

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 No. 802

RULE REVIEW CHECKLIST

DATE RULE RECEIVED 4-6-82
DATE FOR REVIEW 4-17-82
DATE DUE 4-26-82

Adopted w/a hearing ✓
Adopted w/o hearing
Temporary rule

Approved 4-26-82 Disapproved Returned to Agency 4-26-82

Resubmitted Due
Approved Disapproved Returned to Agency

Date filed w/Secretary of State 4-26-82 Revisor approved ✓ 4/8/82 disapproved

---

✓ Rule as Adopted

Rule as Proposed see SR.

✓ Orders Adopting 3/2 · 3/3 - 3/9/82 Date

✓ Notice of Intent to Solicit Outside Opinion SR · 6/22/81

✓ Order for rulemaking
12.3.81 date of Hearing

N/A Certificate of Board's Authorizing Resolution

✓ Notices of rulemaking
DPW ✓ DBS ✓ Sufficiency see HE re expiration of MDH statutory authority

✓ Affidavits of Mailing Notice or rulemaking
✓ 10.28.82 10.30.82 At least 30 days prior to hearing/~~adoption~~

✓ Mailing list Certificate

✓ Publication in State Register
✓ 11.2.81 At least 30 ~~20~~ days prior to hearing/~~adoption~~

✓ Hearing Examiner's Report

✓ Chief Hearing Examiner's Report(s)
✓ 1.26.82 Approving H.E.'s Report
✓ 4.1.82 Approving agency action

✓ Agency's Findings of Fact

N/A LCRAR Report or agency Affidavit

✓ Certificate of Board's Resolution Adopting Rules

Order Approving Incorporation by Reference

✓ Statement of Need and Reasonableness

N/A Petition for Adoption of a Rule

NOT submitted Record (includes transcript or tape, exhibits, comments received by agency, requests for a hearing, and other relevant materials)

✓ Certificate of Compliance w/Rulemaking Procedures

✓ Affidavit of Mailing Notice of Submission to Attorney General

✓ Notice of Submission to the Attorney General

STATE OF MINNESOTA

DEPARTMENT ATTORNEY GENERAL

Office Memorandum

TO : HONORABLE ALBERT H. QUIE
Governor

DATE: 4/26/82

ATTN : JOHN M. BURMAN, Spec. Ass't. Atty. Gen.

FROM : TED A. MARTINEZ
Special Assistant
Attorney General

PHONE: 296-0315

SUBJECT: In the Matter of the Proposed Adoption of Rules of the State Department of Public Safety Governing the Minnesota Merit System

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. Please 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 stamps of the Attorney General and Secretary of State;

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

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

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

TAM:drw
Encs.

cc: Ms. Kathy Burek
Mr. Duane Harves

STATE OF MINNESOTA

DEPARTMENT ATTORNEY GENERAL

Office Memorandum

TO : DUANE H. JOHNSON
Deputy Commissioner of Health

DATE: 4/26/82

ATTN : JOHN M. BURMAN, Spec. Ass't. Atty. Gen.

FROM : TED A. MARTINEZ
Special Assistant
Attorney General

PHONE: 296-0315

SUBJECT: In the Matter of the Proposed Adoption of Rules of the State Department of Health Governing the Minnesota Merit System

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. Please 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 stamps of the Attorney General and Secretary of State;

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

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

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

TAM:drw
Encs.

cc: Ms. Kathy Burek
Mr. Duane Harves

STATE OF MINNESOTA

DEPARTMENT ATTORNEY GENERAL

Office Memorandum

TO : ARTHUR E. NOOT
Commissioner of Public Welfare

DATE: 4/26/82

ATTN : JOHN M. BURMAN, Spec. Ass't. Atty. Gen.

FROM : TED A. MARTINEZ
Special Assistant
Attorney General

PHONE: 296-0315

SUBJECT: In the Matter of the Proposed Adoption of Rules of the State Department of Public Welfare overning the Minnesota Merit System

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. Please 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 stamps of the Attorney General and Secretary of State;

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

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

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

TAM:drw
Encs.

cc: Ms. Kathy Burek
Mr. Duane Harves

.490

AG copy

Department of Public Welfare

Merit System

Adopted Rule and Amendments of Existing Rules Governing Definitions; Statement of Policy and Means of Effecting Policy; Organization; Classification Plan; Compensation Plan; Examinations; Certification of Eligibles; Probationary Period; Separation, Tenure and Reinstatement; Leaves of Absence; Appeals and Hearings; Salary Adjustments and Increases; Salary Computation Provisions for Full and Part-time Employment; Appointments, Demotions, Transfers and Reinstatements; and Provisions for Computing Monthly, Hourly, Less-than-full-time, Bi-weekly, and Four-week Salary Rates

Rules as Adopted

12 MCAR S 2.490 Definitions.

A. The following definitions apply to 12 MCAR SS 2.490-2.841 unless the context clearly requires another meaning.

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

2. Appointing authority. "Appointing authority" means the county board, county welfare board, human service board or officer authorized by statute or lawfully delegated authority to make appointments to positions under the Merit System.

3. Board. "Board" means the county board, county welfare board, or human service board.

4. Change in allocation. "Change in allocation" means the reclassification of a position resulting from significant sudden changes imposed by the appointing authority affecting the duties and responsibilities of a position.

5. Class. "Class" means one or more positions sufficiently similar in the duties performed; degree of supervision exercised or required minimum requirements of training, experience, or skill; and such other characteristics

that the same title, the same tests of fitness, and the same schedule of compensation may be applied with equity to all of the positions.

6. Commissioner. "Commissioner" or "Commissioner of Public Welfare" means the administrative head of the Department of Public Welfare.

7. Council. "Council" means the Merit System Council.

8. County agency. "County agency" means the organization created by the county board, county welfare board or the human service board to carry out the functions and policies of the board with regard to community social service or income maintenance programs funded in whole or in part by federal grants-in-aid requiring a merit system of personnel administration.

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

10. County welfare board. "County welfare board" means the county welfare board, county board or human service board.

11. Day. "Day" means a calendar day except when otherwise specified in the specific rule.

12. Demotion. "Demotion" means a change by an employee from a position in one class to a position in another class with less responsible duties and a lower salary range.

13. Disabled veteran. "Disabled veteran" means a veteran who is rated or certified as disabled, in accordance with the provisions of Minn. Stat. S 43A.11.

14. Dismissal. "Dismissal" means the termination of employment for cause.

15. Eligible. "Eligible" means any person whose name is on a register.

16. Emergency employee. "Emergency employee" means an employee who was appointed to perform certain duties when an

emergency situation exists.

17. Employee. "Employee" means any person in the employ of a county board, county welfare board, or human services board, exclusive of its members, who occupies a position covered by 12 MCAR SS 2.490-2.841 and who is paid a salary or wage.

18. Exclusive representative. "Exclusive representative" has the meaning given in Minn. Stat. S 179.63, subd. 6.

19. Facsimile. "Facsimile" means a replica. A facsimile of 12 MCAR S 2.841 is a chart showing each of the salary rates adopted by an agency divided into monthly and hourly rates and either daily rates and bi-weekly rates or four-week rates if paid on this basis or the daily rate based on the number of working days in the month--20, 21, 22, or 23 days if paid on a monthly basis.

20. General adjustment. "General adjustment" means the merit system recommended salary adjustment based on a salary survey or a review of consumer price index changes.

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

22. Layoff. "Layoff" means the termination of employment because of abolishment of a position, lack of funds, shortage of work, or other reason beyond the control of the employee.

23. Layoff list. "Layoff list" means a list of permanent or probationary employees who have been laid off by reason of abolishment of their positions, lack of funds, shortage of work, or other reason beyond the control of the employee.

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

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

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

27. Original appointment. "Original appointment" means the date of initial entry to probationary status normally through appointment from an open-competitive list.

28. Overtime. "Overtime" means hours worked in excess of a normal work shift or beyond a normal work week.

29. Permanent employee. "Permanent employee" means an employee who has successfully completed a probationary period or who has attained permanent status upon the installation of the Merit System.

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

31. Probationary employee. "Probationary employee" means an employee who is serving a probationary period in a class to which the employee has been appointed from an eligible list.

32. Probationary period. "Probationary period" means the six-month working trial period during which a new employee is required to demonstrate fitness for the position to which the employee is appointed by actual performance of the duties of the position.

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

34. Provisional employee. "Provisional employee" means an employee who meets the minimum qualifications for the position but who has been appointed to a position without having been appointed from an eligible register.

35. Reallocation. "Reallocation" means the reclassification of a position resulting from significant changes in the duties and responsibilities of the position that occur gradually over a period of time .

36. Reclassification. "Reclassification" means a reallocation or change in allocation of a position to a higher, lower, or equivalent class.

37. Reemployment list. "Reemployment list" means a list

of former permanent or probationary employees who have been laid off and the names of former permanent or probationary employees who have voluntarily separated from Merit System employment in good standing and whose applications for reemployment in the Merit System are submitted within one year of separation.

38. Register. "Register" means an officially established list of eligibles for a particular class.

39. Resignation. "Resignation" means the termination of employment made at the request of the employee.

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

41. Salary increase. "Salary increase" means an increase granted to an employee on the basis of working out of class or due to unusual employment conditions and not based on job performance, cost-of-living factors, going rates for similar jobs or labor market conditions.

42. State agency. "State agency" means the State Department of Public Welfare.

43. Supervisor. "Supervisor" means the Merit System supervisor.

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

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

46. Transfer. "Transfer" means the movement of an employee from one position to another in the same class or in another class having the same salary range and usually involving the performance of similar duties and requiring essentially the same qualifications of training and experience.

47. Veteran. "Veteran" means every person defined as a veteran by Minn. Stat. S ~~197.46~~ 197.447.

48. Veterans preference. "Veterans preference" means preference granted to veterans by Minn. Stat. S 43A.11.

C-491

12 MCAR S 2.491 Statement of policy and means of effecting policy.

A. Objectives. It is the aim of the Department of Public Welfare of the State of Minnesota, through the establishment of the County Welfare Merit System, to provide appointing authorities with an effective system of personnel administration based on merit principles. Specific objectives are:

1. Economy and effective service in the Minnesota welfare and human services program;

2. The proper classification of positions so that positions essentially alike in duties and responsibilities are treated alike and positions not so alike are treated with due consideration to the nature and extent of the differences between them;

3. Fair and equal opportunity for all qualified persons to compete for positions and promotions under the jurisdiction of the Merit System solely on the basis of merit and fitness as ascertained through practical examinations;

4. Equitable pay scales for the various classes established on the basis of equal pay for equal work; and

5. An attractive career service in public welfare and human services employment within the State of Minnesota.

B. Adoption and amendment of the rules.

1. Statutory authority. In order to accomplish the objectives stated in A., 12 MCAR SS 2.490-2.841 have been promulgated by the Commissioner of Public Welfare in accordance with Minn. Stat. SS 256.01, subd. 4, 256.012, and 393.07, subd. 5, and in compliance with Minn. Stat. ch. 15.

2. Procedures. The Commissioner of Public Welfare, with the advice and recommendations of the council, may amend 12 MCAR SS 2.490-2.841 after compliance with the provisions of Minn. Stat. ch. 15.

C.-D. [Unchanged.]

E. Violations.

1. By employees. Violations of any of the provisions of 12 MCAR SS 2.490-2.841 by an employee in the service shall be

considered sufficient cause for the dismissal of that employee.

2. By an appointing authority. Violations of 12 MCAR SS 2.490-2.841 by an appointing authority shall be brought to the attention of the appointing authority by the supervisor. The notice shall include remedial measures necessary to correct past violations and to ensure future compliance. If the appointing authority refuses to take corrective action, the supervisor shall inform the commissioner who ~~shall take appropriate action, including but not limited to denial or suspension of~~ shall deny or suspend payment of all or part of state and federal administrative reimbursement funds, suspend services from the Merit System, or require that other corrective action be taken.

3. Appeals. An appointing authority may appeal any denial or suspension of administrative reimbursement to the Merit System Council which shall, after a review of the record available to the commissioner, make its recommendation to the commissioner. The commissioner's decision shall be final. HE 12.

F. Political activity.

1.-3. [Unchanged.]

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

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

G. Prohibition against discrimination.

1. In general. No person shall be discriminated for or against in recruitment, examination, appointment, tenure, compensation, classification, or promotion or in conditions, facilities, or privileges of employment because of race, color, creed, religion, national origin, physical disability when such

.492

disability does not interfere with the completion of assigned duties, age, marital status, status with regard to public assistance, or sex. Any person aggrieved by a violation of these prohibitions may file a complaint under the provisions of Minn. Stat. ch. 363. HE7

2. Political opinions. No person shall be discriminated for or against as provided in 1. because of his political opinions or affiliations within the limitations imposed by F. nor shall discrimination occur because of any other non-merit factor. Any person aggrieved by a violation of a prohibited discrimination that does not come within the jurisdiction of Minn. Stat. ch. 363 may file a complaint with the Merit System supervisor, setting forth the basis for his belief that an act or threat or promise of an act of discrimination occurred and identifying by name and position the person alleged to have committed the act or threat or promise of an act of discrimination.

3. Investigations. The supervisor or ~~his~~ a designated representative shall conduct an investigation of the alleged discrimination and shall report the complaint and the findings of the investigation to the Merit System Council at its next meeting. The complainant shall have the right to present ~~his~~ the complaint personally to the council. The council shall order any further investigation or hearing as may be warranted prior to making its decision. If the council finds that discrimination has occurred, it shall take whatever action it deems warranted and within its authority to remedy the effect of any act or threat or promise of an act of discrimination and to prevent discrimination.

12 MCAR S 2.492 Organization.

A. Duties and powers of the commissioner. The Commissioner of Public Welfare shall have authority to require methods of administration which 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. The adoption of methods relating to the establishment and

maintenance of personnel standards on a merit basis for all employees in positions covered by 12 MCAR SS 2.490-2.841 and the examination thereof, and the administration thereof, shall be directed and controlled exclusively by the Commissioner of Public Welfare pursuant to Minn. Stat. SS 256.012 and 393.07. Nevertheless, the Commissioner of Public Welfare shall exercise no authority in the selection, tenure of office, and compensation of a specific individual employed in accordance with these methods.

B. Organization of the Merit System Council.

1. The Merit System Council members shall be appointed by the Governor from a panel of names submitted by the Commissioner of Public Welfare. The council shall be composed of three members who shall be public-spirited persons of recognized standing and of known interest in the improvement of public administration and in the impartial selection of efficient government personnel. No member shall have held political office or have been an officer in a political organization during the year preceding appointment, ~~nor shall he hold such office~~ or during ~~his~~ the term of the appointment. No member of the council shall have been an employee of the state agency or an employee or member of an appointing authority within one year prior to ~~his~~ appointment.

2.-3. [Unchanged.]

4. The supervisor shall serve as Secretary of the Council. The supervisor shall keep a calendar of all business to be transacted at each meeting, issue notices of regular and special meetings, present to the council all matters that require consideration by the council, keep records and files of the council and minutes, and handle other matters as the council may direct or circumstances indicate as necessary and proper in order to facilitate and give effect to the actions of the council within the scope of its powers and duties.

C. [Unchanged.]

D. Duties of the Merit System Council. It shall be the duty of the council within the scope of 12 MCAR SS 2.490-2.841:

1. To establish general policies for the administration of merit examinations and the hearing of personnel appeals as provided in 12 MCAR S 2.5081;

2. To hear such appeals or to appoint an appeal board of three members or to appoint a referee to hear such appeals on its behalf;

3. To consult with the Commissioner of Public Welfare about the appointment of a full-time Merit System supervisor;

4. To consult with the supervisor in formulating procedures for the purpose of ensuring conformity with the rules and the policies of the council.

5. To review the classification and compensation plans and to make recommendations to the commissioner about their adoption and subsequent revision;

6. To make recommendations to the commissioner about internal personnel policies to ensure conformity with the rules;

7. To promote public understanding of the purposes, policies, and practices of the Merit System; and

8. To review and make recommendations to the commissioner about any amendments to the rules of the Merit System.

E. Compensation of council members. Each member of the council shall be paid $50 per regular meeting, but no member shall be paid more than $600 in any one calendar year for regular meetings. Each member of the council shall be paid $50 per day when serving on an appeal or hearing board. In addition, members whose residence is in excess of 50 miles from the place of meeting shall be compensated for travel expenses and, in an instance in which the meeting is scheduled for more than one day or when the ~~four~~ hour of the beginning of the meeting, or the close of the meeting, does not allow coming from or returning to the place of residence within a reasonable time, for lodging and meals.

F. Appointment of the Merit System Supervisor. The commissioner, after consultation with the council, shall appoint a Merit System Supervisor in accordance with Minn. Stat. ch. 43A, and the rules of the Minnesota Department of Employee

Relations. The supervisor shall be a person who has had training and experience in a field related to merit system administration and who has known symphathies with the merit principle in government service and shall possess such other qualifications as are requisite for the performance of the duties defined in G. Within three years prior to appointment, the supervisor shall not have held, nor during the term of office shall the supervisor hold, political office or office in any political organization.

G. Duties of the supervisor. In conformance with 12 MCAR SS 2.490-2.841, it shall be the duty of the supervisor to:

1. Develop and put into continuous effect policies and procedures for the administration of the Merit System program as they relate to the preparation, administration, and scoring of examinations; the preparation, custody, and maintenance of registers of eligibles; the determination of availability to eligibles for appointment; the certification for appointment; and the determination of the adequacy of existing registers.

2. Develop the classification and compensation plans and consult with the council on the adoption and revision of such plans as they relate to the Merit System program of recruitment and examination.

3. Promote public understanding of purposes, policies, and practices of the Merit System program.

4. Appoint staff members, including technicians, clerks, stenographers, and other permanent or temporary employees who are necessary to carry out the provisions of 12 MCAR SS 2.490-2.841. Employees shall be chosen in accordance with the provisions of the Minnesota Department of Employee Relations rules.

5. Review, develop and propose amendments to existing Merit System rules for consideration and recommendation by the Merit System council and in accordance with the provisions of Minn. Stat. ch. 15.

6. Perform other duties which are prescribed by 12 MCAR SS 2.490-2.841.

.493

12 MCAR S 2.493 Classification plan.

A. Preparation and adoption.

1. Commissioner's duty. The Commissioner of Public Welfare shall formally adopt and make effective a comprehensive classification plan for all positions covered by 12 MCAR SS 2.490-2.841 which shall be published as part of the Public Welfare Merit System Manual. 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.

2. Review by council. The proposed classification plan, and any changes therein, shall be submitted to the Merit System council for review and recommendations. After that review and recommendation and upon formal adoption by the Commissioner of Public Welfare, the classification plan shall be the official plan for all positions. Class titles established by the adoption of the classification plan shall be used in all personnel and financial records of the Department of Public Welfare and appointing authorities, as well as in all examination procedures.

B. Allocation of positions. Every position under the jurisdiction of an appointing authority shall be allocated by the supervisor to one of the appropriate classes established by 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, the necessary allocations or reallocations shall be made by the supervisor to new or existing classes as necessary.

C. Revision of plan. Existing classes may be abolished or changed, or new classes added, in the same manner as the classification plan is originally adopted.

D. Incumbents of reclassified positions.

1. Appointment authorized. When a position is reclassified and it is determined to be a reallocation resulting from a significant change in the duties and responsibilities of the position occurring gradually over a period of time, the supervisor ~~may~~ shall (HF 11) authorize an appointing authority to promote the incumbent of the reallocated position. An employee promoted in accordance with this provision shall serve a probationary period in the higher class.

2. Eligibility. When a position is reclassified resulting from a change in allocation the incumbent shall not be eligible to continue in the position except as provided in 3. or 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 the applicable provisions of 12 MCAR SS 2.490-2.841. If ineligibility of a permanent or probationary incumbent of such a reclassified 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 those provisions must

occur within 60 days of the notification of reclassification of the position.

3. Change in agency size. If a position is reclassified 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.

4. Equivalent duties. The Commissioner of Public Welfare may authorize the reclassification 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 reclassified 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.

5. Incumbent appointed after exam. If the incumbent examined in accordance with 4. successfully completes the examination process, the supervisor may certify only the name of the eligible incumbent to the appointing authority.

6. Probation prohibited. Notwithstanding the provisions of 12 MCAR S 2.500 B.1.a., an employee appointed under 5. shall not be required to serve a new probationary period in the higher classification.

12 MCAR S 2.494 Compensation plan.

A. Preparation and adoption.

1. Preparation of plan. In accordance with Minn. Stat. ch. 15, the commissioner shall formally adopt and make effective

a comprehensive compensation plan, 12 MCAR S 2.840, for all classes of positions which shall apply to all agencies covered by the Merit System except as otherwise negotiated for employees in a bargaining unit in agencies where there is an exclusive representative or in those instances where the requirements of F.2.c. have been satisfied. The plan shall include salary schedules for the various classes, with the salary of each class consistent with the functions outlined in the class specifications. Minimum, intervening, and maximum rates of pay for each class shall be established to provide for salary advancement without change in duty, in recognition of meritorious service. The advice and suggestions of appointing authorities, prevailing salary rates for similar and competing types of employment in business and government, and other relevant factors shall be taken into consideration in developing the salary schedules.

2. Review by council. The proposed compensation plan, and any amendments to it, shall be submitted to the Merit System Council for review and recommendation. Upon review and recommendation by the council and after compliance with the provisions of Minn. Stat. ch. 15, the commissioner shall formally adopt the compensation plan which shall be the official salary schedule of the Minnesota Merit System, effective the date specified.

3. Salary plans. The comprehensive compensation plan adopted by the commissioner shall provide for separate alphabetically designated salary plans for different occupational groupings of classes reflecting progressively higher salary ranges except for those classes where a single range of rates is found to be appropriate. Plans shall be established as provided in 12 MCAR S 2.840 as follows:

a. Professional - A, B and C;

b. Support Personnel - A, B and C;

c. Clerical - A, B and C;

d. Maintenance and Trades - A and B.

B. Selection of salary ranges by appointing authority.

1. Adoption of official plan. Appointing authorities shall choose, by resolution, a salary plan for each occupational grouping of classes from among the plans listed in A.3. except when salaries are negotiated with an exclusive representative or the provisions of 5. are applicable. The plans adopted shall become the official plans for the appointing authority until amended.

2. Selection of rates. Within the minimum and maximum salaries for classes in the adopted plans, appointing authorities shall designate, by resolution, the minimum, intervening and maximum salary rates to be paid for each class of positions used by the appointing authority. The supervisor shall be promptly notified of the rates selected by each appointing authority.

3. Plan amendments. The appointing authority may amend, by resolution, its official plan for one or more occupational groupings of classes. The supervisor shall be promptly notified of the official action taken by the appointing authority to amend its plan.

4. Incumbents. Salary rates for incumbents of positions shall be established in accordance with the provisions of F.2. and 3. on the basis of the plan adopted by the appointing authority as provided in A.3.

5. Nonrepresented employees. In agencies with an exclusive representative, the appointing authority may pay confidential, supervisory and other personnel not covered by an exclusive representative who are in the same class as employees who have an exclusive representative, the same rate of pay and salary ranges as negotiated for the class under D.1. In no case would this rule allow the appointing authority to reduce the rate of pay of confidential, supervisory or other excluded employees.

C. Adjustment of the official salary schedule of the Minnesota Merit System.

1. Consumer price index. The compensation plan provided in 12 MCAR S 2.840 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. Biennial review of labor market. 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 Public Welfare on or before July 31 of each odd-numbered year.

3. Plan amendments. From the results of this study, the supervisor shall propose amendments to the compensation plan in accordance with the provisions of Minn. Stat. ch. 15, and as outlined in 12 MCAR S 2.494 A. 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.

4. Biennial review of consumer price index. 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 9 percent. 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.

5. Plan adjustments. 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.

D. Negotiation of a salary schedule.

1. Role of exclusive representative. In those agencies where employees have elected an exclusive representative the appointing authority and the exclusive representative may negotiate their own salary schedules for employees in the bargaining unit by class, with the salary for each class consistent with the functions outlined in the class specifications. Minimum, intervening, and maximum rates of pay for each shall be established to provide for steps in salary advancement without change of duty, in 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 60 days of the date of establishment of the classification.

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

any such succeeding adjustment.

E. Administration of the plan. In those agencies without an exclusive representative or where the collective bargaining agreement is silent regarding initial salaries, the entrance salary for any new employee shall normally be at the minimum rate of pay for the class to which the appointment is made. Requests to appoint above the minimum rate of pay may be made based on the exceptional qualifications of the candidate or the unavailability of candidates at the minimum rate, giving consideration to the salaries of current employees in the same classification. All candidates with similar exceptional qualifications must be offered the same rate of pay which shall be one of the established steps in the agency's adopted salary range for the class to which the appointment is made. Requests, including the reasons, must be submitted in writing by the appointing authority to the supervisor for prior approval.

F. Salary adjustments and increases.

1. Availability of funds. Before salary increases and adjustments are made in accordance with 12 MCAR S 2.494, or in accordance with a negotiated collective bargaining agreement, the appointing authority shall have in its records and carry in its minutes a definite statement that funds for this purpose are available.

2. Plan requirements. In agencies where there is no exclusive representative or collective bargaining agreement, negotiated adjustments in the rates of pay of incumbents of positions, in order to conform to a newly adopted or currently effective compensation plan, shall be in accordance with the following provisions.

a. If the rate of pay of an employee is below the minimum of the range prescribed for the employee's classification on the Merit System Compensation plan adopted by the appointing authority, the rate shall be adjusted to that minimum.

b. If the rate of pay of an employee is at or above the new minimum salary adopted for their class, the employee may

receive the general Merit System adopted adjustment, and if the employee's class was adjusted to a greater extent than the general adopted adjustment, the employee may receive the additional adjustment as provided in C.4. as long as the additional adjustment does not place the employee's salary over the new maximum adopted salary for the class.

c. In those situations where the appointing authority has determined that the general Merit System adopted adjustment is inappropriate for its employees, it may grant a different adjustment; however, the authority must file with the supervisor the new salary steps by class and a Salary Conversion Table as provided for in 12 MCAR S 2.841. These adjustments shall at least place employees at the minimum salary and not over the maximum salary for their class on the salary plan adopted by the agency.

d. Employees at the maximum salary for their class may be granted salary adjustments over the maximum salary prescribed for their class, only if such a Merit System adjustment is adopted and only in the amount adopted for incumbents of that class.

e. If the rate of pay of an employee is higher than the maximum of the range prescribed for the employee's class of positions, the rate may remain the same as long as the employee retains the same classification.

f. If the rate of pay of an employee falls between the minimum and maximum of the salary range prescribed for the employee's class but does not correspond to any intervening steps in the range, due to the adoption of Merit System general adjustment, such rate may remain the same. In the case of subsequent merit increases, the employee shall be placed back on a step in the adopted salary range for his or her class.

g. Employees at the maximum salary rate for their class may be granted Merit System adopted salary adjustments only in the amount adopted for incumbents of that class. If an appointing authority wishes to grant a larger general adjustment to its employees than that adopted by the Merit System and such

an adjustment would place an employee's rate of pay above the maximum salary rate for their class, the appointing authority, by prior resolution, may grant to that employee the annual equivalent of the difference between the Merit System adopted adjustment for incumbents and the agency adopted adjustment in the form of a single lump sum salary payment on the effective date of the general adjustment. The employee's base salary rate shall remain at the maximum salary rate for his or her class.

h. An appointing authority may propose a salary increase within the salary range to an employee upon detailed written statements to the supervisor specifying the unusual employment conditions that make the action necessary and the interests of the agency that will be served by the action. The supervisor shall review each proposal, giving due consideration to the salary rates paid other employees in the same class in the agency and ~~may~~ shall deny any request which ~~in his judgment is contrary to the best interests of the Merit System~~ does not assure equitable compensation for comparable work. Salary increases proposed in accordance with this section are not based on employee performance or a general Merit System adopted salary adjustment. The granting of such an increase shall not affect the employees' eligibility for subsequent merit increases or salary adjustments in accordance with Merit System rules. If the unusual employment conditions giving rise to such an increase are of a temporary nature, the employee's salary shall be decreased to its previous level upon conclusion of those conditions~~, notwithstanding the provisions of~~. This decrease is not subject to H.~~1.~~ or 12 MCAR S 2.5081 D.~~1.~~

3. Recommended adjustment. The Merit System general adjustment recommended for incumbents is eight percent for employees on the professional, support, clerical, and maintenance and trades salary schedules.

4. Salary differentials. Intra-agency salary differentials between employees in the same class of positions, between employees in different classes of positions in the same occupational field, and between occupational fields in the same

agency are recognized as important factors in the maintenance of satisfactory morale. If the general adjustments result in the reduction of the differential between employees in the same class of positions or between employees in different classes of positions in the same occupational field, adjustments may be made that will, insofar as practicable, maintain such differentials within the limits of the new plan. In maintaining such differentials, the appointing authority shall take into consideration the length of service and quality of performance of the employees affected.

5. Collective bargaining agreements. In agencies where there is an exclusive representative and a negotiated salary schedule for employees in the bargaining unit, adjustments in the rates of pay of employees shall follow the wording of the contract or agreement.

G. Merit increases.

1. Increases by steps. Merit increases from the minimum on the official Merit System Compensation Plan or on any negotiated salary schedules or on any salary schedules filed with the supervisor pursuant to F.2.c. shall be by successive intervening steps of pay for the class, with due consideration for length of service and quality of performance.

2. Eligible employees. In those agencies that have adopted a merit increase policy, an employee may be considered for a merit increase upon the satisfactory completion of the probationary period.

3. Annual review for merit increases. In those agencies that have adopted a merit increase policy, a merit increase for each employee not at the maximum salary for his or her classification shall be considered at least once each 12 month period unless otherwise negotiated through a contract or agreement by the appointing authority and the exclusive representative. In the event an increase is not granted, the reasons for the denial of the increase shall be reported, in writing, to the employee and to the Merit System supervisor.

4. Restriction on frequency of increases. In those

agencies that have adopted a merit increase policy and, except as otherwise negotiated by the appointing authority and the exclusive representative, a merit increase shall not be granted until the employee has served at least six months at the rate of pay from which an increase is proposed, except that in cases of exceptionally meritorious service, a merit increase of more than one salary step in the range or at less than a six month interval may be permitted. In each case, however, the facts upon which the merit increase is based shall be recorded in the official minutes kept by the appointing authority and reported to the Merit System supervisor.

5. Increases based on additional education. In those agencies that have adopted a merit increase policy, an extraordinary merit increase within the agency's salary range may be granted upon satisfactory completion of 15 additional credits in a field or fields pertinent to the employee's class. In each case the employee's transcript of coursework must accompany the proposed merit increase.

6. Lump sum payments. In those agencies that have adopted a merit increase policy, the appointing authority may grant an employee who meets all other agency eligibility requirements for a merit increase but whose salary is at or above the maximum rate of pay in the adopted salary range for their classification the annual equivalent of a one step merit increase in the form of a single lump sum payment in recognition of meritorious job performance. For this provision to be effective, appointing authorities, prior to the beginning of the year in which such merit increases, if granted, are effective must establish, by resolution, as its official policy that these payments will be granted for meritorious job performance. The base salary of an employee receiving a lump sum merit increase shall remain at the rate attained immediately prior to the increase.

