of service provided by Merit System staff but still provide for an actual salary survey to be conducted in each odd-numbered year so that salary adjustments for specific classes that deviate significantly from the average can be identified and reflected in proposed adjustments for comparable Merit System classes in those years.

Although there are several jurisdictions in Minnesota that provide for salary adjustments based on a cost of living formula using the Twin City Consumer Price Index, there are none, to the best of our knowledge, which provide adjustments in an amount equal to 100% of the percentage increase in the index. The Merit System proposed amendment basing the adjustment on 80% of the increase in the index is consistent with the formula used by both Hennepin and Ramsey Counties which also use 80% of the increase in determining the amount of salary adjustment generated by the formula. Based on the above, the proposed 80% limitation on the increase in the Twin City Consumer Price Index as contained in the proposed formula is reasonable.

The proposed amendments also provide that the adjustment arrived at through application of the formula may not exceed 8%. Only if the percentage increase in the Twin City Consumer Price Index exceeded 10% would the recommended adjustment in employee salaries be less than what it would be if there were no 8% maximum adjustment in the formula. At this point in time, of course, it is impossible to predict what the increase in the Twin City Consumer Price Index will be for the period June, 1979, to June, 1980, which would be the period of time used to calculate proposed salary increases if this amendment is approved. However, the proposed 8% limit on adjustments is consistent with the formula employed by Hennepin County which includes a maximum adjustment of 8%. The City of Minneapolis, in its current negotiations, has proposed a maximum limit on its cost of living formula of 7.5%. Secondly, a maximum adjustment of 8% in January, 1981, as proposed, coupled with the proposed general adjustment of 7% for January, 1980, continues a commitment to compliance with the Presidential Wage/Price Guidelines which limit wage adjustments to a maximum of 14.49% over a two year period and also compares favorably with the 14% increase in salaries of state employees occurring over the two year period from July 1, 1979, through June 30, 1981. Thirdly, a maximum recommended adjustment of 8% is not inconsistent with salary increase patterns for 1978-79 in the metropolitan area. The Stanton Associates 1979 Twin Cities Metropolitan Area Salary Survey reported on prevailing wage and salary patterns across 147 participating

government jurisdictions. The report showed that mean salaries increased 5.4% during the year. A group-by-group summary of salary increase patterns reported showed the following: salaries up 3.3% for state agencies (State of Minnesota and University of Minnesota); salaries up 8.0% for metropolitan-wide agencies (Metropolitan Airports Commission, Metropolitan Council, Metropolitan Waste Control Commission and Metropolitan Transit Commission); salaries up 7.1% for Hennepin and Ramsey Counties, Minneapolis and St. Paul; salaries up 8.6% for suburban counties (Anoka, Dakota, Washington, Scott and Carver Counties); salaries up 7.3% for suburbs over 10,000 population and salaries up 8.4% for suburbs under 10,000 population. Considering the above, the proposed 8% limitation on adjustments contained in this amendment is reasonable. It should be pointed out, again, that adjustments resulting from the proposed formula are only recommendations and that individual agencies may choose to grant adjustments that differ from the Merit System recommendation. Also, the proposed amendment will not apply to those agencies with collective bargaining agreements.

Finally, amendments are being proposed to 12 MCAR § 2.494 E. 1., 7 MCAR § 1.239 E. 1. and 11 MCAR § 1.2094 E. 1. The current rules provide that, in those agencies where there is an exclusive representative, when a new class is established and no provision exists in the contract for establishing a salary for the class the Supervisor shall set the salary until the contract is again negotiated. The Supervisor does not (and should not) participate in salary negotiations and it is inappropriate to have the Supervisor responsible for establishing salaries for newly established classes in agencies where there is an exclusive representative. The proposed amendment is both reasonable and needed to remove the Supervisor from being involved in the salary setting process in such agencies but still provide for a salary setting process to be followed by the negotiating parties when it is not specifically provided for in the terms of the collective bargaining agreement.

C. CLASSIFICATION PLAN AND COMPENSATION PLAN

1. 12 MCAR §§ 2.578, 2.579, 2.619, 2.654, 2.655, 2.693; 7 MCAR § 1.269

These proposals are necessary to revise three existing class specifications. and to establish four new class specifications. The revisions to existing specifications and the contents of the proposed new class specifications resulted primarily from recommendations made by committees of incumbents and their supervisors as well as final review of the drafts of the class specifications by incumbents and supervisors. The Merit System Council has held hearings on all of these class specification proposals and has recommended their adoption in the proposed form.

a. 12 MCAR §§ 2.578 and 2.579 (Financial Assistance Supervisor I and Financial Assistance Supervisor II

The major change being proposed for these two classifications is in the minimum qualifications of education and experience section of the specifications. Changes in qualifications have been proposed for the classes Financial Worker I, Financial Worker II and Financial Assistance Specialist that will be heard at a public hearing on September 21, 1979. In addition, new class specifications for Financial Assistance Supervisor III and IV were developed and adopted last year. Since the Financial Assistance Supervisor I and II classifications are a part of the same occupational series of classes as those mentioned above, changes in their minimum qualifications section are needed to make them consistent with the proposed changes in the other classifications and those adopted for the Financial Assistance Supervisor III and IV class specifications. Proposed changes to the kind of work section clarify the role of incumbents in these classifications. Proposed changes to the examples of work and knowledges and abilities required sections involve the updating of terminology, clarification of appropriate responsibilities, deletion of those knowledges and abilities considered inappropriate and not necessary for an individual to possess prior to being hired in the classification and the addition of abilities that are felt to be necessary for an individual to possess prior to being hired in the classification. All of these proposed amendments are necessary and

reasonable to ensure maintenance of the classification plan on a current basis which is a requirement of the current Federal Standards for a Merit System of Personnel Administration, a copy of which is expressly incorporated herein by reference. The final drafts of these two class specifications were reviewed by members of the Merit System Financial Supervisor's Association who approved them as to form and substance.

b. 12 MCAR § 2.619 (Housing Coordinator)

The proposed establishment of this new classification is in response to a need expressed by the Todd County Social Services Department. That agency has an employee performing these functions who is currently in a different Merit System classification. The new classification is necessary and reasonable to more properly reflect the specific duties and responsibilities of the incumbent and to ensure the maintenance of a classification plan on a current basis which reflects the various kinds of jobs performed by Merit System employees. The final draft of this proposed class specification was reviewed by the incumbent and his supervisor who approved it as to form and substance.

c. 12 MCAR §§ 2.654 and 2.655 (Nutrition Project Director and Nutrition Project Assistant Director)

The proposed establishment of these two new classifications is in response to a need expressed by the administrative board of the Headwaters Nutrition Project, whose employees are covered under the Merit System. The agency has two employees currently performing these functions but allocated to different Merit System classifications. The proposed new classifications are necessary and reasonable to more properly reflect the specific duties and responsibilities of these employees and to ensure the maintenance of a classification plan on a current basis which reflects the various kinds of jobs performed by Merit System employees. The final drafts of these proposed class specifications were reviewed by the two incumbents and their supervisor who approved them as to form and substance.

d. 12 MCAR § 2.693 (Homemaker/Home-Health-Aide)

The only proposed amendments to this classification are a change in the class title to Family Service/Home-Health-Aide and a change in the kind of work section to substitute the term "family service" for "homemaker." At a public hearing scheduled for September 21, 1979, several title changes are being proposed which affect the Homemaker/Homemaker Coordinator class series. These title changes substitute "family service" for "homemaker" and therefore it is necessary and reasonable to propose these amendments to the Homemaker/Home-Health-Aide class to obtain consistency in class title with those changes referred to above.

e. 7 MCAR § 1.269 (Nutrition Assistant)

The proposed establishment of this new classification is in response to a need expressed by the Olmsted County Public Health Department, which is covered by the Public Health Merit System. It is also anticipated that the Anoka County Public Health Department, also under the Public Health Merit System, will be employing one or more individuals in this classification in the near future. The Olmsted County Public Health Department currently has an employee performing these functions but allocated to a different Merit System classification. The proposed new classification is necessary and reasonable to more properly reflect the duties and responsibilities of the employee performing this kind of work and to ensure the maintenance of a classification plan on a current basis which reflects the various kinds of jobs performed by Merit System employees. The final draft of the class specification was reviewed by the Public Health Nutritionist in the Olmsted County Public Health Department and the Director of Public Health Nursing in the Anoka County Public Health Department who have approved it as to form and substance.

2. 12 MCAR § 2.840 A. and B.; 7 MCAR § 1.314 B.

These rules set the compensation plan for professional and support classifications under the Public Welfare Merit System and public health support classifications under the Public Health Merit System. Revisions to these rules are necessary to set salary ranges for the remainder of 1979 for all of the aforementioned new classes. The proposed salaries are based primarily on comparisons with Merit System salary ranges for existing classes with equivalent minimum qualifications and duties and responsibilities and, where possible, on comparisons with salary rates for similar jobs in other

jurisdictions. The proposed salaries provide for fair and equitable salary rates and are reasonable.

a. The proposed salary range for Housing Coordinator for 1979 on the Merit System C plan is $971-1390 per month which has the same minimum salary rate as the Financial Assistance Specialist classification. The level of responsibility expected of incumbents in these two classes are roughly comparable and the proposed range is reasonable. Although other public jurisdictions were surveyed no comparable positions appeared to exist.

b. The proposed salary ranges for Nutrition Project Director and Nutrition Project Assistant Director for 1979 on the Merit System C plan are $1390-2071 and $1041-1486 per month, respectively. These are identical to the current salary ranges for the classes Administrative Assistant I and Office Manager which are the classes to which the two incumbents are currently allocated. The level of knowledges, skills and abilities required of employees in the two proposed new classes are equivalent to those required of incumbents of the Administrative Assistant I and Office Manager classifications and the proposed ranges are reasonable. Again, no comparable positions exist in other jurisdictions so that comparable salaries could not be obtained.

c. The proposed salary range for Nutrition Assistant for 1979 on the Merit System C plan is $815-1111 per month. A suggested salary range for this class of $833-1249 per month was submitted by the Olmsted County Public Health Department. In reviewing other public jurisdictions for comparable positions, the City of St. Paul has a Nutrition Assistant classification with a salary range of $826-1024 per month. In view of the similarities of the proposed classification to those of the position in St. Paul, the proposed salary range of $815-1111 is reasonable.

d. Earlier in this statement of need and reasonableness, a proposed change in class title for Homemaker/Home-Health-Aide to Family Service/Home-Health-Aide was made. Although this proposed change does not affect the 1979 salary for the class, it does make necessary a change in 12 MCAR § 2.840 B. to reflect the proposed change in class title.

e. At a public hearing to be held on September 21, 1979, the following title changes are being proposed: Homemaker I to Family Service Aide I, Homemaker II to Family Service Aide II, Homemaker Coordinator I to Family Service Coordinator I and Homemaker Coordinator II to Family Service Coordinator II. The proposed title change in the Homemaker/Home-Health-Aide was not included in the proposals for that hearing since the Merit System Council had not yet had a hearing on the proposed change prior to the time the statement of need and reasonableness had to be prepared for that hearing. Therefore it is necessary to change 12 MCAR § 2.840 B. to reflect the proposed four class title changes to be heard on September 21 and also to bring them into conformity with the change in the class title of Homemaker/Home-Health-Aide to Family Service/Home-Health-Aide.

The foregoing authorities and comments are submitted in justification of final adoption of the above cited proposed rule amendments.