H. Salary decreases.

1. In general. Except as otherwise negotiated by an agency and the exclusive representative, a salary decrease

C.496

within the range prescribed for the class may be made only for just cause. A permanent employee shall be notified of the intent to effect a reduction in pay and the reasons for the action at least ten calendar days prior to the date on which the reduction becomes effective. A copy of the notice shall be sent to the supervisor. A permanent employee whose salary is reduced may request a hearing as provided in 12 MCAR S 2.5081 D.~~1.~~

2. Exemption. Collective bargaining agreement provisions whereby a salary adjustment or salary increase is negotiated for a set period of time do not fall within the provisions of 1.

I. Work out of class. If an employee is expressly assigned in writing to perform all the duties of a position allocated to a higher classification that is temporarily unoccupied for reasons other than vacation or sick leave and that work exceeds 15 consecutive work days in duration, the employee so assigned shall be paid for all hours of the assignment at least at the minimum rate of pay of the salary range for the higher class or may be granted a one step salary increase within the assigned employee's salary range. If the assignment is to a position in a classification at an equal or lower level, the employee shall be paid for all hours of the assignment at the employee's current rate of pay. A work out of class assignment may be proposed only if the duration of the vacancy is anticipated to be less than six months. Approval of such assignments by the supervisor is required and must be received by the supervisor within five calendar days of the assignment. Upon completion of the work out of class assignment, the employee's salary shall be reduced to its previous level~~, notwithstanding the provisions of~~. This decrease is not subject to H.~~1.~~ or 12 MCAR S 2.5081 D.~~1.~~

---

12 MCAR S 2.496 Examinations.

A. Character of examinations.

1. In general. Examinations for entrance into the Public Welfare and Public Safety Merit Systems shall be conducted on a competitive basis. Examinations shall be practical in nature, shall be constructed to reveal the capacity of the applicant for the particular position for which he is competing, as well as

his general background and related knowledge, and shall be rated objectively.

The supervisor shall determine the content of all examination processes which ~~may~~ shall include~~, but are not limited to~~: performance tests, written examinations, ratings of experience and training, promotional ratings ~~and~~, or oral examinations. HE 11

2. Weight assigned to parts. The supervisor shall assign definite weights to each part of the examination prior to its public announcement.

3. Positions for disadvantaged groups. Recruitment and selection for those positions identified in the minimum qualifications of the class specification as directed toward clients and other disadvantaged groups will be limited to persons of low income or low educational achievement, including the physically and mentally disabled. It will be the specific responsibility of the individual appointing authorities to effectively make known opportunities for these jobs to such persons. Persons who do not meet these limitations will be disqualified from competition for these positions and notified of the reasons therefor. Examinations for these positions will include at least one of the following: performance test, oral examination, written test, or oral directions test combining aspects of performance and minimum literacy. The supervisor shall assign a definite weight to each part of the examination prior to its public announcement. Eligible lists will be established on an area or county basis only. Certification of eligibles on an area basis smaller than the county unit may be approved by the supervisor. Because these positions cover a broad range of duties requiring many different abilities, knowledges, and basic skills, notwithstanding other provisions of 12 MCAR SS 2.490-2.841, the supervisor also may approve selective certification of eligibles who possess a particular ability, knowledge, or skill.

B. Notice of examination. The supervisor shall announce all examinations for original entrance into the Public Welfare and

Public Safety Merit Systems at least two weeks in advance of the closing date for receipt of applications, and shall make every reasonable effort to attract qualified persons to compete in these examinations. Notice of examinations shall be posted in important centers throughout the state, and copies shall be distributed among appointing authorities throughout the state, newspapers, public officials, educational institutions, professional and vocational societies, and such other organizations and individuals as the supervisor may deem expedient. Public announcement of examinations shall specify the title and salary ranges of the class of positions, the duties to be performed, the minimum qualifications required, the final date on which applications will be received, and all other conditions of competition, including the relative weights assigned to the various parts of the examination.

C. Conduct of examinations.

1. Place; monitors. Written tests shall be conducted simultaneously in as many places as are necessary for the convenience of the applicants and as are practicable for proper administration. The supervisor may designate such monitors as may be necessary to conduct examinations under instructions prescribed by him and may also arrange for the use of public buildings in which to conduct the examinations. The supervisor shall provide for the compensation of monitors in accordance with the approved budget for the purpose.

2. Refusal to score. The supervisor ~~may~~ HE11 shall refuse to score the examination of an applicant who copies another applicant's examination paper, or falsifies an identity to gain admittance to the examination, or who otherwise meets the criteria for disqualification as provided for in 12 MCAR S 2.495 C.1.

D. Rating examinations.

1. Determination of score. The supervisor shall determine a final score for each applicant's examination, computed in accordance with the weights for the several parts established by the supervisor as set forth in the announcement.

Failure in any part of an examination ~~may~~ shall disqualify the applicant in the entire examination. All applicants for the same position shall be accorded uniform and equal treatment in all phases of the examination procedure.

2. Determination of passing point. The supervisor shall utilize appropriate scientific techniques and procedures in rating the results of examinations and in determining the final scores of the applicants. The supervisor shall establish reasonable passing points for all examinations, giving due regard to the number of vacancies that may reasonably be expected to occur during the life of the register.

E. Rating training and experience. When training and experience form a part of the total examination, the supervisor shall determine a procedure for the evaluation of the training and experience qualifications of the various applicants. The formula used in appraisal shall give due regard to recency and quality, as well as quantity, of experience and to the pertinency of the training. This procedure shall allow for the substitution of training for experience, and experience for training, within the limits stated in the class specifications.

F. Oral examination. When an oral examination forms a part of a total examination for a class of positions, the supervisor shall select one or more oral examination boards as needed. An oral examination board shall consist of two or more members who shall be known to be interested in the improvement of public administration and in the selection of efficient government personnel and at least one of whom shall be technically familiar with the character of work in the position for which the applicant will be examined. Any person holding political office or any officer or committee member of any political organization, or any person actively engaged in the work of any political organization, shall not serve as a member of a board. If practicable, all applicants qualifying for the oral examination for the class of positions shall be rated by the same oral examination board. A member of an oral examination board shall disclose each instance in which he knows the

.498

applicant personally and, in those instances, the supervisor shall determine whether the oral examination board member shall rate that applicant.

G. [Unchanged.]

H. Examination records. The supervisor shall be responsible for the maintenance of all examination records. Applications and other necessary examination records shall be kept during the life of the register. Examination records of appointees shall be kept permanently, but examination records of applicants not appointed may be destroyed 30 days after the register expires.

12 MCAR S 2.498 Certification of eligibles.

A. Vacancies. Vacancies in the classified service shall be filled by reemployment, original appointment, promotion, transfer, demotion, or reinstatement.

B. Requisition for certification. If a vacancy in any position under an appointing authority is to be filled other than by reinstatement, non-competitive examination, transfer, or demotion, and a new employee is needed, a requisition shall be submitted by the appointing authority to the supervisor. This requisition shall state the number of positions to be filled in each class, together with the class title and other appropriate information. In addition, desirable special qualifications for the particular position under consideration may be indicated. In requesting the certification of individuals with special qualifications, the appointing authority shall state in the request the reasons for the special qualifications requested. Eligibles shall be certified in strict order of standing on the register, except in a case in which the supervisor has determined that there is reason for a certification of an eligible with special qualifications. Requests for certification of individuals with special qualifications approved by the supervisor shall be reported to the council at its next scheduled meeting.

C. Certification methods.

1. Entrance register. Upon receiving a requisition, the supervisor shall certify the names of available eligibles. If

one position is involved, the supervisor shall certify the seven highest available names together with any additional names of persons having an examination rating within three points of the person on the certification with the highest examination rating, and any additional names of persons having the same examination score as that of the seventh person certified, from the open-competitive entrance register established for the class of positions. Names of available eligibles from the appropriate reemployment register, if one exists, shall also be certified as additional names.

2. Promotional register. The supervisor may also certify the three highest available names together with any additional names of persons having an examination rating within three points of the person on the certification with the highest examination rating, and any additional names of persons having the same examination scores as that of the third name certified, from the appropriate promotional register if such register exists and is requested. Names of available eligibles from the appropriate reemployment register, if one exists, shall also be certified as additional names.

3. Certification for more than one vacancy. If more than one vacancy exists, the supervisor shall certify at least as many names from the register as there are vacancies to be filled, together with any additional names of persons having an examination rating within three points of the person on the certification with the highest examination rating, and any additional names of persons having the same examination score as that of the last person certified on a competitive certification or as that of the last person certified on a promotional certification. Supplementary certifications will be issued only in instances in which it is found that there are fewer than seven available candidates on the competitive certification or three available candidates on the promotional certification.

4. Selection for appointment. The appointing authority may select for appointment anyone among the certified candidates who ~~are~~ is eligible for appointment.

--

.500

5.-6. [Unchanged.]

D. [Unchanged.]

12 MCAR S 2.500 Probationary period.

A. [Unchanged.]

B. When required.

1. A person employed by an appointing authority in any of the following ways shall serve a probationary period:

a. Appointment from an eligible register other than the layoff list, and except appointment under 12 MCAR S 2.493 D.;

b. Reinstatement of a former probationary employee or of a former permanent employee in an agency other than the last employing agency;

c. Transfer of an employee between counties except when specifically waived, in ~~a written document addressed~~ writing to the Merit System Supervisor, by the new employing county prior to the date on which the transfer of a permanent employee becomes effective; or

d. Transfer or reinstatement to a position on the basis of eligibility from a comparable position in a similar merit system jurisdiction.

C. Duration of probationary period. The probationary period shall consist of the equivalent of the first six full months of compensated service following the date of the appointment action requiring a probationary period, except as provided in D. Unpaid leave of ten or fewer workdays during the probationary period does not affect the duration of the probationary period.

D. Extension of probationary period.

1. In rare or unusual circumstances or conditions that prevent the making of a full and fair determination as a basis for granting permanent status or separating the employee from the service, an extension of the probationary period for up to three months may be granted. Initiation of a request to the Merit System supervisor for extension must occur on or before the beginning of the sixth month of the probationary period and shall specify the reasons why the extension is necessary. A current evaluation of the employee's performance shall accompany

the request. A copy of the request for extension and the evaluation shall be provided to the probationary employee by the appointing authority.

2. The supervisor's decision on the request shall be given to the agency and the employee at least ten days in advance of the end of the initial probation period.

3. Each formal request for extension of the probationary period and the decision on the request shall be reported to the Merit System Council at its next meeting.

E. Promotion during probation.

1. An employee serving a probationary period may be promoted to a position in a higher class. An employee who is promoted begins a probationary period in the higher classification as of the date of that appointment.

2. A probationary employee who is promoted to a position in a higher class in the same occupational field shall complete his probationary period in the lower class by service in the higher position.

F. Transfer during probation. A probationary employee may be transferred from a position under one appointing authority to a position in the same class under another appointing authority if the employee was not appointed from a certification from a county register.

G. Demotion during probation. A probationary employee who is demoted to a class of positions in the same occupational field shall have included as a part of the probationary period in the lower class his period of service in the higher class unless the appointing authority writes on the report of the demotion to the Merit System that a new probationary period is required in the lower class.

H. Removal during probation.

1. A probationary employee may be dismissed by an appointing authority without the right to an appeal or hearing except as may otherwise be provided by law. The employee shall be given written notification, including the reasons for his dismissal, at least five days in advance of the date on which

1503

the dismissal becomes effective and a copy of the notification shall be submitted to the supervisor.

2.-3. [Unchanged.]

I. Completion of probationary period.

1. The appointing authority shall submit written notice of the satisfactory completion of the probationary period to the employee and to the Merit System at least ten days in advance of the expiration of the probationary period. A rating or appraisal of the employee's performance shall accompany the notice. The employee shall then be granted permanent status in ~~his~~ the position the day following the last day of ~~his probation~~ the probationary period. HE 7

2. If an appointing authority fails to implement the purpose and intent of the probationary period by appropriate action as provided in 12 MCAR S 2.500, a probationary employee who is not certified permanent in accordance with 1. and is not removed or demoted but is continued in employment beyond the full six-months period shall obtain permanent status in the position by the default of the agency. The payment of salary beyond the six-months probationary period shall be deemed to be evidence of the determination by the appointing authority that permanent status shall be granted to the employee. The supervisor shall enter such status on the record of the employee and shall notify the appointing authority and the employee of the change in status.

3. Each instance in which permanent status is granted to an employee in accordance with the provisions of 2. shall be reported to the Merit System Council. The council may recommend and the commissioner may take appropriate action to insure that the purpose and intent of the probationary period shall be given effect in the agency in all future appointments.

12 MCAR S 2.503 Separation, tenure and reinstatement.

A. [Unchanged.]

B. Dismissals.

1. [Unchanged.]

2. No employee who has permanent status shall be

HE 7

dismissed from ~~his~~ a position except for just cause. Before the action is taken, a permanent employee shall be furnished with a statement, in writing, setting forth reasons for the dismissal. ~~He~~ The employee shall be permitted five days time to reply thereto, in writing, or, upon request, to appear personally and reply to the appointing authority. A copy of the statement and the employee's reply, if any, shall be filed with the supervisor prior to the effective date of the dismissal. Any such employee who is dismissed may demand a hearing before the Merit System Council in the manner prescribed by 12 MCAR S 2.5081 D.

3. [Unchanged.]

C. Suspension. After written notice, the appointing authority may suspend any employee without pay for just cause for a period not to exceed 30 calendar days in any one calendar year. Suspensions of five or fewer consecutive working days or ten or fewer working days in a calendar year are not appealable to the council under 12 MCAR S 2.5081 D.~~1.~~

D.-E. [Unchanged.]

F. Reinstatement of former permanent employee. 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 12 MCAR SS 2.490-2.841 may be reinstated to a position in the same class at any time within two years after the date of his resignation in good standing. 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 supervisor, reinstatement may be made directly by an appointing authority, provided that there is a vacancy.

G. Reinstatement of former probationary employee. Upon written request of an appointing authority and with the approval of the supervisor, a probationary employee who has resigned in good standing may be reinstated as a probationary employee to a

.504

position in the same class at any time within a year after the date of resignation.

12 MCAR S 2.504 Leaves of absence.

A. In general.

1. Leave policies stated in 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 appointing authority, these negotiated benefits may be applied to all employees of the agency.

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

3. Agencies without an exclusive representative that adopt an optional leave policy beyond the minimum standards listed in 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 an 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 as described in a. Monies received as expenses shall be kept by the employee.

c. Any absence, whether voluntary or in response to a legal order to appear and testify in private litigation, not as an employee of the county agency 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. 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 that one-year period. The appointing authority may require that the employee produce medical certification from a registered practicing physician that the employee 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 the 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 that employee have been abolished, the name of the employee shall be restored to the appropriate reemployment register provided for in 12 MCAR S 2.503 D.5. If all the positions in the class are filled, the least senior employee in the class shall vacate his or her position subject to any eligibility for layoff, transfer, or demotion that he or 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 or her class before the expiration of the leave in the same manner. Upon certification by a 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 or

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 a permanent, probationary, or trainee employee for 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 the satisfactory completion of such period, vacation leave shall accrue to a permanent, probationary, or trainee employee for the time served. Limited term and provisional employees with less than six full months of service and emergency employees shall not accrue vacation leave. Provisional employees with more than six months of service shall accrue vacation leave. 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. Vacation leave may not be used prior to completion of the period in which it is accrued. Part time employees shall accrue vacation leave on a pro-rated basis based on hours worked in accordance with a schedule prepared by the appointing authority.

HE 7

b. Vacation leave shall not accrue 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 by the former agency for the number of working days of accrued but unused vacation leave unless the new agency, upon the request of the employee, agrees to accept all or a portion of the employee's accrued but unused vacation leave.

d. Any permanent, probationary, provisional, or trainee 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 accrued to his credit.

4. Sick leave.

a. Every permanent, probationary, provisional, limited-term and trainee employee shall accrue 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 an employee's inability to perform the duties of his or her position by reason of illness or injury, by necessity for medical or dental care, by reason of prenatal and postnatal 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 employee's spouse, minor children, or parent living in the household of the employee 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 the employee's spouse.

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

c. Sick leave with pay shall not accrue 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 or attesting that

the employee is fit to return to work.

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

h. A permanent or probationary employee who is transferred or promoted from one appointing authority to another may be granted credit in the new agency for all previously accrued but unused sick leave.

i. Sick leave may not be used prior to completion of the period in which it is accrued. Part-time employees shall accrue sick leave on a pro-rated basis based on hours worked in accordance with a schedule prepared by the appointing authority.

5. Military leave. 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 Minn. Stat. S 192.261.

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

7. Holidays.

a. Full time 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. The following days are holidays:

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

Veteran's Day--November 11

Thanksgiving Day--the fourth Thursday in November

Christmas Day--December 25

Appointing authorities may designate one or both of the following as holidays:

Christopher Columbus Day--the second Monday in October

Friday after Thanksgiving

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. Holidays which occur within the employee's vacation or sick leave period shall not be charged to the employee's vacation or sick leave time.

d. Employees must be on the payroll on the work day immediately preceding and the work day immediately following a holiday to be eligible for such holiday. For the purpose of determining eligibility for holiday pay, "on the payroll" means those who are in pay status.

e. Employees who work less than full-time or intermittent employees shall be compensated for holidays on a pro-rated basis in accordance with a schedule prepared by the appointing authority and approved by the supervisor.

C. Optional policy.

1.-3. [Unchanged.]

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 A.3. The appointing authority may allow the employee to continue to accrue eligibility for merit increases, as in 12 MCAR S 2.494 G., and the merit increase may be granted at the same time the increase would have been granted, but for the leave of absence.

5081

Educational leave with pay shall be approved by the supervisor prior to authorization.

12 MCAR S 2.5081 Appeals and hearings.

A. General provisions.

1. The council or appeal board or referee appointed by the council shall hear all appeals under this rule.

2. A written notice of appeal, specifying the reason or reasons for the appeal, must be submitted to the supervisor within 30 days of the action appealed or within 30 days of the date notification of the action was mailed to the affected party, whichever is later.

3. Except for appeals under D., the supervisor shall reply to the appeal, interpreting the Merit System rules and applicable law relative to the issues in the appeal. All affected parties will receive copies of the response.

4. Any affected party who is dissatisfied with the supervisor's resolution may appeal that resolution and the appeal will be placed on the agenda of the next council meeting.

5. Any permanent employee under a collective bargaining agreement who appeals a dismissal, suspension, or a reduction in pay or position under the provisions of a grievance procedure in such agreement may not subsequently appeal the same action to the council.

6. All decisions shall be given within a reasonable time following the hearing and shall be in writing. Copies shall be sent to all parties involved and the Merit System where final decisions are made by the appointing authority.

7. Appeals under B., C., and F. shall be pursuant to the Administrative Procedure Act, Minn. Stat. ch. 15, and contested case rules 9 MCAR SS 2.201-2.299 of the Office of Administrative Hearings.

HE 12

B. Appeals from selection and appointment procedures.

1. Any applicant may appeal a rejection of his or her application based on qualifications or removal from a register for reasons specified in 12 MCAR S 2.497 D. The council shall review the reasonableness of the rejection or removal.

2. Any applicant who has taken an examination may appeal for review of the rating procedures in any part of the examination. The council shall review the rating procedures in order to determine whether they have been applied equally and fairly to all applicants.

3. Decisions of the council regarding appeals under 1. and 2. shall be final.

4. Admission to an examination, restoration to a register, or correction of an examination rating resulting from an appeal shall not affect a certification or appointment that may have already been made.

C. Appeal from allocation. Any employee or appointing authority may appeal the allocation of a position. The council shall review all facts relating to the allocation and make a recommendation to the commissioner. The commissioner's decision shall be final.

D. Appeal from dismissal, suspension, or demotion.

1. Any permanent employee who has not appealed under the provisions of a grievance procedure contained in a collective bargaining agreement may appeal any dismissal, suspension of more than five consecutive working days or ten working days in a calendar year, or reduction in pay or position to the council. The council shall review the action for compliance with the procedural requirements of 12 MCAR S 2.503 ~~B. 2.~~ and whether ~~or~~ not the action was taken for just cause.

2. The hearing shall be held within 30 days of when the appeal is received by the supervisor.

3. After the hearing, the council shall make a recommendation to the appointing authority. Within 30 days of receiving the recommendation, the appointing authority shall make the final decision.

4. Any veteran covered under the provisions of Minn. Stat. S 197.46 shall not be removed except for incompetency or misconduct shown after a hearing upon due written notice which includes a statement of charges.

E. Appeal from denial of merit increase.

1. Any permanent employee of an appointing authority with an established policy of granting merit increases who has not received a merit increase for a 12 month period and who is denied a merit increase may appeal the denial if the reasons given for the denial do not reflect on the merit of the employee's performance. The council shall initially determine whether or not such reasons are given. If so, the appeal shall be denied. If not, the council shall take testimony regarding the performance of the employee. Both the appointing authority and the employee shall have the right to present witnesses and give evidence.

2. The council shall recommend the appointing authority either grant or deny the merit increase. The appointing authority shall make the final decision.

F. Other appeals. Any employee or appointing authority affected by action taken in the administration of 12 MCAR SS 2.490-2.841 may appeal the action. The council shall review the action for compliance with the rules of the Minnesota Merit System and applicable law and shall recommend to the commissioner remedial action it may deem warranted. The commissioner's action shall be final.

12 MCAR S 2.517 Salary computation provisions for full and part-time employment, vacation and sick leave pay upon termination, partial pay periods, overtime pay and part payment from another source.

A. Pay periods. The length of pay periods is at the discretion of the appointing authority but it may be negotiated when there is an exclusive representative.

B. Full-time and part-time employment.

1. All rates prescribed in 12 MCAR SS 2.840 and 2.841 shall be standard rates for full-time employees except as otherwise negotiated for employees in a bargaining unit in agencies where there is an exclusive representative or under the provisions of 12 MCAR S 2.494 F.2.c. If employment in a position is on a part-time or intermittent basis, only the proportional part of the rate for the time actually employed

shall be paid. Such time may be paid on an hourly, working day or proportion of a month basis. The agencies using 12 MCAR S 2.840 shall use the table prepared in accordance with 12 MCAR S 2.841 in computing such payment.

2. Those agencies with an exclusive representative who negotiate different salary schedules from those shown in 12 MCAR S 2.840 under the provisions of 1. or those agencies operating under the provisions of 12 MCAR S 2.494 F.2.c. shall file within ten days after the signing of the contract such schedules with the supervisor. Attached thereto, shall be a table similar in format, computation, and information to the table provided for in 12 MCAR S 2.841. The table shall show monthly rates with appropriate conversion to hourly rates and to daily rates based on the number of working days and paid holidays in the month, and payment by payroll period for full-time work if such payment is made on other than a monthly basis.

C. Payment for less than a full payroll period. The amount of salary paid for a period less than a full payroll period to an employee shall be determined on the basis of the number of hours or days the employee worked in the payroll period. Agencies shall use the table provided for in 12 MCAR S 2.841 in computing this salary. Those agencies with an exclusive representative who have negotiated different salary schedules and those agencies operating under the provisions of 12 MCAR S 2.494 F.2.c. shall use their table prepared in accordance with 12 MCAR S 2.841 in computing this salary.

D. Part payment from another source. When part of the compensation of a county welfare or human service employee regularly is paid from another source, such as federal, state, city or county governmental departments, or from a different fund or account outside the control of the appointing authority, the total salary from all governmental sources combined shall not exceed the amount payable at the maximum rate for the class of position involved on the compensation plan adopted by the agency.

E. Compensation for vacation or sick leave or both upon

separation.

1. An employee, who has permanent status in the county agency in some class, who is separated from the agency shall be paid for accumulated, unused vacation leave in accordance with 12 MCAR S 2.504 B.3.d. on the basis of the appropriate daily or hourly rate as shown on the table prepared in accordance with 12 MCAR S 2.841. This is illustrated by the following examples:

An employee who earns $844 a month and is paid $388 on a bi-weekly payroll ($38.80 daily rate) works 8 days in the payroll period and terminates her employment. She has 11 days of vacation accumulated. Daily rate of $38.80 X 19 days (8 regular working days plus 11 days of vacation) = $737.20.

An employee who earns $844 a month and is paid on a monthly basis works 8 days in the month which has 22 working days in it and terminates her employment. She has 11 days of vacation accumulated. Daily rates of $38.36 (for 22 day month) X 19 days (8 regular working days plus 11 days of vacation) = $727.70.

12 MCAR S 2.518 Appointment, promotions, demotions, transfers, and reinstatements.

A. Appointment.

1. The entrance salary for the original appointment, provisional appointment, or emergency appointment of a new employee shall be at the minimum salary for the class of positions to which he is appointed, except when appointments are permitted above the minimum in accordance with 12 MCAR S 2.494 E.

2. An employee who is provisionally employed at a rate of pay higher than the minimum of the range prescribed for the class shall not be reduced in pay at the time of appointment from a register to the class.

B. Promotions.

1. An employee who is promoted shall have his or her salary raised to the minimum rate of pay for the new class. If his or her salary before promotion falls within the range of the new class but not on any step within that range, the salary shall be adjusted to the next higher step.

2. An employee granted a salary increase after having

been promoted may be permitted to retain that increase when returned to a lower class, if the salary paid does not exceed the maximum salary for the lower class.

C. Demotions. An employee who is demoted except in accordance with 12 MCAR S 2.493 D. and whose salary is above the maximum rate for the lower class shall be reduced in salary to at least the maximum rate for the new class. If the former salary is within the salary range for the lower class, the same salary may be continued. An employee whose position is reclassified downward in accordance with 12 MCAR S 2.493 D. and remains in the same position may retain his or her former salary if it is above the maximum salary rate for the lower class but shall be ineligible to receive any further increases except those subsequently provided in the new classification.

D. Transfers. An employee who is transferred may be paid the same salary that he received prior to transfer. If an employee's salary prior to transfer falls within the salary range of the class to which the employee is transferring but not on a salary step in that range, the employee's salary may be increased to the next higher step in the range but it shall not be lowered.

E. Reinstatements. A former employee who is reinstated or reemployed may be paid the same salary rate that he last received in the same class of position if it coincides with a step on the current salary range for the class, or if it does not coincide, at the next higher step.

~~12 MCAR S 2.578 Financial Assistance Supervisor I.~~

~~D. Minimum qualifications of education and experience. A Financial Assistance Supervisor I shall have:~~

~~1. Three years of experience as either a Financial Worker I or II, or the equivalent, or~~

~~2. Two 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 with at least 23 quarter credits or 16 semester credits, or~~

3. Eighteen 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.

12 MCAR § 2.579 Financial Assistance Supervisor II.

D. Minimum qualifications of education and experience. A Financial Assistance Supervisor II shall have:

1. Four years of experience as a Financial Worker I or II, or

2. Three years of experience either as a Financial Worker I or II, or the equivalent, and completion of two years of study at an accredited two-year or four-year college, with emphasis in the behavioral sciences, business, or closely related subjects, with at least 23 quarter credits or 16 semester credits, or

3. Two years of experience as a Financial Worker I or II, and a bachelor's degree in social work, psychology, sociology, business, or closely related subjects.

12 MCAR § 2.590 Financial Assistance Supervisor III.

D. Minimum qualifications of education and experience. A Financial Assistance Supervisor III shall have:

1. Graduated from an accredited four-year college, with a major in social work, psychology, sociology, business administration, public administration, or related fields, and five years of experience as a Financial Worker, or equivalent, three years of which must have been at the Financial Worker II, or Senior level, or

2. Graduated from an accredited four-year college, with a major in social work, psychology, sociology, business administration, public administration or related fields, and four years of experience as either a social worker in a public social service agency or as a Financial Assistance Supervisor. When taking a promotional examination for this position, completion of any four-year degree from an accredited college will substitute for the bachelor's degree requirement. On a

promotional basis, one year of experience as a social worker or Financial Assistance Supervisor may be substituted for two years of college.

12 MCAR § 2.591 Financial Assistance Supervisor IV.

D. Minimum qualifications of education and experience.

1. A Financial Assistance Supervisor IV shall have graduated from an accredited four-year college with a major in social work, psychology, sociology, business administration, public administration or related fields, and three years of experience as a Financial Assistance Supervisor III, or equivalent level of experience.

2. When taking a promotional examination for this position, completion of any four-year degree from an accredited college will substitute for the bachelor's degree requirement.

3. Master's degree level work in social work, psychology, sociology, human services administration, business administration, public administration or related fields may be substituted for the experience on a year-for-year basis, not to exceed two years.

12 MCAR § 2.623 Financial Assistance Specialist.

D. Minimum qualifications of education and experience. A Financial Assistance Specialist shall have:

1. Two years of successful experience as either a Financial Worker I or II, or the equivalent;

2. Eighteen 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-year or four-year college, or similar institution, with emphasis in the behavioral sciences, business, or closely related subjects with at least 23 quarter credits or 16 semester credits, or

3. One year 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 § 2.720 Fiscal Officer.

A. Kind of work. Under general supervision, a Fiscal Officer is responsible for the maintenance of financial records and accounts, preparation of budget estimates and periodic financial and statistical reports in a small county welfare or human services agency or supervision of the work of a small number of accounting and clerical employees in the maintenance of financial records and reports in a large county welfare or human services agency, and performance of related work as assigned.

The classification of a position will be determined by a biennial classification study and will depend, in part, on the size of the agency and the level of discretion of the incumbent.

B. Examples of work (illustrative only). Maintains ledgers. Processes or approves processing of bills, requisitions, and receipts. Prepares financial reports. Prepares or assists in the preparation of the agency budget. Develops new procedures when changes in state or county policies or programs occur affecting fiscal matters. Prepares Merit System forms and maintains personnel records. May order supplies and maintains an inventory of supplies. Prepares payrolls. May assign and supervise work of account clerks or clerical employees assigned to the accounting unit. Trains new accounting employees. Analyzes and interprets fiscal reports so that the information is available in useful form. Develops and maintains control procedures for handling of cash.

C. Knowledges and abilities required.

1. Knowledge of accounting practices and procedures. Knowledge of business arithmetic. Knowledge of the principles of budgeting and accounting. Knowledge of the principles of supervision. Knowledge of the principles of office management. Knowledge of office procedures and practices and of uses of standard office equipment.

2. Ability to accept responsibility. Ability to plan, organize, and assign work. Ability to analyze work flow problems and to design procedures. Ability to perform detailed

work rapidly and accurately. Ability to analyze financial records and reports, locate errors, and recommend solutions to procedural or other problems. Ability to interpret bookkeeping records and documents, and prepare information in summary form. Ability to maintain satisfactory working relationships with professional and clerical staff and with the public. Ability to maintain confidentiality.

D. Minimum qualifications of education and experience. A Fiscal Officer shall have:

1. A high school degree, or the equivalent, and shall have completed two years of training in bookkeeping or accounting courses in a business school, college or university and one year of experience as an account clerk or bookkeeper;

2. One year of experience as an account clerk or bookkeeper may be substituted for each year of college coursework, or

3. Any combination of the above experience and education.

12 MCAR § 2.721 Fiscal Supervisor I.

A. Kind of work. Under general supervision, a Fiscal Supervisor I is responsible for the maintenance of financial records and accounts, preparation of budget estimates and periodic financial and statistical reports in a medium sized county welfare or human services agency or supervision of accounting and clerical employees in the maintenance of financial records and reports in a large urban county welfare or human services agency, and performance of related work as assigned.