Ralph W. Corey

Ralph W. Corey
Merit System Supervisor

Dated: September 13, 1979

STATE OF MINNESOTA

DEPARTMENTS OF PUBLIC WELFARE, PUBLIC SAFETY AND HEALTH

IN THE MATTER OF THE PROPOSED ADOPTION
OF NEW RULES AND AMENDMENTS OF EXISTING
RULES OF THE MINNESOTA MERIT SYSTEM
GOVERNING THE COMPENSATION PLAN; SALARY
ADJUSTMENTS AND INCREASES; AND
CLASSIFICATION PLAN

PERSONNEL TO TESTIFY

Ralph W. Corey, Merit System Supervisor, will testify for the Minnesota Merit System at the public hearing in the above-entitled matter to be held on September 21, 1979, commencing at 9:30 A.M. in the Administration Building, Room 116, 50 Sherburne Avenue, St. Paul, Minnesota.

Betty Carlson, Senior Personnel Representative with the Merit System, will also be present.

Dated: August 15, 1979

Ralph W. Corey

Ralph W. Corey
Merit System Supervisor

Our File #567 B-2.

Health

12/27 call R. Jim J - left message
12/28 JJ notified re spelling error + date of effectiveness

Permanent Rule X

Temporary Rule _____

RULES REVIEW CHECKLIST

DATE RULES RECEIVED 12/19 DUE DATE 1/8

Resubmitted and Received _____

a. Returned to Agency w/o Filing w/Secretary of State _____
b. Approved _____ Date Sent Back to Agency _____

- -

1. Rules as Adopted ✓
2. Rules as Proposed ✓
3. Certificate of Board's Authorizing Resolution, where applicable N/A
4. Order for Hearing ✓
5. Notice of Hearing ✓ 10.15.79
   Sufficiency ✓
   Errata Notice ✓
6. Secretary of State's List ✓ (one copy only)
7. Certificate of Acquisition of Secretary of State's List ✓
8. Secretary of State's Certification of Delivery of Secretary of State's List to Agency ✓
9. Affidavit of Mailing ✓
   At least 30 days prior to hearing ✓
10. Publication in State Register ✓ copy not submitted but see
    At least 30 days prior to hearing ✓ H.E. report.
    Errata Notice ✓ see H.E. report
11. Statement of Need and Evidence ✓
12. Hearing Examiner's Report ✓ note Finding of Fact No. 14 + Recommendation
13. Agency's Findings of Fact ? ✓ incorporated in No. 15. - but see wording to adopt in H.E. report.
14. Certificate of Board's Resolution Adopting Rules, where applicable N/A.
15. Order Adopting ✓
16. Report of Chief Hearing Examiner ✓
17. Order Approving Incorporation by Reference, where applicable N/A
18. Certificate of Compliance with Rulemaking Procedures ✓
19. Copy of Notice of Intent to Solicit Outside Opinion, where applicable ✓
20. Petition by Public, where applicable N/A

Adopted
Exhibit D

AG copy

7 MCAR § 1.260 Salary Adjustments and Increases

B. Adjustments to be Made in Accordance with Merit System Official Compensation Plan

2. The general adjustment recommended for incumbents is seven percent for employees on the Professional Salary Schedule and the Health Services Support Salary Schedule, and fifty dollars for employees on the Clerical Salary Schedule. Employees on the Building Maintenance Salary Schedules are recommended to receive a two step adjustment.

7 MCAR § 1.314 Compensation Plan (Public Health)- 1980

A. Professional and Administrative

1. Plan A

a. Class of Positions	1	2	3	4	5	6	7	8	9
Asst. Dir. of Envir. Health	1454	1523	1590	1662	1737	1815	1897	1985	2076
Asst. Dir. of Pub. Hlth. Nurs.	1328	1389	1454	1523	1590	1662	1737	1815	1897
Business Administrator	1328	1389	1454	1523	1590	1662	1737	1815	1897
Business Supervisor	974	1018	1064	1114	1164	1218	1273	1328	1389
Dir. of Envir. Health	1662	1737	1815	1897	1985	2076	2170	2268	2375
Dir. of Pub. Hlth. Nurs. I	1328	1389	1454	1523	1590	1662	1737	1815	1897
Dir. of Pub. Hlth. Nurs. II	1454	1523	1590	1662	1737	1815	1897	1985	2076
Home Care Coordinator	1164	1218	1273	1328	1389	1454	1523	1590	
Medical Technologist	1064	1114	1164	1218	1273	1328	1389		
Public Health Educator I	1064	1114	1164	1218	1273	1328	1389	1454	
Public Health Educator II	1328	1389	1454	1523	1590	1662	1737	1815	
Public Health Nurse	1114	1164	1218	1273	1328	1389	1454		
Public Health Nurse (Team Leader)	1164	1218	1273	1328	1389	1454	1523		
Public Health Nutritionist	1218	1273	1328	1389	1454	1523	1590	1662	
Registered Nurse (A.A. Deg., 3 yr. Dip., or B.S. Deg.)	1018	1064	1114	1164	1218	1273			
Sanitarian I	1064	1114	1164	1218	1273				
Sanitarian II	1164	1218	1273	1328	1389	1454	1523	1590	
Sanitarian III	1273	1328	1389	1454	1523	1590	1662	1737	1815
Sanitarian IV	1389	1454	1523	1590	1662	1737	1815	1897	1985
School Health Coordinator	1114	1164	1218	1273	1328	1389	1454	1523	
Senior Public Health Nurse	1218	1273	1328	1389	1454	1523	1590		

A. Professional and Administrative

2. Plan B

a. Class of Positions	1	2	3	4	5	6	7	8	9
Asst. Dir. of Envir. Health	1523	1590	1662	1737	1815	1897	1985	2076	2170
Asst. Dir. of Pub. Hlth. Nurs.	1389	1454	1523	1590	1662	1737	1815	1897	1985
Business Administrator	1389	1454	1523	1590	1662	1737	1815	1897	1985
Business Supervisor	1018	1064	1114	1164	1218	1273	1328	1389	1454
Dir. of Envir. Health	1737	1815	1897	1985	2076	2170	2268	2375	2483
Dir. of Pub. Hlth. Nurs. I	1389	1454	1523	1590	1662	1737	1815	1897	1985
Dir. of Pub. Hlth. Nurs. II	1523	1590	1662	1737	1815	1897	1985	2076	2170
Home Care Coordinator	1218	1273	1328	1389	1454	1523	1590	1662	
Medical Technologist	1114	1164	1218	1273	1328	1389	1454		
Public Health Educator I	1114	1164	1218	1273	1328	1389	1454	1523	
Public Health Educator II	1389	1454	1523	1590	1662	1737	1815	1897	
Public Health Nurse	1164	1218	1273	1328	1389	1454	1523		
Public Health Nurse (Team Leader)	1218	1273	1328	1389	1454	1523	1590		
Public Health Nutritionist	1273	1328	1389	1454	1523	1590	1662	1737	
Registered Nurse (A.A. Deg., 3 yr. Dip., or B.S. Deg.)	1064	1114	1164	1218	1273	1328			
Sanitarian I	1114	1164	1218	1273	1328				
Sanitarian II	1218	1273	1328	1389	1454	1523	1590	1662	
Sanitarian III	1328	1389	1454	1523	1590	1662	1737	1815	1897
Sanitarian IV	1454	1523	1590	1662	1737	1815	1897	1985	2076
School Health Coordinator	1164	1218	1273	1328	1389	1454	1523	1590	
Senior Public Health Nurse	1273	1328	1389	1454	1523	1590	1662		

A. Professional and Administrative

3. Plan C

a. Class of Positions	1	2	3	4	5	6	7	8	9
Asst. Dir. of Envir. Health	1590	1662	1737	1815	1897	1985	2076	2170	2268
Asst. Dir. of Pub. Hlth. Nurs.	1454	1523	1590	1662	1737	1815	1897	1985	2076
Business Administrator	1454	1523	1590	1662	1737	1815	1897	1985	2076
Business Supervisor	1064	1114	1164	1218	1273	1328	1389	1454	1523
Dir. of Envir. Health	1815	1897	1985	2076	2170	2268	2375	2483	2596
Dir. of Pub. Hlth. Nurs. I	1454	1523	1590	1662	1737	1815	1897	1985	2076
Dir. of Pub. Hlth. Nurs. II	1590	1662	1737	1815	1897	1985	2076	2170	2268
Home Care Coordinator	1273	1328	1389	1454	1523	1590	1662	1737	
Medical Technologist	1164	1218	1273	1328	1389	1454	1523		
Public Health Educator I	1164	1218	1273	1328	1389	1454	1523	1590	
Public Health Educator II	1454	1523	1590	1662	1737	1815	1897	1985	
Public Health Nurse	1244	1300	1357	1419	1487	1556	1624		
Public Health Nurse (Team Leader)	1300	1357	1419	1487	1556	1624	1699		
Public Health Nutritionist	1328	1389	1454	1523	1590	1662	1737	1815	
Registered Nurse (A.A. Deg., 3 yr. Dip., or B.S. Deg.)	1138	1189	1244	1300	1357	1419			
Sanitarian I	1164	1218	1273	1328	1389				
Sanitarian II	1273	1328	1389	1454	1523	1590	1662	1737	
Sanitarian III	1389	1454	1523	1590	1662	1737	1815	1897	1985
Sanitarian IV	1523	1590	1662	1737	1815	1897	1985	2076	2170
School Health Coordinator	1218	1273	1328	1389	1454	1523	1590	1662	
Senior Public Health Nurse	1357	1419	1487	1556	1624	1699	1773		

B. Health Services Support Personnel

1. Plan A

a. Class of Positions	1	2	3	4	5	6	7	8	9
Animal Warden	760	796	834	872	911	951	995		
Bookkeeper	796	834	872	911	951	995	1039	1088	1138
Home Health Aide	585	610	635	666	697	728	760		
Home Health Aide Coordinator	834	872	911	951	995	1039	1088		
Inspector I	853	891	930	974					
Inspector II	930	974	1018	1064	1114	1164	1218		
Laboratory Technician	697	728	760	796	834	872	911		
Licensed Practical Nurse	760	796	834	872	911	951			
Medical Laboratory Assistant	760	796	834	872	911	951	995		
Nutrition Assistant	796	834	872	911	951	995	1039	1088	
Public Health Aide	511	536	561	585	610	635	666		

2. Plan B

a. Class of Positions	1	2	3	4	5	6	7	8	9
Animal Warden	796	834	872	911	951	995	1039		
Bookkeeper	834	872	911	951	995	1039	1088	1138	1189
Home Health Aide	610	635	666	697	728	760	796		
Home Health Aide Coordinator	872	911	951	995	1039	1088	1138		
Inspector I	891	930	974	1018					
Inspector II	974	1018	1064	1114	1164	1218	1273		
Laboratory Technician	728	760	796	834	872	911	951		
Licensed Practical Nurse	796	834	872	911	951	995			
Medical Laboratory Assistant	796	834	872	911	951	995	1039		
Nutrition Assistant	834	872	911	951	995	1039	1088	1138	
Public Health Aide	536	561	585	610	635	666	697		

3. Plan C

a. Class of Positions	1	2	3	4	5	6	7	8	9
Animal Warden	834	872	911	951	995	1039	1088		
Bookkeeper	872	911	951	995	1039	1088	1138	1189	1244
Home Health Aide	635	666	697	728	760	796	834		
Home Health Aide Coordinator	911	951	995	1039	1088	1138	1189		
Inspector I	930	974	1018	1064					
Inspector II	1018	1064	1114	1164	1218	1273	1328		
Laboratory Technician	760	796	834	872	911	951	995		
Licensed Practical Nurse	834	872	911	951	995	1039			
Medical Laboratory Assistant	834	872	911	951	995	1039	1088		
Nutrition Assistant	872	911	951	995	1039	1088	1138	1189	
Public Health Aide	561	585	610	635	666	697	728		

C. Clerical

1. Plan A

a. Class of Positions	1	2	3	4	5	6	7	8	9
Clerk I	524	541	557	573	589	608	629	650	671
Clerk II	589	608	629	650	671	692	713	736	762
Clerk III	671	692	713	736	762	789	816	845	876
Clerk-Typist I	541	557	573	589	608	629	650	671	692
Clerk-Typist II	589	608	629	650	671	692	713	736	762
Clerk-Typist III	671	692	713	736	762	789	816	845	876
Clerk-Steno I	573	589	608	629	650	671	692	713	736
Clerk-Steno II	629	650	671	692	713	736	762	789	816
Clerk-Steno III	692	713	736	762	789	816	845	876	908
Swbd. Operator I	557	573	589	608	629	650	671	692	713
Swbd. Operator II	589	608	629	650	671	692	713	736	762

2. Plan B

a. Class of Positions	1	2	3	4	5	6	7	8	9
Clerk I	541	557	573	589	608	629	650	671	692
Clerk II	608	629	650	671	692	713	736	762	789
Clerk III	692	713	736	762	789	816	845	876	908
Clerk-Typist I	557	573	589	608	629	650	671	692	713
Clerk-Typist II	608	629	650	671	692	713	736	762	789
Clerk-Typist III	692	713	736	762	789	816	845	876	908
Clerk-Steno I	589	608	629	650	671	692	713	736	762
Clerk-Steno II	650	671	692	713	736	762	789	816	845
Clerk-Steno III	713	736	762	789	816	845	876	908	940
Swbd. Operator I	573	589	608	629	650	671	692	713	736
Swbd. Operator II	608	629	650	671	692	713	736	762	789

3. Plan C

a. Class of Positions	1	2	3	4	5	6	7	8	9
Clerk I	557	573	589	608	629	650	671	692	713
Clerk II	629	650	671	692	713	736	762	789	816
Clerk III	713	736	762	789	816	845	876	908	940
Clerk-Typist I	573	589	608	629	650	671	692	713	736
Clerk-Typist II	629	650	671	692	713	736	762	789	816
Clerk-Typist III	713	736	762	789	816	845	876	908	940
Clerk-Steno I	608	629	650	671	692	713	736	762	789
Clerk-Steno II	671	692	713	736	762	789	816	845	876
Clerk-Steno III	736	762	789	816	845	876	908	940	974
Swbd. Operator I	589	608	629	650	671	692	713	736	762
Swbd. Operator II	629	650	671	692	713	736	762	789	816

C. Clerical
4 Plan D
5 Plan E
6 Plan F
where 7

D. Building Maintenance

1. Plan A

a. Class of Positions	1	2	3	4	5	6	7
Custodian (1)	585	607	631	658	687		
Janitor (1)	687	715	746	778	812	845	881

2. Plan B

a. Class of Positions	1	2	3	4	5	6	7
Custodian (1)	687	715	746	778	812		
Janitor (1)	812	845	881	920	959	1000	1044

(1) Employees who are required to work for a period of at least five hours after 6 P.M. on a regular scheduled basis may be paid a shift differential in the amount of one salary step above their normal day-work rate.

7 MCAR § 1.239 Compensation Plan

D. Adjustment of the Official Salary Schedule of the Minnesota Merit System

1. The compensation plan provided in 7 MCAR § 1.314 shall be adjusted for changes in the level of salary rates in business and government for similar and competing types of employement and for changes in the Twin City Consumer Price Index.

2. In every odd-numbered year the Supervisor shall conduct a review of the changes in the level of salary rates in the labor market since the time of 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 used in previous reviews. The Supervisor shall complete this study and report the findings to the Commissioner of Health on or before July 31 of each odd-numbered year.

3. If the report of the Supervisor reveals an increase or decrease in the salary rates in the labor market for similar and/or competing employment of four per cent or more, the Commissioner of Health shall announce a public hearing for a general adjustment of the compensation plan. If the changes in the labor market are of less than four per cent of differ significantly for various types of employment, the Commissioner 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 and employee organizations shall include the proposed compensation plan, an explanation of the adjustments proposed, and a summary of the findings of the survey upon which the proposed adjustment is based.

5. The public hearing shall provide opportunity for all interested individuals and groups to present evidence, testimony, and views of the proposed compensation plan. Following the public hearing and after consideration of all the evidence, the Commissioner shall make his decision. An amended compensation plan shall not be effective until the next succeeding January 1, or for those agencies on a bi-weekly or four week payroll period on the beginning date of the first payroll period following the next succeeding January 1.

6. The appointing 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.

7. In every even-numbered year, the Supervisor shall conduct a review of the changes in the consumer price index for urban wage earners and clerical workers for Minneapolis-St. Paul, as published by the Bureau of Labor Statistics, new series index (1967=100). The Supervisor shall recommend that all rates of pay in the Professional and Administrative, Health Services Support Personnel, Clerical, and Building Maintenance salary schedules be adjusted by an amount equal to 80 percent of the increase between the consumer price index for June of the current year and the consumer price index for June of the preceding year. This amount shall be rounded to the nearest tenth of a percent and may not exceed 8%. The new recommended monthly salary rates shall be rounded to the nearest whole dollar. The same percentage increase recommended by the Supervisor for all rates of pay shall be recommended as a general salary adjustment for all incumbents of positions in the Professional and Administrative, Health Services Support Personnel, Clerical, and Building Maintenance salary schedules. An amended compensation plan resulting from these recommendations shall not be effective until the next succeeding January 1, or for those agencies on a bi-weekly or four-week payroll period on the beginning of the first payroll period

following the next succeeding January 1.

E. Negotiation of 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 consistent with the functions outlined in the class specifications. Initial, intervening, and maximum rates of pay for each 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 appointing authority and the exclusive representative shall negotiate a salary schedule for the new classification within sixty days of the date of establishment of the classification.

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.

7 MCAR § 1.269

NUTRITION ASSISTANT

A. KIND OF WORK:

Performs paraprofessional work in assisting the Public Health Nutritionist in carrying out the nutrition program of a public health agency.

B. EXAMPLES OF WORK: (Illustrative only)

Determines financial, categorical and/or residential eligibility of patients for nutrition programs, and reviews eligibility periodically. Conducts elements of health screening including height, weight, head circumference, dietary evaluation and hematocrit. Explains application procedures to individuals or groups and assists individuals in completing the application forms for nutrition programs. Assists in developing and implementing patient nutrition care plans for the monitoring of individuals determined to be a nutritional risk and eligible for nutrition program services. Schedules and reschedules nutrition program participants for the appropriate visit. Explains and interprets policy and rules for nutrition program participants, vendors, and other individuals. Makes visits to vendors to monitor the program and provides assistance when necessary. Disseminates nutritional information to individuals receiving nutrition program services. Assists in developing and implementing individual nutrition education based upon demonstrated need. Makes referrals to appropriate agencies in the community. Informs the Public Health Nutritionist of special problems encountered in the community and/or nutrition program participant population. Assists the Public Health Nutritionist in analyzing nutritional needs and effectiveness of the nutrition delivery program. Distributes vouchers to nutrition program participants. Maintains records as required for the nutrition program. Performs clerical duties for the nutrition program as directed.

C. KNOWLEDGES AND ABILITIES REQUIRED:

Knowledge of nutritional needs and development. Knowledge of human behavior. Knowledge of available community resources. Ability to evaluate and solve nutritional problems. Ability to perform under federal, state and county requirements, regulations, and policies relating to nutrition programs. Ability to establish and maintain good working relationships with patients, public, and co-workers. Ability to relate to individual patients. Ability to accept and profit by supervision. Ability to organize and coordinate job activities. Ability to maintain accurate and systematic records. Ability to comprehend and follow written and verbal instructions. Ability to communicate in a verbal and written manner.

D. MINIMUM QUALIFICATIONS OF EDUCATION AND EXPERIENCE:

High school graduation and completion of two years of college with emphasis in nutrition, dietetics, and/or health.

OR

On a promotional basis, experience assisting in the administration of a nutrition program may be substituted for the college coursework on a year-for-year basis.

7 MCAR § 1.250 Compensation Plan (Public Health) - 1979

B. Health Services Support Personnel

Where is .250 ?
2. Plan B

1. Plan A

a. Class of Positions	1	2	3	4	5	6	7	8	9
Animal Warden	710	744	779	815	851	889	930		
Bookkeeper	744	779	815	851	889	930	971	1017	1064
Home Health Aide	547	570	593	622	651	680	710		
Home Health Aide Coordinator	779	815	851	889	930	971	1017		
Inspector I	779	815	851	889					
Inspector II	851	889	930	971	1017	1064	1111		
Laboratory Technician	636	666	696	728	762	797	833		
Licensed Practical Nurse	710	744	779	815	851	889			
Medical Laboratory Assistant	680	710	744	779	815	851	889		
Nutrition Assistant	744	779	815	851	889	930	971	1017	
Public Health Aide	437	455	478	501	524	547	570		

2. Plan B

a. Class of Positions	1	2	3	4	5	6	7	8	9
Animal Warden	744	779	815	851	889	930	971		
Bookkeeper	779	815	851	889	930	971	1017	1064	1111
Home Health Aide	570	593	622	651	680	710	744		
Home Health Aide Coordinator	815	851	889	930	971	1017	1064		
Inspector I	815	851	889	930					
Inspector II	889	930	971	1017	1064	1111	1163		
Laboratory Technician	666	696	728	762	797	833	869		
Licensed Practical Nurse	744	779	815	851	889	930			
Medical Laboratory Assistant	710	744	779	815	851	889	930		
Nutrition Assistant	779	815	851	889	930	971	1017	1064	
Public Health Aide	455	478	501	524	547	570	593		

3. Plan C

a. Class of Positions	1	2	3	4	5	6	7	8	9
Animal Warden	779	815	851	889	930	971	1017		
Bookkeeper	815	851	889	930	971	1017	1064	1111	1163
Home Health Aide	593	622	651	680	710	744	779		
Home Health Aide Coordinator	851	889	930	971	1017	1064	1111		
Inspector I	851	889	930	971					
Inspector II	930	971	1017	1064	1111	1163	1215		
Laboratory Technician	696	728	762	797	833	869	910		
Licensed Practical Nurse	779	815	851	889	930	971			
Medical Laboratory Assistant	744	779	815	851	889	930	971		
Nutrition Assistant	815	851	889	930	971	1017	1064	1111	
Public Health Aide	478	501	524	547	570	593	622		

APPROVED AS TO FORM AND LEGALITY

JAN 07 1980 19

WARREN SPANNAUS, ATTORNEY GENERAL

BY Joanne Hinderaker
SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
F I L E D
JAN - 7 1980
Joan Anderson Growe
Secretary of State

2:00 p.m.

DPW-80-010-HC

STATE OF MINNESOTA

DEPARTMENT OF HEALTH

IN THE MATTER OF THE PROPOSED ADOPTION OF RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING THE COMPENSATION PLAN; SALARY ADJUSTMENTS AND INCREASES; AND THE CLASSIFICATION PLAN

ORDER ADOPTING RULES

The above entitled matter was heard before Harry Seymore Crump, Hearing Examiner from the State Office of Hearing Examiners on October 15, 1979, at 9:30 a.m. in the State Office Building, St. Paul, Minnesota.

Proper notice required by Minn. Stat. § 15.0412 (1978) was served upon all persons, associations, and other interested groups registered with the Secretary of State for that purpose.

At said hearing, proposed amendments to the above-captioned rules were considered as originally proposed as shown in Exhibit A attached hereto. Mr. Ralph Corey, Supervisor of the Minnesota Merit System, made the agency presentation at the hearing. The hearing continued until all interested persons and groups had an opportunity to be heard. Based upon all the records and proceedings the Examiner issued a Report of Hearing Examiner, dated November 16, 1979, a copy of which is attached hereto as Exhibit B. The Examiner's Report contained findings of fact, conclusions and a recommendation.