The classification of a position will be determined by a biennial classification study and will depend, in part, on the size of the agency and level of discretion of the incumbent.

B. Examples of work (illustrative only). Maintains ledgers. Processes or approves processing of bills, requisitions, and receipts. Prepares financial reports. Prepares or assists in the preparation of the agency budget. Develops new procedures when changes in state or county policies or programs occur affecting fiscal matters. Prepares Merit System forms and

maintains personnel records. May order office supplies and maintains an inventory of supplies. Prepares payrolls. Analyzes and interprets fiscal reports so that the information is available in useful form. Assigns and supervises work of accounting clerks or clerical employees assigned to the accounting staff. Trains new accounting employees. Evaluates staff performance. Develops and maintains control procedures for handling of cash.

C. Knowledge and abilities required.

1. Knowledge of accounting practices and procedures. Knowledge of business arithmetic. Knowledge of the principles of budgeting and accounting. Knowledge of the principles of office management. Knowledge of the principles of supervision. Knowledge of office procedures and practices and uses of standard office equipment.

2. Ability to accept responsibility. Ability to analyze work-flow problems and to design and implement procedures to increase effectiveness and efficiency of employees. Ability to prepare and interpret complex fiscal reports and records, recognize problems and effect solutions. Ability to plan, organize, and assign work. Ability to perform detailed work rapidly and accurately. Ability to write and speak effectively. Ability to maintain satisfactory working relationships with professional and clerical staff and with the public. Ability to maintain confidentiality.

D. Minimum qualifications of education and experience. A Fiscal Supervisor I shall have:

1. A high school degree, or the equivalent, and completion of two years of training in bookkeeping or accounting courses in a business school, college, or university, and two years of experience as an account clerk or bookkeeper, or

2. One year of account clerk or bookkeeper experience may be substituted for each year of college coursework, or

3. Any combination of the above experience and education.

12 MCAR § 2.722 Fiscal Supervisor II.

A. Kind of work. Under general supervision, a Fiscal

Supervisor II directs the maintenance of all financial records and accounts in a medium or large county welfare or human services agency; supervises the preparation of periodic financial and statistical reports; prepares agency budget estimates and expenditures reports; and performs related work as assigned.

The classification of a position will be determined by a biennial classification study and will depend, in part, on the size of the agency and level of discretion of the incumbent.

B. Examples of work (illustrative only). Maintains ledgers. Compiles difficult and complex financial and statistical reports. Processes or approves processing of bills, requisitions, and receipts. Projects program costs for the agency and prepares or assists in the preparation of the agency budget. Prepares payrolls. May order office supplies and maintain an inventory of supplies. Develops new procedures when changes in state or county policies or programs occur affecting fiscal matters. Prepares Merit System forms and maintains personnel records. Assigns and supervises work of account clerks or clerical employees assigned to the accounting staff. Trains new accounting employees. Analyzes and interprets complex fiscal reports so that the information is available in useful form. Evaluates staff performance. Develops and maintains control procedures for handling of cash.

C. Knowledge and abilities required.

1. Knowledge of accounting practices and procedures. Knowledge of business arithmetic. Knowledge of principles of budgeting and accounting. Knowledge of principles of office management. Knowledge of the principles of supervision. Knowledge of office procedures and practices and of use of standard office equipment.

2. Ability to accept responsibility. Ability to effectively plan, organize, and assign work. Ability to analyze work flow problems and to design and implement procedures to increase effectiveness and efficiency of employees. Ability to perform detailed work rapidly and accurately. Ability to

prepare and interpret complex fiscal reports and records, recognize problems, and effect solutions. Ability to write and speak effectively. Ability to maintain satisfactory working relationships with professional and clerical staff and the public. Ability to maintain confidentiality.

D. Minimum qualifications of education and experience.

1. A Fiscal Supervisor II must have a high school degree, or the equivalent, and two years of training in bookkeeping or accounting courses in a business school, college, or university, and three years of experience in accounting or auditing.

2. One year of experience in accounting or auditing may be substituted for each year of college coursework, up to a maximum of two years.

12 MCAR § 2.723 Fiscal Supervisor III.

A. Kind of work. Under general supervision, a Fiscal Supervisor III directs the maintenance of financial records and accounts in a large county welfare or human services agency, prepares agency budget estimates and expenditure reports, and performs related work as assigned.

The classification of a position will be determined by a biennial classification study and will depend, in part, on the size of the agency and the level of discretion of the incumbent.

B. Examples of work (illustrative only). Assigns and supervises the work of account clerks or clerical employees assigned to the accounting unit. Supervises the disbursing of aid and payroll warrants and expense vouchers. Maintains ledgers. Compiles difficult and complex financial and statistical reports. Projects program costs for the agency. Trains new employees. Evaluates staff performance. Prepares or assists in the preparation of the agency budget. Develops new procedures when changes in state or county policies or programs occur which affect fiscal matters. Coordinates agency's purchasing so that all purchases are made within county and agency requirements. Plans and directs the computerization of systems applied to fiscal services to ensure efficient operation.

C. Knowledges and abilities required.

1. Knowledge of the principles of budgeting. Knowledge
2 of the principles and practices of accounting. Knowledge of the
3 principles of office management. Knowledge of the principles of
4 supervision. Knowledge of office procedures, practices, and
5 uses of standard office equipment.
6 2. Ability to accept responsibility. Ability to
7 effectively plan, organize, and assign work. Ability to analyze
8 work-flow problems and to design and implement procedures to
9 increase effectiveness and efficiency of employees. Ability to
10 write and speak effectively. Ability to prepare and interpret
11 complex fiscal records and reports, recognize problems, and
12 effect solutions. Ability to supervise. Ability to maintain
13 satisfactory working relationships with staff members and with
14 the public.
15 D. Minimum qualifications of education and experience. A
16 Fiscal Supervisor III shall have:
17 1. Graduated from an accredited four-year college, with a
18 major in accounting or a closely related business field, or
19 2. Graduated from a standard high school and have five
20 years of successful full-time paid employment involving work in
21 accounting and auditing.

22 12 MCAR S 2.724 Fiscal Supervisor IV.
23 A. Kind of work. Under general supervision, a Fiscal
24 Supervisor IV performs professional accounting work and
25 supervises a large staff of accounting, clerical, and data
26 processing personnel in maintaining the financial records and
27 reports of a large county welfare or human services department,
28 supervises the maintenance of internal record-keeping procedures
29 in relation to the purpose and functions of the agency, and
30 performs related work as assigned.
31 The classification of a position will be determined by a
32 biennial classification study and will depend, in part, on the
33 size of the agency and the level of discretion of the incumbent.
34 B. Examples of work (illustrative only). Participates in
35 the development of agency procedures relating to transmittal of
36 information about financial actions in welfare cases. Plans and

installs internal procedures in the accounting department. Supervises the operations of the several functional units within the accounting department, including the data processing section. Performs the more difficult and complex accounting entries, transactions, and reconciliations. Prepares operating statements, major periodic reports, and special reports as requested. Prepares or assists in preparing agency budget. Selects personnel for the accounting departments and evaluates the performance of staff members. Coordinates agency's purchasing so that all purchases are made within county and agency requirements. Develops new procedures when changes in state or county policies or programs occur which affect fiscal matters.

C. Knowledge and abilities required.

1. Knowledge of the principles and practices of governmental accounting. Knowledge of office procedures, practices, and equipment. Knowledge of the uses and applications of data processing equipment. Knowledge of accounting theory and approved practices of fiscal management. Knowledge of the scope and purposes of agency operations.

2. Ability to plan, assign, and coordinate the work of a large number of employees. Ability to maintain good working relationships with staff members and other departments of the agency. Ability to direct and supervise the work of others. Ability to write and speak effectively. Ability to prepare and interpret complex fiscal records and reports, recognize problems and effect solutions. Ability to implement procedures to increase effectiveness and efficiency of employees.

D. Minimum qualifications of education and experience. A Fiscal Supervisor IV shall have graduated from an accredited four-year college with a major in accounting or business administration, and shall have three years of full-time paid experience as an accountant or auditor.

12 MCAR S 2.729 Accounting Technician.

A. Kind of work. Under general supervision, an Accounting Technician does accounting work in a county welfare or human

services agency, acts as a lead worker to other accounting staff and may supervise account clerks or clerk typists, and performs related work as assigned. The major difference between this classification and the Account Clerk classification is the greater emphasis on recognizing errors or problems and recommending alternative solutions, and less emphasis on transactional matters.

B. Examples of work. (Illustrative only) Journalize and summarize receipts and disbursements for general ledger. Monitor expenditures according to state, federal, and county regulations and guidelines. Correct or reconcile audit discrepancies. May perform more responsible payroll functions including payment for less than full-time employees. Assist supervisor of accounting unit with preparation of the budget. Complete reports to the state, including reports required for federal and state administrative reimbursement. Provide lead work direction to other bookkeeping and clerical employees which includes assigning and reviewing work and having input into performance evaluations of workers. Investigate errors or problems in the processing of fiscal transactions and recommend changes in procedures.

C. Knowledge and abilities required. Knowledge of accounting principles and practices. Knowledge of office terminology, procedures, and equipment. Knowledge of business arithmetic and simple mathematics. Ability to perform mathematical computations. Ability to follow written and oral detailed instructions. Ability to interpret bookkeeping records and documents and prepare information in summary form. Ability to understand fiscal procedural and transactional practices. Ability to analyze financial records and reports, locate errors and recommend solutions to procedural or other problems. Ability to maintain effective working relationships with supervisors, co-workers, and the public. Ability to operate a variety of office equipment. Ability to organize work efficiently. Ability to perform detailed work with speed and accuracy. Ability to work under pressure and willingness to accept responsibility for

.840

~~meeting deadlines.~~

~~D. Minimum qualifications of education and experience.~~

~~1. An Accounting Technician must have a high school diploma or the equivalent, and two years of experience as an account clerk or bookkeeper.~~

~~2. Completion of college coursework, vocational school, or business school in accounting may be substituted on a year-for-year basis for the account clerk or bookkeeping experience.~~

SUB-CHAPTER D - COMPENSATION PLAN

12 MCAR S 2.840 Compensation plan; Public Welfare - ~~1981~~ 1982

A. Professional

1. Plan A. The following salary steps in monthly salary amounts shall be applicable to the specified classes of positions. The salary steps shall not include any amounts paid by any county welfare board under Minn. Stat. S 471.61.

	1	2	3	4	5	6	7	8	9	10
Adm. Asst. I	1583	1656	1734	1814	1894	1982	2068	2163	2264	2366
Adm. Asst. II	1734	1814	1894	1982	2068	2163	2264	2366	2475	2584
Adm. Asst. III	2026	2117	2213	2316	2421	2532	2645	2770	2897	
Adm. Services Director	2117	2213	2316	2421	2532	2645	2770	2897	3028	
Adult Day Care Center Supvr.	1299	1358	1420	1485	1549	1620	1696	1777	1854	1939
Asst. Human Services Director	2117	2213	2316	2421	2532	2645	2770	2897	3028	
Asst. Welfare Director	2645	2770	2897	3028	3161	3299	3443	3600	3763	

Assoc. M.-&-P. Analyst	1241	1299	1358	1420						
Auditor	1549	1620	1696	1777	1854	1939	2026	2117	2213	2316
Center Coordinator	1420	1485	1549	1620	1696	1777	1854	1939	2026	2117
Chemical Dependency Coord.	1420	1485	1549	1620	1696	1777	1854	1939	2026	2117
Collection Services Supvr. II	1516	1583	1656	1734	1814	1894	1982	2068	2163	2264
Community-Health Serv. Supvr.	1583	1656	1734	1814	1894	1982	2068	2163	2264	2366
Community-Rela. Spec.	1620	1696	1777	1854	1939	2026	2117	2213	2316	
Computer Programmer	1241	1299	1358	1420	1485	1549	1620			
Day Care Center Supvr.	1583	1656	1734	1814	1894	1982	2068	2163	2264	
Dev. Achievement Center Dir.	1299	1358	1420	1485	1549	1620	1696	1777	1854	1939
Dev. Achievement Center	1187	1241	1299	1358	1420	1485	1549	1620	1696	1777

Teacher										
Dev. Disabilities Coord.	1299	1358	1420	1485	1549	1620	1696	1777	1854	1939
Dietitian	1241	1299	1358	1420	1485	1549	1620	1696	1777	
Dir. Of Business Mgmt. I	1894	1982	2068	2163	2264	2366	2475	2584		
Dir. Of Business Mgmt. II	2316	2421	2532	2645	2770	2897	3028	3161	3299	
Dir. of Financial Asst.	2117	2213	2316	2421	2532	2645	2770	2897	3028	
Dir. of Planning	2117	2213	2316	2421	2532	2645	2770	2897	3028	
Dir. of Pub. Hlth. Nurs. I	1549	1620	1696	1777	1854	1939	2026	2117	2213	
Dir. of Soc. Services	2117	2213	2316	2421	2532	2645	2770	2897	3028	
Dir. of Support Services	2117	2213	2316	2421	2532	2645	2770	2897	3028	
Education Supervisor	1485	1549	1620	1696	1777	1854	1939	2026	2117	
Emp. Guid. Couns. I	1187	1241	1299	1358	1420	1485	1549	1620	1696	
Emp. Guid. Couns. II	1241	1299	1358	1420	1485	1549	1620	1696	1777	

Emp. Guid. Couns. III	1299	1358	1420	1485	1549	1620	1696	1777	1854	
Family Serv. Coord. II	1358	1420	1485	1549	1620	1696	1777	1854		
Finan. Asst. Supvr. III	1583	1656	1734	1814	1894	1982	2068	2163	2264	2366
Finan. Asst. Supvr. IV	1734	1814	1894	1982	2068	2163	2264	2366	2475	2584
Fiscal Supervisor III	1485	1549	1620	1696	1777	1854	1939	2026	2117	
Fiscal Supervisor IV	1696	1777	1854	1939	2026	2117	2213	2316	2421	2532
Home Care Coordinator	1358	1420	1485	1549	1620	1696	1777	1854		
Homemaker Supervisor	1485	1549	1620	1696	1777	1854	1939	2026	2117	
Human Services Dir. I	1894	1982	2068	2163	2264	2366	2475	2584	2708	2831
Human Services Dir. II	2213	2316	2421	2532	2645	2770	2897	3028	3161	
Human Services Dir. III	2421	2532	2645	2770	2897	3028	3161	3299	3443	
Human Services Supvr. I	1583	1656	1734	1814	1894	1982	2068	2163	2264	2366

Marriage Counselor	1549	1620	1696	1777	1854	1939	2026	2117	2213
Med.-Care Advisor	1299	1358	1420	1485	1549	1620	1696	1777	1854
Med.-Serv. Adm.	2117	2213	2316	2421	2532	2645	2770	2897	
Mental Health Worker	1420	1485	1549	1620	1696	1777	1854	1939	2026	2117
Meth.-&-Proc. Analyst	1452	1516	1583	1656	1734	1814	1894	1982	2068	
Meth.-&Proc. Supvr.	1696	1777	1854	1939	2026	2117	2213	2316	2421	
Nursing Care Advisor	1299	1358	1420	1485	1549	1620	1696	1777	1854	
Nutrition Proj. Asst. Dir.	1187	1241	1299	1358	1420	1485	1549	1620	1696	1777
Nutrition Proj. Dir.	1583	1656	1734	1814	1894	1982	2068	2163	2264	2366
Occupa. Supvr. Inst. I	1136	1187	1241	1299	1358	1420	1485	1549	1620	1696
Occupa. Supvr. Inst. II	1299	1358	1420	1485	1549	1620	1696	1777	1854	1939
Office Manager	1187	1241	1299	1358	1420	1485	1549	1620	1696	

Personnel Officer	1187	1241	1299	1358	1420	1485	1549	1620	1696	1777
Personnel Director	1656	1734	1814	1894	1982	2068	~~2131~~ 2163	2264	2366	2475
Physical Therapist	1212	1269	1327	1387	1452	1516	1583	1656		
Planner (Human Services)	1485	1549	1620	1696	1777	1854	1939	2026	2117	
Policy/Program Analyst	1656	1734	1814	1894	1982	2068	2163	2264	2366	2475
Programmer Analyst	1485	1549	1620	1696	1777	1854	1939	2026		
Psychologist I	1420	1485	1549	1620	1696	1777	1854	1939	2026	
Psychologist II	1696	1777	1854	1939	2026	2117	2213	2316	2421	
Psychologist III	1982	2068	2163	2264	2366	2475	2584	2708		
Psychologist IV	2163	2264	2366	2475	2584	2708	2831	2961		
Pub. Health Educator I	1241	1299	1358	1420	1485	1549	1620	1696		
Pub. Health Educator II	1549	1620	1696	1777	1854	1939	2026	2117		
Public Health	1299	1358	1420	1485	1549	1620	1696			

Nurse		
Pub. Hlth. Nurse (TeamLeader)	1358 1420 1485 1549 1620 1696 1777	
Registered Nurse (A.A. Deg., 3 yr. Dip., or B.S. Deg.)	1241 1299 1358 1420 1485 1549	
Sanitarian I	1241 1299 1358 1420 1485	
Sanitarian II	1358 1420 1485 1549 1620 1696 1777 1854	
Sr. Pub. Health Nurse	1420 1485 1549 1620 1696 1777 1854	
Social Worker I	1187 1241 1299 1358 1420 1485 1549 1620 1696 1777	
Social Worker II	1299 1358 1420 1485 1549 1620 1696 1777 1854 1939	
Social Worker III	1420 1485 1549 1620 1696 1777 1854 1939 2026 2117	
Social Worker Trainee	1084	
Soc. Serv. Supvr. I	1583 1656 1734 1814 1894 1982 2068 2163 2264 2366	
Soc. Serv. Supvr. II	1734 1814 1894 1982 2068 2163 2264 2366 2475 2584	

Soc. Welf. Supvr. III	2026 2117 2213 2316 2421 2532 2645 2770 2897
Soc. Welf. Supvr. Trainee	1516 1583 1656 1734 1814 1894
Staff Trng. Supvr. I	1620 1696 1777 1854 1939 2026 2117 2213 2316
Staff Trng. Supvr. II	1777 1854 1939 2026 2117 2213 2316 2421 2532
Student Soc. Worker (Intern)	Rate proposed by appointing authority.
Student Soc. Worker (SWEP)	Rate proposed by appointing authority.
Systems Prog.- Analyst	1696 1777 1854 1939 2026 2117 2213 2316
Trainee	Rate proposed by appointing authority and approved by the merit system supervisor and the Commissioner of Public Welfare.
Vol.-Serv. Coord. I	1187 1241 1299 1358 1420 1485 1549 1620 1696 1777
Vol.-Serv. Coord. II	1485 1549 1620 1696 1777 1854 1939 2026 2117
Welfare Director I	1814 1894 1982 2068 2163 2264 2366 2475 2584 2708
Welfare Director II	1982 2068 2163 2264 2366 2475 2584 2708 2831 2961

Welfare Director III	2213	2316	2421	2532	2645	2770	2897	3028	3161	
Welfare Director IV	2421	2532	2645	2770	2897	3028	3161	3299	3443	
Welfare Director V	3299	3443	3600	3763	3932	4108	4302	4486	4795	
Work-Exp. & Trng. Spec.	1485	1549	1620	1696	1777	1854	1939	2026	2117	

2. Plan B. The following salary steps in monthly salary amounts shall be applicable to the specified classes of positions. The salary steps shall not include any amounts paid by any county welfare board under Minn. Stat. S 471.61.

	1	2	3	4	5	6	7	8	9	10
Adm. Asst. I	1656	1734	1814	1894	1982	2068	2163	2264	2366	2475
Adm. Asst. II	1814	1894	1982	2068	2163	2264	2366	2475	2584	2708
Adm. Asst. III	2117	2213	2316	2421	2532	2645	2770	2897	3028	
Adm. Services Director	2213	2316	2421	2532	2645	2770	2897	3028	3161	
Adult Day Care Center Supvr.	1358	1420	1485	1549	1620	1696	1777	1854	1939	2026
Asst. Human Services Director	2117	2213	2316	2421	2532	2645	2770	2897	3028	
Asst. Welfare	2645	2770	2897	3028	3161	3299	3443	3600	3763	

Director										
Assoc. M.-&-P. Analyst	1299	1358	1420	1485						
Auditor	1620	1696	1777	1854	1939	2026	2117	2213	2316	2421
Center Coordinator	1485	1549	1620	1696	1777	1854	1939	2026	2117	2213
Chemical Dependency Coord.	1485	1549	1620	1696	1777	1854	1939	2026	2117	2213
Collections Services Supvr. II	1583	1656	1734	1814	1894	1982	2068	2163	2264	2366
Community-Health Serv. Supvr.	1656	1734	1814	1894	1982	2068	2163	2264	2366	2475
Community Rela. Spec.	1696	1777	1854	1939	2026	2117	2213	2316	2421	
Computer Programmer	1299	1358	1420	1485	1549	1620	1696			
Day Care Center Supvr.	1656	1734	1814	1894	1982	2068	2163	2264	2366	
Dev. Achievement Center Dir.	1358	1420	1485	1549	1620	1696	1777	1854	1939	2026
Dev. Achievement Center	1241	1299	1358	1420	1485	1549	1620	1696	1777	1854

Teacher										
Dev. Disabilities Coord.	1358	1420	1485	1549	1620	1696	1777	1854	1939	2026
Dietitian	1299	1358	1420	1485	1549	1620	1696	1777	1854	
Dir. of Business Mgmt. I	1894	1982	2068	2163	2264	2366	2475	2584		
Dir. of Business Mgmt. II	2316	2421	2532	2645	2770	2897	3028	3161	3299	
Dir. of Financial Asst.	2213	2316	2421	2532	2645	2770	2897	3028	3161	
Dir. of Planning	2213	2316	2421	2532	2645	2770	2897	3028	3161	
Dir. of Pub. Hlth. Nurs. I	1620	1696	1777	1854	1939	2026	2117	2213	2316	
Dir. of Soc. Services	2213	2316	2421	2532	2645	2770	2897	3028	3161	
Dir. of Support Services	2213	2316	2421	2532	2645	2770	2897	3028	3161	
Education Supervisor	1549	1620	1696	1777	1854	1939	2026	2117	2213	
Emp. Guid. Couns. I	1241	1299	1358	1420	1485	1549	1620	1696	1777	
Emp. Guid. Couns. II	1299	1358	1420	1485	1549	1620	1696	1777	1854	

Emp. Guid. Couns. III	1358	1420	1485	1549	1620	1696	1777	1854	1939	
Family Service Coord. II	1420	1485	1549	1620	1696	1777	1854	1939		
Finan. Asst. Supvr. III	1656	1734	1814	1894	1982	2068	2163	2264	2366	2475
Finan. Asst. Supvr. IV	1814	1894	1982	2068	2163	2264	2366	2475	2584	2708
Fiscal Supervisor III	1485	1549	1620	1696	1777	1854	1939	2026	2117	
Fiscal Supervisor IV	1696	1777	1854	1939	2026	2117	2213	2316	2421	2532
Home Care Coordinator	1420	1485	1549	1620	1696	1777	1854	1939		
Homemaker Supervisor	1549	1620	1696	1777	1854	1939	2026	2117	2213	
Human Services Dir. I	1894	1982	2068	2163	2264	2366	2475	2584	2708	2831
Human Services Dir. II	2213	2316	2421	2532	2645	2770	2897	3028	3161	
Human Services Dir. III	2421	2532	2645	2770	2897	3028	3161	3299	3443	
Human Services Supvr. I	1656	1734	1814	1894	1982	2068	2163	2264	2366	2475

Marriage Counselor	1620	1696	1777	1854	1939	2026	2117	2213	2316
Med.-Care Advisor	1358	1420	1485	1549	1620	1696	1777	1854	1939
Med.-Serv. Adm.	2213	2316	2421	2532	2645	2770	2897	3028	
Mental Health Worker	1485	1549	1620	1696	1777	1854	1939	2026	2117	2213
Meth.-&-Proc. Analyst	1516	1583	1656	1734	1814	1894	1982	2068	2163	
Meth.-&-Proc. Supvr.	1777	1854	1939	2026	2117	2213	2316	2421	2532	
Nursing Care Advisor	1358	1420	1485	1549	1620	1696	1777	1854	1939	
Nutrition Proj. Asst. Dir.	1241	1299	1358	1420	1485	1549	1620	1696	1777	1854
Nutrition Proj. Dir.	1656	1734	1814	1894	1982	2068	2163	2264	2366	2475
Occupa. Supvr. Inst. I	1187	1241	1299	1358	1420	1485	1549	1620	1696	1777
Occupa. Supvr. Inst. II	1358	1420	1485	1549	1620	1696	1777	1854	1939	2026
Office Manager	1241	1299	1358	1420	1485	1549	1620	1696	1777	

Personnel Officer	1241	1299	1358	1420	1485	1549	1620	1696	1777	1854
Personnel Director	1734	1814	1894	1982	2068	2163	2264	2366	2475	2584
Physical Therapist	1269	1327	1387	1452	1516	1583	1656	1734		
Planner (Human Services)	1549	1620	1696	1777	1854	1939	2026	2117	2213	
Policy/Program Analyst	1734	1814	1894	1982	2068	2163	2264	2366	2475	2584
Programmer Analyst	1549	1620	1696	1777	1854	1939	2026	2117		
Psychologist I	1485	1549	1620	1696	1777	1854	1939	2026	2117	
Psychologist II	1777	1854	1939	2026	2117	2213	2316	2421	2532	
Psychologist III	2068	2163	2264	2366	2475	2584	2708	2831		
Psychologist IV	2264	2366	2475	2584	2708	2831	2961	3091		
Pub. Health Educator I	1299	1358	1420	1485	1549	1620	1696	1777		
Pub. Health Educator II	1620	1696	1777	1854	1939	2026	2117	2213		
Public Health	1358	1420	1485	1549	1620	1696	1777			

Nurse										
Pub. Hlth. Nurse (Team Leader)	1420	1485	1549	1620	1696	1777	1854			
Registered Nurse (A.A. Deg., 3 yr. Dip., or B.S. Deg.)	1299	1358	1420	1485	1549	1620				
Sanitarian I	1299	1358	1420	1485	1549					
Sanitarian II	1420	1485	1549	1620	1696	1777	1854	1939		
Sr. Pub. Health Nurse	1485	1549	1620	1696	1777	1854	1939			
Social Worker I	1241	1299	1358	1420	1485	1549	1620	1696	1777	1854
Social Worker II	1358	1420	1485	1549	1620	1696	1777	1854	1939	2026
Social Worker III	1485	1549	1620	1696	1777	1854	1939	2026	2117	2213
Social Worker Trainee	1084									
Soc. Serv. Supvr. I	1656	1734	1814	1894	1982	2068	2163	2264	2366	2475
Soc. Serv. Supvr. II	1814	1894	1982	2068	2163	2264	2366	2475	2584	2708

Soc. Welf. Supvr. III	2117 2213 2316 2421 2532 2645 2770 2897 3028	
Soc. Welf. Supvr. Trainee	1583 1656 1734 1814 1894 1982	
Staff Trng. Supvr. I	1696 1777 1854 1939 2026 2117 2213 2316 2421	
Staff Trng. Supvr. II	1854 1939 2026 2117 2213 2316 2421 2532 2645	
Student Soc. Worker (Intern)	Rate proposed by appointing authority.	
Student Soc. Worker (SWEP)	Rate proposed by appointing authority.	
Systems Prog.- Analyst	1777 1854 1939 2026 2117 2213 2316 2421	
Trainee	Rate proposed by appointing authority and approved by the merit system supervisor and the Commissioner of Public Welfare.	
Vol.-Serv. Coord. I	1241 1299 1358 1420 1485 1549 1620 1696 1777 1854	
Vol.-Serv. Coord. II	1549 1620 1696 1777 1854 1939 2026 2117 2213	
Welfare Director I	1814 1894 1982 2068 2163 2264 2366 2475 2584 2708	
Welfare	1982 2068 2163 2264 2366 2475 2584 2708 2831 2961	

Director II										
Welfare Director III	2213	2316	2421	2532	2645	2770	2897	3028	3161	
Welfare Director IV	2421	2532	2645	2770	2897	3028	3161	3299	3443	
Welfare Director V	3299	3443	3600	3763	3932	4108	4302	4486	4795	
Work-Exp. & Trng. Spec.	1549	1620	1696	1777	1854	1939	2026	2117	2213	

3. Plan C. The following salary steps in monthly salary amounts shall be applicable to the specified classes of positions. The salary steps shall not include any amounts paid by any county welfare board under Minn. Stat. S 471.61.

	1	2	3	4	5	6	7	8	9	10
Adm. Asst. I	1734	1814	1894	1982	2068	2163	2264	2366	2475	2584
Adm. Asst. II	1894	1982	2068	2163	2264	2366	2475	2584	2708	2831
Adm. Asst. III	2213	2316	2421	2532	2645	2770	2897	3028	3161	
Adm. Services Director	2316	2421	2532	2645	2770	2897	3028	3161	3299	
Adult Day Care Center Supvr.	1420	1485	1549	1620	1696	1777	1854	1939	2026	2117
Asst. Human Services Director	2117	2213	2316	2421	2532	2645	2770	2897	3028	

Asst. Welfare Director	2645	2770	2897	3028	3161	3299	3443	3600	3763	
Assoc. M.-&-P. Analyst	1358	1420	1485	1549						
Auditor	1696	1777	1854	1939	2026	2117	2213	2316	2421	2532
Center Coordinator	1549	1620	1696	1777	1854	1939	2026	2117	2213	2316
Chemical Dependency Coord.	1549	1620	1696	1777	1854	1939	2026	2117	2213	2316
Collections Services Supvr. II	1656	1734	1814	1894	1982	2068	2163	2264	2366	2475
Community-Health Serv. Supvr.	1734	1814	1894	1982	2068	2163	2264	2366	2475	2584
Community-Rela. Spec.	1777	1854	1939	2026	2117	2213	2316	2421	2532	
Computer Programmer	1358	1420	1485	1549	1620	1696	1777			
Day Care Center Supvr.	1734	1814	1894	1982	2068	2163	2264	2366	2475	
Dev. Achievement Center Dir.	1420	1485	1549	1620	1696	1777	1854	1939	2026	2117

Dev. Achievement Center Teacher	1299	1358	1420	1485	1549	1620	1696	1777	1854	1939
Dev. Disabilities Coord.	1420	1485	1549	1620	1696	1777	1854	1939	2026	2117
Dietitian	1358	1420	1485	1549	1620	1696	1777	1854	1939	
Dir. of Business Mgmt. I	1894	1982	2068	2163	2264	2366	2475	2584		
Dir. of Business Mgmt. II	2316	2421	2532	2645	2770	2897	3028	3161	3299	
Dir. of Financial Asst.	2316	2421	2532	2645	2770	2897	3028	3161	3299	
Dir. of Planning	2316	2421	2532	2645	2770	2897	3028	3161	3299	
Dir. of Pub. Hlth. Nurs. I	1696	1777	1854	1939	2026	2117	2213	2316	2421	
Dir. of Soc. Serv.	2316	2421	2532	2645	2770	2897	3028	3161	3299	
Dir. of Support Services	2316	2421	2532	2645	2770	2897	3028	3161	3299	
Education Supervisor	1620	1696	1777	1854	1939	2026	2117	2213	2316	
Emp. Guid. Couns. I	1299	1358	1420	1485	1549	1620	1696	1777	1854	

Emp. Guid. Couns. II	1358	1420	1485	1549	1620	1696	1777	1854	1939	
Emp. Guid. Couns. III	1420	1485	1549	1620	1696	1777	1854	1939	2026	
Family Serv. Coord. II	1485	1549	1620	1696	1777	1854	1939	2026		
Finan. Asst. Supvr. III	1734	1814	1894	1982	2068	2163	2264	2366	2475	2584
Finan. Asst. Supvr. IV.	1894	1982	2068	2163	2264	2366	2475	2584	2708	2831
Fiscal Supervisor III	1485	1549	1620	1696	1777	1854	1939	2026	2117	
Fiscal Supervisor IV	1696	1777	1854	1939	2026	2117	2213	2316	2421	2532
Home Care Coordinator	1485	1549	1620	1696	1777	1854	1939	2026		
Homemaker Supervisor	1620	1696	1777	1854	1939	2026	2117	2213	2316	
Human Services Dir. I	1894	1982	2068	2163	2264	2366	2475	2584	2708	2831
Human Services Dir. II	2213	2316	2421	2532	2645	2770	2897	3028	3161	
Human Services Dir. III	2421	2532	2645	2770	2897	3028	3161	3299	3443	

Human Services Supvr. I	1734	1814	1894	1982	2068	2163	2264	2366	2475	2584
Marriage Counselor	1696	1777	1854	1939	2026	2117	2213	2316	2421	
Med.-Care Advisor	1420	1485	1549	1620	1696	1777	1854	1939	2026	
Med.-Serv. Adm.	2316	2421	2532	2645	2770	2897	3028	3161		
Mental Health Worker	1549	1620	1696	1777	1854	1939	2026	2117	2213	2316
Meth.-&-Proc. Analyst	1583	1656	1734	1814	1894	1982	2068	2163	2264	
Meth.-&-Proc. Supr.	1854	1939	2026	2117	2213	2316	2421	2532	2645	
Nursing Care Advisor	1420	1485	1549	1620	1696	1777	1854	1939	2026	
Nutrition Proj. Asst. Dir.	1299	1358	1420	1485	1549	1620	1696	1777	1854	1939
Nutrition Proj. Dir.	1734	1814	1894	1982	2068	2163	2264	2366	2475	2584
Occupa. Supvr. Inst. I.	1241	1299	1358	1420	1485	1549	1620	1696	1777	1854
Occupa. Supvr.	1420	1485	1549	1620	1696	1777	1854	1939	2026	2117

Inst. II.

Office Manager	1299	1358	1420	1485	1549	1620	1696	1777	1854
Personnel Officer	1299	1358	1420	1485	1549	1620	1696	1777	1854	1939
Personnel Director	1814	1894	1982	2068	2163	2264	2366	2475	2584	2708
Physical Therapist	1358	1420	1485	1549	1620	1696	1777	1854		
Planner (Human Services)	1620	1696	1777	1854	1939	2026	2117	2213	2316	
Policy/Program Analyst	1814	1894	1982	2068	2163	2264	2366	2475	2584	2708
Programmer Analyst	1620	1696	1777	1854	1939	2026	2117	2213		
Psychologist I	1549	1620	1696	1777	1854	1939	2026	2117	2213	
Psychologist II	1854	1939	2026	2117	2213	2316	2421	2532	2645	
Psychologist III	2163	2264	2366	2475	2584	2708	2831	2961		
Psychologist IV	2366	2475	2584	2708	2831	2961	3091	3228		
Pub. Health Educator I	1358	1420	1485	1549	1620	1696	1777	1854		

Pub. Health Educator II	1696	1777	1854	1939	2026	2117	2213	2316		
Public Health Nurse	1452	1516	1583	1656	1734	1814	1894			
Pub. Hlth. Nurse (Team Leader)	1516	1583	1656	1734	1814	1894	1982			
Registered Nurse (A.A. Deg., 3 yr. Dip., or B.S. Deg.)	1387	1452	1516	1583	1656	1734				
Sanitarian I	1358	1420	1485	1549	1620					
Sanitarian II	1485	1549	1620	1696	1777	1854	1939	2026		
Sr. Pub. Health Nurse	1583	1656	1734	1814	1894	1982	2068			
Social Worker I	1299	1358	1420	1485	1549	1620	1696	1777	1854	1939
Social Worker II	1420	1485	1549	1620	1696	1777	1854	1939	2026	2117
Social Worker III	1549	1620	1696	1777	1854	1939	2026	2117	2213	2316
Social Worker Trainee	1084									
Soc. Serv.	1734	1814	1894	1982	2068	2163	2264	2366	2475	2584

Supvr. I		
Soc. Serv. Supvr. II	1894 1982 2068 2163 2264 2366 2475 2584 2708 2831	
Soc. Welf. Supvr. III	2213 2316 2421 2532 2645 2770 2897 3028 3161	
Soc. Welf. Supvr. Trainee	1656 1734 1814 1894 1982 2068	
Staff Trng. Supvr. I	1777 1854 1939 2026 2117 2213 2316 2421 2532	
Staff Trng. Supvr. II	1939 2026 2117 2213 2316 2421 2532 2645 2770	
Student Soc. Worker (Intern)	Rate proposed by appointing authority.	
Student Soc. Worker (SWEP)	Rate proposed by appointing authority.	
Systems Prog. Analyst	1854 1939 2026 2117 2213 2316 2421 2532	
Trainee	Rate proposed by appointing authority and approved by the merit system supervisor and the Commissioner of Public Welfare.	
Vol.-Serv. Coord. I	1299 1358 1420 1485 1549 1620 1696 1777 1854 1939	
Vol.-Serv. Coord. II	1620 1696 1777 1854 1939 2026 2117 2213 2316	

Welfare Director I	1814	1894	1982	2068	2163	2264	2366	2475	2584	2708
Welfare Director II	1982	2068	2163	2264	2366	2475	2584	2708	2831	2961
Welfare Director III	2213	2316	2421	2532	2645	2770	2897	3028	3161	
Welfare Director IV	2421	2532	2645	2770	2897	3028	3161	3299	3443	
Welfare Director V	3299	3443	3600	3763	3932	4108	4302	4486	4795	
Work;-Exp. & Trng. Spec.	1620	1696	1777	1854	1939	2026	2117	2213	2316	

B. Support personnel

1. Plan A. The following salary steps in monthly salary amounts shall be applicable to the specified classes of positions. The salary steps shall not include any amounts paid by any county welfare board under Minn. Stat. S 471.61.

	1	2	3	4	5	6	7	8	9
Account Clerk	869	908	950	995	1039	1084	1136	1187	
Accounting Technician	929	973	1017	1063	1109	1161	1212	1269	
Adult Day Care Center Prog. Coord.	887	929	973	1017	1063	1109	1161	1212	1269
Asst. Residential Facility Opr.(s)	712	741	777	813	849	887	929	973	
Case Aide	887	929	973	1017	1063	1109	1161	1212	1269

Chemical Dependency Counselor	1136	1187	1241	1299	1358	1420	1485	
Child Health Aide	777	813	849	887	929	973	1017	1063
Child Support Officer I	1084	1136	1187	1241	1299	1358	1420	1485	1549
Child Support Officer II	1212	1269	1327	1387	1452	1516	1583	1656
Collection Services Supvr. I	1387	1452	1516	1583	1656	1734	1814	1894
Community-Service Aide	596	625	654	683	712	741	777	
Coordinator of Aging	908	950	995	1039	1084	1136	1187	1241	1299
Dev. Achievement Center Inst.	712	741	777	813	849	887		
Family Service Aide I	712	741	777	813	849	887		
Family Service Aide II	777	813	849	887	929	973	1017	1063
Family Service Coord. I	973	1017	1063	1109	1161	1212	1269	
Family Service/Home Health Aide	712	741	777	813	849	887		

Finan.-Assistance Specialist	1136	1187	1241	1299	1358	1420	1485	1549	
Finan.-Assistance Supvr. I	1327	1387	1452	1516	1583	1656	1734	1814	1894
Finan.-Assistance Supvr. II	1452	1516	1583	1656	1734	1814	1894	1982	2068
Financial Worker I	887	929	973	1017	1063	1109	1161	1212	1269
Financial Worker II	995	1039	1084	1136	1187	1241	1299	1358	1420
Fiscal Officer	1136	1187	1241	1299	1358	1420	1485	1549	1620
Fiscal Supervisor I	1241	1299	1358	1420	1485	1549	1620	1696	1777
Fiscal Supervisor II	1387	1452	1516	1583	1656	1734	1814	1894	1982
Home Health Aide	712	741	777	813	849	887			
Home Health Aide Coordinator	973	1017	1063	1109	1161	1212	1269		
Housekeeper	Rate proposed by appointing authority and approved by the merit system supervisor and the Commissioner of Public Welfare.								
Housing Coordinator	1109	1161	1212	1269	1327	1387	1452	1516	1583
Licensed Practical Nurse	950	995	1039	1084	1136	1187			
Public Health Aide	596	625	654	683	712	741	777		

Residential Facility Operator(s)	741	777	813	849	887	929	973	1017
Senior Case Aide	995	1039	1084	1136	1187	1241	1299	1358	1420
Senior Citizen's Aide	596	625	654	683	712	741	777	
Transportation Coordinator	908	950	995	1039	1084	1136	1187	1241
Welfare Fraud Investigator	1387	1452	1516	1583	1656	1734	1814	
Welfare Fraud Unit Supervisor	1516	1583	1656	1734	1814	1894	1982	

2. Plan B. The following salary steps in monthly salary amounts shall be applicable to the specified classes of positions. The salary steps shall not include any amounts paid by any county board under Minn. Stat. S 471.61.

	1	2	3	4	5	6	7	8	9
Account Clerk	908	950	995	1039	1084	1136	1187	1241	
Accounting Technician	973	1017	1063	1109	1161	1212	1269	1327	
Adult Day Care Center Prog. Coord.	929	973	1017	1063	1109	1161	1212	1269	1327
Asst. Residential Facility Opr.(s)	741	777	813	849	887	929	973	1017	
Case Aide	929	973	1017	1063	1109	1161	1212	1269	1327

Chemical Dependency Counselor	1187	1241	1299	1358	1420	1485	1549		
Child Health Aide	813	849	887	929	973	1017	1063	1109	
Child Support Officer I	1136	1187	1241	1299	1358	1420	1485	1549	1620
Child Support Officer II	1269	1327	1387	1452	1516	1583	1656	1734	
Collection Services Supvr. I	1452	1516	1583	1656	1734	1814	1894	1982	
Community-Service Aide	625	654	683	712	741	777	813		
Coordinator of Aging	950	995	1039	1084	1136	1187	1241	1299	1358
Dev. Achievement Center Inst.	741	777	813	849	887	929			
Family Service Aide I	741	777	813	849	887	929			
Family Service Aide II	813	849	887	929	973	1017	1063	1109	
Family Service Coord. I	1017	1063	1109	1161	1212	1269	1327		
Family Service/Home Health Aide	741	777	813	849	887	929			
Finan.-Assistance Specialist	1187	1241	1299	1358	1420	1485	1549	1620	

Finan.-Assistance Supvr. I	1387	1452	1516	1583	1656	1734	1814	1894	1982
Finan.-Assistance Supvr. II	1516	1583	1656	1734	1814	1894	1982	2068	2163
Financial Worker I	929	973	1017	1063	1109	1161	1212	1269	1327
Financial Worker II	1039	1084	1136	1187	1241	1299	1358	1420	1485
Fiscal Officer	1136	1187	1241	1299	1358	1420	1485	1549	1620
Fiscal Supervisor I	1241	1299	1358	1420	1485	1549	1620	1696	1777
Fiscal Supervisor II	1387	1452	1516	1583	1656	1734	1814	1894	1982
Home Health Aide	741	777	813	849	887	929			
Home Health Aide Coordinator	1017	1063	1109	1161	1212	1269	1327		
Housekeeper	Rate proposed by appointing authority and approved by the merit system supervisor and the Commissioner of Public Welfare.								
Housing Coordinator	1161	1212	1269	1327	1387	1452	1516	1583	1656
Licensed Practical Nurse	995	1039	1084	1136	1187	1241			
Public Health Aide	625	654	683	712	741	777	813		
Residential Facility	777	813	849	887	929	973	1017	1063	

Operator(s)									
Senior Case Aide	1039	1084	1136	1187	1241	1299	1358	1420	1485
Senior Citizen's Aide	625	654	683	712	741	777	813		
Transportation Coordinator	950	995	1039	1084	1136	1187	1241	1299	
Welfare Fraud Investigator	1452	1516	1583	1656	1734	1814	1894		
Welfare Fraud Unit Supervisor	1583	1656	1734	1814	1894	1982	2068		

3. Plan C. The following salary steps in monthly salary amounts shall be applicable to the specified classes of positions. The salary steps shall not include any amounts paid by any county board under Minn. Stat. S 471.61.

	1	2	3	4	5	6	7	8	9
Account Clerk	950	995	1039	1084	1136	1187	1241	1299	
Accounting Technician	1017	1063	1109	1161	1212	1269	1327	1387	
Adult Day Care Center Prog. Coord.	973	1017	1063	1109	1161	1212	1269	1327	1387
Asst. Residential Facility Opr.(s)	777	813	849	887	929	973	1017	1063	
Case Aide	973	1017	1063	1109	1161	1212	1269	1327	1387
Chemical Dependency Counselor	1241	1299	1358	1420	1485	1549	1620		

Child Health Aide	849	887	929	973	1017	1063	1109	1161	
Child Support Officer I	1187	1241	1299	1358	1420	1485	1549	1620	1696
Child Support Officer II	1327	1387	1452	1516	1583	1656	1734	1814	
Collection Services Supvr. I	1516	1583	1656	1734	1814	1894	1982	2068	
Community-Service Aide	654	683	712	741	777	813	849		
Coordinator of Aging	995	1039	1084	1136	1187	1241	1299	1358	1420
Dev. Achievement Center Inst.	777	813	849	887	929	973			
Family Service Aide I	777	813	849	887	929	973			
Family Service Aide II	849	887	929	973	1017	1063	1109	1161	
Family Service Coord. I	1063	1109	1161	1212	1269	1327	1387		
Family Service/Home Health Aide	777	813	849	887	929	973			
Finan.-Assistance Specialist	1241	1299	1358	1420	1485	1549	1620	1696	
Finan.-Assistance	1452	1516	1583	1656	1734	1814	1894	1982	2068

Supvr. I									
Finan.-Assistance Supvr. II	1583	1656	1734	1814	1894	1982	2068	2163	2264
Financial Worker I	973	1017	1063	1109	1161	1212	1269	1327	1387
Financial Worker II	1084	1136	1187	1241	1299	1358	1420	1485	1549
Fiscal Officer	1136	1187	1241	1299	1358	1420	1485	1549	1620
Fiscal Supervisor I	1241	1299	1358	1420	1485	1549	1620	1696	1777
Fiscal Supervisor II	1387	1452	1516	1583	1656	1734	1814	1894	1982
Home Health Aide	777	813	849	887	929	973			
Home Health Aide Coordinator	1063	1109	1161	1212	1269	1327	1387		
Housekeeper	Rate proposed by appointing authority and approved by the merit system supervisor and the Commissioner of Public Welfare.								
Housing Coordinator	1212	1269	1327	1387	1452	1516	1583	1656	1734
Licensed Practical Nurse	1039	1084	1136	1187	1241	1299			
Public Health Aide	654	683	712	741	777	813	849		
Residential Facility Operator(s)	813	849	887	929	973	1017	1063	1109	

Senior Case Aide	1084	1136	1187	1241	1299	1358	1420	1485	1549
Senior Citizen's Aide	654	683	712	741	777	813	849		
Transportation Coordinator	995	1039	1084	1136	1187	1241	1299	1358	
Welfare Fraud Investigator	1516	1583	1656	1734	1814	1894	1982		
Welfare Fraud Unit Supervisor	1656	1734	1814	1894	1982	2068	2163		

C. Clerical

1. Plan A. The following salary steps in monthly salary amounts shall be applicable to the specified classes of positions. The salary steps shall not include any amounts paid by any county board under Minn. Stat. S 471.61.

	1	2	3	4	5	6	7	8
Bkkp. Machine Operator	704	734	766	801	839	877	917	959
Clerical Supervisor	857	895	937	982	1027	1073	1119	1172
Clerk I	616	645	676	704	734	766	801	839
Clerk II	704	734	766	801	839	877	917	959
Clerk III	784	821	857	895	937	982	1027	1073
Clerk-Typist I	645	676	704	734	766	801	839	877
Clerk-Typist II	704	734	766	801	839	877	917	959

Clerk-Typist III	784	821	857	895	937	982	1027	1073
Clerk Specialist	857	895	937	982	1027	1073	1119	1172
Clerk-Steno I	676	704	734	766	801	839	877	917
Clerk-Steno II	766	801	839	877	917	959	1004	1049
Clerk-Steno III	821	857	895	937	982	1027	1073	1119
Information Systems Specialist	784	821	857	895	937	982	1027	1073
Keypunch Operator	676	704	734	766	801	839	877	917
Swbd. Opr. I	704	734	766	801	839	877	917	959
Swbd. Opr. II	748	784	821	857	895	937	982	1027

Employees in the class of Clerk-Typist I who are assigned on a full-time basis to transcribing machine operation may be paid within the county range for Clerk-Stenographer I.

2. Plan B. The following salary steps in monthly salary amounts shall be applicable to the specified classes of positions. The salary steps shall not include any amounts paid by any county board under Minn. Stat. S 471.61.

	1	2	3	4	5	6	7
Bkkp. Machine Operator	801	839	877	917	959	1004	1049
Clerical Supervisor	982	1027	1073	1119	1172	1223	1281

Clerk I	704	734	766	801	839	877	917
Clerk II	801	839	877	917	959	1004	1049
Clerk III	895	937	982	1027	1073	1119	1172
Clerk-Typist I	734	766	801	839	877	917	959
Clerk-Typist II	801	839	877	917	959	1004	1049
Clerk-Typist III	895	937	982	1027	1073	1119	1172
Clerk Specialist	982	1027	1073	1119	1172	1223	1281
Clerk-Steno I	766	801	839	877	917	959	1004
Clerk-Steno II	877	917	959	1004	1049	1094	1147
Clerk-Steno III	937	982	1027	1073	1119	1172	1223
Information Systems Specialist	895	937	982	1027	1073	1119	1172
Keypunch Operator	766	801	839	877	917	959	1004
Swbd. Opr. I	801	839	877	917	959	1004	1049
Swbd. Opr. II	857	895	937	982	1027	1073	1119

Employees in the class of Clerk-Typist I who are assigned on a full-time basis to transcribing machine operation may be paid within the county range for Clerk-Stenographer I.

3. Plan C. The following salary steps in monthly salary amounts shall be applicable to the specified classes of

positions. The salary steps shall not include any amounts paid by any county board under Minn. Stat. S 471.61.

	1	2	3	4	5	6	7	8	9
Bkkp. Machine Operator	877	917	959	1004	1049	1094	1147		
Clerical Supervisor	1073	1119	1172	1223	1281	1340	1400		
Clerk I	766	801	839	877	917	959	1004		
Clerk II	877	917	959	1004	1049	1094	1147		
Clerk III	~~981~~ 982	1027	1073	1119	1172	1223	1281		
Clerk-Typist I	801	839	877	917	959	1004	1049		
Clerk-Typist II	877	917	959	1004	1049	1094	1147		
Clerk-Typist ~~II~~ III	982	1027	1073	1119	1172	1223	1281		
Clerk Specialist	1073	1119	1172	1223	1281	1340	1400		
Clerk-Steno I	839	877	917	959	1004	1049	1094		
Clerk-Steno II	959	1004	1049	1094	1147	1198	1252		
Clerk-Steno III	1027	1073	1119	1172	1223	1281	1340		
Information Systems Specialist	982	1027	1073	1119	1172	1223	1281		
Keypunch Operator	839	877	917	959	1004	1049	1094		

Swbd. Opr. I	877	917	959	1004	1049	1094	1147
Swbd. Opr. II	937	982	1027	1073	1119	1172	1223

Employees in the class of Clerk-Typist I who are assigned on a full-time basis to transcribing machine operation may be paid within the county range for Clerk-Stenographer I.

D. Maintenance and trades

1. Plan A. The following salary steps in monthly salary amounts shall be applicable to the specified classes of positions. The salary steps shall not include any amounts paid by any county board under Minn. Stat. S 471.61. Janitors who are required to work for a period of at least five hours after 6 p.m. on a regularly scheduled basis may be paid a shift differential in the amount of one salary step above their normal day-work rate.

	1	2	3	4	5	6	7
Auto Driver	735	768	801	834	870	907	947
Bus Driver	801	834	870	907	947	986	1027
Janitor	801	834	870	907	947	986	1027
Laborer	$4.60/hour						
Maintenance Worker	834	870	907	947	986	1027	1074

2. Plan B. The following salary steps in monthly salary amounts shall be applicable to the specified classes of positions. The salary steps shall not include any amounts paid by any county board under Minn. Stat. S 471.61. Janitors who are required to work for a period of at least five hours after 6 p.m. on a regularly scheduled basis may be paid a shift differential in the amount of one salary step above their normal day-work rate.

	1	2	3	4	5	6	7
Auto Driver	947	986	1027	1074	1119	1166	1218
Bus Driver	986	1027	1074	1119	1166	1218	1270
Janitor	947	986	1027	1074	1119	1166	1218

(.841

Laborer $5.67/hour

Maintenance Worker 1027 1074 1119 1166 1218 1270 1325

12 MCAR S 2.841 Provisions for computing monthly, hourly, less-than-full-time, bi-weekly, and four week salary rates.

A. Salary conversion tables. The supervisor shall publish a salary conversion table as part of the Minnesota Merit System Manual. The table shall list all existing salary rates listed in 12 MCAR S 2.840. For those salary rates, the supervisor shall calculate hourly, daily and payroll period salaries for each of the salary rates listed. This table shall be based on an 8-hour day, 40-hour week and 2088-hour year. Agencies with a normal work schedule which varies from an 8-hour day, 40-hour week or 2088-hour year or agencies with payroll periods other than once every two weeks, every four weeks, or every month, shall supply the supervisor with a salary conversion table ~~as provided in 12 MCAR S 2.494 F.2.c. or in 12 MCAR S 2.517 B.2.~~

Repealer. 12 MCAR SS 2.508; 2.516; and 2.530-2.804 are repealed.

APPROVED AS TO LEGALITY
April 26 19 82
WARREN SPANNAUS, ATTORNEY GENERAL
BY Ted A. Mathews
SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
APR 26 1982
Joan Anderson Growe
Secretary of State

10:20 A.M.

.2090

AG COPY

Department of Public Safety

Minnesota Merit System

Adopted Rules Governing Definitions; Statement of Policy and Means of Effecting Policy; Organization; Classification Plan; Compensation Plan; Examinations; Certification of Eligibles; Probationary Period; Separation, Tenure and Reinstatement; Leaves of Absence; Appeals and Hearings; Salary Adjustments and Increases; Salary Computation Provisions for Full- and Part-Time Employment; Appointments, Promotions, Demotions, Transfers and Reinstatements; and Provisions for Computing Monthly, Hourly, Less-than-full-time, Bi-weekly, and Four-week Salary Rates

Rules as Adopted

11 MCAR S 1.2090 Definitions.

A. Applicability. The following definitions apply to 11 MCAR SS 1.2090-1.2141, unless the context clearly requires another meaning:

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

2. Appointing authority. "Appointing authority" means the county board of commissioners, the town board, the mayor, or other officer or board authorized by statute or lawfully delegated authority to make appointments to positions under the merit system for civil defense.

3. Change in allocation. "Change in allocation" means the reclassification of a position resulting from significant sudden changes imposed by the appointing authority affecting the duties and responsibilities of a position.

4. Class. "Class" means one or more positions sufficiently similar in the duties performed, degree of supervision exercised or required, requirements of training, experience, or skill, and such other characteristics that the

same title, the same tests of fitness, and the same schedule of compensation may be applied with equity to all of the positions.

5. Classified service. "Classified service" means all positions covered by 11 MCAR SS 1.2090-1.2141 as provided in 11 MCAR S 1.2091 E.

6. Commissioner of Public Safety or commissioner. "Commissioner of Public Safety" or "commissioner" means the administrative head of the state Department of Public Safety.

7. Council. "Council" means the Merit System Council.

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

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

10. Demotion. "Demotion" means a change by an employee from a position in one class to a position in another class with less responsible duties and a lower salary range.

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

12. Disabled veteran. "Disabled veteran" means a veteran who is rated or certified as disabled, in accordance with the provisions of Minn. Stat. S 43A.11.

13. Dismissal. "Dismissal" means the termination of employment of an employee for cause.

14. Eligible or eligible person. "Eligible" or "eligible person" means any person whose name is on a register.

15. Emergency appointment. "Emergency appointment" means an appointment required by a state of emergency as described in 12 MCAR S 2.499 C.

16. Employee. "Employee" means any person employed by a local civil defense agency in a position covered by 11 MCAR S

1.2091 E. who is paid a salary or wage.

17. Exclusive representative. "Exclusive representative" has the meaning given in Minn. Stat. S 179.63, subd. 6.

18. Facsimile. "Facsimile" means a replica. A facsimile of 11 MCAR S 1.2141 is a chart showing each of the salary rates adopted by an agency divided into monthly and hourly rates and either daily rates and bi-weekly or four-week rates if paid on this basis or the daily rate based on the number of working days in the month--20, 21, 22, or 23 days if paid on a monthly basis.

19. General adjustment. "General adjustment" means the merit system recommended salary adjustment based on a salary survey.

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

21. Layoff. "Layoff" means the termination of employment because of shortage of funds or curtailment of services.

22. Layoff list. "Layoff list" means a list of permanent or probationary employees who have been laid off by reason of abolishment of their position, lack of funds, shortage of work or other reason beyond the control of the employee.

23. Limited-term appointment. "Limited-term appointment" means an appointment from a register for a period not to exceed six months as described in 12 MCAR S 2.499 D.

24. Local agency. "Local agency" means the organization created to carry out the functions and programs of the jurisdiction's civil defense responsibilities.

25. Local civil defense authority. "Local civil defense authority" means the governing board, commission, council, or mayor under whose authority a county, town, or village, ~~or borough~~ establishes a local civil defense agency.

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

27. Military leave. "Military leave" means the leave of absence granted by state law to employees entering active duty

in the armed forces of the State of Minnesota or the United States of America.

28. Minimum qualifications. "Minimum qualifications" means the requirements of training and experience necessary to qualify for a given class.

29. Original appointment. "Original appointment" means a regular appointment of an individual to a local civil defense staff through selection from an open-competitive register and is the beginning point of the probationary period and is sometimes referred to as probationary appointment.

30. Permanent employee. "Permanent employee" means an employee who has successfully completed a probationary period or who has attained permanent status upon the installation of the merit system.

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

32. Probationary employee. "Probationary employee" means an employee who is serving a probationary period in a class to which the employee has been appointed from an eligible list.

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

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

35. Provisional appointment. "Provisional appointment" means an appointment of a person not on a register to fill a position pending the establishment of a register for the position in accordance with the provisions of 12 MCAR S 2.499 B.

36. Reallocation. "Reallocation" means the reclassification of a position resulting from significant changes in the duties and responsibilities of the position that

occur gradually over a period of time.

37. Reclassification. "Reclassification" means a change in the allocation or reallocation of a position to a higher, lower or equivalent class.

38. Reemployment list. "Reemployment list" means a list of former permanent or probationary employees who have been laid off or who have voluntarily separated from merit system employment in good standing and whose applications for reemployment in the merit system are submitted within one year of separation.

39. Register. "Register" means an officially established list of eligibles for a particular class.

40. Resignation. "Resignation" means the termination of employment made at the request of the employee.

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

42. Salary increase. "Salary increase" means an increase granted to an employee on the basis of working out of class or due to unusual employment conditions and not based on job performance, cost-of-living factors, going rates for similar jobs or labor market conditions.

43. State agency. "State agency" means the Governor acting through the State Department of Public Safety, Division of Civil Defense, which is responsible for the administration and supervision of the civil defense programs in the State of Minnesota.

44. Supervisor. "Supervisor" means the merit system supervisor.

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

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

47. Transfer. "Transfer" means the movement of an

employee from one position to another in the same class or in another class having the same salary range and usually involving the performance of similar duties and requiring essentially the same qualifications of training and experience.

48. Veteran. "Veteran" means all persons defined as veterans by Minn. Stat. S ~~197.46~~ 197.447.

49. Veteran's preference. "Veteran's preference" means the preference granted to veterans by Minn. Stat. S 43A.11.

B.1.-4. [Unchanged.]

11 MCAR S 1.2091 Statement of policy and means of effecting policy.

A.1.a.-e. [Unchanged.]

B.1.-4. [Unchanged.]

C.1. [Unchanged.]

D.1.a.-d. and 2. [Unchanged.]

E.1. [Unchanged.]

F. Political activity.

1.-4. [Unchanged.]

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

6. [Unchanged.]

G. Prohibition against discrimination.

1. In general. No person shall be discriminated for or against in such matters as ~~his~~ recruitment, examination, appointment, tenure, compensation, classification, or promotion, or in such matters as conditions, facilities, or privileges of employment because of ~~his~~ race, color, creed, religion, national origin, physical disability where the disability does not interfere with the completion of assigned duties, age, marital status, status with regard to public assistance, or sex. Any person aggrieved by a violation of these prohibitions may file a complaint under the provisions of Minn. Stat. ch. 363.

2. Political opinions. No person shall be discriminated

for or against as provided in 1. because of his political opinions or affiliations within the limitations imposed by F., nor shall discrimination occur because of any other non-merit factor. Any person aggrieved by a violation of a prohibited discrimination that does not come within the jurisdiction of Minn. Stat. ch. 363 may file a complaint with the merit system supervisor setting forth the basis of ~~his~~ a belief that an act or threat or promise of an act of discrimination occurred and identifying by name and position the person alleged to have committed the act or threat or promise of an act of discrimination.

Why did they bother when rules still contain numerous "his" HE ?

3. Investigations. The supervisor or ~~his~~ a designated representative shall conduct an investigation of the alleged discrimination and shall report the complaint and the findings of the investigation to the merit system council at its next meeting. The complainant shall have the right to present ~~his~~ a complaint personally to the council. The council shall order any further investigation or hearing as may be warranted prior to making its decision. If the council finds that discrimination has occurred, it shall take whatever action it deems warranted and within its authority to remedy the effect of any act or threat or promise of an act of discrimination and to prevent future discrimination.

H. Violations.

1. [Unchanged.]

2. Violations of 11 MCAR SS 1.2090-1.2141 by an appointing authority shall be brought to the attention of the appointing authority by the supervisor. The notice shall include remedial measures necessary to correct past violations and to ensure future compliance. In the event the appointing authority refuses to take corrective action, the supervisor shall inform the commissioner who ~~shall take action as appropriate including, but not limited to, denial or suspension of~~ shall deny or suspend all or part of state and federal administrative reimbursement funds, suspend services from the merit system, or require that other corrective action be taken.