Pursuant to Minn. Stat. § 15.0412, subd. 4 (1978), the Examiner's Report has been available to all affected persons for over five days subsequent to the date of the Report.

After affording interested persons an opportunity to present written and/or oral statements, having reviewed all of the testimony, having considered all of the evidence adduced, having considered the Report of the Hearing Examiner, and upon all of the proceedings and testimony herein and applicable statutory standards and criteria, and

having determined the need for and reasonableness of the above-captioned rules,

NOW THEREFORE IT IS ORDERED THAT the Commissioner hereby adopts and incorporates herein the Report of Hearing Examiner, dated November 16, 1979, except as follows: that part of the Hearing Examiner's Report identified as Finding of Fact 14 and appearing on page 6 which states,

> However, the Hearing Examiner further urges that in the alternative, lump-sum payments for Clerical Salary Schedule employees at the maximum salary range should be made in accordance with the general percentage adjustment granted other employees depending on which benefits the employee most.

and; the Hearing Examiner's Recommendation which appears on page 8 and states,

> The Merit System should consider changes which benefit clerical employees who have reached their maximum salary range provided such changes do not constitute substantial changes.

IT IS FURTHER ORDERED THAT the above-captioned rules from and after this day of November 27, 1979, shall read in their entirety as set forth in the attached Exhibit D.

Dated: November 27, 1979.

STATE OF MINNESOTA
DEPARTMENT OF HEALTH

George R. Petterson M D

GEORGE R. PETTERSEN, M.D.
Commissioner

STATE OF MINNESOTA
OFFICE OF HEARING EXAMINERS

FOR THE MINNESOTA MERIT SYSTEM

In the Matter of the Proposed Adoption of Rules of the Minnesota Merit System Governing the Compensation Plan; Salary Adjustments and Increases; and the Classification Plan.

REPORT OF THE HEARING EXAMINER

The above-entitled matter came on for hearing before Harry Seymour Crump, Hearing Examiner from the State Office of Hearing Examiners, on October 15, 1979, at 9:30 a.m.. in the State Office Building, Saint Paul, Minnesota.

Ralph Corey, Supervisor of the Minnesota Merit System; Betty Carlson, Assistant Merit System Supervisor; and Dudley Younkin of the Merit System staff appeared on behalf of the Merit System (a collective title for the programs of implementing statewide merit systems within the individual agencies of the Department of Public Welfare, Department of Health, and Department of Public Safety). James Jorgenson, Special Assistant Attorney General, assigned to DPW, appeared. Ed Jasinski, Training Officer of the Department of Public Safety, also appeared. Two members of the Minnesota Merit System Council, Dan Gustafson, Chairman, and Kenneth Maas, appeared.

Approximately six other persons attended the hearing. Ralph Corey spoke on behalf of the Merit System and one person from the audience also spoke. The hearing continued until all interested persons and groups had an opportunity to be heard.

This proceeding is a rules hearing held pursuant to Minn. Stat. Ch. 15 to determine whether the proposed rules should be adopted and given the force of law. Copies of this Report are available for review from the Office of Hearing Examiners and the Office of the Merit System Supervisor.

Pursuant to Minn. Stat. § 15.0412, subd. 4, this Report shall be available for review to all affected individuals upon request for at least five days.

Thereafter, the Departments of Public Welfare, Health and Public Safety shall, if they proposed to adopt the rules as originally proposed or amended, submit a copy of the Order Adopting Rules, a copy of any additional agency findings, a copy of the rules as originally proposed, and a copy of the rules as adopted to the Chief Hearing Examiner for review pursuant to Minn. Stat. § 15.052, subd. 4. The submission to the Chief Hearing Examiner shall precede review by the Attorney General. The Chief Hearing Examiner shall complete his review and submit his report to the Departments on the issues of substantial changes in the rules and compliance with Minn. Stat. § 15.0412 (1978) within ten calendar days. The Departments will be responsible for filing the rules with the Attorney General and for notifying persons who have indicated that they wish to be notified of such filing.

Based upon all the records and proceedings herein, the Examiner makes the following:

FINDINGS OF FACT

Procedural Requirements

1. On September 14, 1979, the System filed the following documents with the Hearing Examiner:

(a) A copy of the proposed rules.
(b) The Order for Hearing proposed to be issued.
(c) The Notice of Hearing proposed to be issued.
(d) A Statement of the number of persons expected to attend the hearing and estimated length of the Agencies' presentation.

2. On September 10, 1979, Notices of Hearing and copies of the proposed rules were published at 4 State Register 318 (Department of Health), 4 State Register 333 (Department of Public Safety), and 4 State Register 343 (Department of Public Welfare).

3. On September 13, 1979, the Agencies mailed the Notice of Hearing to all persons and associations who had registered their names with the Secretary of State for the purpose of receiving such notice.

4. On September 19, 1979, the Agency filed the following documents:

(a) Order for Hearing.
(b) The Notice of Hearing as mailed.
(c) The Affidavit of Receipt of the Secretary of State's list.
(d) The Affidavit of Mailing the Notice to all persons on the Secretary of State's list and attached errata notice.
(e) The Secretary of State's Certificates.
(f) The Statement of Need and Reasonableness.
(g) Pursuant to Minn. Stat. § 15.0412, subd. 6 (1978), notice seeking outside opinions was published in the State Register on August 13, 1979, at 4 State Register 151. One comment was received by the Merit System on August 23, 1979. See, Exhibit V. This letter was introduced at the hearing.
(h) The names of personnel who will represent the Merit System at the hearing together with the names of any other witnesses solicited to appear on its behalf.

The documents were available for inspection at the Office of Hearing Examiners from the date of filing to the date of the hearing.

5. On September 24, 1979, Notice of Errata was published at 4 State Register 495 indicating January 1, 1980, as the effective date of the proposed rules, rather than January 1, 1979.

6. The record remained open through October 22, 1979, for the receipt of written comments and statements. Two prehearing comments were received. These were letters in support of the proposed rules and amendments. Two post-hearing comments, in the form of letters, were received and made a part of the record herein.

Statutory Authority

7. The Agencies base their authority to adopt these rules and amendments on Minn. Stat. § 12.22, subd. 3; Minn. Stat. § 144.071; and, Minn. Stat. § 393.07, subd. 5.

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 SCD 94A.a. and SCD 94D.5.

11 MCAR § 1.2091 provides as follows:

If and when it appears desirable in the interest of good administration, the governor, through the Commissioner of Public Safety and with the advice and recommendation of the council, may amend these rules after compliance with the provisions of Minnesota Statutes, Chapter 15 . . . 11 MCAR §§ 1.2093 and 1.2094 and relate to the Classification and Compensation Plans, respectively.

The Hearing Examiner finds that although the language of the above-existing rules appear to delegate to the Commissioner of Public Safety authority to act on behalf of the Governor in matters relative to the Merit System for Public Safety personnel, these provisions should not be construed to imply that one rule can be authority to adopt another rule. Furthermore, the Hearing Examiner urges in the future that an exhibit be submitted which was executed by the Governor indicating the Commissioner of Public Safety is acting for the Governor in the adoption of rules relative to the Merit System. As for the proposed rules, it is implicit that the Commissioner herein may adopt the proposed rules. However, the Governor should co-sign the Order adopting the rules.

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.

8. The Minnesota Supreme Court, in State ex rel. Hennepin County Welfare Board v. Fitzsimmons, 239 Minn. 407, 58 N.W.2d 882 (1953), has expressly recognized the authority of the Commissioner of Public Welfare and, implicitly, the similar authority of the Commissioner of Public Safety and the Commissioner of Health to adopt such rules. The court stated, in relevant part:

> . . . [I]t is clear that the Director of Social Welfare (currently the Commissioner of Public Welfare) was clearly right in adopting and promulgating a merit plan which includes 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 program nor the determination of his tenure of office and individual compensation. 239 Minn. at 420, 58 N.W.2d at 890. (parenthetical added)

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 departments or agency. The board may also, by rule or regulation, cooperate with the federal government in any manner necessary to qualify for federal aid. (parenthetical added)

9. 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., 42 U.S.C. § 62.

10. Pursuant to such Congressional mandate, the U.S. Department of Health, Education and Welfare, Department of Labor, and Department of Defense have promulgated 5 C.F.R. Part 900, Subpart F, which imposes on the State of Minnesota general requirements for a merit system of personnel administration. Those standards require that in order to be eligible for federal grant-in-aid funds, the Minnesota Merit System specifically include, among other things, a position classification plan (5 C.F.R. § 900.604-1), a compensation plan (5 C.F.R. § 900.604-1), and an active recruitment, selection and appointment program (5 C.F.R. §§ 900.602-.603).

11. In conformance with 5 C.F.R. Part 900, Subpart F, the Minnesota Legislature enacted Minn. Stat. §§ 12.22, subd. 3; 144.071; and, 393.07, subd. 5. These statutes, respectively, authorize the commissioner of public safety, the commissioner of health, and the commissioner of public welfare to adopt necessary methods of personnel administration for implementing merit systems within their agencies. Collectively, the resulting programs are referred to as the "Minnesota Merit System".

12. Pursuant to such statutory authority, those state agencies have adopted comprehensive administrative rules which regulate administration of the Minnesota Merit System. See, 12 MCAR §§ 2.490-.841, 11 MCAR §§ 1.2090-.2141 and 7 MCAR §§ 1.235-.315.

13. The proposed rules and amendments are promulgated in accordance with the provisions of applicable Minnesota statutes and expressly guarantee the rights of public employers and Minnesota Merit System employees in conformance with the terms of the state's Public Employment Labor Relation Act (Minn. Stat. §§ 179.61-.77).

Need and Reasonableness

A. Compensation Plan, Salary Adjustments and Increases.

14. 12 MCAR § 2.516, 7 MCAR § 1.260 and 11 MCAR § 1.2116. These rules deal with salary adjustments and increases. These amendments are to update the rules and implement recommended salary adjustments for Minnesota Merit System employees. The changes would be effective January 1, 1980.

The amendments to 12 MCAR § 2.516 B.2. and 7 MCAR § 1.260 B.2. affect the incumbents covered by the official Merit System Compensation Plan on the Professional and Support Salary Schedules. They will receive a 7% adjustment in their monthly salary. Incumbents on the Clerical Salary Schedule will receive a $50 increase in their monthly salary. The incumbents on the Maintenance and Trades and Building Maintenance Salary Schedules receive a two-step adjustment in their monthly salary of approximately 8%.

The amendment to 11 MCAR § 1.2116 B.2. provides that incumbents covered by the official Merit System Compensation Plan on the Professional Salary Schedule receive a 7% adjustment in their monthly salary. The incumbents on the Clerical Salary Schedule receive a $50 increase in their monthly salary.

All of the proposed salary adjustments are to become effective January 1, 1980, or, for those agencies on a biweekly or four-week payroll period, on the beginning date of the first payroll period following January 1, 1980. It is required that employees covered by the official Merit System Compensation Plan at least be at the minimum for their class. Granting of any recommended salary adjustments to employees above the minimum salary for their class is discretionary with the appointing authority. In addition, agencies may adopt a different general adjustment from that proposed by the Merit System for their employees as long as such adjustments at least place employees at the minimum salary for their class on the Merit System Compensation Plan adopted by the agency and not over the maximum salary.

The salary adjustments do not apply to agencies with negotiated collective bargaining agreements.

A letter from Roland F. Winterfeldt, Director of the Otter Tail County Department of Social Services, received at the Office of Hearing Examiners on September 27, 1979, supports the amendments to 12 MCAR § 2.516 B.2.

A letter from Shirley Thalacker of the Carver County Family Service Department, received by the Office of Hearing Examiners on October 19, 1979, indicates that the $50 increase for Clerical Salary Schedule employees when compared to the 7% increase for other employees does not always compare favorably. Ms. Thalacker suggests that a $50 increase or 7% increase for Clerical Salary Schedule employees be optional, depending on which increase benefits the employee most.

A letter from Steven A. Law, Business Administrator for Olmsted County Health Department, received by the Office of Hearing Examiners on October 19, 1979, indicates that the increase of $50 for clerical employees is insufficient for "experienced, qualified clerical person(s)." Mr. Law suggests a 7-9% increase for all clerical employees.

By post-hearing letter, Mr. Corey commented that based on a comparison of current salaries for comparable classifications of the merit system and the State of Minnesota, they are competitive and that the proposed rules, if adopted, will result in greater than a 7% salary increase for 73% of merit system clerical employees.

No oral comments, other than Mr. Corey's presentation, were received at the hearing.

The Hearing Examiner finds the amendments as proposed are needed and reasonable. However, the Hearing Examiner further urges that in the alternative, lump-sum payments for Clerical Salary Schedule employees at the maximum salary range should be made in accordance with the general percentage adjustment granted other employees depending on which benefits the employee most. Mr. Corey made a similar suggestion in response to Mr. Law's comment.

15. 12 MCAR § 2.840, 7 MCAR § 1.314 and 11 MCAR § 1.2140. These rules deal with the compensation plan. 12 MCAR § 2.494 C., 7 MCAR § 1.239 D. and 11 MCAR § 1.2094 D. require the Merit System Supervisor to conduct an annual salary survey involving a review of the changes in the level of salary rates which have occurred in the labor market since the time of the survey preceding the most recent adjustment of the compensation plan. The survey is to be completed and the findings reported to the Commissioners of Public Welfare, Health and Public Safety by July 31 of each year. If the findings reveal increase or decrease in salary rates in the labor market for similar and/or competing employment of 4% or more, these rules require a public hearing.

The revisions to 12 MCAR § 2.840 A., 7 MCAR § 1.314 A. and 11 MCAR § 1.2140 A. are needed to implement recommended salary adjustments in the Merit System Compensation Plan for positions in the county welfare and human services agencies and local and county public health and emergency services agencies. Proposed amendments to 12 MCAR § 2.840 A., 7 MCAR § 1.314 A. and 11 MCAR § 1.2140 A. adjust the minimum and maximum salaries and intervening steps for all classes on the professional salary schedule by 7% effective January 1, 1980, or, for those agencies on a biweekly or four-week payrool period, on the beginning date of the first payroll period following January 1, 1980, with some exceptions.

The amendments to 12 MCAR § 2.840 B. and 7 MCAR § 1.314 B. adjust the minimum and maximum salaries and intervening steps for all classes on the Support Salary Schedules by 7% effective January 1, 1980, or, for those agencies on a biweekly or four-week payroll period, on the beginning date of the first payrool period following January 1, 1980, with some exceptions.

The amendments to 12 MCAR § 2.749 C., 7 MCAR § 1.314 C. and 11 MCAR § 1.2140 B. are proposed to implement salary recommendations for clerical classes. The amendments to 12 MCAR § 2.840 D. and 7 MCAR § 1.314 D. are needed to implement salary recommendations for all classes on the Maintenance and Trades and the Building Maintenance Salary Schedules.

There were no written or oral comments, other than Mr. Corey's presentation, concerning these amendments.

The Hearing Examiner finds the amendments as proposed are needed and reasonable, and adopts the relevant sections of the Statement of Need and Reasonableness as facts establishing the justification for the proposed rules.

B. Personnel Policies and Procedures.

16. 12 MCAR § 2.494, 7 MCAR § 1..239 and 11 MCAR § 1.2094. These rules deal with the compensation plan. Amendments to 12 MCAR § 2.494 D.1., 7 MCAR § 1.239 D.1. and 11 MCAR § 1.2094 D.1. require that the Merit System review changes in the Twin City Consumer Price Index when proposing adjustments to the Merit System Compensation Plan. These changes are necessary to implement

the proposed amendments 12 MCAR § 2.494 D.7., 7 MCAR § 1.239 D.7. and 11 MCAR § 1.2094 D.7. establishing a cost of living formula in recommending salary adjustments during even-numbered years. Also, proposed amendments to 12 MCAR § 2.494 D.2., 7 MCAR § 1.239 D.2. and 11 MCAR § 1.2049 D.2. are necessary to conform to and provide consistency therein and to continue the conducting of a salary survey during odd-numbered years.

Amendments to 12 MCAR § 2.494 D.3. and 4., 7 MCAR § 1.239 D.3. and 4. and 11 MCAR § 1..2094 D.3. and 4. are needed to provide consistent language in all three rules. The elimination of the last sentence in 7 MCAR § 1.239 D.4 and 11 MCAR § 1.2094 D.4 is to make its language consistent with 12 MCAR § 2.494 D.4.

Amendments to 12 MCAR § 2.494 D.5., 7 MCAR § 1.239 D.5. and 11 MCAR § 1.2094 D.5. are needed to clarify the effective date for the amended compensation plan.

Amendments to 12 MCAR § 2.494 D.6., 7 MCAR § 1.239 D.6. and 11 MCAR § 1.2094 D.6. substitute the term "appointing authority" for the specific language currently in these three sections of the rule. In addition, another amendment to 12 MCAR § 2.494 D.6. and 7 MCAR § 1.239 D.6. substitutes the word "numerically" for "alphabetically" and is needed since the individual salary steps in the compensation plans are identified numerically rather than alphabetically.

Amendments to 12 MCAR § 2.494 D.7., 7 MCAR § 1.239 D.7. and 11 MCAR § 1.2094 D.7. add new language to 12 MCAR § 2.494, 7 MCAR § 1.239 and 11 MCAR § 1.2094. They provide that, in even-numbered years, a review will be conducted by the Supervisor of the change in the Twin City Consumer Price Index for urban wage earners and clerical workers. The resulting data will be used for general salary adjustments in the Merit System in an amount equal to 80% of the increase in that index which occurred between June of the preceding year and June of the current year. That amount will be rounded to the nearest tenth of a percent and may not exceed 8%. Presently, the rules require a salary survey each year..

Amendments to 12 MCAR § 2.494 E.1., 7 MCAR § 1.239 E.1. and 11 MCAR § 1.2094 E.1. remove the Supervisor from involvement in the salary setting process. However, they still provide for a salary setting process to be followed by the negotiating parties when it is not specifically provided for in the terms of the collective bargaining agreement.

In Exhibit V, a letter from Geraldine Wedel, R.N., Field Representative, the Minnesota Nurses Association, and Ms. Wedel's oral comments at the hearing indicated that her association supports the new and amended rules. She did indicate that it is doubtful whether in A, B and D series the compensation was enough to maintain a sufficient number of nurses on the state payroll because they did not match the collective bargaining agreement currently negotiated by the union.

There were no further written or oral comments, except those of Mr. Corey, at the hearing.

The Hearing Examiner finds the amendments as proposed are needed and reasonable. The Statement of Need and Reasonableness, relative to the above provision, is hereby adopted as facts establishing the justification of the proposed rules.

C. Classification Plan and Compensation Plan.

17. 12 MCAR §§ 2.578, 2.579, 2.619, 2.654, 2.655, 2.693; 7 MCAR § 1.269. These rules are to revise three existing class specifications and to establish four new class specifications. The Merit System Council has held hearings on all of these class specification proposals and has recommended their adoption.

a. 12 MCAR § 2.578 and 2.579. These changes are made to update the minimum education and experience qualifications for Financial Assistance Supervisor I and II.

b. 12 MCAR § 2.619. This new rule creates the new classification of Housing Coordinator for the Todd County Social Services Department. That agency has an employee performing these functions under a different classification.

c. 12 MCAR §§ 2.654 and 2.655. These new rules create two new classifications of Nutrition Project Director and Nutrition Project Assistant Director for the Headwaters Nutrition Project. The agency has two employees currently performing these functions but assigned to different classifications.

d. 12 MCAR § 2.693. This amendment to change the title of a Homemaker/Home-Health-Aide to "Family Service"/Home-Health-Aide. This provides consistency with the titles in that area of the rules.

e. 7 MCAR § 1.269. This new rule establishes the new classification of Nutrition Assistant in response to a need expressed by the Olmsted County Public Health Department. They have an employee currently performing the function of this class under a different classification.

18. 12 MCAR § 2.840 A. and B.; 7 MCAR § 1.314 B. These rules set the compensation plan for professional and support classifications under the Public Welfare Merit System and public health support classifications under the Public Health Merit System. Revisions to these rules set the salary ranges for the remainder of 1979, for all of the aforementioned new classes.

Except where otherwise indicated, no oral or written comments were received concerning these rules.

The Hearing Examiner finds the rules and amendments as proposed are needed and reasonable.

CONCLUSIONS

1. The Minnesota Merit System gave proper notice of the promulgation of the proposed rule provisions.

2. The System has statutory authority, as cited, to take the action proposed, to wit, the promulgation, deletion and amendment of the proposed rules.

3. The System has fulfilled all relevant, substantive and procedural requirements of law or rule.

4. The System has demonstrated the need for and reasonableness of the proposed rules and proposed amendments and deletion by an affirmative presentation of facts in the record.

Based upon the foregoing Conclusions, the Hearing Examiner makes the following:

RECOMMENDATION

It is recommended that the proposed rules be adopted by the Minnesota Merit System as recommended herein. The Merit System should consider changes

which benefit clerical employees who have reached their maximum salary range provided such changes do not constitute substantial changes.

Dated: November 16, 1979.

Harry Seymour Crump

HARRY SEYMOUR CRUMP
Hearing Examiner

DPW-80-010-HC

STATE OF MINNESOTA
OFFICE OF HEARING EXAMINERS

FOR THE MINNESOTA MERIT SYSTEM

IN THE MATTER OF THE PROPOSED ADOPTION OF RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING THE COMPENSATION PLAN; SALARY ADJUSTMENTS AND INCREASES; AND THE CLASSIFICATION PLAN.	REPORT OF THE CHIEF HEARING EXAMINER

WHEREAS, a hearing was held on October 15, 1979, before Harry S. Crump, 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 Minnesota Merit System on November 16, 1979; and

WHEREAS, the Minnesota Merit System has now determined to adopt rules pursuant to Minn. Stat. § 15.0412, subd. 4; and

WHEREAS, the Minnesota Merit System has submitted said rules to the Chief Hearing Examiner for review pursuant to Minn. Stat. § 15.052, subd. 4, and 9 MCAR § 2.110; and

WHEREAS, the Chief Hearing Examiner finds that the final proposed rules are not substantially different from those proposed at the public hearing and that the Minnesota Merit System has met all requirements of Minn. Stat. § 15.0412, and subd. 4.

NOW, THEREFORE, upon receipt of this Report, the Minnesota Merit System has the responsibility of submitting the complete hearing record and the rules as adopted by the System to the Attorney General, notifying all persons who requested to be informed that the hearing record has been submitted to the Attorney General, and publishing in the State Register, all pursuant to Minn. Stat. § 15.0412, subd. 4.

Dated this 17th day
of December, 1979.