3. An appointing authority may appeal any denial ~~or~~, suspension of administrative reimbursement, or suspension of services under 2. to the Merit System Council which shall, after a review of the record available to the commissioner, make its recommendation to the commissioner. The commissioner's decision shall be final. #E12

11 MCAR S 1.2092 Organization.

A. [Unchanged.]

B. [Unchanged.]

C.1.-4. [Unchanged.]

D. Merit system supervisor.

1. [Unchanged.]

2. In conformance with 11 MCAR SS 1.2090-1.2141, it shall be the duty of the merit system supervisor:

a.-d. [Unchanged.]

e. To appoint staff members, including technicians, clerks, stenographers, and such other permanent or temporary employees as are necessary to carry out the provisions of 11 MCAR SS 1.2090-1.2141. The employees shall be chosen in accordance with the provisions of the Minnesota Department of Employee Relations rules.

f. To review, develop and propose amendments to existing merit system rules for consideration and recommendation by the merit system council and in accordance with the provisions of Minn. Stat. ch. 15.

g. To perform such other duties as are prescribed by 11 MCAR SS 1.2090-1.2141 or by the council.

11 MCAR S 1.2093 Classification plan.

A. Preparation and adoption.

1. The Governor, through the Commissioner of Public Safety shall formally adopt a comprehensive classification plan for all positions covered by 11 MCAR SS 1.2090-1.2141 which shall be published as part of the Public Safety Merit System Manual. 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 Department of Public Safety and the local civil defense agency, as well as in all examination procedures.

2. [Unchanged.]

B. Allocation of positions. Every position under the Minnesota merit system as provided in 11 MCAR S 1.2091 E. shall be allocated by the merit system 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 necessary.

C. Reclassification of positions. 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 reclassified positions.

1. Appointment authorized. When a position is reclassified and it is determined to be a reallocation resulting from a significant change in the duties and responsibilities of the position occurring gradually over a period of time, the supervisor ~~may~~ HE11 shall authorize an appointing authority to promote the incumbent of the reallocated position. Any employee promoted in accordance with this paragraph shall serve a probationary period in the higher class.

2. Eligibility. When a position is reclassified resulting from a change in allocation, the incumbent shall not be deemed eligible to continue in the 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 11 MCAR SS 1.2090-1.2141 as may be deemed to be applicable. If ineligibility of a permanent or probationary incumbent of a reclassified 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 11 MCAR SS 1.2090-1.2141 about layoff shall apply. Any transfer, promotion, demotion or layoff in accordance with these provisions must occur within 60 days of the notification of reclassification of the position.

3. Equivalent duties. The Commissioner of Public Safety may authorize the reclassification 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 reclassified 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.

4. Incumbent appointed after exam. If the incumbent

examined in accordance with 3. successfully completes the examination process, the supervisor may certify only the name of the eligible incumbent to the appointing authority.

5. Probation prohibited. Notwithstanding the provisions of 12 MCAR S 2.500 B.1.a., an employee appointed under 4. shall not be required to serve a new probationary period in the higher classification.

E. Class specifications. The classification plan shall consist of written specifications for each class. Each specification shall include an appropriate class title, a description of the duties and responsibilities of the work, and the requirements of training, experience, and other qualifications.

F. Revision of plan. Existing classes may be abolished or changed, or new classes added, in accordance with A.

11 MCAR S 1.2094 Compensation plan.

A. Preparation and adoption.

1. Preparation of plan. The Governor, through the Commissioner of Public Safety, shall formally adopt and make effective a comprehensive compensation plan, 11 MCAR S 1.2140, for all classes of positions which shall apply to all agencies covered by the merit system, except as otherwise negotiated for employees in a bargaining unit in agencies where there is an exclusive representative or in those instances where the requirements of F.2.c. have been satisfied. The plan shall include salary ranges for the various classes, with the salary of each class consistent with the duties and responsibilities outlined in the class specifications. Minimum, intervening, and maximum rates of pay for each class shall be established to provide for salary advancement without change of duty, in recognition of meritorious service. The advice and suggestions of appointing authorities, prevailing salary rates for similar and competing types of employment in business and government, and other relevant factors shall be taken into consideration in developing the ranges.

2. Review by council. The proposed compensation plan,

and any amendments thereto, shall be submitted to the council for review and recommendation. Upon review and recommendation and after compliance with the provisions of Minn. Stat. ch. 15, the Governor, through the commissioner, shall formally adopt the compensation plan which shall be the official salary schedule of the Minnesota merit system, effective the date specified.

3. Salary plans. The comprehensive compensation plan adopted by the commissioner shall provide for separate alphabetically designated salary plans for different occupational groupings of classes reflecting progressively higher salary ranges except for those classes where a single range of rates is found to be appropriate. Plans shall be established as provided in 11 MCAR S 1.2140 as follows:

a. Professional - A, B and C;

b. Clerical - A, B and C.

B. Selection of salary ranges by local civil defense authority.

1. Adoption as official plan. Appointing authorities shall by resolution choose a salary plan for each occupational grouping of classes from among the plans listed in A.3. except where salaries are negotiated with an exclusive representative or 5. is applicable. The plans adopted shall become the official plans for the appointing authority until amended.

2. Selection of rates. Within the minimum and maximum salaries for classes in the adopted plans, appointing authorities shall designate by resolution the minimum, intervening and maximum salary rates to be paid for each class of positions used by the appointing authority. The supervisor shall be promptly notified of the rates selected by each appointing authority.

3. Plan amendments. The appointing authority may by resolution amend its official plan for one or more occupational groupings of classes. The supervisor shall be promptly notified of the amendment.

4. Incumbents. Salary rates for incumbents of positions shall be established in accordance with the provisions of F.2.

and 3. on the basis of the plan adopted by the appointing authority as provided in A.3.

5. Nonrepresented employees. In agencies with an exclusive representative, the appointing authority may pay confidential, supervisory, and other personnel not covered by an exclusive representative who are in the same class as the employees who have an exclusive representative, the same rate of pay and salary ranges as negotiated for the class under D.1. In no case would this rule allow the appointing authority to reduce the rate of pay of confidential, supervisory or other excluded employees.

C. Adjustment of the official salary schedule of the Minnesota merit system.

1. Consumer price index. The compensation plan provided in 11 MCAR S 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. Biennial review of labor market. 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. Plan amendments. From the results of this study, the supervisor shall propose amendments to the compensation plan in accordance with Minn. Stat. ch. 15, and as outlined in 11 MCAR S 1.2094 A. 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.

4. Biennial review of consumer price index. In every

even-numbered year, the supervisor shall conduct a review of the changes in the ~~consumers~~ 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 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 nine percent. 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.

5. Plan adjustments. 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 the employees were paid under the former plan.

D. Negotiation of salary schedule.

1. Role of exclusive representative. 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. Minimum, intervening, and maximum rates of pay for each shall be established to provide for steps in salary advancement without change of duty, in recognition of meritorious service. When a new classification not previously used in the agency is

established in the middle of the contract period and the class falls within the bargaining unit and no provision exists in the contract for establishing those salaries, the appointing authority and the exclusive representative shall negotiate a salary schedule for the new classification within 60 days of the date of establishment of the classification.

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

E. Administration of the plan. In those agencies without an exclusive representative or where the collective bargaining agreement is silent regarding initial salaries, the entrance salary for any new employee shall normally be at the minimum rate of pay for the class to which the appointment is made. Requests to appoint above the minimum rate of pay may be made based on the exceptional qualifications of the candidate or the unavailability of candidates at the minimum rate, giving consideration to the salaries of current employees in the same classification. All candidates with similar exceptional qualifications must be offered the same rate of pay which shall be one of the established steps in the agency's adopted salary range for the class to which the appointment is made. The request, including reasons, must be submitted in writing by the appointing authority to the supervisor for prior approval.

F. Salary adjustments and increases.

1. Availability of funds. Before salary increases and adjustments are made in accordance with 11 MCAR SS 1.2090-1.2141 or in accordance with a negotiated collective bargaining agreement, the civil defense authority shall have in its records and carry in its minutes a definite statement that funds for this purpose are available.

2. Plan requirements. In agencies where there is no exclusive representative or collective bargaining agreement, negotiated adjustments in the rates of pay of incumbents of positions, in order to conform to a newly adopted or currently effective compensation plan, shall be in accordance with a.-h.

a. If the rate of pay of an employee is below the minimum of the range prescribed for the employee's classification on the merit system compensation plan adopted by the appointing authority the rate shall be adjusted to that minimum.

b. If the rate of pay of an employee is at or above the new minimum salary adopted for the employee's class, the employee may receive the general merit system adopted adjustment and, if a class was adjusted to a greater extent than the general adopted adjustment, the class may receive the additional adjustment as provided in C.4. if the additional adjustment does not place the class salary over the new maximum adopted salary for the class.

c. If an appointing authority has determined that the general merit system adopted adjustment is inappropriate for its employees, it may grant a different adjustment; however, it must file with the supervisor the new salary steps by class and a salary conversion table as provided for in 11 MCAR S 1.2141. The adjustments shall at least place employees at the minimum salary and not over the maximum salary for their class on the salary plan adopted by the agency.

d. Employees at the maximum salary for their class may be granted salary adjustments over the maximum salary prescribed for their class, only if a merit system adjustment is adopted and only in the amount adopted for incumbents of that class.

e. If the rate of pay of an employee is higher than the maximum of the range prescribed for the employee's class the rate may remain the same as long as the employee retains the same classification.

f. If the rate of pay of an employee falls between the minimum and maximum of the salary range prescribed for the

employee's class but does not correspond to any intervening steps in the range due to the adoption of a merit system general adjustment the rate may remain the same. In the case of subsequent merit increases the employee shall be placed on a step in the adopted salary range for the employee's class.

g. Employees at the maximum salary rate for their class may only be granted merit system adopted salary adjustments in the amount adopted for incumbents of that class. If an appointing authority wishes to grant a larger general adjustment to its employees than that adopted by the merit system and the adjustment would place an employee's rate of pay above the maximum salary rate for the employee's class, the appointing authority by prior resolution may grant to an employee the annual equivalent of the difference between the merit system adopted adjustments for incumbents and the agency adopted adjustment in the form of a single lump sum salary payment on the effective date of the general adjustment. The employee's base salary will remain at the maximum salary rate for the employee's class.

h. An appointing authority may propose a salary increase within the salary range after providing detailed written statements to the supervisor specifying the unusual employment conditions that make the action necessary and the interests of the agency that will be served by the action. The supervisor shall review each such proposal giving due consideration to the salary rates paid other employees in the same class in the agency and ~~may~~ shall deny any request which ~~in his judgment is contrary to the best interests of the merit system~~ does not assure equitable compensation for comparable work. Salary increases proposed in accordance with this paragraph are not based on employee performance or a general merit system adopted salary adjustment. The granting of the increase will not affect the employee's eligibility for subsequent merit increases or salary adjustments in accordance with merit system rules. If the unusual employment conditions justifying the increase are of a temporary nature the employee's

salary shall be decreased to its previous level upon conclusion of those conditions, notwithstanding the provisions of H.~~1.~~ or 12 MCAR S 2.508 D.~~1.~~

3. Recommended adjustment. The merit system general adjustment recommended for incumbents is eight percent for employees on the professional and clerical salary schedules.

4. Salary differentials. Intra-agency salary differentials between employees in the same class of positions, between employees in different classes of positions in the same occupational field, and between occupational fields in the same agency are recognized as important factors in the maintenance of satisfactory morale. If the general adjustments result in the reduction of the differential between employees in the same class of positions or between employees in different classes of positions in the same occupational field adjustments may be made that will, insofar as practicable, maintain differentials within the limits of the new plan. In maintaining differentials the appointing authority shall consider the length of service and quality of performance of the employee affected.

5. Collective bargaining agreements. In agencies where there is an exclusive representative and a negotiated salary schedule for employees in the bargaining unit adjustments in the rates of pay of employees shall follow the wording of the contract or agreement.

G. Merit increases.

1. Increases by step. Merit increases from the minimum on the official merit system compensation plan or on any negotiated salary schedules or on any salary schedules filed with the supervisor pursuant to F.2.c. shall be by successive intervening steps of pay for the class with due consideration for length of service and quality of performance.

2. Eligible employees. In those agencies that have adopted a merit increase policy, an employee may be considered for a merit increase upon the satisfactory completion of the probationary period.

3. Annual review for merit increases. In those agencies

that have adopted a merit increase policy, a merit increase for each employee not at the maximum salary for the employee's classification shall be considered at least once each 12-month period unless otherwise negotiated through a contract or agreement by the appointing authority and the exclusive representative. In the event an increase is not granted the reasons for the denial of the increase shall be reported in writing to the employee and to the merit system supervisor.

4. Restriction on frequency of increases. In those agencies that have adopted a merit increase policy, except as otherwise negotiated by the appointing authority and the exclusive representative, a merit increase shall not be granted until the employee has served at least six months at the rate of pay from which an increase is proposed. In cases of exceptionally meritorious service, a merit increase of more than one salary step in the range or at less than a six month interval may be permitted. The facts upon which each exceptional merit increase is based shall be recorded in the official minutes of the local civil defense authority and reported to the merit system supervisor.

5. Increases based on additional education. In those agencies that have adopted a merit increase policy, an extraordinary merit increase within the agency's salary range may be granted upon satisfactory completion of 15 additional credits in a field or fields pertinent to the employee's class. In each case the employee's transcript of coursework must accompany the proposed merit increase.

6. Lump sum payments. In those agencies that have adopted a merit increase policy, the appointing authority may grant an employee who meets all other agency eligibility requirements for a merit increase but whose salary is at or above the maximum rate of pay in the adopted salary range for his classification the annual equivalent of a one step merit increase in the form of a single lump sum payment in recognition of meritorious job performance. Appointing authorities, prior to the beginning of the year in which these merit increases are

effective, must by resolution establish as official policy that these payments will be granted for meritorious job performance. The base salary of an employee receiving a lump sum merit increase shall remain at the rate attained immediately prior to the increase.

H. Salary decreases.

1. In general. Except as otherwise negotiated by an agency and the exclusive representative, a salary decrease within the range prescribed for the class may be made only for just cause. A permanent employee shall be notified of the intent to effect a reduction in pay and the reasons for the action at least ten calendar days prior to the date on which the reduction becomes effective. A copy of the notice shall be sent to the supervisor. A permanent employee whose salary is reduced may request a hearing as provided in 12 MCAR S 2.508 D.~~1.~~

2. Exemption. Collective bargaining agreement provisions whereby a salary adjustment or salary increase is negotiated for a set period of time do not fall within the provisions of 1.

I. Work out of class. If an employee is expressly assigned in writing to perform all the duties of a position allocated to a higher classification that is temporarily unoccupied for reasons other than vacation or sick leave and the work exceeds 15 consecutive work days the employee so assigned shall be paid for all hours of the assignment at least at the minimum rate of pay of the salary range for the higher class or may be granted a one step salary increase within his salary range. If the assignment is to a position in a classification at an equal or lower level the employee shall be paid for all hours of the assignment at the employee's current rate of pay. A work out of class assignment may be proposed only if the duration of the vacancy is anticipated to be less than six months. Approval of the assignments by the supervisor is required and must be received by the supervisor within five calendar days of the assignment. Upon completion of the work out of class assignment the employee's salary shall be reduced to its previous level, notwithstanding the provisions of H.~~1.~~ or 12 MCAR S 2.508 D.~~1.~~

11 MCAR S 1.2117 Salary computation provisions for full and part-time employment, vacation and sick leave pay upon termination, partial pay periods, overtime pay and part payment from another source.

A. Pay periods. The length of pay periods is at the discretion of the appointing authority or may be negotiated when there is an exclusive representative.

B. Full-time and part-time employment.

1. All rates prescribed in 11 MCAR SS 1.2140 and 1.2141 shall be standard rates for full-time employees except as otherwise negotiated for employees in a bargaining unit in agencies where there is an exclusive representative or under the provisions of 11 MCAR S 1.2094 F.2.c. If employment in a position is on a part-time or intermittent basis, only the proportional part of the rate for the time actually employed shall be paid. The time may be paid on an hourly, working-day or proportion of a month basis. The agencies using 11 MCAR S 1.2140 shall use the table prepared in accordance with 11 MCAR S 1.2141 in computing the payment.

2. Those agencies with an exclusive representative who negotiate different salary schedules from those shown in 11 MCAR S 1.2140 under the provisions of 1. or those agencies operating under the provisions of 11 MCAR S 1.2094 F.2.c. shall file within ten days after the signing of the contract the schedules with the supervisor. Attached thereto, shall be a table similar in format, computation, and information to the table provided for in 11 MCAR S 1.2141. The table shall show monthly rates with appropriate conversion to hourly rates and to daily rates based on the number of working days and paid holidays in the month, and payment by payroll period for full-time work if the payment is made on other than a monthly basis.

C. Payment for less than a full payroll period. The amount of salary paid for a period less than a full payroll period to an employee shall be determined on the basis of the number of hours and days the employee worked in the payroll period. Agencies shall use the table provided for in 11 MCAR S 1.2141 in

computing this salary. Those agencies with an exclusive representative who have negotiated different salary schedules and those agencies operating under the provisions of 11 MCAR S 1.2094 F.2.c. shall use their table prepared in accordance with 11 MCAR S 1.2141 in computing this salary.

D. Part payment from another source. When part of the compensation of a local civil defense employee regularly is paid from another source, such as a federal, state, city or county governmental ~~departments~~ department, or from a different fund or account outside the control of the local civil defense authority, the total salary from all governmental sources combined shall not exceed the amount payable at the maximum rate for the class of position involved on the compensation plan adopted by the agency.

E. Compensation for vacation or sick leave upon separation.

1. An employee, who has permanent status in the county in some class, who is separated from the agency shall be paid for accumulated, unused vacation leave in accordance with 12 MCAR S 2.504 B.3.d. on the basis of the appropriate daily or hourly rate as shown on the table prepared in accordance with 11 MCAR S 1.2141. This is illustrated by the following examples.

An employee who earns $844 a month and is paid $388 on a bi-weekly payroll ($38.80 daily rate) works 8 days in the payroll period and terminates her employment. She has 11 days of vacation accumulated. Daily rate of $38.80 X 19 days (8 regular working days plus 11 days of vacation) = $737.20.

An employee who earns $844 a month and is paid on a monthly basis works 8 days in the month which has 22 working days in it and terminates her employment. She has 11 days of vacation accumulated. Daily rate of $38.36 (for 22 day month) X 19 days (8 regular working days plus 11 days of vacation) = $727.70.

2. [Unchanged.]

3. [Unchanged.]

F.1. [Unchanged.]

11 MCAR S 1.2118 Appointments, promotions, demotions, transfers, and reinstatements.

·2118

A. Appointment.

1. The entrance salary for the original appointment, provisional appointment, or emergency appointment of a new employee shall be at the minimum salary for the class of positions to which he is appointed, except when appointments are permitted above the minimum in accordance with 11 MCAR S 1.2094 E.

2. An employee who is provisionally employed at a rate of pay other than the minimum of the range prescribed for the class shall not be reduced in pay at the time of appointment from a register to the class.

B. Promotions.

1. ~~Employees~~ The salary of an employee who ~~are~~ is promoted shall ~~have their salary~~ be raised to the minimum rate of pay for the new class. If ~~their~~ the salary before promotion falls within the range of the new class but not on any step within that range, the salary shall be adjusted to the next higher ~~step~~.

2. Employees granted a salary increase after having been promoted may be permitted to retain that increase when returned to a lower class, if the salary does not exceed the maximum salary for the lower class.

C. Demotions. An employee who is demoted, except one demoted in accordance with 11 MCAR S ~~1.2094 C.~~ 1.2093 D., and whose salary is above the maximum rate for the lower class shall be reduced in salary to at least the maximum rate for the new class. If the former salary is within the salary range for the lower class the same salary may be continued. An employee whose position is reclassified downward in accordance with 11 MCAR S ~~1.2094 C.~~ 1.2093 D. and remains in the same position may retain the former salary if it is above the maximum salary rate for the lower class but shall be ineligible to receive any further increases except those subsequently provided in the new classification.

D. Transfers. An employee who is transferred may be paid the same salary that he received prior to transfer. If an

employee's salary prior to transfer falls within the salary range of the class to which he is transferring but not on a salary step in that range, the employee's salary may be increased to the next higher step in the range but it shall not be lowered.

E. Reinstatements. A former employee who is reinstated or reemployed may be paid the same salary rate that he last received in the same class of positions if it coincides with a step in the current salary range for the class, or if it does not coincide, at the next higher step.

11 MCAR S 1.2140 Compensation plan (emergency services) - 1982

A. Professional

1. Plan A

a. Class of positions

	1	2	3	4	5	6	7	8
Administrative Officer	1299	1358	1420	1485	1549	1620	1696	1777
Asst. Civil Defense Director I	869	908	950	995	1039	1084	1136	1187
Asst. Civil Defense Director II	1039	1084	1136	1187	1241	1299	1358	1420
Asst. Civil Defense Director III	1241	1299	1358	1420	1485	1549	1620	1696
Asst. Civil Defense Director IV	1485	1549	1620	1696	1777	1854	1939	2026
Communications Officer	1136	1187	1241	1299	1358	1420	1485	1549
County Civil Defense Director I	1241	1299	1358	1420	1485	1549	1620	1696
County Civil Defense Director II	1420	1485	1549	1620	1696	1777	1854	1939
County Civil Defense Director III	1620	1696	1777	1854	1939	2026	2117	2213
County Civil Defense Director IV	2316	2421	2532	2645	2770	2897	3028	3161
Local Civil Defense Director I	995	1039	1084	1136	1187	1241	1299	1358
Local Civil Defense Director II	1136	1187	1241	1299	1358	1420	1485	1549
Local Civil Defense Director III	1299	1358	1420	1485	1549	1620	1696	1777
Local Civil Defense Director IV	1620	1696	1777	1854	1939	2026	2117	2213

Local Civil Defense Director V	2316	2421	2532	2645	2770	2897	3028	3161
Operations Officer	1299	1358	1420	1485	1549	1620	1696	1777
Public Information Officer	1299	1358	1420	1485	1549	1620	1696	1777
Radiological Defense Officer	1136	1187	1241	1299	1358	1420	1485	1549
Safety Services Coordinator	1299	1358	1420	1485	1549	1620	1696	1777

2. Plan B

a. Class of positions

	1	2	3	4	5	6	7	8
Administrative Officer	1358	1420	1485	1549	1620	1696	1777	1854
Asst. Civil Defense Director I	908	950	995	1039	1084	1136	1187	1241
Asst. Civil Defense Director II	1084	1136	1187	1241	1299	1358	1420	1485
Asst. Civil Defense Director III	1299	1358	1420	1485	1549	1620	1696	1777
Asst. Civil Defense Director IV	1549	1620	1696	1777	1854	1939	2026	2117
Communications Officer	1187	1241	1299	1358	1420	1485	1549	1620
County Civil Defense Director I	1241	1299	1358	1420	1485	1549	1620	1696
County Civil Defense Director II	1420	1485	1549	1620	1696	1777	1854	1939
County Civil Defense Director III	1620	1696	1777	1854	1939	2026	2117	2213
County Civil Defense Director IV	2316	2421	2532	2645	2770	2897	3028	3161
Local Civil Defense Director I	995	1039	1084	1136	1187	1241	1299	1358
Local Civil Defense Director II	1136	1187	1241	1299	1358	1420	1485	1549
Local Civil Defense Director III	1299	1358	1420	1485	1549	1620	1696	1777
Local Civil Defense Director IV	1620	1696	1777	1854	1939	2026	2117	2213
Local Civil Defense Director V	2316	2421	2532	2645	2770	2897	3028	3161
Operations Officer	1358	1420	1485	1549	1620	1696	1777	1854
Public Information Officer	1358	1420	1485	1549	1620	1696	1777	1854

Radiological Defense Officer	1187	1241	1299	1358	1420	1485	1549	1620
Safety Services Coordinator	1358	1420	1485	1549	1620	1696	1777	1854

3. Plan C

a. Class of positions

	1	2	3	4	5	6	7	8
Administrative Officer	1420	1485	1549	1620	1696	1777	1854	1939
Asst. Civil Defense Director I	950	995	1039	1084	1136	1187	1241	1299
Asst. Civil Defense Director II	1136	1187	1241	1299	1358	1420	1485	1549
Asst. Civil Defense Director III	1358	1420	1485	1549	1620	1696	1777	1854
Asst. Civil Defense Director IV	1620	1696	1777	1854	1939	2026	2117	2213
Communications Officer	1241	1299	1358	1420	1485	1549	1620	1696
County Civil Defense Director I	1241	1299	1358	1420	1485	1549	1620	1696
County Civil Defense Director II	1420	1485	1549	1620	1696	1777	1854	1939
County Civil Defense Director III	1620	1696	1777	1854	1939	2026	2117	2213
County Civil Defense Director IV	2316	2421	2532	2645	2770	2897	3028	3161
Local Civil Defense Director I	995	1039	1084	1136	1187	1241	1299	1358
Local Civil Defense Director II	1136	1187	1241	1299	1358	1420	1485	1549
Local Civil Defense Director III	1299	1358	1420	1485	1549	1620	1696	1777
Local Civil Defense Director IV	1620	1696	1777	1854	1939	2026	2117	2213
Local Civil Defense Director V	2316	2421	2532	2645	2770	2897	3028	3161
Operations Officer	1420	1485	1549	1620	1696	1777	1854	1939
Public Information Officer	1420	1485	1549	1620	1696	1777	1854	1939
Radiological Defense Officer	1241	1299	1358	1420	1485	1549	1620	1696
Safety Services Coordinator	1420	1485	1549	1620	1696	1777	1854	1939

B. Clerical

1. Plan A

a. Class of positions

	1	2	3	4	5	6	7	8
Clerk I	616	645	676	704	734	766	801	839
Clerk II	704	734	766	801	839	877	917	959
Clerk III	784	821	857	895	937	982	1027	1073
Clerk-Typist I	645	676	704	734	766	801	839	877
Clerk-Typist II	704	734	766	801	839	877	917	959
Clerk-Typist III	784	821	857	895	937	982	1027	1073
Clerk-Steno I	676	704	734	766	801	839	877	917
Clerk-Steno II	766	801	839	877	917	959	1004	1049
Clerk-Steno ~~II~~ III	821	857	895	937	982	1027	1073	1119

---

2. Plan B

a. Class of positions

	1	2	3	4	5	6	7
Clerk I	704	734	766	801	839	877	917
Clerk II	801	839	877	917	959	1004	1049
Clerk III	895	937	982	1027	1073	1119	1172
Clerk-Typist I	734	766	801	839	877	917	959
Clerk-Typist II	801	839	877	917	959	1004	1049
Clerk-Typist III	895	937	982	1027	1073	1119	1172
Clerk-Steno I	766	801	839	877	917	959	1004
Clerk-Steno II	877	917	959	1004	1049	1094	1147
Clerk-Steno III	937	982	1027	1073	1119	1172	1223

3. Plan C

a. Class of positions

	1	2	3	4	5	6	7
Clerk I	766	801	839	877	917	959	1004
Clerk II	877	917	959	1004	1049	1094	1147
Clerk III	982	1027	1073	1119	1172	1223	1281
Clerk-Typist I	801	839	877	917	959	1004	1049
Clerk-Typist II	877	917	959	1004	1049	1094	1147
Clerk-Typist III	982	1027	1073	1119	1172	1223	1281
Clerk-Steno I	839	877	917	959	1004	1049	1094
Clerk-Steno II	959	1004	1049	1094	1147	1198	1252
Clerk-Steno III	1027	1073	1119	1172	1223	1281	1340

11 MCAR S 1.2141 Provisions for computing monthly, hourly, less-than-full-time, bi-weekly, and four week salary rates. The supervisor shall publish a salary conversion table as part of the Minnesota Merit System Manual. The table shall list all existing salary rates listed in 11 MCAR S 1.2140. For those salary rates, the supervisor shall calculate hourly, daily and payroll period salaries for each of the salary rates listed. This table shall be based on an eight-hour day, 40-hour week and 2088-hour year. Agencies with a normal work schedule which varies from an eight-hour day, 40-hour week or 2088-hour year or agencies with payroll periods other than once every two weeks, every four weeks, or every month, shall supply the supervisor with a salary conversion table ~~as provided for in 11 MCAR S 1.2094 F.2.e. or in 11 MCAR S 1.2117 B.2.~~

Repealer. Rules 11 MCAR SS 1.2116, 1.2125, 1.2126, 1.2127, 1.2129, and 1.2130 are repealed.

APPROVED AS TO LEGALITY

April 26 19 82

WARREN SPANNAUS, ATTORNEY GENERAL

BY Ted A. Martinez

SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
APR 26 1982
Joan Anderson Growe
Secretary of State

10:20

AG copy

Department of Health

Minnesota Merit System

Adopted Rules Governing Definitions; Statement of Policy and Means of Effecting Policy; Organization; Classification Plan; Compensation Plan; Examinations; Certification of Eligibles; Probationary Period; Separation, Tenure and Reinstatement; Leaves of Absence; Appeals and Hearings; Salary Adjustments and Increases; Salary Computation Provisions for Full- and Part-time Employment; Appointments, Promotions, Demotions, Transfers and Reinstatements; and Provisions for Computing Monthly, Hourly, Less-than-full-time, Bi-weekly, and Four-week Salary Rates

Rules as Adopted

Chapter 1: Rules

7 MCAR S 1.235 Definitions.

A. Application. The following definitions apply to 7 MCAR S S 1.235-1.315, unless the context clearly requires another meaning.

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

C. Appointing authority. "Appointing authority" means the county board of commissioners or other officer or board authorized by statute or lawfully delegated authority to make appointments to positions under the merit system for public health.

D. Change in allocation. "Change in allocation" means the reclassification of a position resulting from significant sudden changes imposed by the appointing authority which affects the duties and responsibilities of a position.

E. Class. "Class" means one or more positions sufficiently similar in the duties performed, degree of supervision exercised or required, requirements of training, experience, or skill, and such other characteristics that the same title, the same tests

of fitness, and the same schedule of compensation may be applied with equity to all the positions.

F. Classified service. "Classified service" means all positions covered by these rules as provided in 7 MCAR S 1.236 E.

G. Commissioner. "Commissioner" or "commissioner of health" means the administrative head of the Department of Health.

H. Council. "Council" means the Merit System Council.

I. County register. "County register" means the subregister established for a county from a statewide competitive or promotional register containing the names of persons who have legal residence in the county or, in the event of a promotional examination, who are employed by the local agency.

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

K. Demotion. "Demotion" means a change by an employee from a position in one class to a position in another class with less responsible duties and a lower salary range.

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

M. Disabled veteran. "Disabled veteran" means a veteran who is rated or certified as disabled in accordance with the provisions of Minn. Stat. S 43A.11.

N. Dismissal. "Dismissal" means the termination of employment for cause.

O. Eligible person. "Eligible" or "eligible person" means any person whose name is on a register.

P. Emergency appointment. "Emergency appointment" means an appointment required by a state of emergency as described in 7 MCAR S 1.245 C.