DUANE R. HARVES
Chief Hearing Examiner

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE ARTHUR E. NOOT
COMMISSIONER OF PUBLIC WELFARE

BEFORE GEORGE R. PETTERSON, M.D.
COMMISSIONER OF HEALTH

BEFORE JOHN P. SOPSIC
COMMISSIONER OF PUBLIC SAFETY

IN THE MATTER OF THE PROPOSED ADOPTION OF RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING THE COMPENSATION PLAN; SALARY ADJUSTMENTS AND INCREASES; AND THE CLASSIFICATION PLAN

STATEMENT OF NEED AND REASONABLENESS

The following considerations constitute the statutory and regulatory authority upon which the above-cited rule amendments are based:

1. 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. 42 USC Ch. 62. 1/

1/ Also see sections of the United States Code cited hereinafter where the following programs have a statutory requirement for the establishment and maintenance of personnel standards on a merit basis:

Aid to Families With Dependent Children - "AFDC" [42 USC § 602 (a) (5) (A)]
Food Stamps [7 USC § 2020 (e) (6) (B)]
Medical Assistance = "MA" [42 USC § 1396a (a) (4) (A)]
Social Services [42 USC § 1397b (d) (1) (D)]
Comprehensive Mental Health Services [42 USC § 2689T (a) (1) (d)]
Aid to the Blind [42 USC § 1202 (a) (5) (A)]
Aid to the Permanently and Totally Disabled [42 USC § 1352 (a) (5) (A)]
Aid to the Aged, Blind or Disabled [42 USC § 1382 (a) (5) (A)]
Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation [42 USC § 4573 (a) (5)]
Drug Abuse Prevention [21 USC § 1176 (e) (8)]
Comprehensive Health Planning [42 USC 300M-1(b) (4) (B)]
Health Resources Development [42 USC § 300o-2(b)]
Civil Defense Personnel and Administrative Expenses [50 USC Appx. § 2286(a) (4)]
Medical Facilities Assistance [42 USC § 300o-1(b)]

Maternal and Child Health Services/Crippled Children Services
[42 USC § 705(a) (3) (a)]
Developmental Disabilities Services and Facilities Construction
[42 USC § 6063(b) (7)]
State and Community Programs on Aging [12 USC § 3027(a) (4)]
Nutrition Programs for the Elderly [42 USC § 3045d (a) (3)]

2. Pursuant to such Congressional action the U.S. Department of Health, Education and Welfare (HEW), Department of Labor and Department of Defense promulgated 5 CFR Part 900, Subpart F which imposes upon the State of Minnesota general requirements for a merit system of personnel administration. Those standards require that in order to be eligible for federal grant-in-aid funds the Minnesota Merit System must specifically include, among other things, a position classification plan (5 CFR § 900.604-1), a comprehensive compensation plan (5 CFR § 900.604-1), and an active recruitment, selection and appointment program (5 CFR §§ 900.602-900.603).

3. Under the aforementioned grant-in-aid programs the State of Minnesota, through its appropriate agencies, is the grantee of federal program and administrative funds and, accordingly, the State is under an affirmative obligation to insure that such monies are properly and efficiently expended in compliance with applicable federal standards.

4. In conformance with 5 CFR Part 900, Subpart F, the Minnesota Legislature enacted Minn. Stat. § 12.22 subd. 3, § 144.071 and § 393.07 subd. 5, which respectively authorize the commissioner of public safety, the commissioner of health, and the commissioner of public welfare to adopt necessary methods of personnel administration for implementing merit systems within their individual agencies. Collectively, the resulting programs are referred to as the "Minnesota Merit System".

5. Pursuant to such statutory authority those state agencies have adopted comprehensive administrative rules which regulate administration of the Minnesota Merit System. 2/

2/ 12 MCAR §§ 2.490-2.841, 11 MCAR §§ 1.2090-1.2141 and 7 MCAR §§ 1.235-1.315.

6. The above-cited proposed rule amendments are promulgated in accordance with the provisions of applicable Minnesota statutes and expressly guarantee the rights of public employers and Minnesota Merit System employees in conformance with the terms of the state's Public Employment Labor Relation Act [Minn. Stat. §§ 179.61-179.77].

7 The Minnesota Supreme Court has expressly recognized the authority of the Commissioner of Public Welfare and, implicitly, the similar authority of the Commissioner of Public Safety and the Commissioner of Health, to adopt such rules by declaring:

> . . . it is clear that the Director of Social Welfare 3/ was clearly right in adopting and promulgating a merit plan which includes 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 program nor the determination of his tenure of office and individual compensation.

State ex rel. Hennepin County Welfare Board and another v. Robert F. Fitzsimmons, et al., 239 Minn. 407, 420, 58 N.W. 2d 882, 890 (1953). (Footnote added.)

3/ The "Director of Social Welfare" was the former title of the current office of "Commissioner of Public Welfare".

II. The justification establishing the reasonableness of the specific substantive provisions of the proposed rules, all of which concern the Minnesota Merit System operation, is as follows:

A. COMPENSATION PLAN, SALARY ADJUSTMENTS AND INCREASES

1. 12 MCAR § 2.516, 7 MCAR § 1.260 and 11 MCAR § 1.2116

These rules deal with salary adjustments and increases. Amendments to 12 MCAR § 2.516 B. 2. and 7 MCAR § 1.260 B. 2. are necessary to update these rules and to implement recommended salary adjustments for Minnesota Merit System employees for 1980. The amendments propose that incumbents covered by the official Merit System Compensation Plan on the Professional and Support Salary Schedules receive a 7% adjustment in their monthly salary; that incumbents on the Clerical Salary Schedules receive a $50 increase in their monthly salary and that incumbents on the Maintenance and Trades and Building Maintenance Salary Schedules receive a two step adjustment in their monthly salary (approximately 8%).

The proposed amendment to 11 MCAR § 1.2116 B. 2. provides that incumbents covered by the official Merit System Compensation Plan on the Professional Salary Schedule receive a 7% adjustment in their monthly salary and that incumbents on the Clerical Salary Schedule receive a $50 increase in their monthly salary.

All of the proposed salary adjustments are recommended to become effective January 1, 1980, or, for those agencies on a bi-weekly or four-week payroll period, on the beginning date of the first payroll period following January 1, 1980. If these recommendations are adopted, the only requirement would be that employees covered by the official Merit System Compensation Plan at least be at the minimum salary for their class. Granting of any recommended salary adjustments to employees above the minimum salary for their class is discretionary with the appointing authorities. In addition, agencies may adopt a different general adjustment from that proposed by the Merit System for their employees as long as such adjustments at least place employees at the minimum salary for their class on the Merit System Compensation Plan adopted by the agency and not over the maximum salary. The proposed salary adjustments do not apply to agencies with negotiated collective bargaining agreements. The proposed salary

adjustments contained in these amendments are based on data shown in the 1979 Minnesota Merit System Salary Survey, which document is expressly incorporated herein by reference. Salary data from some 25 different sources were included in this survey covering salaries paid for comparable positions in public and private jurisdictions within Minnesota and elsewhere. Although the Merit System Rules do not require it, changes in the Consumer Price Index (CPI) both nationwide and in the Twin Cities have also been a factor traditionally considered when proposing salary adjustments. For the period June, 1978, to June, 1979, which is the historic base period used in the salary survey, there was an 11.1% increase in the Consumer Price Index nationwide and a 12.4% increase in the Twin City CPI. The CPI is based on urban wage earners and clerical workers buying power and was a factor taken into consideration in determining the proposed amount of increase for the professional and support employee salary adjustments. Another factor considered was the Bureau of Labor Statistics Report on Wages and Salaries in the Minneapolis-St. Paul area for 1978 which showed an 8.6% average increase in office clerical salaries from January, 1978, to January, 1979; an average salary increase of 8.3% for skilled maintenance workers for the same period; and an average salary increase of 8.1% for unskilled plant workers for this period of time. This information, together with other salary data contained in the salary survey was considered in determining the proposed amount of increase for clerical, maintenance and trades and building maintenance employee salary adjustments.

2. 12 MCAR § 2.840, 7 MCAR § 1.314 and 11 MCAR § 1.2140

These rules deal with the compensation plan. 12 MCAR § 2.494 D., 7 MCAR § 1.239 D. and 11 MCAR § 1.2094 D. require that the Merit System Supervisor conduct an annual salary survey involving a review of the changes in the level of salary rates which have occurred in the labor market since the time of the survey preceding the most recent adjustment of the compensation plan. The survey is to be completed and the findings reported to the Commissioners of Public Welfare, Health and Public Safety by July 31 of each year. If the findings reveal an increase or decrease in salary rates in the labor market for similar and/or competing employment of 4% or more,

these rules require a public hearing. The 1979 salary survey utilized data and findings of other labor market surveys as well as current salaries being paid for similar employment in other public and private jurisdictions and was based, to the extent practicable, on the same sources of data and surveys used in past studies to determine salary increases which have occurred. Actual minimum and maximum salaries for classes in the Merit System were compared to salaries for similar positions in other public agencies and business, and consideration was also given to increases in the cost-of-living and to current labor market conditions.

The proposed revisions to 12 MCAR § 2.840 A., 7 MCAR § 1.314 A. and 11 MCAR § 1.2140 A. are needed to implement recommended salary adjustments in the Merit System Compensation Plan for positions in the county welfare and human services agencies and local and county public health and emergency services agencies. Proposed amendments to 12 MCAR § 2.840 A., 7 MCAR § 1.314 A. and 11 MCAR § 1.2140 A. adjust the minimum and maximum salaries and intervening steps for all classes on the professional salary schedule by 7% effective January 1, 1980, or, for those agencies on a bi-weekly or four-week payroll period, on the beginning date of the first payroll period following January 1, 1980, with the following exceptions:

a. Welfare classes of Administrative Assistant III, Dietitian, Public Health Nurse, Public Health Nurse (Team Leader), Senior Public Health Nurse and Social Welfare Supervisor III minimum and maximum salaries adjusted approximately 12%.

b. Welfare classes of Accountant II, Nutrition Project Assistant Director, Sanitarian I, Systems Programmer Analyst and Volunteer Services Coordinator I minimum salaries adjusted 7% and maximum salaries adjusted approximately 12%.

c. Welfare class of Physical Therapist minimum and maximum salary adjusted approximately 9%.

d. Welfare class of Social Worker I minimum salary adjusted 7% and maximum salary adjusted approximately 40%.

e. Public Health classes of Public Health Nurse, Public Health Nurse (Team Leader) and Senior Public Health Nurse minimum and maximum salaries adjusted approximately 12%.

f. Public Health class of Sanitarian I minimum salary adjusted 7% and maximum salary adjusted approximately 12%.

The different adjustment proposed for categories a. and e. listed above is based on minimum and maximum salaries for comparable jobs as determined by the salary survey and by traditional salary relationships which have existed between those classes in an occupational series.

The different adjustment proposed for categories b., c. and f. listed above are based on minimum and maximum salaries for comparable jobs as determined by the salary survey.

The different adjustment proposed for category d. listed above is based on the elimination of a mandatory junior-senior plan of promotion for Social Worker I to Social Worker II. It was necessary, in view of this change, to provide a salary range for the Social Worker I class which approximates that provided for the Social Worker II classification. The current salary range for Social Worker I has only four salary steps.

The proposed amendments to 12 MCAR § 2.840 B. and 7 MCAR § 1.314 B. adjust the minimum and maximum salaries and intervening steps for all classes on the Support Salary Schedules by 7% effective January 1, 1980, or, for those agencies on a bi-weekly or four-week payroll period, on the beginning date of the first payroll period following January 1, 1980, with the following exceptions:

a. Welfare classes of Coordinator of Aging, Financial Assistance Specialist, Financial Worker II and Senior Case Aide minimum and maximum salaries adjusted approximately 9%.

b. Welfare class of Financial Assistance Supervisor I minimum and maximum salary adjusted approximately 12%.

c. Welfare class of Financial Assistance Supervisor II minimum salary adjusted 7% and maximum salary adjusted approximately 12%.

d. Welfare classes of Case Aide and Financial Worker I minimum salaries adjusted approximately 9% and maximum salaries adjusted approximately 25%.

e. Welfare classes of Community Service Aide, Public Health Aide and Senior Citizen's Aide minimum and maximum salaries adjusted approximately 17%.

f. Public Health classes of Inspector I, Inspector II and Laboratory Technician minimum and maximum salaries adjusted approximately 9%.

g. Public Health class of Medical Laboratory Assistant minimum and maximum salary adjusted approximately 12%.

h. Public Health class of Public Health Aide minimum and maximum salary adjusted approximately 17%.