Q. Employee. "Employee" means any person employed by a local public health agency in a position covered by 7 MCAR S 1.236 E. who is paid a salary or wage.

R. Exclusive representative. "Exclusive representative" has the meaning given in Minn. Stat. S 179.63, subd. 6.

S. Facsimile. "Facsimile" means a replica, e.g., facsimile of 7 MCAR S 1.315 is a chart showing each of the salary rates adopted by an agency divided into monthly and hourly rates and either daily rates and bi-weekly or four-week rates if paid on this basis or the daily rate based on the number of working days in the month. The number of working days in a month is 20, 21, 22 or 23 days if an employee is paid on a monthly basis.

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

U. General adjustment. "General adjustment" means the merit system recommended salary adjustment based on a salary survey or a review of consumer price index changes under 7 MCAR S 1.2392.

V. Layoff. "Layoff" means the termination of employment because of abolishment of a position, lack of funds, shortage of work, or other reason beyond the control of the employee.

W. Layoff list. "Layoff list" means a list of permanent or probationary employees who have been laid off by reason of abolishment of their positions, lack of funds, shortage of work, or other reason beyond the control of the ~~employee~~ employees.

X. Limited term appointment. "Limited term appointment" means an appointment from a register for a period not to exceed six months as described in 7 MCAR S 1.245.

Y. Local agency. "Local agency" means the organization created to carry out the functions and programs of the jurisdiction's public health responsibilities.

Z. Local public health authority. "Local public health authority" means the governing board, commission, or council under whose authority a county, town, village, or borough establishes a local public health agency.

AA. Merit increase. "Merit increase" means an increase given to an employee based on meritorious job performance.

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

CC. Minimum qualifications. "Minimum qualifications" means the requirements of training and experience necessary to qualify for a given class.

DD. Original appointment. "Original appointment" means a regular appointment of an individual to a local public health staff through selection from an open-competitive register. It is the beginning point of the probationary period, sometimes referred to as a probationary appointment.

EE. Permanent employee. "Permanent employee" means an employee who has successfully completed a probationary period or who has attained permanent status upon the installation of the merit system.

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

GG. Probationary employee. "Probationary employee" means an employee who is serving a probationary period in a class to which the employee has been appointed from an eligible list.

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

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

JJ. Provisional appointment. "Provisional appointment" means an appointment of a person not on a register, to fill a position pending the establishment of a register for that position in accordance with the provisions of 7 MCAR S 1.245.

KK. Reallocation. "Reallocation" means the reclassification of a position resulting from significant changes that occur gradually over a period of time in the duties and responsibilities of the position.

LL. Reclassification. "Reclassification" means a reallocation or change in the allocation of a position to a

HE 1

higher, lower, or equivalent class.

MM. Re-employment list. "Re-employment list" means a list of former permanent or probationary employees who have been laid off or who have voluntarily separated from merit system employment in good standing and whose applications for re-employment in the merit system are submitted within one year of separation.

NN. Register. "Register" means an officially established list of eligibles for a particular class.

OO. Resignation. "Resignation" means the termination of employment made at the request of the employee.

PP. Salary adjustment. "Salary adjustment" means an increase given to employees due to cost-of-living factors, going rates for similar jobs, labor market conditions, or a combination of these reasons.

QQ. Salary increase. "Salary increase" means an increase granted to an employee on the basis of working out of class or due to unusual employment conditions and not based on job performance, cost of living factors, going rates for similar jobs, labor market conditions, or a combination of these reasons.

RR. State agency. "State agency" means the Department of Health, which is responsible for the administration and supervision of the public health programs in the State of Minnesota.

SS. Supervisor. "Supervisor" means the merit system supervisor.

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

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

VV. Transfer. "Transfer" means a change from one position to another in the same class or in another class having the same salary range and usually involving the performance of similar duties and requiring essentially the same qualifications of

training and experience.

WW. Veteran. "Veteran" means a person defined as a veteran by Minn. Stat. S 197.447.

XX. Veterans' preference. "Veterans' preference" means the preference granted to veterans by Minn. Stat. S 43A.11.

7 MCAR S 1.236 Statement of policy and means of effecting policy.

A. Objectives. The ultimate purpose in effecting the merit principle of personnel administration of the local public health agencies is to promote economy and effective service. It is the declared aim of the Department of Health to put into full force and effect the merit principles of personnel administration. To this end the council, the supervisor, and the commissioner shall work toward the objectives of:

1. The proper classification of positions in order that positions essentially alike in duties and responsibilities shall be treated alike and that positions not so alike shall be treated with due consideration of the nature and extent of the differences between them.

2. Fair and equal opportunity to all qualified citizens of the United States to compete for positions and promotions under the jurisdiction of the merit system solely on the basis of merit and fitness as ascertained through practical examination.

3. An attractive career service in public health employment within the State of Minnesota.

B. Adoption of the rules. Rules 7 MCAR SS 1.235-~~1.263~~ 1.315 have been adopted to accomplish the objectives stated in A. The rules have been promulgated by the commissioner in accordance with Minn. Stat. S 144.071, and in compliance with the provisions of Minn. Stat. ch. 15. Rules 7 MCAR SS 1.235-~~1.263~~ 1.315 of the public health merit system have been adopted in accordance with Minn. Stat. ch. 15 and have the force and effect of law. Merit System Manual IV-5000-6530, available from the office of the Minnesota Merit System, of the public health merit system provides instructions to appointing authorities necessary to the implementation of the rules. These ~~rules~~ instructions

from the manual are accorded similar status under these rules.

C. Amendment of the rules. If and when it appears desirable in the interests of good administration, the commissioner with the advice and recommendations of the council, may amend these rules after compliance with the provisions of Minn. Stat. ch. 15. For this purpose, the commissioner is authorized to call and hold public hearings for the purpose of amending these rules as well as to perform any and all acts incidental thereto, including but without being limited thereto, signing an order for hearing and notice of hearing as well as acting as presiding officer or appointing a presiding officer for the hearing. Amendments of the rules specified in B. shall be considered as amendments of these rules.

D. Editing of the rules. Before issuing or reissuing sections of the merit system rules, the supervisor may make the following, and only the following, changes. Such changes shall not be deemed to be amendments to the rules, and each shall be reported to the commissioner before release of the material. Any changes not approved by the commissioner shall be excluded from the material to be released. The supervisor may make:

1. Changes to correct spelling or typographical errors;

2. Changes to correct grammatical construction, but the changes shall not alter the interpretation, intent, or purpose of the rule;

3. Changes to correct exact quotations of statutes which are clearly identified as such by enclosure in quotation marks and by citation of statutory reference when enactment of statutory amendments ~~make~~ makes that action necessary to make the quotations true and accurate; and

4. Changes to renumber rules or rule references as necessary due to the adoption of new rules or the abolition of existing rules.

E. Positions covered. Rules 7 MCAR SS 1.235-~~1.263~~ 1.315 shall apply to every position created under the jurisdiction of the local public health authority ~~and~~ for which any federal personnel funds are paid to the local jurisdiction, except any

local public health officer appointed pursuant to Minn. Stat. ch. 145, and except the position of the director of a comprehensive health department established pursuant to Laws of 1969, ch. 235.

F. Political activity.

1.-4. [Unchanged.]

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

6. [Unchanged.]

G. Prohibition against discrimination; generally. No person shall be discriminated for or against in such matters as ~~his~~ HE7 recruitment, examination, appointment, tenure, compensation, classification, or promotion, or in such matters as conditions, facilities, or privileges of employment because of ~~his~~ HE7 race, color, creed, religion, national origin, physical disability where such disability does not interfere with the completion of assigned duties, age, marital status, status with regard to HE7 public assistance, or sex. Any person aggrieved by a violation of ~~the above~~ these prohibitions may file a complaint under the provisions of Minn. Stat. ch. 363.

H. Political opinions; discrimination. No person shall be discriminated for or against as provided in G. because of his political opinions or affiliations within the limitations imposed by F., nor shall discrimination occur because of any other non-merit factor. Any person aggrieved by a violation of a prohibited discrimination that does not come within the jurisdiction of Minn. Stat. ch. 363 may file a complaint with the supervisor setting forth the basis of his belief that an act or threat or promise of an act of discrimination occurred and identifying by name and position the person alleged to have committed such act or threat or promise of an act of discrimination.

I. Investigations of discrimination. The supervisor or ~~his~~

a designated representative shall conduct an investigation of the alleged discrimination and shall report the complaint and the findings of the investigation to the council at its next meeting. The complainant shall have the right to present his complaint personally to the council. The council shall order any further investigation or hearing as may be warranted before making its decision. If the council finds that discrimination has occurred, it shall take whatever action it deems warranted and within its authority to remedy the effect of any act or threat or promise of an act of discrimination and to prevent future discrimination.

J. Violations.

1. Violations of any of the provisions of 7 MCAR SS 1.235-~~1.263~~ 1.315 by an employee in the service shall be considered sufficient cause for the dismissal of that person.

2. Violations of 7 MCAR SS 1.235-~~1.263~~ 1.315 by an appointing authority shall be brought to the attention of the appointing authority by the supervisor. The notice shall include remedial measures necessary to correct past violations and to ensure future compliance. If the appointing authority refuses to take corrective action, the supervisor shall inform the commissioner who ~~shall take appropriate action including, but not limited to, denial or suspension~~ shall deny or suspend payment of all or part of state and federal administrative reimbursement funds, suspend services from the Merit System, or require that other corrective action be taken.

3. An appointing authority may appeal any denial or suspension of administrative reimbursement, or suspension of services, to the merit system council which, after a review of the record available to the commissioner, shall make its recommendation to the commissioner. The commissioner's decision shall be final. HE12

7 MCAR S 1.237 Organization.

A. Duties and powers of commissioner. ~~"The commissioner 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 commissioner may utilize facilities and personnel of any state department or agency with the consent of such department or agency. The commissioner may also, by rule or regulation, cooperate with the federal government in any manner necessary to qualify for federal aid."~~ Minn. Stat. The commissioner shall exercise the duties and powers specified in Minn. Stat. S 144.071.

B. Affected employees. The authority to require methods relating to the establishment and maintenance of personnel standards on a merit basis shall extend to all employees of local public health authorities with civil service systems except as provided in 7 MCAR S 1.236 E. Rules 7 MCAR SS 1.235-~~1.263~~ 1.315 shall be applicable to these employees until the local jurisdiction adopts and maintains rules ~~and regulations~~ affecting classification and compensation, examination and certification of eligibles, and other personnel standards that substantially conform to 7 MCAR SS 1.235-~~1.263~~ 1.315 and are so certified as conforming by the supervisor.

C. Public Health Merit System Council.

1. The Public Health Merit System Council shall be the council appointed by the Governor to serve as the council for the county welfare merit system.

2. It shall be the duty of the council within the scope of 7 MCAR SS 1.235-~~1.263~~ 1.315:

a. To establish general policies for the administration of merit examinations and the hearing of personnel appeals as provided in 7 MCAR S 1.2541;

b. To hear such appeals or to appoint an appeal board of three members or to appoint a referee to hear such appeals on its behalf;

c. To consult with the supervisor in formulating procedures for the purpose of insuring conformity with the rules and the policies of the council;

d. To review the classification and compensation plans in relation to the merit system program of recruitment and examination and to consult with the commissioner on their adoption and revision;

e. To make recommendations to the commissioner about internal personnel policies to insure conformity with 7 MCAR SS 1.235-~~1.263~~ 1.315;

f. To promote public understanding of the purposes, policies, and practices of the merit system;

g. To review and make recommendations to the commissioner about amendments to the rules of the public health merit system.

3. Meetings of the council shall be held as often as necessary and practicable upon call of the chairman, of the supervisor, or of the commissioner. The commissioner shall have the right to be represented at all meetings of the council, but such representation shall be without voting power. The council shall adopt procedures for the conduct of its activities.

4. [Unchanged.]

D. Public health merit system supervisor.

1. The public health merit system supervisor shall be the duly appointed supervisor of the Minnesota merit system.

2. In conformance with 7 MCAR SS 1.235-~~1.263~~ 1.315, it shall be the duty of the supervisor to:

a. Develop and put into ~~continuous~~ effect policies and procedures for the administration of the merit system as they relate to the preparation, administration, and scoring of examinations; the preparation, custody, and maintenance of registers of eligibles; the determination of availability of eligibles for appointment; the certification for appointments; and the determination of the adequacy of existing registers;

b. Develop and administer the classification and compensation plans and to consult with the commissioner and ~~with~~ the council on the adoption and revision of such plans as they relate to the merit system program of recruitment and examination;

c. Maintain personnel records of all persons employed under the merit system and records of all personnel action;

d. Promote public understanding of the purposes, policies, and practices of the merit system and to develop and put into effect procedures for carrying out the personnel administration of the rules of the merit system;

e. Appoint a staff, including technicians, clerks, stenographers, and such other permanent or temporary employees as are necessary to carry out the provisions of 7 MCAR SS 1.235-~~1.263~~ 1.315. The employees shall be chosen in accordance with the rules of the Minnesota Department of Employee Relations;

f. Review, develop, and propose amendments to existing merit system rules for consideration and recommendation by the merit system council and in accordance with Minn. Stat. ch. 15; and

g. Perform other duties prescribed by 7 MCAR SS 1.235-~~1.263~~ 1.315 or by the council.

7 MCAR S 1.238 Classification plan.

A. Presentation and adoption. The Commissioner of Health shall formally adopt a comprehensive classification plan for all positions covered by 7 MCAR SS 1.235-~~1.263~~ 1.315 which shall be published as part of the Health Merit System Manual. 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.

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. Every position under the public health merit system as provided in 7 MCAR S 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 necessary.

C. Reclassification of positions. 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 reclassified positions.

1. When a position is reclassified and it is determined to be a reallocation, the supervisor ~~may~~ shall authorize an appointing authority to promote the incumbent of the reallocated position. An employee so promoted shall serve a probationary period in the higher class.

2. When a position in one class is reclassified because of a change in allocation, the incumbent shall not be deemed eligible to continue in the 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 7 MCAR SS 1.235-~~1.263~~ 1.315 as may be deemed to be applicable. If ineligibility of a permanent or probationary incumbent of such a reclassified 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. A transfer, promotion, demotion, or layoff in accordance with 7 MCAR SS 1.235-~~1.263~~ 1.315 must occur within 60 days of the notification of reclassification of the position.

3. The Commissioner of Health may authorize the reclassification 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 reclassified 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.

4. If the incumbent examined in accordance with the above procedure successfully completes the examination process, notwithstanding the provisions of 7 MCAR S 1.2442 B., the supervisor may certify only the name of the eligible incumbent to the appointing authority. Notwithstanding the provisions of 7 MCAR S 1.246 B.1., an employee appointed under the provisions of this rule will not be required to serve a new probationary period in the higher classification.

existing permissable "may"

E. Class specifications. The classification plan shall consist of written specifications for each class. Each specification shall include an appropriate class title, a description of the duties and responsibilities of the work, and the requirements of training, experience, and other qualifications.

F. Revision of plan. Existing classes may be abolished or changed and new classes added in the same manner as outlined in

A.

7 MCAR S 1.239 Preparation of compensation plan.

A. Commissioner's adoption. The commissioner shall formally adopt and make effective a comprehensive compensation plan, as provided in 7 MCAR S 1.314, for all classes of positions which shall apply to all agencies covered by the merit system except as otherwise negotiated for employees in a bargaining unit in ~~agencies~~ an agency where there is an exclusive representative or in those instances where the requirements of 7 MCAR S 1.2395 B.3. have been satisfied. The plan shall include salary ranges for the various classes, with the salary of each class consistent with the duties and responsibilities outlined in the class specifications. Minimum, intervening, and maximum rates of pay for each class shall be established to provide for salary advancement without change of duty, in recognition of meritorious service. The advice and suggestions of appointing authorities, prevailing salary rates for similar and competing types of employment in business and government, and other relevant factors shall be taken into consideration in developing the salary ranges.

B. Review by council. The proposed compensation plan and any amendments shall be submitted to the council for review and recommendation. After review and recommendation by the council and after compliance with Minn. Stat. ch. 15, the commissioner shall formally adopt the compensation plan. That plan shall be the official salary schedule of the Minnesota merit system on the date specified in the plan.

C. Classes of positions in plan. The comprehensive compensation plan shall provide for separate alphabetically designated salary plans for different occupational groupings of classes reflecting progressively higher salary ranges except for those classes for which a single range of rates is found to be appropriate. Plans shall be established as provided in 7 MCAR S 1.314 as follows:

1. Professional and administrative: A, B, and C;

2. Health services support: A, B, and C;

3. Clerical: A, B, and C; and

4. Building maintenance: A and B.

7 MCAR S 1.2391 Selection of salary ranges by local public health authority.

A. Adoption of an official plan. Appointing authorities shall choose a salary plan by resolution for each occupational grouping of classes from among the plans listed in 7 MCAR S 1.239 C. unless the provisions of E. apply or if salaries are negotiated with an exclusive representative. The plans adopted shall be the official plans for the appointing authority until amended.

B. Selection of rates. By resolution, each appointing authority shall designate the minimum, intervening, and maximum salary rates to be paid for each class of positions used by the appointing authority. The rates must be within the minimum and maximum salaries for the classes in the adopted plan. The appointing authority shall promptly notify the supervisor about the rates selected.

C. Plan amendments. By resolution, the appointing authority may amend its official plan for one or more occupational groupings of classes. The appointing authority shall promptly notify the supervisor about official action taken to amend its plan.

D. Incumbents. Salary rates for incumbents of positions shall be established in accordance with 7 MCAR S 1.2395 B.-C. on the basis of the plan adopted as provided in 7 MCAR S 1.239 C.

E. Nonrepresented employees. In agencies with an exclusive representative, the appointing authority may pay confidential, supervisory, and other personnel not covered by an exclusive representative who are in the same class as employees who have an exclusive representative, the same rate of pay and salary ranges as negotiated for the class under 7 MCAR S 1.2393. In no case would this rule allow the appointing authority to reduce the rate of pay of confidential, supervisory, or other excluded employees.

1.2392

7 MCAR S 1.2392 Adjustment of the official salary schedule of the Minnesota merit system.

A. In general. The compensation plan provided in 7 MCAR S 1.314 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.

B. Review of labor market conditions. 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.

C. Plan amendments. From the results of this study, the supervisor shall propose amendments to the compensation plan in accordance with Minn. Stat. ch. 15 and 7 MCAR S 1.239. 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.

D. Review of consumer price index. 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 nine percent. 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. Plan adjustments. 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 the employees were paid under the former plan.

7 MCAR S 1.2393 Negotiation of salary schedule.

A. Role of exclusive representative. In 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. Minimum, 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 that class falls within the bargaining unit and no provision exists in the contract for establishing those salaries, the appointing authority and the exclusive representative shall negotiate a salary schedule for the new classification within 60 days of the date of establishment of the classification.

B. Filing. 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

2395

with the supervisor within ten days after the effective date of any such succeeding adjustment.

7 MCAR S 1.2394 Administration of the plan; minimum rates of pay. In agencies without an exclusive representative or where the collective bargaining agreement is silent regarding initial salaries, the entrance salary for any new employee shall normally be at the minimum rate of pay for the class to which the appointment is made. Requests to appoint above the minimum rate of pay may be made based on the exceptional qualifications of the candidate or the unavailability of candidates at the minimum rate, giving consideration to the salaries of current employees in the same classification. All candidates with similar exceptional qualifications must be offered the same rate of pay which shall be one of the established steps in the agency's adopted salary range for the class to which the appointment is made. A request to appoint above the minimum rate of pay must be submitted in writing by the appointing authority to the supervisor for prior approval and must include the reasons why the request is being made.

7 MCAR S 1.2395 Salary adjustments and increases.

A. Availability of funds. Before salary increases and adjustments are made in accordance with related rules or in accordance with a negotiated collective bargaining agreement, the local public health authority shall have in its records and carry in its minutes a definite statement that funds for this purpose are available.

B. Plan requirements. In agencies where there is no exclusive representative or collective bargaining agreement, negotiated adjustments in the rates of pay of incumbents of positions, in order to conform to a newly adopted or currently effective compensation plan, shall be in accordance with 1.-8.

1. If the rate of pay of an employee is below the minimum of the range prescribed for the employee's classification on the merit system compensation plan adopted by the local public health authority, the rate shall be adjusted to that minimum.

2. If the rate of pay of an employee is at or above the new minimum salary adopted for the employee's class, the employee may receive the general merit system adopted adjustment and, if the employee's class was adjusted to a greater extent than the general adopted adjustment, the employee may receive the additional adjustment as provided in 7 MCAR S 1.2392 D. as long as that additional adjustment does not place the employee's salary over the new maximum adopted salary for the class.

3. If a local public health authority determines the general merit system adopted adjustment is inappropriate for its employees, the authority may grant a different adjustment. The authority shall file with the supervisor the new salary steps by class and a salary conversion table as provided for in 7 MCAR S 1.315. The adjustments shall at least place employees at the minimum salary and not over the maximum salary for their classes, on the salary plan adopted by the authority.

4. Employees at the maximum salary for their class may be granted salary adjustments over the maximum salary prescribed for their class only if that merit system adjustment is adopted and only in the amount adopted for incumbents of that class.

5. If the rate of pay of an employee is higher than the maximum of the range prescribed for the employee's class of positions, the rate may remain the same as long as the employee retains the same classification.

6. If the rate of pay of an employee falls between the minimum and maximum of the salary range prescribed for the employee's class but does not correspond to any intervening steps in the range due to the adoption of a merit system general adjustment, that rate may remain the same. In the case of subsequent merit increases, the employee shall be placed back on a step in the adopted salary range for the appropriate class.

7. Employees at the maximum salary rate for their class may be granted merit system adopted salary adjustments only in the amount adopted for incumbents of that class. If an appointing authority wishes to grant a larger general adjustment to its employees than that adopted by the merit system and that

adjustment would place an employee's rate of pay above the maximum salary rate for the employee's class, the appointing authority by prior resolution may grant to that employee the annual equivalent of the difference between the merit system adopted adjustment for incumbents and the agency adopted adjustment in the form of a single lump-sum salary payment on the effective date of the general adjustment. The employee's base salary shall remain at the maximum salary rate for the class.

8. An appointing authority may propose a salary increase within the salary range to an employee upon detailed written statements to the supervisor specifying the unusual employment conditions that make that action necessary and the interests of the authority that will be served by that action. The supervisor shall review each proposal giving due consideration to the salary rates paid other employees in the same class in the authority and ~~may~~ shall (HE 11) deny any request which ~~in his judgment is contrary to the best interests of the merit system~~ does not assure equitable compensation for comparable work. Salary increases proposed in accordance with this provision are not based on employee performance or a general merit system adopted salary adjustment. The granting of such an increase shall not affect the employee's eligibility for subsequent merit increases or salary adjustments in accordance with merit system rules. If the unusual employment conditions giving rise to such an increase are of a temporary nature, the employee's salary shall be decreased to its previous level upon termination of those conditions, notwithstanding the provisions of 7 MCAR S 1.2397 A. or 1.2541 D.~~1.~~

C. Recommended adjustments. The merit system general adjustment recommended for incumbents is eight percent for employees on the professional and administrative, health services support, clerical, and building maintenance salary schedules.

D. Salary differentials. Intra-agency salary differentials between employees in the same class of positions, between

employees in different classes of positions in the same occupational field, and between occupational fields in the same appointing authority are recognized as important factors in the maintenance of satisfactory morale. If the general adjustments result in the reduction of the differentials between employees in the same class of positions or between employees in different classes of positions in the same occupational field, adjustments may be made that will insofar as practicable, maintain differentials, within the limits of the new plan. In maintaining differentials, the appointing authority shall take into consideration the length of service and quality of performance of the employee affected.

E. Collective bargaining agreement. In agencies where there is an exclusive representative and a negotiated salary schedule for employees in the bargaining unit, adjustments in the rates of pay of employees shall follow the wording of the contract or agreement.

7 MCAR S 1.2396 Merit increases.

A. Increases by steps. Merit increases from the minimum on the official merit system compensation plan or on any negotiated salary schedule or on any salary schedule filed with the supervisor pursuant to 7 MCAR S 1.2395 B.3. shall be by successive intervening steps of pay for the class, with due consideration for length of service and quality of performance.

B. Eligible employees. In appointing authorities that have adopted a merit increase policy, an employee may be considered for a merit increase upon the satisfactory completion of the probationary period.

C. Annual review for merit increases. In appointing authorities that have adopted a merit increase policy, a merit increase for each employee not at the maximum salary for his or her classification shall be considered at least once each 12-month period unless otherwise negotiated through a contract or agreement by the appointing authority and the exclusive representative. If an increase is not granted, the reasons for the denial of the increase shall be reported, in writing, to the

employee and to the merit system supervisor.

D. Restriction on frequency of increases. In appointing authorities that have adopted a merit increase policy, except as otherwise negotiated by the appointing authority and the exclusive representative, a merit increase shall not be granted until the employee has served at least six months at the rate of pay from which an increase is proposed, except that in cases of exceptionally meritorious service, a merit increase of more than one salary step in the range or at less than a six-month interval may be permitted. In each case, however, the facts upon which the merit increase is based shall be recorded in the official minutes of the local public health authority and reported to the merit system supervisor.

E. Increases based on additional education. In appointing authorities that have adopted a merit increase policy, an extraordinary merit increase within the authority's salary range may be granted upon satisfactory completion of 15 additional credits in a field or fields pertinent to the employee's class. In each case the employee's transcript of coursework must accompany the proposed merit increase.

F. Lump sum payments. In appointing authorities that have adopted a merit increase policy, the appointing authority may grant an employee who meets all other eligibility requirements of the authority for a merit increase but whose salary is at or above the maximum rate of pay in the adopted salary range for the relevant classification, the annual equivalent of a one step merit increase in the form of a single lump sum payment in recognition of meritorious job performance. Before this provision can be effective, an appointing authority must establish by resolution as its official policy prior to the beginning of the year in which such merit increases are granted that such payments will be granted for meritorious job performance. The base salary of an employee receiving a lump sum merit increase shall remain at the rate attained immediately prior to the increase.

7 MCAR S 1.2397 Salary decreases.

.2398
.242

A. In general. Except as otherwise negotiated by an appointing authority and the exclusive representative, a salary decrease within the range prescribed for the class may be made only for just cause. A permanent employee shall be notified of the intent to effect a reduction in pay and the reasons for the action at least ten calendar days prior to the date on which the reduction becomes effective. A copy of the notice shall be sent to the supervisor. A permanent employee whose salary is reduced may request a hearing as provided in 7 MCAR S 1.2541 D.~~1.~~

B. Exemption. Collective bargaining agreement provisions whereby a salary adjustment or salary increase is negotiated for a set period of time do not fall within the provisions of A.

7 MCAR S 1.2398 Work-out-of-class. If an employee is expressly assigned in writing to perform all the duties of a position allocated to a higher classification that is temporarily unoccupied for reasons other than vacation or sick leave and that work exceeds 15 consecutive work days in duration, the employee so assigned shall be paid for all hours of the assignment at least at the minimum rate of pay of the salary range for the higher class or may be granted a one step salary increase within the employee's salary range. If the assignment is to a position in a classification at an equal or lower level, the employee shall be paid for all hours of the assignment at the employee's current rate of pay. A work-out-of-class assignment may be proposed only if the duration of the vacancy is anticipated to be less than six months. Approval of these assignments by the supervisor is required and requests for approval must be received by the supervisor within five calendar days of the assignment. Upon completion of the work-out-of-class assignment, the employee's salary shall be reduced to its previous level, notwithstanding the provisions of 7 MCAR S 1.2397 A. or 1.2541 D.~~1.~~

7 MCAR S 1.242 Examinations; general characteristics.

A. Content of examinations. Examinations for entrance into the public health merit system shall be conducted on a

competitive basis. Examinations shall be practical in nature, shall be constructed to reveal the capacity of the applicant for the particular position for which he is competing as well as his general background and related knowledge, and shall be rated objectively.

The supervisor shall determine the content of all examination processes. Examinations ~~may~~ shall include~~, but are not limited to~~: performance tests, written examinations, ratings of experience and training, promotional ratings, ~~and~~ or oral examinations. HE II

B. Weighting of parts. The supervisor shall assign definite weights to each part of the examination prior to its public announcement.

C. Positions for disadvantaged groups. Recruitment and selection for those positions identified in the minimum qualifications of the class specification as directed toward clients and other disadvantaged groups will be limited to persons of low income or low educational achievement, including the physically and mentally disabled. It will be the specific responsibility of the individual appointing authorities to effectively make known opportunities for these jobs to such persons. Persons who do not meet these limitations will be disqualified from competition for these positions and notified of the reasons therefor. Examinations for these positions will include at least one of the following: performance test, oral examination, written test, or oral directions test combining aspects of performance and minimum literacy. The supervisor shall assign definite weights to each part of the examination prior to its public announcement. Eligible lists will be established on an area or county basis only or on the basis of both area and county. Certification of eligibles on an area basis smaller than the county unit may be approved by the supervisor. Since these positions cover a broad range of duties requiring many different abilities, knowledges, and basic skills, notwithstanding other provisions of the rules, the supervisor also may approve selective certification of eligibles

.2421
.2422

who possess a particular ability, knowledge, or skill or a combination of these attributes.

7 MCAR S 1.2421 Notice of examinations. The supervisor shall announce all examinations for original entrance into the public health merit system at least two weeks in advance of the closing date for receipt of applications, and shall make every reasonable effort to attract qualified persons to compete in these examinations. Notice of examinations shall be posted in important centers throughout the state, and copies shall be distributed among appointing authorities throughout the state, newspapers, public officials, educational institutions, professional and vocational societies, and such other organizations and individuals as the supervisor may deem expedient. Public announcements of examinations shall specify the title and salary ranges of the classes of positions, the duties to be performed, the minimum qualifications required, the final date on which applications will be received, and all other conditions of competition, including the relative weight assigned to the various parts of the examination.

7 MCAR S 1.2422 Conduct of examinations.

A. Place; monitors. Written tests shall be conducted simultaneously in as many places as are necessary for the convenience of the applicants and as are practicable for proper administration. The supervisor may designate such monitors as may be necessary to conduct examinations under instructions prescribed by him and may also arrange for the use of public buildings in which to conduct the examinations. The supervisor shall provide for the compensation of monitors in accordance with the approved budget for the purpose.

HE 11

B. Refusal to score. The supervisor ~~may~~ shall refuse to score the examination of an applicant who copies another applicant's examination paper, or who falsifies his or her identity to gain admittance to the examination, or who otherwise meets the criteria for disqualification as provided in 7 MCAR S 1.241 B.1.

.2423
.2424
.2425

7 MCAR S 1.2423 Rating examinations.

A. Determination of score. The supervisor shall determine a final score for each applicant's examination, computed in accordance with the weights for the several parts established by the supervisor as set forth in the announcement. Failure in any part of an examination ~~may~~ HE 11 shall disqualify the applicant in the entire examination. All applicants for the same position shall be accorded uniform and equal treatment in all phases of the examination procedure.

B. Determination of passing point. The supervisor shall utilize appropriate scientific techniques and procedures in rating the results of examinations and in determining the final scores of the applicants. The supervisor shall establish reasonable passing points for all examinations, giving due regard to the number of applicants and to the number of vacancies that may reasonably be expected to occur during the life of the register.

7 MCAR S 1.2424 Rating training and experience. When training and experience form a part of the total examination, the supervisor shall determine a procedure for the evaluation of the training and experience qualifications of the various applicants. The formula used in appraisal shall give due regard to recency and quality, as well as quantity, of experience and to the pertinency of the training. This procedure shall allow for the substitution of training for experience, and experience for training, within the limits stated in the class specifications.

7 MCAR S 1.2425 Oral examinations. When an oral examination forms a part of a total examination for a class of positions, the supervisor shall select one or more oral examination boards as needed. An oral examination board shall consist of two or more members who shall be known to be interested in the improvement of public administration and in the selection of efficient government personnel and at least one of whom shall be technically familiar with the character of work in the position

.2426
.2427
.244
.2441

for which the applicant will be examined. Any person holding political office or any officer or committee member of any political organization, or any person actively engaged in the work of any political organization, shall not serve as a member of any such board. If practicable, all applicants qualifying for the oral examination for the same class of positions shall be rated by the same oral examination board. A member of any oral examination board shall disclose each instance in which he knows the applicant personally and, in those instances, the supervisor shall determine whether that member shall rate that applicant.

7 MCAR S 1.2426 Notice of examination results. Each applicant passing all parts of the examination shall be notified by mail by the supervisor of his final rating as soon as the rating of the examination has been completed and the register established. An eligible, upon request and presentation of proper identification, shall be entitled to information about his relative position on a register. An applicant who fails any part of the examination or the total examination shall be promptly notified of his failure.

7 MCAR S 1.2427 Examination records. The supervisor shall be responsible for the maintenance of all examination records. Applications and other necessary examination records shall be kept during the life of the register. Examination records of appointees shall be kept permanently, but examination records of applicants not appointed may be destroyed 30 days after the register expires.

7 MCAR S 1.244 Methods for filling vacancies. Vacancies in the classified service shall be filled by reemployment, original appointment, promotion, transfer, demotion, or reinstatement.

7 MCAR S 1.2441 Requisition for certification of certain individuals. If a vacancy in any position under an appointing authority is to be filled other than by reinstatement, noncompetitive examination, transfer, or demotion, and a new

employee is needed, a requisition shall be submitted by the appointing authority to the supervisor. The requisition shall state the number of positions to be filled in each class together with the class title and other appropriate information. In addition, desirable special qualifications for the particular position under consideration may be indicated. In requesting the certification of individuals with special qualifications, the appointing authority shall state in the request the reasons for the special qualification requested. Eligibles shall be certified in strict order of standing on the register, except in a case in which the supervisor has determined there is reason for a certification of an eligible with special qualifications. Requests for certification of certain individuals with special qualifications approved by the supervisor shall be reported to the council at its next scheduled meeting.

7 MCAR S 1.2442 Certification methods.

A. Entrance register. After receiving a requisition, the supervisor shall certify the names of available eligibles. If one position is involved, he shall certify the seven highest available names together with any additional names of persons having an examination rating within three points of the person on the certification with the highest examination rating, and any additional names of persons having the same examination score as that of the seventh person certified, from the open-competitive entrance register established for the class of positions. Names of available eligibles from the appropriate reemployment register, if one exists, shall also be certified as additional names.

B. Promotional register. The supervisor may also certify the three highest available names together with any additional names of persons having an examination rating within three points of the person on the certification with the highest examination rating, and any additional names of persons having the same examination score as that of the third name certified, from the appropriate promotional register if such register

exists and is requested. Names of available eligibles from the appropriate reemployment register, if one exists, shall also be certified as additional names.

C. Multiple vacancies. If more than one vacancy exists, the supervisor shall certify at least as many names from the register as there are vacancies to be filled, together with any additional names of persons having an examination rating within three points of the person on the certification with the highest examination rating, and any additional names of persons having the same examination score as that of the seventh person certified on a competitive certification or as that of the third person certified on a promotional certification. Supplementary certifications will be issued only in instances in which it is found that there are less than seven available candidates on the competitive certification or three available candidates on the promotional certification.

D. Selection for appointment. The appointing authority may select for appointment anyone among the certified candidates who ~~are~~ is eligible for appointment.

E. Inadequate registers. When the number of names available for filling any vacancy by original appointment, promotion, or reinstatement is fewer than seven on a competitive certification or three on a promotional certification, and there are fewer than three different names on all registers combined, the appointing authority may decline certification for that vacancy and may request certification from a register, or registers, that the supervisor deems appropriate.

F. Provisional appointments. If there is no register that the supervisor deems appropriate, then the vacancy may be filled provisionally as provided for in 7 MCAR S 1.245 B.1.

7 MCAR S 1.2443 County-option certification.

A. Request for list of eligibles. The appointing authority may request from the supervisor names of eligibles from either the state-wide original entrance register or from a sub-register for the county, a restricted area, or a district of the state, as set forth in 7 MCAR S 1.243 A.5. The supervisor, upon

receiving such requisition, shall certify the names of eligibles from the register as requested.

B. State-wide certification. If an appointing authority requests a certification of eligibles from a sub-register established for a specific locality but there are insufficient eligibles thereon, certification shall be made on a state-wide basis.

7 MCAR S 1.246 Probationary period.

A. Purpose. The probationary period is an essential part of the examination process and shall be used to closely observe the employee's work, to obtain the most effective adjustment of a new employee to the obligations of the position, and to remove any employee whose performance does not meet the required standard of work.

B. When required. A person employed by an appointing authority in any of the following ways shall serve a probationary period:

1. Appointment from an eligible register other than the layoff list;

2. Reinstatement of a former probationary employee or of a former permanent employee in an agency other than the last employing agency;

3. Transfer of an employee between authorities except when specifically waived in writing to the supervisor by the new employing authority prior to the date on which the transfer of a permanent employee becomes effective; or

4. Transfer or reinstatement to a position on the basis of eligiblity from a comparable position in a similar merit system jurisdiction.

C. Probation as condition of employment. An appointing authority may effect a probationary period in an employment action in which such period is not required as specified in B. by writing this condition of appointment on the appointment report submitted to the supervisor. In no case, however, may a probationary period be required of a permanent employee who is appointed from the layoff list.

D. Duration of probationary period. The probationary period shall consist of the equivalent of the first full six months of compensated service following the date of the appointment action requiring such period, except as provided in E. Unpaid leave of ten or fewer work days during the probationary period does not affect the duration of the period.

~~E. Extension of probationary period. The probationary period shall consist of the equivalent of the first full six months of compensated service following the date of the appointment action requiring such period, except as provided in E. Unpaid leave of ten or fewer work days during the probationary period does not affect the duration of the period.~~

the deletion is not shown in the S.R. and neither the FOFF indicate why section is deleted

E. Extension of probationary period. In rare or unusual circumstances or conditions that prevent the making of a full and fair determination as a basis for granting permanent status or separating the employee from the service, an extension of the probationary period for up to three months may be granted. Initiation of a request to the supervisor for extension must occur on or before the beginning of the sixth month of the probationary period and shall specify the reasons why the extension is necessary. A current evaluation of the employee's performance shall accompany the request. A copy of the request for extension and the evaluation shall be provided to the probationary employee by the appointing authority.

- it does appear to duplicate this section

The supervisor's decision on the request shall be given to the agency and the employee at least ten days in advance of the end of the initial probationary period.

Each formal request for extension of the probationary period and the decision on the request shall be reported to the council at its next meeting.

F. Promotion during probation. An employee serving a probationary period may be promoted to a position in a higher class. An employee who is promoted begins a probationary period in the higher classification as of the date of that appointment.

A probationary employee who is promoted to a position in a higher class in the same occupational field shall complete his

probationary period in the lower class by service in the higher position.

G. Transfer during probation. A probationary employee may be transferred from a position under one appointing authority to a position in the same class under another appointing authority if the employee was not appointed from a certification from a county register.

H. Demotion during probation. A probationary employee who is demoted to a class of positions in the same occupational field shall have included as part of the probationary period in the lower class his period of service in the higher class unless the appointing authority writes on the report of the demotion to the merit system that a new probationary period is required in the lower class.

I. Removal during probation. A probationary employee may be dismissed by an appointing authority without the right to an appeal or hearing except as may otherwise be provided by law. The employee shall be given written notification of dismissal, including the reasons for dismissal, at least five days in advance of the date on which the dismissal becomes effective. A copy of the notification shall also be submitted to the supervisor.

A probationary employee who has permanent status in another class in the same agency and who is not granted permanent status in the new classification shall be restored to a position in the class from which he was promoted as his seniority permits or in a comparable class as these rules permit, unless the failure to grant permanent status was due to the misconduct of the employee.

When there is no position to which the employee can be restored, because of abolishment of jobs or lack of seniority, the provisions of 7 MCAR S 1.249 D. apply.

J. Completion of probationary period. The appointing authority shall submit written notice of the satisfactory completion of the probationary period to the employee and to the supervisor at least ten days in advance of the expiration of the probationary period. A rating or appraisal of the employee's

performance shall accompany the notice. The employee shall then be granted permanent status in the position the day following the last day of the probationary period.

K. Violation of rules; penalty. If an appointing authority fails to implement the purpose and intent of the probationary period by appropriate action as provided in A.-J., a probationary employee who is not certified permanent in accordance with J. and is not removed or demoted but is continued in employment beyond the full six-month period shall obtain permanent status in the position by the default of the appointing authority. The payment of salary beyond the six-month probationary period shall be deemed to be evidence of the determination by the appointing authority that permanent status shall be granted to the employee. The supervisor shall enter such status on the record of the employee and shall notify the appointing authority and the employee of the change in status.

L. Reports of violations. Each instance in which permanent status is granted to an employee in accordance with K. shall be reported to the council. The council may recommend and the commissioner may take appropriate action to insure that the purpose and intent of the probationary period shall be given effect in the appointing authority in all future appointments.

7 MCAR S 1.249 Separation, tenure and reinstatement.

A.1.-2. [Unchanged.]

B. Dismissals.

1. [Unchanged.]

2. No employee who has permanent status shall be dismissed from a position except for just cause. Before the action is taken, a permanent employee shall be furnished with a statement in writing setting forth reasons for the dismissal. He shall be permitted five days time to reply thereto in writing or, upon request, to appear personally and reply to the appointing authority. A copy of the statement and the employee's reply, if any, shall be filed with the supervisor prior to the effective date of the dismissal. Any such employee

who is dismissed may demand a hearing before the merit system council in the manner prescribed by 7 MCAR S 1.2541 D.

3. [Unchanged.]

C. Suspension. The appointing authority may, after written notice, suspend any employee without pay for just cause for a period not to exceed 30 calendar days in any one calendar year. Suspensions of five or fewer consecutive working days or ten or fewer working days in a calendar year are not appealable to the council under the provisions of 7 MCAR S 1.2541 D.1.

D.1.-8. [Unchanged.]

E.1. [Unchanged.]

F. Reinstatement of former permanent employee. 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 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 in good standing. 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.

G. Reinstatement of former probationary employee. Upon written request of an appointing authority and with the approval of the supervisor, a probationary employee who has resigned in good standing may be reinstated as a probationary employee to a position in the same class at any time within a year after the date of resignation.

H.1. [Unchanged.]

I.1. [Unchanged.]

7 MCAR S 1.250 Leaves of absence.

A. Applicability of minimum standards. Leave policies stated in B.-H. 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 appointing authority, negotiated benefits may be applied to all employees of the agency.

Beyond the minimum standards listed in B.- H. the appointing authority may adopt an optional leave of absence policy to the extent allowed in I.

Agencies without an exclusive representative that adopt an optional leave policy beyond the minimum standards listed in B.-H. shall file a copy with the supervisor.

B. Jury or witness duty.

1. After notice to the appointing authority, any employee under the merit system shall be granted leave with pay for service upon a jury or for appearance before a court, legislative committee, or other judicial or quasi-judicial body as a witness in an action involving the Federal Government, State of Minnesota, or a political subdivision thereof, in response to a subpoena or other direction by proper authority.

2. 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 actions listed in 1. Moneys received as expenses shall be kept by the employee.

3. 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 agency but as an individual, shall be taken as annual leave, as leave of absence without pay, or as a deduction from authorized accumulated overtime.

C. Leaves of absence without pay.

1. 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. 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 the one-year period. The appointing authority may require that the employee produce medical certification of fitness for work from a registered practicing physician before returning the employee to the job.

2. 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 the leave is for 60 calendar days or fewer. 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 the employee have been abolished, the name of the employee shall be restored to the appropriate reemployment register provided for in 7 MCAR S 1.249 D.5. If all the positions in the class are filled, the least senior employee in the class shall vacate his or her position subject to any eligibility for layoff, transfer, or demotion that may have been acquired. An employee on leave of absence, with the approval of the appointing authority and the supervisor, may be reinstated to his or her class before the expiration of the leave in the same manner. Upon certification by a 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 cannot return to work within the specified days, the employee must notify the appointing authority and request an approval for a leave of absence.

D. Vacation leave.

1. Upon the completion of six full months of satisfactory service in the merit system, vacation leave shall accrue to a permanent, probationary, or trainee 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 that period, vacation leave shall accrue to a permanent, probationary, or trainee employee for the time served. Limited term and provisional employees with less than six full months of service and emergency employees shall not accrue vacation leave. Provisional employees with more than six months of service shall accrue vacation leave. 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. Vacation leave may not be used before completion of the period in which it is accrued. Part-time employees shall accrue vacation leave on a prorated basis based on hours worked in accordance with a schedule prepared by the appointing authority.

2. Vacation leave shall not accrue to an employee while in a non-pay status, except to an employee on military leave.

3. A permanent employee who is transferred or promoted from one agency to another shall be paid by the former agency for the number of working days of accrued but unused vacation leave unless the new agency, upon request of the employee, agrees to accept all or a portion of the employee's accrued but unused vacation leave.

4. Any permanent, probationary, provisional, or trainee 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 accrued.

E. Sick leave.

1. Every permanent, probationary, provisional, and limited-term employee shall accrue 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 prescribed in 2.-10.

2. Absence necessitated by employee's inability to

perform the duties of his or her position by reason of illness or injury, by reason of pre-natal 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 employee's spouse, minor children, or parents living in the household of the employee, when the ~~parent has~~ parents have 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 the employee's spouse.

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

4. Sick leave with pay shall not accrue to emergency, hourly, or per diem employees.

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

6. 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.

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

8. A former merit system employee who is reinstated or reemployed in accordance with merit system rules, except as a provisional or emergency appointee, may have previously accumulated and unused balance of sick leave revived and recredited upon approval of the new appointing authority.

9. A permanent or probationary employee who is transferred or promoted from one appointing authority to another may be granted credit in the new agency for all or a portion of previously accrued but unused sick leave at the discretion of the new appointing authority.

10. Sick leave may not be used prior to completion of the period in which it is accrued. Part-time employees shall accrue sick leave on a prorated basis based on hours worked in accordance with a schedule prepared by the appointing authority.

F. Military leave. 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 Minn. Stat. S 192.261.

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

H. Holidays.

1. Full-time 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. The following are holidays:

a. New Year's Day, January 1;

b. Lincoln's and Washington's Birthday, the third Monday in February;

c. Memorial Day, the last Monday in May;

d. Independence Day, July 4;

e. Labor Day, the first Monday in September;

f. Veteran's Day, November 11;

g. Thanksgiving Day, the fourth Thursday in November; and

h. Christmas Day, December 25.

2. Appointing authorities may designate one or both of the following as holidays:

a. Christopher Columbus Day, the second Monday in October; and

b. Friday after Thanksgiving.

3. 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.

4. Holidays which occur within the employee's vacation or sick leave period shall not be charged to the employee's vacation or sick leave time.

5. Employees must be on the payroll on the work day immediately preceding and the work day immediately following a holiday to be eligible for the holiday. For the purpose of determining eligibility for holiday pay, "on the payroll" shall mean those who are in pay status.

6. Employees who work less than full-time and intermittent employees shall be compensated for holidays on a prorated basis in accordance with a schedule approved by the supervisor.

I. Optional policy.

1. Beyond the minimum standards listed in B.-H., 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~~ leaves of ~~absences~~ absence to employees.

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

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 the employee's spouse.

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

4. 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

.2541

consistent with the agency's training and staff development plan. Such leave shall otherwise be subject to the filing requirement of A. The appointing authority may allow the employee to continue to accrue eligibility for merit increases, as in 7 MCAR S 1.2396, 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.

7 MCAR S 1.2541 Appeals and hearings.

A. General provisions.

1. The council or appeal board or referee appointed by the council shall hear all appeals under this rule.

2. A written notice of appeal, specifying the reason or reasons for the appeal, must be submitted to the supervisor within 30 days of the action appealed or within 30 days of the date notification of the action was mailed to the affected party, whichever is later.

3. Except for appeals under ~~7 MCAR S 1.254~~ D., the supervisor shall reply to the appeal, interpreting the merit system rules and applicable law relative to the issues in the appeal. All affected parties will receive copies of the response.

4. Any affected party who is dissatisfied with the supervisor's resolution may appeal that resolution and the appeal will be placed on the agenda of the next council meeting.

5. Any permanent employee under a collective bargaining agreement who appeals a dismissal, suspension, or a reduction in pay or position under the provisions of a grievance procedure in the agreement may not subsequently appeal the same action to the council.

6. All decisions shall be given within a reasonable time following the hearing and shall be in writing. Copies shall be sent to all parties involved and the merit system supervisor when final decisions are made by the appointing authority.

7. Appeals under B., C., and F. shall be pursuant to the Administrative Procedure Act, Minn. Stat. ch. 15, and contested

HE 12

case rules of the Office of Administrative Hearings, 9 MCAR SS 2.201-2.299.

B. Appeals from selection and appointment procedures.

1. Any applicant may appeal a rejection of his or her application based on qualifications or removal from a register for reasons specified in 7 MCAR S 1.243 D. The council shall review the reasonableness of such rejection or removal.

2. Any applicant who has taken an examination may appeal for review of the rating procedures in any part of the examination. The council shall review the rating procedures to see that they have been applied equally and fairly to all applicants.

3. Decisions of the council regarding appeals under 1. and 2. shall be final.

4. Admission to an examination, restoration to a register or correction of an examination rating resulting from an appeal shall not affect a certification or appointment that may have already been made.

C. Appeal from allocation. Any employee or appointing authority may appeal the allocation of a position. The council shall review all facts relating to the allocation and make a recommendation to the commissioner. The commissioner's decision shall be final.

D. Appeal from dismissal, suspension, or demotion.

1. Any permanent employee who has not appealed such action under the provisions of a grievance procedure contained in a collective bargaining agreement may appeal any dismissal, suspension of more than five consecutive working days or ten working days in a calendar year, or reduction in pay or position to the council. The council shall review the action for compliance with the procedural requirements of 7 MCAR S 1.249 ~~B. 2.~~ and for whether the action was taken for just cause.

2. The hearing shall be held within 30 days after the supervisor receives the appeal.

3. After the hearing, the council shall make a recommendation to the appointing authority. Within 30 days of

receiving the recommendation, the appointing authority shall make the final decision.

4. Any veteran covered under the provisions of Minn. Stat. S 197.46 shall not be removed except for incompetency or misconduct shown after a hearing upon due notice including written stated charges.

E. Appeal from denial of merit increase.

1. Any permanent employee of an appointing authority with an established policy of granting merit increases who has not received a merit increase for a 12-month period and who is denied a merit increase may appeal the denial if the reasons given for the denial do not reflect on the merit of the employee's performance. The council shall initially determine whether or not such reasons are given. If so, the appeal shall be denied. If not, the council shall take testimony regarding the performance of the employee. Both the appointing authority and the employee shall have the right to present witnesses and give evidence.

2. The council shall recommend the appointing authority either grant or deny the merit increase. The appointing authority shall make the final decision.

F. Other appeals. Any employee or appointing authority affected by action taken in the administration of 7 MCAR SS 1.235-~~1.263~~ 1.315 may appeal the action. The council shall review the actions for compliance with the rules of the Minnesota merit system and applicable law and shall recommend to the commissioner remedial action which is warranted. The commissioner's action shall be final.

7 MCAR S 1.261 Salary computation provisions for full and part-time employment, vacation and sick leave pay upon termination, partial pay periods, overtime pay and part payment from another source.

A. Pay periods. The length of pay periods is at the discretion of the appointing authority or may be negotiated when there is an exclusive representative.

B. Full-time and part-time employment.

1. All rates prescribed ~~in~~ by 7 MCAR SS 1.314 and 1.315 shall be standard rates for full-time employees except as otherwise negotiated for employees in a bargaining unit in ~~agencies~~ an agency where there is an exclusive representative or under the provisions of 7 MCAR S 1.2395 B.3. If employment in a position is on a part-time or intermittent basis, only the proportional part of the rate for the time actually employed shall be paid. Such time may be paid on an hourly, working-day or proportion of a month basis. The agencies using 7 MCAR S 1.314 shall use the table prepared in accordance with 7 MCAR S 1.315 in computing such payment.

2. Those agencies with an exclusive representative who negotiate different salary schedules from those shown in 7 MCAR S 1.314 under the provisions of 1. or those agencies operating under the provisions of 7 MCAR S 1.2395 B.3. shall file within ten days after the signing of the contract such schedules with the supervisor. Attached thereto shall be a table similar in format, computation, and information to the table provided for in 7 MCAR S 1.315. The table shall show monthly rates with appropriate conversion to hourly rates and to daily rates based on the number of working days and paid holidays in the month, and payment by payroll period for full-time work if such payment is made on other than a monthly basis.

C. Payment for less than a full payroll period. The amount of salary paid for a period less than a full payroll period to an employee shall be determined on the basis of the number of hours and days the employee worked in the payroll period. Agencies shall use the table provided for in 7 MCAR S 1.315 in computing this salary. Those agencies with an exclusive representative who have negotiated different salary schedules and those agencies operating under the provisions of 7 MCAR S 1.260 B.1.c. shall use their table prepared in accordance with 7 MCAR S 1.315 in computing this salary.

D. Part payment from another source. When part of the compensation of a local public health employee regularly is paid from another source, such as federal, state, city or county

governmental departments, or from a different fund or account outside the control of the local public health authority, the total salary from all governmental sources combined shall not exceed the amount payable at the maximum rate for the class of position involved on the compensation plan adopted by the agency.

E. Compensation for vacation and/or sick leave upon separation.

1. An employee who has permanent status in a local public health agency in some class and who is separated from the agency shall be paid for accumulated, unused vacation leave in accordance with 7 MCAR S 1.250 D.4., on the basis of the appropriate daily or hourly rate as shown on the table prepared in accordance with 7 MCAR S 1.315. This is illustrated by the following examples:

An employee who earns $844 a month and is paid $388 on a bi-weekly payroll ($38.80 daily rate) works 8 days in the payroll period and terminates her employment. She has 11 days of vacation accumulated. Daily rate of $38.80 X 19 days (8 regular working days plus 11 days of vacation) = $737.20.

An employee who earns $844 a month and is paid on a monthly basis works 8 days in the month which has 22 working days in it and terminates her employment. She has 11 days of vacation accumulated. Daily rate of $38.36 (for 22 day month) X 19 days (8 regular working days plus 11 days of vacation) = $727.70.

2. The amount of vacation pay due shall be added to the salary earned by the employee for time worked in the last pay period of employment and made in the form of a single lump sum payment.

3. Compensation for sick leave payment, in cases where payment is made on termination, shall be in the same manner as for vacation leave under 2.

F. Overtime compensation. Except for the provisions of the Minnesota Fair Labor Standards Act, no additional compensation shall be paid for overtime, whether in the discharge of duties of the position or for the duties of another position, except in an emergency in which the local public health authority orders

1.262

such overtime; or when such overtime is otherwise approved in advance by the local public health authority or its designee; or as may be otherwise negotiated. Rates of pay for this overtime work shall be decided by the local public health authority and it shall be discretionary with the local public health authority whether the employee shall have compensatory time off or overtime pay, except as provided in the Minnesota Fair Labor Standards Act or as modified through contractual agreement in those agencies where employees have an exclusive representative. When payment is made for overtime, the rate and the number of hours worked shall be shown in the "Remarks" column on the payroll report.

7 MCAR S 1.262 Appointment, promotions, demotions, transfers and reinstatements.

A. Appointment.

1. The entrance salary for any new employee whether an original appointment, provisional appointment, or emergency appointment, shall be at the minimum salary for the class of positions to which the employee is appointed, except when appointments are permitted above the minimum in accordance with 7 MCAR S 1.2394.

2. An employee who is provisionally employed at a rate of pay higher than the minimum of the range prescribed for the class shall not be reduced in pay at the time of appointment from a register to the class.

B. Promotions.

1. Employees who are promoted shall have their salaries raised to the minimum rate of pay for the new class. If their salaries before promotion fall within the range of the new class but not on any step within that range, the salaries shall be adjusted to the next higher step.

2. Employees granted ~~a salary increase~~ salary increases after having been promoted may be permitted to retain that increase when returned to a lower class, if their ~~salary does~~ salaries do not exceed the maximum salary for the lower class.

C. Demotions. An employee who is demoted except in

accordance with 7 MCAR S 1.238 D. and whose salary is above the maximum rate for the lower class shall be reduced in salary to at least the maximum rate for the new class. If the former salary is within the salary range for the lower class, the same salary may be continued. An employee whose position is reclassified downward in accordance with 7 MCAR S 1.238 D. and remains in the same position may retain the former salary if it is above the maximum salary rate for the lower class but shall be ineligible to receive any further increases except those subsequently provided in the new classification.

D. Transfers. An employee who is transferred may be paid the same salary that he received prior to transfer. If an employee's salary prior to transfer falls within the salary range of the class to which the employee is transferring, but is not on a salary step in that range, the employee's salary may be increased to the next higher step in the range. It shall not be decreased.

E. Reinstatements. A former employee who is reinstated or re-employed may be paid the same salary that he last received in the same class of position if it coincides with a step in the current salary range for the class, or if it does not coincide, at the next higher step.

7 MCAR S 1.314 Compensation plan (Public Health) - 1982. The tables in A.-D. list salary steps in monthly salary amounts for the specified classes of positions.

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	1696	1777	1854	1939	2026	2117	2213	2316	2421
Asst. Dir. of Pub. Hlth. Nurs.	1549	1620	1696	1777	1854	1939	2026	2117	2213
Business Administrator	1549	1620	1696	1777	1854	1939	2026	2117	2213
Business Supervisor	1136	1187	1241	1299	1358	1420	1485	1549	1620
Dir. of Envir.									

Health	1939	2026	2117	2213	2316	2421	2532	2645	2770
Dir. of Pub. Hlth. Nurs. I	1549	1620	1696	1777	1854	1939	2026	2117	2213
Dir. of Pub. Hlth. Nurs. II	1696	1777	1854	1939	2026	2117	2213	2316	2421
Home Care Coordinator	1358	1420	1485	1549	1620	1696	1777	1854	
Medical Technologist	1241	1299	1358	1420	1485	1549	1620		
Public Health Educator I	1241	1299	1358	1420	1485	1549	1620	1696	
Public Health Educator II	1549	1620	1696	1777	1854	1939	2026	2117	
Public Health Nurse	1299	1358	1420	1485	1549	1620	1696		
Public Health Nurse (Team Leader)	1358	1420	1485	1549	1620	1696	1777		
Public Health Nutritionist	1420	1485	1549	1620	1696	1777	1854	1939	
Registered Nurse (A.A. Deg., 3 yr. Dip., or B.S. Deg.)	1241	1299	1358	1420	1485	1549			
Sanitarian I	1241	1299	1358	1420	1485				
Sanitarian II	1358	1420	1485	1549	1620	1696	1777	1854	
Sanitarian III	1485	1549	1620	1696	1777	1854	1939	2026	2117
Sanitarian IV	1620	1696	1777	1854	1939	2026	2117	2213	2316
School Health Coordinator	1299	1358	1420	1485	1549	1620	1696	1777	
Senior Public Health Nurse	1420	1485	1549	1620	1696	1777	1854		

2. Plan B.

a. Class of positions.

	1	2	3	4	5	6	7	8	9
Asst. Dir. of Envir. Health	1777	1854	1939	2026	2117	2213	2316	2421	2532
Asst. Dir. of Pub. Hlth. Nurs.	1620	1696	1777	1854	1939	2026	2117	2213	2316
Business Administrator	1620	1696	1777	1854	1939	2026	2117	2213	2316
Business Supervisor	1187	1241	1299	1358	1420	1485	1549	1620	1696
Dir. of Envir. Health	2026	2117	2213	2316	2421	2532	2645	2770	2897
Dir. of Pub. Hlth. Nurs. I	1620	1696	1777	1854	1939	2026	2117	2213	2316

Dir. of Pub. Hlth. Nurs. II	1777	1854	1939	2026	2117	2213	2316	2421	2532
Home Care Coordinator	1420	1485	1549	1620	1696	1777	1854	1939	
Medical Technologist	1299	1358	1420	1485	1549	1620	1696		
Public Health Educator I	1299	1358	1420	1485	1549	1620	1696	1777	
Public Health Educator II	1620	1696	1777	1854	1939	2026	2117	2213	
Public Health Nurse	1358	1420	1485	1549	1620	1696	1777		
Public Health Nurse (Team Leader)	1420	1485	1549	1620	1696	1777	1854		
Public Health Nutritionist	1485	1549	1620	1696	1777	1854	1939	2026	
Registered Nurse (A.A. Deg., 3 yr. Dip., or B.S. Deg.)	1299	1358	1420	1485	1549	1620			
Sanitarian I	1299	1358	1420	1485	1549				
Sanitarian II	1420	1485	1549	1620	1696	1777	1854	1939	
Sanitarian III	1549	1620	1696	1777	1854	1939	2026	2117	2213
Sanitarian IV	1696	1777	1854	1939	2026	2117	2213	2316	2421
School Health Coordinator	1358	1420	1485	1549	1620	1696	1777	1854	
Senior Public Health Nurse	1485	1549	1620	1696	1777	1854	1939		

3. Plan C.

a. Class of positions.

	1	2	3	4	5	6	7	8	9
Asst. Dir. of Envir. Health	1854	1939	2026	2117	2213	2316	2421	2532	2645
Asst. Dir. of Pub. Hlth. Nurs.	1696	1777	1854	1939	2026	2117	2213	2316	2421
Business Administrator	1696	1777	1854	1939	2026	2117	2213	2316	2421
Business Supervisor	1241	1299	1358	1420	1485	1549	1620	1696	1777
Dir. of Envir. Health	2117	2213	2316	2421	2532	2645	2770	2897	3028
Dir. of Pub. Hlth. Nurs. I	1696	1777	1854	1939	2026	2117	2213	2316	2421
Dir. of Pub. Hlth. Nurs. II	1854	1939	2026	2117	2213	2316	2421	2532	2645
Home Care Coordinator	1485	1549	1620	1696	1777	1854	1939	2026	

Medical Technologist	1358	1420	1485	1549	1620	1696	1777		
Public Health Educator I	1358	1420	1485	1549	1620	1696	1777	1854	
Public Health Educator II	1696	1777	1854	1939	2026	2117	2213	2316	
Public Health Nurse	1452	1516	1583	1656	1734	1814	1894		
Public Health Nurse (Team Leader)	1516	1583	1656	1734	1814	1894	1982		
Public Health Nutritionist	1549	1620	1696	1777	1854	1939	2026	2117	
Registered Nurse (A.A. Deg., 3 yr. Dip., or B.S. Deg.)	1387	1452	1516	1583	1656	1734			
Sanitarian I	1358	1420	1485	1549	1620				
Sanitarian II	1485	1549	1620	1696	1777	1854	1939	2026	
Sanitarian III	1620	1696	1777	1854	1939	2026	2117	2213	2316
Sanitarian IV	1777	1854	1939	2026	2117	2213	2316	2421	2532
School Health Coordinator	1420	1485	1549	1620	1696	1777	1854	1939	
Senior Public Health Nurse	1583	1656	1734	1814	1894	1982	2068		

B. Health services support personnel.

1. Plan A.

a. Class of positions.