The different adjustment proposed for categories a., b., c. and f. listed above is based on minimum and maximum salaries for comparable jobs as determined by the salary survey and by traditional salary relationships which have existed between classes in an occupational series.

The different adjustment proposed for category d. listed above is based on the elimination of a mandatory junior-senior plan of promotion for Financial Worker I to Financial Worker II and Case Aide to Senior Case Aide. It was necessary, in view of this change, to provide a salary range for the Financial Worker I and Case Aide classes which approximates that provided for the Financial Worker II and Senior Case Aide classes. Currently, these two classes only have six salary steps. The adjustment at the minimum of these two classes is based on minimum salaries for comparable jobs as determined by the salary survey.

The different adjustment proposed for categories e. and h. listed above are based on the necessity for conformance to the increase in the state minimum wage to $2.90 per hour effective January 1, 1980.

The different adjustment proposed for category g. listed above is based on minimum and maximum salaries for comparable jobs as determined by the salary survey. All such adjustments proposed are needed to maintain competitive salaries for Merit

System positions.

The proposed amendments to 12 MCAR § 2.749 C., 7 MCAR § 1.314 C. and 11 MCAR § 1.2140 B. are needed to implement salary recommendations for clerical classes. These amendments adjust the minimum and maximum salaries and intervening steps for all classes on the A, B, C, D, E and F Clerical Salary Schedules by $50 per month effective January 1, 1980, or, for those agencies on a bi-weekly or four-week payroll period, on the beginning date of the first payroll period following January 1, 1980. The recommended adjustments are based on comparisons to minimum and maximum salaries for comparable positions as determined by the salary survey and, to some extent, by the results of the Bureau of Labor Statistics Report on Wages and Salaries in the Minneapolis-St. Paul area for 1978 which showed an 8.6% average increase in office clerical salaries from January, 1978, to January, 1979.

Proposed amendments to 12 MCAR § 2.840 D. and 7 MCAR § 1.314 D. are needed to implement salary recommendations for all classes on the Maintenance and Trades and the Building Maintenance Salary Schedules. These amendments adjust the minimum and maximum salaries and intervening steps for all classes on these schedules by two steps (approximately 8%) effective January 1, 1980, or, for those agencies on a bi-weekly of four-week payroll period, on the beginning date of the first payroll period following January 1, 1980. The recommended adjustments are based on comparisons to minimum and maximum salaries for comparable positions as determined by the salary survey and by the results of the Bureau of Labor Statistics Report on Wages and Salaries in the Minneapolis-St. Paul area for 1978 which showed an average salary increase of 8.3% for skilled maintenance workers from January, 1978, to January, 1979; and an average salary increase of 8.1% for unskilled plant workers for the same period.

Additional justification beyond that already mentioned in support of the reasonableness of the recommended adjustments of the salary schedules includes, but is not limited to, the following:

a. Hennepin County Welfare Department employees received a general salary adjustment of 8% effective December 31, 1978, based upon a cost of living formula.

b. St. Louis County Civil Service employees received a general salary adjustment of 7.5% effective January 1, 1979.

c. Ramsey County Welfare Department employees received a general salary adjustment of 8.96% effective January 1, 1979.

d. City of Minneapolis employees received a general salary adjustment of $13.00 bi-weekly effective January 1, 1979.

e. City of St. Paul clerical employees received a 6% general salary adjustment, supervisory professional employees a 5.25% adjustment and professional employees a 5.5% adjustment, all effective on January 1, 1979.

f. Employees of the State of Minnesota did not receive a general salary adjustment on January 1, 1979, but did receive varying general salary adjustments effective July 4, 1979. Professional employees received average increases of 4.6%, trades employees received average increases of 6.8% and clerical and support employees received average increases of 5.5%. Considering progression increases available over the biennium, projected cost of living increases and increases in fringe benefits, the total compensation increase for state employees approximates 7% for each year of the biennium.

g. Employees of the Federal Government received a general salary adjustment of 5.5% in October, 1978, and may receive an additional increase of 7% in October, 1979, although Congress has not yet decided on the amount of the anticipated increase.

h. The Employment Cost Index, developed by the Bureau of Labor Statistics, United States Department of Labor, measures changes in straight time average hourly wages and salaries. It does not include increases in employee benefit costs but can be used for general comparison purposes. The index shows that for the twelve month period ending in June, 1979, wage and salary rates rose by 7.6% nationwide.

i. The Salary Survey of the College Placement Council March report indicated an average monthly salary offer of $911 per month to 1979 social service graduates which represents an increase of 8.7% over 1978 offers to such graduates. This compares to the proposed entry salaries of $1018, $1064 and $1114 per month on the Merit System A, B and C compensation plans, respectively, for Social Worker I.

j. The Endicott Survey which is a report of beginning salaries which leading companies plan to offer high-quality college graduates in 1979 showed the average anticipated monthly salary being offered to 1979 liberal arts graduates to be $1062 which represents an increase of 6.6% over the actual average offer made to 1978 liberal arts graduates.

k. Under the provisions of 12 MCAR § 2.494 D. teacher salaries are to be used in setting Merit System salaries for welfare professional employees. Teachers in only 38 of the state's 437 school districts have settled contracts for the 1979-80 and 1980-81 school year. In these districts, which comprise only 8.77% of the total, the average starting salary is $1035 per month for a 10 month school year. This represents an 8.5% increase over 1978-79 for the total compensation package (including insurance, extra-curricular pay, etc.). Again, this compares to the proposed entry salaries of $1018, $1064 and $1114 per month on the Merit System A, B and C compensation plans, respectively, for Social Worker I. Traditionally, the minimum salary for Social Worker I on the B salary schedule has been linked to the median minimum BA teacher salary.

Considerable more data was used in addition to that cited above in arriving at the recommended 1980 salary adjustments and all of the data relied upon is contained in the 1979 Minnesota Merit System Salary Survey.

B. PERSONNEL PROCEDURES AND POLICIES

1. 12 MCAR § 2.494, 7 MCAR § 1.239 and 11 MCAR § 1.2094

These rules deal with the compensation plan. Proposed amendments to 12 MCAR § 2.494 D. 1, 7 MCAR § 1.239 D. 1. and 11 MCAR § 1.2094 D. 1. require that the Merit System review changes in the Twin City Consumer Price Index when proposing adjustments to the Merit System Compensation Plan. These changes are necessary to implement the proposed amendments 12 MCAR § 2.494 D. 7., 7 MCAR § 1.239 D. 7. and 11 MCAR § 1.2094 D. 7. establishing a cost of living formula in recommending salary adjustments during even-numbered years. Likewise, proposed amendments to 12 MCAR § 2.494 D. 2., 7 MCAR § 1.239 D. 2. and 11 MCAR § 1.2049 D. 2. are necessary to conform to and provide consistency with the same proposed amendments and to continue the conducting of a salary survey during odd-numbered years.

Proposed amendments to 12 MCAR § 2.494 D. 3. and 4., 7 MCAR § 1.239 D. 3. and 4 and 11 MCAR § 1.2094 D. 3. and 4. are needed to provide consistent language in all three rules. The elimination of the last sentence in 7 MCAR § 1.239 D. 4. and 11 MCAR § 1.2094 D. 4. is reasonable based not only on the desire for consistency in language with 12 MCAR § 2.494 D. 4. but on the fact that the notice of hearing indicates the availability of such information and the Merit System has always complied and will continue to comply with such requests from individuals and groups.

A proposed amendment to 12 MCAR § 2.494 D. 3. eliminates a specific reference in the current rule to consideration of salary rates in the teaching profession when proposing salary adjustments for professional welfare classes in the official Merit System Compensation Plan. Salary rates for teachers is only one of many factors considered in determining recommended adjustments for professional classes. Comparisons of salary rates for professional level positions with similar duties and responsibilities outside the Merit System are made to appropriate professional Merit System classes and these comparisons together with general labor market conditions are also used in determining recommended salary adjustments. There are no specific teacher classifications in the official Merit System Compensation Plans and no classes where the incumbent has duties and responsibilities which are similar in nature to that of a public school teacher. While the Merit System will continue to review teacher salaries when conducting future salary surveys, there is no need or compelling rationale, in view of the above, to continue a specific rule reference to salaries in the teaching profession (or any other specific profession) when considering salary adjustments for professional classifications.

Proposed minor amendments to 12 MCAR § 2.494 D. 5., 7 MCAR § 1.239 D. 5. and 11 MCAR § 1.2094 D. 5. are needed to merely clarify the effective date for an amended compensation plan.

Proposed minor amendments to 12 MCAR § 2.494 D. 6., 7 MCAR § 1.239 D. 6. and 11 MCAR § 1.2094 D. 6. substitute the generic term "appointing authority" for specific language currently in these three sections of the rule The change proposed in 12 MCAR § 2.494 D. 6. is necessary since this rule applies both to county welfare and human services agencies and their employees while the changes proposed in 7 MCAR § 1.239 D. 6. and 11 MCAR § 1.2094 D. 6. are necessary to provide language consistent with 12 MCAR § 2.494 D. 6. Another minor amendment to 12 MCAR § 2.494 D. 6. and 7 MCAR § 1.239 D. 6. substitutes the word "numerically" for "alphabetically" and is necessary since individual salary steps in the compensation plans are identified numerically rather than alphabetically.

Proposed amendments 12 MCAR § 2.494 D. 7., 7 MCAR § 1.239 D. 7. and 11 MCAR § 1.2094 D. 7. add new language to 12 MCAR § 2.494, 7 MCAR § 1.239 and 11 MCAR § 1.2094. They provide that, in each even-numbered year, a review will be conducted by the Supervisor of the change in the Twin City Consumer Price Index for urban wage earners and clerical workers. As a result of that review, recommended general salary adjustments for all classes on the official salary schedule of the Minnesota Merit System will be made in an amount equal to 80 percent of the increase in that index which occurred between June of the preceding year and June of the current year. That amount will be rounded to the nearest tenth of a percent and may not exceed 8%. The same percentage increase recommended for all rates of pay on the official salary schedule of the Minnesota Merit System would also be recommended as a general salary adjustment for all incumbents of positions on all salary schedules. The recommended adjustments would result in an amended compensation plan to be effective the following January 1 or on the beginning date of the first payroll period after the following January 1 for those agencies on a bi-weekly or four-week payroll period.

Presently, the rules require that a salary survey be conducted by the Supervisor on an annual basis. The process of collecting, analyzing and printing the salary survey data together with recommendations for salary adjustments is a complicated, lengthy and time-consuming process involving the full time involvement of nearly all the Merit System staff. During this period of time the level of service being provided by the Merit System staff to agencies does suffer in terms of timeliness in responding to personnel issues and problems encountered by the various agencies. It is necessary to consider some alternative to the annual salary survey to increase the level of service being provided by the Merit System during the time of the year when all staff are heavily or completely involved in the salary survey process. In addition to a recognition of this need, it has also been noted that salary rates for a specific classification do not typically vary significantly from the general change in salary rates that occur within a jurisdiction during a one year period. Rather, they are more likely to approximate that general increase in rates. This has been shown to be true over the years by the relatively few number of Merit System classes that are recommended to have their salary ranges adjusted by a different percentage than the general adjustment recommended for the majority of classes each year. The proposed amendment is reasonable in that it will alleviate the

concern expressed over the level of service provided by Merit System staff but still provide for an actual salary survey to be conducted in each odd-numbered year so that salary adjustments for specific classes that deviate significantly from the average can be identified and reflected in proposed adjustments for comparable Merit System classes in those years.

Although there are several jurisdictions in Minnesota that provide for salary adjustments based on a cost of living formula using the Twin City Consumer Price Index, there are none, to the best of our knowledge, which provide adjustments in an amount equal to 100% of the percentage increase in the index. The Merit System proposed amendment basing the adjustment on 80% of the increase in the index is consistent with the formula used by both Hennepin and Ramsey Counties which also use 80% of the increase in determining the amount of salary adjustment generated by the formula. Based on the above, the proposed 80% limitation on the increase in the Twin City Consumer Price Index as contained in the proposed formula is reasonable.

The proposed amendments also provide that the adjustment arrived at through application of the formula may not exceed 8%. Only if the percentage increase in the Twin City Consumer Price Index exceeded 10% would the recommended adjustment in employee salaries be less than what it would be if there were no 8% maximum adjustment in the formula. At this point in time, of course, it is impossible to predict what the increase in the Twin City Consumer Price Index will be for the period June, 1979, to June, 1980, which would be the period of time used to calculate proposed salary increases if this amendment is approved. However, the proposed 8% limit on adjustments is consistent with the formula employed by Hennepin County which includes a maximum adjustment of 8%. The City of Minneapolis, in its current negotiations, has proposed a maximum limit on its cost of living formula of 7.5%. Secondly, a maximum adjustment of 8% in January, 1981, as proposed, coupled with the proposed general adjustment of 7% for January, 1980, continues a commitment to compliance with the Presidential Wage/Price Guidelines which limit wage adjustments to a maximum of 14.49% over a two year period and also compares favorably with the 14% increase in salaries of state employees occurring over the two year period from July 1, 1979, through June 30, 1981. Thirdly, a maximum recommended adjustment of 8% is not inconsistent with salary increase patterns for 1978-79 in the metropolitan area. The Stanton Associates 1979 Twin Cities Metropolitan Area Salary Survey reported on prevailing wage and salary patterns across 147 participating

government jurisdictions. The report showed that mean salaries increased 5.4% during the year. A group-by-group summary of salary increase patterns reported showed the following: salaries up 3.3% for state agencies (State of Minnesota and University of Minnesota); salaries up 8.0% for metropolitan-wide agencies (Metropolitan Airports Commission, Metropolitan Council, Metropolitan Waste Control Commission and Metropolitan Transit Commission); salaries up 7.1% for Hennepin and Ramsey Counties, Minneapolis and St. Paul; salaries up 8.6% for suburban counties (Anoka, Dakota, Washington, Scott and Carver Counties); salaries up 7.3% for suburbs over 10,000 population and salaries up 8.4% for suburbs under 10,000 population. Considering the above, the proposed 8% limitation on adjustments contained in this amendment is reasonable. It should be pointed out, again, that adjustments resulting from the proposed formula are only recommendations and that individual agencies may choose to grant adjustments that differ from the Merit System recommendation. Also, the proposed amendment will not apply to those agencies with collective bargaining agreements.

Finally, amendments are being proposed to 12 MCAR § 2.494 E. 1., 7 MCAR § 1.239 E. 1. and 11 MCAR § 1.2094 E. 1. The current rules provide that, in those agencies where there is an exclusive representative, when a new class is established and no provision exists in the contract for establishing a salary for the class the Supervisor shall set the salary until the contract is again negotiated. The Supervisor does not (and should not) participate in salary negotiations and it is inappropriate to have the Supervisor responsible for establishing salaries for newly established classes in agencies where there is an exclusive representative. The proposed amendment is both reasonable and needed to remove the Supervisor from being involved in the salary setting process in such agencies but still provide for a salary setting process to be followed by the negotiating parties when it is not specifically provided for in the terms of the collective bargaining agreement.

C. CLASSIFICATION PLAN AND COMPENSATION PLAN

1. 12 MCAR §§ 2.578, 2.579, 2.619, 2.654, 2.655, 2.693; 7 MCAR § 1.269

These proposals are necessary to revise three existing class specifications. and to establish four new class specifications. The revisions to existing specifications and the contents of the proposed new class specifications resulted primarily from recommendations made by committees of incumbents and their supervisors as well as final review of the drafts of the class specifications by incumbents and supervisors. The Merit System Council has held hearings on all of these class specification proposals and has recommended their adoption in the proposed form.

a. 12 MCAR §§ 2.578 and 2.579 (Financial Assistance Supervisor I and Financial Assistance Supervisor II

The major change being proposed for these two classifications is in the minimum qualifications of education and experience section of the specifications. Changes in qualifications have been proposed for the classes Financial Worker I, Financial Worker II and Financial Assistance Specialist that will be heard at a public hearing on September 21, 1979. In addition, new class specifications for Financial Assistance Supervisor III and IV were developed and adopted last year. Since the Financial Assistance Supervisor I and II classifications are a part of the same occupational series of classes as those mentioned above, changes in their minimum qualifications section are needed to make them consistent with the proposed changes in the other classifications and those adopted for the Financial Assistance Supervisor III and IV class specifications. Proposed changes to the kind of work section clarify the role of incumbents in these classifications. Proposed changes to the examples of work and knowledges and abilities required sections involve the updating of terminology, clarification of appropriate responsibilities, deletion of those knowledges and abilities considered inappropriate and not necessary for an individual to possess prior to being hired in the classification and the addition of abilities that are felt to be necessary for an individual to possess prior to being hired in the classification. All of these proposed amendments are necessary and

reasonable to ensure maintenance of the classification plan on a current basis which is a requirement of the current Federal Standards for a Merit System of Personnel Administration, a copy of which is expressly incorporated herein by reference. The final drafts of these two class specifications were reviewed by members of the Merit System Financial Supervisor's Association who approved them as to form and substance.

b. 12 MCAR § 2.619 (Housing Coordinator)

The proposed establishment of this new classification is in response to a need expressed by the Todd County Social Services Department. That agency has an employee performing these functions who is currently in a different Merit System classification. The new classification is necessary and reasonable to more properly reflect the specific duties and responsibilities of the incumbent and to ensure the maintenance of a classification plan on a current basis which reflects the various kinds of jobs performed by Merit System employees. The final draft of this proposed class specification was reviewed by the incumbent and his supervisor who approved it as to form and substance.

c. 12 MCAR §§ 2.654 and 2.655 (Nutrition Project Director and Nutrition Project Assistant Director)

The proposed establishment of these two new classifications is in response to a need expressed by the administrative board of the Headwaters Nutrition Project, whose employees are covered under the Merit System. The agency has two employees currently performing these functions but allocated to different Merit System classifications. The proposed new classifications are necessary and reasonable to more properly reflect the specific duties and responsibilities of these employees and to ensure the maintenance of a classification plan on a current basis which reflects the various kinds of jobs performed by Merit System employees. The final drafts of these proposed class specifications were reviewed by the two incumbents and their supervisor who approved them as to form and substance.

d. 12 MCAR § 2.693 (Homemaker/Home-Health-Aide)

The only proposed amendments to this classification are a change in the class title to Family Service/Home-Health-Aide and a change in the kind of work section to substitute the term "family service" for "homemaker." At a public hearing scheduled for September 21, 1979, several title changes are being proposed which affect the Homemaker/Homemaker Coordinator class series. These title changes substitute "family service" for "homemaker" and therefore it is necessary and reasonable to propose these amendments to the Homemaker/Home-Health-Aide class to obtain consistency in class title with those changes referred to above.

e. 7 MCAR § 1.269 (Nutrition Assistant)

The proposed establishment of this new classification is in response to a need expressed by the Olmsted County Public Health Department, which is covered by the Public Health Merit System. It is also anticipated that the Anoka County Public Health Department, also under the Public Health Merit System, will be employing one or more individuals in this classification in the near future. The Olmsted County Public Health Department currently has an employee performing these functions but allocated to a different Merit System classification. The proposed new classification is necessary and reasonable to more properly reflect the duties and responsibilities of the employee performing this kind of work and to ensure the maintenance of a classification plan on a current basis which reflects the various kinds of jobs performed by Merit System employees. The final draft of the class specification was reviewed by the Public Health Nutritionist in the Olmsted County Public Health Department and the Director of Public Health Nursing in the Anoka County Public Health Department who have approved it as to form and substance.

2. 12 MCAR § 2.840 A. and B.; 7 MCAR § 1.314 B.

These rules set the compensation plan for professional and support classifications under the Public Welfare Merit System and public health support classifications under the Public Health Merit System. Revisions to these rules are necessary to set salary ranges for the remainder of 1979 for all of the aforementioned new classes. The proposed salaries are based primarily on comparisons with Merit System salary ranges for existing classes with equivalent minimum qualifications and duties and responsibilities and, where possible, on comparisons with salary rates for similar jobs in other

jurisdictions. The proposed salaries provide for fair and equitable salary rates and are reasonable.

a. The proposed salary range for Housing Coordinator for 1979 on the Merit System C plan is $971-1390 per month which has the same minimum salary rate as the Financial Assistance Specialist classification. The level of responsibility expected of incumbents in these two classes are roughly comparable and the proposed range is reasonable. Although other public jurisdictions were surveyed no comparable positions appeared to exist.

b. The proposed salary ranges for Nutrition Project Director and Nutrition Project Assistant Director for 1979 on the Merit System C plan are $1390-2071 and $1041-1486 per month, respectively. These are identical to the current salary ranges for the classes Administrative Assistant I and Office Manager which are the classes to which the two incumbents are currently allocated. The level of knowledges, skills and abilities required of employees in the two proposed new classes are equivalent to those required of incumbents of the Administrative Assistant I and Office Manager classifications and the proposed ranges are reasonable. Again, no comparable positions exist in other jurisdictions so that comparable salaries could not be obtained.

c. The proposed salary range for Nutrition Assistant for 1979 on the Merit System C plan is $815-1111 per month. A suggested salary range for this class of $833-1249 per month was submitted by the Olmsted County Public Health Department. In reviewing other public jurisdictions for comparable positions, the City of St. Paul has a Nutrition Assistant classification with a salary range of $826-1024 per month. In view of the similarities of the proposed classification to those of the position in St. Paul, the proposed salary range of $815-1111 is reasonable.

d. Earlier in this statement of need and reasonableness, a proposed change in class title for Homemaker/Home-Health-Aide to Family Service/Home-Health-Aide was made. Although this proposed change does not affect the 1979 salary for the class, it does make necessary a change in 12 MCAR § 2.840 B. to reflect the proposed change in class title.

e. At a public hearing to be held on September 21, 1979, the following title changes are being proposed: Homemaker I to Family Service Aide I, Homemaker II to Family Service Aide II, Homemaker Coordinator I to Family Service Coordinator I and Homemaker Coordinator II to Family Service Coordinator II. The proposed title change in the Homemaker/Home-Health-Aide was not included in the proposals for that hearing since the Merit System Council had not yet had a hearing on the proposed change prior to the time the statement of need and reasonableness had to be prepared for that hearing. Therefore it is necessary to change 12 MCAR § 2.840 B. to reflect the proposed four class title changes to be heard on September 21 and also to bring them into conformity with the change in the class title of Homemaker/Home-Health-Aide to Family Service/Home-Health-Aide.

The foregoing authorities and comments are submitted in justification of final adoption of the above cited proposed rule amendments.

Ralph W. Corey

Ralph W. Corey
Merit System Supervisor

Dated: September 13, 1979