	1	2	3	4	5	6	7	8	9
Animal Warden	887	929	973	1017	1063	1109	1161		
Bookkeeper	929	973	1017	1063	1109	1161	1212	1269	1327
Home Health Aide	712	741	777	813	849	887			
Home Health Aide Coordinator	973	1017	1063	1109	1161	1212	1269		
Inspector I	995	1039	1084	1136					
Inspector II	1084	1136	1187	1241	1299	1358	1420		
Laboratory Technician	849	887	929	973	1017	1063	1109		
Licensed Practical Nurse	950	995	1039	1084	1136	1187			
Medical Laboratory Assistant	887	929	973	1017	1063	1109	1161		
Nutrition Assistant	929	973	1017	1063	1109	1161	1212	1269	
Public Health Aide	596	625	654	683	712	741	777		

2. Plan B.

a. Class of positions.

	1	2	3	4	5	6	7	8	9
Animal Warden	929	973	1017	1063	1109	1161	1212		
Bookkeeper	973	1017	1063	1109	1161	1212	1269	1327	1387
Home Health Aide	741	777	813	849	887	929			
Home Health Aide Coordinator	1017	1063	1109	1161	1212	1269	1327		
Inspector I	1039	1084	1136	1187					
Inspector II	1136	1187	1241	1299	1358	1420	1485		
Laboratory Technician	887	929	973	1017	1063	1109	1161		
Licensed Practical Nurse	995	1039	1084	1136	1187	1241			
Medical Laboratory Assistant	929	973	1017	1063	1109	1161	1212		
Nutrition Assistant	973	1017	1063	1109	1161	1212	1269	1327	
Public Health Aide	625	654	683	712	741	777	813		

3. Plan C.

a. Class of positions.

	1	2	3	4	5	6	7	8	9
Animal Warden	973	1017	1063	1109	1161	1212	1269		
Bookkeeper	1017	1063	1109	1161	1212	1269	1327	1387	1452
Home Health Aide	777	813	849	887	929	973			
Home Health Aide Coordinator	1063	1109	1161	1212	1269	1327	1387		
Inspector I	1084	1136	1187	1241					
Inspector II	1187	1241	1299	1358	1420	1485	1549		
Laboratory Technician	929	973	1017	1063	1109	1161	1212		
Licensed Practical Nurse	1039	1084	1136	1187	1241	1299			
Medical Laboratory Assistant	973	1017	1063	1109	1161	1212	1269		
Nutrition Assistant	1017	1063	1109	1161	1212	1269	1327	1387	
Public Health Aide	654	683	712	741	777	813	849		

C. Clerical.

1. Plan A.

a. Class of positions.

	1	2	3	4	5	6	7	8
Clerk I	616	645	676	704	734	766	801	839

Clerk II	704	734	766	801	839	877	917	959
Clerk III	784	821	857	895	937	982	1027	1073
Clerk-Typist I	645	676	704	734	766	801	839	877
Clerk-Typist II	704	734	766	801	839	877	917	959
Clerk-Typist III	784	821	857	895	937	982	1027	1073
Clerk-Steno I	676	704	734	766	801	839	877	917
Clerk-Steno II	766	801	839	877	917	959	1004	1049
Clerk-Steno III	821	857	895	937	982	1027	1073	1119
Swbd. Operator I	704	734	766	801	839	877	917	959
Swbd. Operator II	748	784	821	857	895	937	982	1027

2. Plan B.

a. Class of positions.

	1	2	3	4	5	6	7
Clerk I	704	734	766	801	839	877	917
Clerk II	801	839	877	917	959	1004	1049
Clerk III	895	937	982	1027	1073	1119	1172
Clerk-Typist I	734	766	801	839	877	917	959
Clerk-Typist II	801	839	877	917	959	1004	1049
Clerk-Typist III	895	937	982	1027	1073	1119	1172
Clerk-Steno I	766	801	839	877	917	959	1004
Clerk-Steno II	877	917	959	1004	1049	1094	1147
Clerk-Steno III	937	982	1027	1073	1119	1172	1223
Swbd. Operator I	801	839	877	917	959	1004	1049
Swbd. Operator II	857	895	937	982	1027	1073	1119

3. Plan C.

a. Class of positions.

	1	2	3	4	5	6	7
Clerk I	766	801	839	877	917	959	1004
Clerk II	877	917	959	1004	1049	1094	1147
Clerk III	982	1027	1073	1119	1172	1223	1281
Clerk-Typist I	801	839	877	917	959	1004	1049
Clerk-Typist II	877	917	959	1004	1049	1094	1147
Clerk-Typist III	982	1027	1073	1119	1172	1223	1281
Clerk-Steno I	839	877	917	959	1004	1049	1094
Clerk-Steno II	959	1004	1049	1094	1147	1198	1252
Clerk-Steno III	1027	1073	1119	1172	1223	1281	1340

.315

Swbd. Operator I	877	917	959	1004	1049	1094	1147
Swbd. Operator II	937	982	1027	1073	1119	1172	1223

D. Building maintenance. Employees in the classes specified in 1. and 2. who are required to work for a period of at least five hours after 6 p.m. on a regularly scheduled basis may be paid a shift differential in the amount of one salary step above their normal day-work rate.

1. Plan A.

a. Class of positions.

	1	2	3	4	5	6	7
Custodian	683	708	735	768	801		
Janitor	801	834	870	907	947	986	1027

2. Plan B.

a. Class of positions.

	1	2	3	4	5	6	7
Custodian	801	834	870	907	947		
Janitor	947	986	1027	1074	1119	1166	1218

7 MCAR S 1.315 Provisions for computing monthly, hourly, less-than-full-time, bi-weekly, and four week salary rates.

A. Salary conversion tables.

1. The supervisor shall publish a salary conversion table as part of the Minnesota Merit System Manual. The table shall list all existing salary rates listed in 7 MCAR S 1.314. For those salary rates, the supervisor shall calculate hourly, daily and payroll period salaries for each of the salary rates listed. This table shall be based on an 8-hour day, 40-hour week and 2088-hour year. Agencies with a normal work schedule which varies from an 8-hour day, 40-hour week or 2088-hour year or agencies with payroll periods other than once every two weeks, every four weeks, or every month, shall supply the supervisor with a salary conversion table ~~as provided for in 7 MCAR S 1.2395 B.3. or 1.261 B.2.~~

Repealer. 7 MCAR SS 1.269-1.313 are repealed.

APPROVED AS TO LEGALITY

April 26 1982

WARREN SPANNAUS, ATTORNEY GENERAL

BY Ted A. Mathews

SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
APR 26 1982
Joan Anderson Growe
Secretary of State

10:20

STATE OF MINNESOTA

DEPARTMENT OF PUBLIC WELFARE

RECEIVED
MAR 12 1982
ADMINISTRATIVE HEARINGS

In the Matter of the Proposed
Adoption of Rules of the State
Department of Public Welfare
Governing the Minnesota Merit System

ORDER ADOPTING
RULES

The above-entitled matter came on for hearing before Hearing Examiner Peter C. Erickson on the 3rd day of December, 1981, at 9:30 A.M., in the Centennial Office Building, St. Paul, Minnesota, after proper notice required by Minnesota Statutes section 15.0412 was served upon all persons, associations, and other interested groups registered with the State Department of Public Welfare for that purpose.

After affording interested persons an opportunity to present written and oral data, statements, and arguments, hearing all of the testimony, considering all of the evidence adduced and upon the records, files, and proceedings herein and applicable statutory standards or criteria, and confirming the need for and reasonableness of the above-captioned rules,

NOW, THEREFORE, IT IS ORDERED that these rules identified as Minnesota Merit System rules 12 MCAR §§ 2.490-2.841 are adopted this 24 day of March, 1982, pursuant to authority vested in me by Minnesota Statutes section 256.012.

STATE OF MINNESOTA

COMMISSIONER OF PUBLIC WELFARE

STATE OF MINNESOTA

DEPARTMENT OF HEALTH

RECEIVED
MAR 12 1982
ADMINISTRATIVE HEARINGS

In the Matter of the Proposed Adoption of Rules of the State Department of Health Governing the Minnesota Merit System

ORDER ADOPTING RULES

The above-entitled matter came on for hearing before Hearing Examiner Peter C. Erickson on the 3rd day of December, 1981, at 9:30 A.M., in the Centennial Office Building, St. Paul, Minnesota, after proper notice required by Minnesota Statutes section 15.0412 was served upon all persons, associations, and other interested groups registered with the State Department of Health.

After affording interested persons an opportunity to present written and oral data, statements, and arguments, hearing all of the testimony, considering all of the evidence adduced and upon the records, files, and proceedings herein and applicable statutory standards or criteria, and confirming the need for and reasonableness of the above-captioned rules,

NOW, THEREFORE, IT IS ORDERED that these rules identified as Minnesota Merit System rules 7 MCAR §§ 1.235-1.315 are adopted this 3rd day of March, 1982, pursuant to authority vested in my by Minnesota Statutes section 144.071.

STATE OF MINNESOTA

Duane V. Johnson

Deputy COMMISSIONER OF HEALTH

STATE OF MINNESOTA

DEPARTMENT OF PUBLIC SAFETY

RECEIVED
MAR 12 1982
ADMINISTRATIVE HEARINGS

In the Matter of the Proposed Adoption of Rules of the State Department of Public Safety Governing the Minnesota Merit System

ORDER ADOPTING RULES

The above-entitled matter came on for hearing before Hearing Examiner Peter C. Erickson on the 3rd day of December, 1981, at 9:30 A.M., in the Centennial Office Building, St. Paul, Minnesota, after proper notice required by Minnesota Statutes section 15.0412 was served upon all persons, associations, and other interested groups registered with the State Department of Public Safety for that purpose.

After affording interested persons an opportunity to present written and oral data, statements, and arguments, hearing all of the testimony, considering all of the evidence adduced and upon the records, files, and proceedings herein and applicable statutory standards or criteria, and confirming the need for all reasonableness of the above-captioned rules,

NOW, THEREFORE, IT IS ORDERED that these rules identified as Minnesota Merit System rules 11 MCAR §§ 1.2090-1.2141 are adopted this 9 day of March, 1982, pursuant to authority vested in me by Minnesota Statutes section 12.22, subd. 3.

STATE OF MINNESOTA

GOVERNOR

Oral statements of information and comment will be received during regular business hours over the telephone at (612) 296-7384, or in person at the above address.

All statements of information and comment shall be accepted until July 15, 1981. Any written material received by the MPCA shall become part of the record in the event that the amendments are promulgated.

RECEIVED
NOV 4 1981
ADMINISTRATIVE HEARINGS

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 employees in agencies under the jurisdiction of the Merit System which have not negotiated a compensation plan with the exclusive representative for a bargaining unit.

The proposed rule changes are:

12 MCAR § 2.840
7 MCAR § 1.314
11 MCAR § 1.2140

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

(1) definitions;

(2) statement of policy and means of affecting policy;

(3) organization;

(4) classification plan;

(5) compensation plan;

(6) examinations;

(7) certification of eligibles;

(8) probationary period;

(9) separation, tenure and reinstatement;

(10) leave of absence;

(11) appeals;

(12) salary adjustments and increases;

(13) salary computation provisions for full and part-time employment, terminal vacation and sick leave pay, partial pay periods, overtime and part payment from another source;

(14) appointment, promotions, demotions, transfers and reinstatements;

(15) provisions for computing monthly, less-than-full-time, bi-weekly, and four-week salary rates.

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

Additionally, the Minnesota Department of Public Welfare is considering proposed amendments to those rules affecting its position classification specifications.

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

The proposed rules altering existing position classification specifications are:

12 MCAR § 2.578 Financial Assistance Supervisor I
12 MCAR § 2.579 Financial Assistance Supervisor II
12 MCAR § 2.590 Financial Assistance Supervisor III
12 MCAR § 2.591 Financial Assistance Supervisor IV
12 MCAR § 2.623 Financial Assistance Specialist
12 MCAR § 2.720 Accounting Officer I
12 MCAR § 2.721 Accounting Officer II
12 MCAR § 2.722 Accounting Officer III
12 MCAR § 2.723 Accountant I
12 MCAR § 2.724 Accountant II

The proposed rule creating a new class is:

12 MCAR § 2.729 Accounting Technician

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 July 20, 1981. Any written material received by the department shall become part of the hearing record. The Notice of Hearing on all of the above mentioned rules will be published in the *State Register* in August.

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 in Room 41, State Office Building, St. Paul, Minnesota 55155.

DPW-82-020-PE

RECEIVED
OCT 19 1981
ADMINISTRATIVE HEARINGS

STATE OF MINNESOTA

DEPARTMENT OF PUBLIC WELFARE

IN THE MATTER OF PROPOSED ADOPTION OF A NEW RULE AND AMENDMENTS OF EXISTING RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING DEFINITIONS; STATEMENT OF POLICY AND MEANS OF EFFECTING POLICY; ORGANIZATION; CLASSIFICATION PLAN; COMPENSATION PLAN; EXAMINATIONS; CERTIFICATION OF ELIGIBLES; PROBATIONARY PERIOD; SEPARATION, TENURE AND REINSTATEMENT; LEAVES OF ABSENCE; APPEALS AND HEARINGS; SALARY ADJUSTMENTS AND INCREASES; SALARY COMPUTATION PROVISIONS FOR FULL AND PART-TIME EMPLOYMENT; APPOINTMENTS, DEMOTIONS, TRANSFERS AND REINSTATEMENTS; AND PROVISIONS FOR COMPUTING MONTHLY, HOURLY, LESS-THAN-FULL-TIME, BI-WEEKLY, AND FOUR-WEEK SALARY RATES.

ORDER OF HEARING

IT IS ORDERED this 5 day of October, 1981, that a public hearing on the proposed rules captioned above be held in the Centennial Office Building, Room A, 658 Cedar Street, St. Paul, Minnesota on December 3, 1981, commencing at 9:30 a.m. and continuing until all representatives of associations or other interested groups or persons have had an opportunity to be heard.

IT IS FURTHER ORDERED that notice of said hearing be given to all persons who have registered their names with the Department of Public Welfare for that purpose and be published in the State Register.

STATE OF MINNESOTA

Commissioner of Public Welfare

P/eda

STATE OF MINNESOTA

DEPARTMENT OF HEALTH

RECEIVED
OCT 19 1981
ADMINISTRATIVE HEARINGS

IN THE MATTER OF PROPOSED AMENDMENTS OF EXISTING RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING DEFINITIONS; STATEMENT OF POLICY AND MEANS OF EFFECTING POLICY; ORGANIZATION; CLASSIFICATION PLAN; COMPENSATION PLAN; EXAMINATIONS; CERTIFICATION OF ELIGIBLES; PROBATIONARY PERIOD; SEPARATION, TENURE AND REINSTATEMENT; LEAVES OF ABSENCE; APPEALS AND HEARINGS; SALARY ADJUSTMENTS AND INCREASES; SALARY COMPUTATION PROVISIONS FOR FULL AND PART-TIME EMPLOYMENT; APPOINTMENTS, PROMOTIONS, DEMOTIONS, TRANSFERS AND REINSTATEMENTS; AND PROVISIONS FOR COMPUTING MONTHLY, HOURLY, LESS-THAN-FULL-TIME, BI-WEEKLY, AND FOUR-WEEK SALARY RATES.

ORDER FOR HEARING

IT IS ORDERED this 6th day of October, 1981, that a public hearing on the proposed rules captioned above be held in Room A, fourth floor, Centennial Building, St. Paul, Minnesota on December 3, 1981, commencing at 9:30 a.m. and continuing until all representatives of associations or other interested groups or persons have had an opportunity to be heard.

IT IS FURTHER ORDERED that notice of said hearing be given to all persons who have registered their names with the State Department of Health for that purpose and be published in the State Register.

STATE OF MINNESOTA

Deane R. Peterson

For George R. Pettersen, M.D.
Commissioner of Health

RECEIVED
OCT 19 1981
ADMINISTRATIVE
HEARINGS

STATE OF MINNESOTA

DEPARTMENT OF PUBLIC SAFETY

IN THE MATTER OF PROPOSED AMENDMENTS OF EXISTING RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING DEFINITIONS; STATEMENT OF POLICY AND MEANS OF EFFECTING POLICY; ORGANIZATION; CLASSIFICATION PLAN; COMPENSATION PLAN; EXAMINATIONS; CERTIFICATION OF ELIGIBLES; PROBATIONARY PERIOD; SEPARATION, TENURE AND REINSTATEMENT; LEAVES OF ABSENCE; APPEALS AND HEARINGS; SALARY ADJUSTMENTS AND INCREASES; SALARY COMPUTATION PROVISIONS FOR FULL AND PART-TIME EMPLOYMENT; APPOINTMENTS, PROMOTIONS, DEMOTIONS, TRANSFERS AND REINSTATEMENTS; AND PROVISIONS FOR COMPUTING MONTHLY, HOURLY, LESS-THAN-FULL-TIME, BI-WEEKLY, AND FOUR-WEEK SALARY RATES.

ORDER FOR HEARING

IT IS ORDERED this 13th day of October, 1981, that a public hearing on the proposed rules captioned above be held in Room A, fourth floor, Centennial Building, St. Paul, Minnesota on December 3, 1981, commencing at 9:30 a.m. and continuing until all representatives of associations or other interested groups or persons have had an opportunity to be heard.

IT IS FURTHER ORDERED that notice of said hearing be given to all persons who have registered their names with the State Department of Public Safety for that purpose and be published in the State Register.

STATE OF MINNESOTA

Albert H. Quie

Albert H. Quie
Governor

STATE OF MINNESOTA

DEPARTMENT OF PUBLIC SAFETY

IN THE MATTER OF PROPOSED AMENDMENTS OF EXISTING RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING DEFINITIONS; STATEMENT OF POLICY AND MEANS OF EFFECTING POLICY; ORGANIZATION; CLASSIFICATION PLAN; COMPENSATION PLAN; EXAMINATIONS; CERTIFICATION OF ELIGIBLES; PROBATIONARY PERIOD; SEPARATION, TENURE AND REINSTATEMENT; LEAVES OF ABSENCE; APPEALS AND HEARINGS; SALARY ADJUSTMENTS AND INCREASES; SALARY COMPUTATION PROVISIONS FOR FULL AND PART-TIME EMPLOYMENT; APPOINTMENTS, PROMOTIONS, DEMOTIONS, TRANSFERS AND REINSTATEMENTS; AND PROVISIONS FOR COMPUTING MONTHLY, HOURLY, LESS-THAN-FULL-TIME, BI-WEEKLY, AND FOUR-WEEK SALARY RATES.

NOTICE OF HEARING

A public hearing concerning the above-entitled matter will be held in Conference Room A, fourth floor, Centennial Office Building, St. Paul, Minnesota, 55155 on December 3, 1981, commencing at 9:30 A.M. and continuing until all interested persons have an opportunity to be heard. The proposed amendments of existing rules may be modified as a result of the hearing process. Therefore, if you are affected in any manner by the above-entitled matter, you are urged to participate in the rule hearing process.

Following the agency's presentation at the hearing, all interested or affected persons will have an opportunity to ask questions and make comments. 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 Peter C. Erickson, Office of Administrative Hearings, 1745 University Avenue, Room 300, St. Paul, Minnesota, 55104, either before the hearing or within five working days after the public hearing ends. The telephone number is 612/296-8118. The hearing examiner may, at the hearing, order that the record be kept open for a longer period not to exceed 20 calendar days. The rule hearing procedure is governed by Minn. Stat. §§ 15.0411-15.0417 and 15.052, and by 9 MCAR §§ 2.101-2.112 (Minnesota Code of Agency Rules). If you have any questions about the procedure, call or write the hearing examiner.

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 Administrative Hearings. This statement of Need and Reasonableness will include a summary of all the evidence and argument which the agency anticipates presenting at the hearing justifying both the need for and the reasonableness of the proposed rule or rules. Copies of the Statement of Need and Reasonableness may be obtained from the Office of Administrative Hearings at a minimal charge.

Several minor revisions to the above rules are proposed involving the re-lettering and/or re-numbering of certain provisions, correcting typographical errors, grammatical changes to improve clarity and to correct certain rule and statutory references.

A summary of major proposed revisions to the rules is as follows:

Proposed revisions to 11 MCAR § 1.2090 provide definitions for six new terms: "layoff list," "reemployment list," "reclassification," "change in allocation," "reallocation" and "salary increase."

Proposed revisions to 11 MCAR § 1.2091 provide new language allowing for the application of fiscal sanctions to appointing authorities for noncompliance with the rules and appeal from such sanctions to the Merit System Council.

Proposed revisions to 11 MCAR § 1.2092 correct a rule reference to the state civil service act and provide an additional responsibility for the Merit System Supervisor of proposing amendments to Merit System rules.

Proposed revisions to 11 MCAR § 1.2093 remove the classification plan from the rules and provides for publishing them in the Public Safety Merit System manual; eliminate the section of the rule allowing amendments to the classification plan for up to six months without a public hearing in emergency situations; provide for incumbents of positions that are reclassified by reallocation to be promoted without examination; explain the process for amending the classification plan.

Proposed revisions to 11 MCAR § 1.2094 reword those sections involving the preparation and adoption of a compensation plan by the Commissioner and the selection of salary ranges by an appointing authority; raise the allowable maximum percentage increase of cost-of-living salary adjustments from 8% to 9%; provide new language governing appointments above the minimum rate of pay; allow employees to receive a lump-sum general salary adjustment under certain circumstances; provide new language allowing salary increases to be granted under unusual employment conditions; provide a recommended general salary adjustment of 8% for all Merit System employees effective January 1, 1982; allow an employee whose salary is at or above the maximum of their range to receive a one-step merit increase in the form of a lump-sum payment; provide for salary increases for work out of class assignments and incorporates current language from 11 MCAR § 1.2116.

3a

11 MCAR § 1.2091 B. 2. and 3. makes 12 MCAR § 2.495 through 12 MCAR § 2.510, which are the rules of the Department of Public Welfare Merit System, applicable to county and local emergency services agencies. A copy of the Notice of Hearing for the Department of Public Welfare is attached for your information. If the Department of Public Welfare adopts the proposed changes to 12 MCAR §§ 2.496, 2.498, 2.500, 2.503, 2.504 and 2.508, these rules will also apply to emergency services agencies.

Proposed revisions to 11 MCAR § 1.2116 repeal all of the old language in this rule and incorporate it as part of 11 MCAR § 1.2094.

Proposed revisions to 11 MCAR § 1.2117 change rule references only.

Proposed revisions to 11 MCAR § 1.2118 clarify salaries for employees who are demoted; limit salary increases for employees transferring between appointing authorities; allow former employees who are reemployed to receive their previous salary upon reemployment.

Proposed revisions to 11 MCAR § 1.2140 provide for a general upgrading of salary ranges for most of the classes by 8%, with some exceptions; reduce the number of clerical salary plans from six to three and increase intervals between salary steps for clerical classes to the equivalent of that provided for professional and support classes.

Proposed amendments to 11 MCAR § 1.2141 corrects a rule reference only.

In view of proposed amendments to 11 MCAR § 1.2093 removing the classification plan from the rules, it is proposed to repeal 11 MCAR §§ 1.2125, 1.2126, 1.2127, 1.2129 and 1.2130, consisting of the class specifications for all Public Safety Merit System classifications.

The agency's authority to adopt the proposed rule is contained in Minn. Stat. § 12.22, subd. 3. 4

The cost to local public bodies of implementing the proposed rule changes will not exceed $100,000 for 1982. 10

Copies of the proposed rule are now available and at least one free copy may be obtained by writing to Ralph Corey, Department of Public Welfare, Centennial Building, St. Paul, Minnesota 55155, telephone 612/296-3996. Additional copies will be available at the hearing. If you have any questions on the content of the proposed rule amendments, contact Ralph Corey. 35

Any person may request notification of the date on which the hearing examiner's report will be available, after which date the agency may not take any final action on the rules for a period of five working days. Any person may request notification of the date on which the hearing record has been submitted or resubmitted 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 hearing examiner's report, or to the agency, in the case of the agency's submission or resubmission to the Attorney General. 8

Minn. Stat. ch. 10A requires each lobbyist to register with the State Ethical Practices Board within five days after he or she commences lobbying. A lobbyist is defined in Minn. Stat. § 10A.01, subd. 11, 1979 supp., 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 6

(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: October 13, 1981

Albert H. Quie
Governor

STATE OF MINNESOTA
DEPARTMENT OF PUBLIC WELFARE

IN THE MATTER OF PROPOSED ADOPTION OF A NEW RULE AND AMENDMENTS OF EXISTING RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING DEFINITIONS; STATEMENT OF POLICY AND MEANS OF EFFECTING POLICY; ORGANIZATION; CLASSIFICATION PLAN; COMPENSATION PLAN; EXAMINATIONS; CERTIFICATION OF ELIGIBLES; PROBATIONARY PERIOD; SEPARATION, TENURE AND REINSTATEMENT; LEAVES OF ABSENCE; APPEALS AND HEARINGS; SALARY ADJUSTMENTS AND INCREASES; SALARY COMPUTATION PROVISIONS FOR FULL AND PART-TIME EMPLOYMENT; APPOINTMENTS, DEMOTIONS, TRANSFERS AND REINSTATEMENTS; AND PROVISIONS FOR COMPUTING MONTHLY, HOURLY, LESS-THAN-FULL-TIME, BI-WEEKLY, AND FOUR-WEEK SALARY RATES.

NOTICE OF HEARING

A public hearing concerning the above-entitled matter will be held in the Centennial Office Building, Room A, 658 Cedar Street, St. Paul, Minnesota, on December 3, 1981, commencing at 9:30 a.m. and continuing until all interested persons have an opportunity to be heard. The proposed rule and proposed amendments of existing rules may be modified as a result of the hearing process. Therefore, if you are affected in any manner by the above-entitled matter, you are urged to participate in the rule hearing process.

Following the agency's presentation at the hearing, all interested or affected persons will have an opportunity to ask questions and make comments. 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 Peter Erickson, Office of Administrative Hearings, 1745 University Avenue, Room 300, St. Paul, Minnesota, 55104 (612)296-8118 either before the hearing or within five working days after the public hearing ends. The hearing examiner may, at the hearing, order that the record be kept open for a longer period not to exceed 20 calendar days. The rule hearing procedure is governed by Minn. Stat. §§ 15.0411-15.0417 and 15.052, and by 9 MCAR §§ 2.101-2.112 (Minnesota Code of Agency Rules). If you have any questions about the procedure, call or write the hearing examiner.

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 Administrative Hearings. This Statement of Need and Reasonableness will include a summary of all the evidence and argument which the agency anticipates presenting at the hearing justifying both the need for and the reasonableness of the proposed rule or rules. Copies of the Statement of Need and Reasonableness may be obtained from the Office of Administrative Hearings at a minimal charge.

Several minor revisions to the above rules are proposed involving the re-lettering and/or re-numbering of certain provisions, correcting typographical errors, grammatical changes to improve clarity and to correct certain rule and statutory references.

A summary of major proposed revisions to the rules is as follows:

Proposed revisions to 12 MCAR § 2.490 provide definitions for six new terms: "layoff list," "reemployment list," "reclassification," "change in allocation," "reallocation" and "salary increase."

Proposed revisions to 12 MCAR § 2.491 provide new language allowing for the application of fiscal sanctions to appointing authorities for noncompliance with the rules and appeal from such sanctions to the Merit System Council.

Proposed revisions to 12 MCAR § 2.492 correct rule references to the state civil service act and the Department of Civil Service and provide an additional responsibility for the Merit System Supervisor of proposing amendments to Merit System rules.

Proposed revisions to 12 MCAR § 2.493 remove the classification plan from the rules and provides for publishing them in the Public Welfare Merit System manual; eliminate the section of the rule allowing amendments to the classification plan for up to six months without a public hearing in emergency situations; provide for incumbents of positions that are reclassified by reallocation to be promoted without examination.

Proposed revisions to 12 MCAR § 2.494 reword those sections involving the preparation and adoption of a compensation plan by the Commissioner and the selection of salary ranges by an appointing authority; raise the allowable maximum percentage increase on cost-of-living salary adjustments from 8% to 9%; provide new language governing appointments above the minimum rate of pay; allow employees to receive a lump-sum general salary adjustment under certain circumstances; provide new language allowing salary increases to be granted under unusual employment conditions; provide a recommended general salary adjustment of 8% for all Merit System employees effective January 1, 1982; provide for salary increases for work out of class assignments and incorporates current language from 12 MCAR § 2.516.

Proposed revisions to 12 MCAR § 2.496 include new language allowing the Supervisor to determine the content of all examination processes; provide for disqualification of applicants who cheat on examinations or falsify their identification; eliminate investigation by the Merit System of an applicant's training and experience; allow the Supervisor to establish examination passing points and eliminate current language referring to special written tests.

Proposed revisions to 12 MCAR § 2.498 remove the Merit System Council for involvement with selective certification requests; provide for the certification of names from the reemployment list as extra names; clarify eligibility for appointment of certified eligibles.

Proposed revisions to 12 MCAR § 2.500 clarify the duration of the probationary period; provide for unpaid leaves of short duration not affecting the duration of the probationary period; eliminate investigation by the Supervisor of validity of requests to extend the probationary period.

Proposed revisions to 12 MCAR § 2.503 define suspensions not appealable to the Merit System Council.

Proposed revisions to 12 MCAR § 2.504 clarify employees who shall and shall not accrue vacation leave; provide for accrual of vacation leave by part-time employees; allow for transfer of vacation leave from one agency to another under certain circumstances; allow for reinstatement of previously accrued sick leave for former employees who are reemployed; allow for transfer of sick leave between appointing authorities; provide for accrual of sick leave by part-time employees; define eligibility for holiday pay; provide for pro-rated holiday pay for part-time and intermittent employees; provides that the holidays occurring during an employee's paid vacation or sick leave period shall not be charged to vacation or sick leave.

Proposed revisions to 12 MCAR § 2.508 strike current language entirely; provide new language governing appeals and hearings; renumber the rule; provide new language for possible resolution of appeals by the Supervisor prior to consideration by the Council; insert new language providing that actions appealed under a collective bargaining agreement may not also be appealed to the Council; new language preserves all appealable actions contained in old language.

Proposed revisions to 12 MCAR § 2.516 repeal all of the old language in this rule and incorporate it as part of 12 MCAR § 2.494.

Proposed revisions to 12 MCAR § 2.517 change rule references.

Proposed revisions to 12 MCAR § 2.518 clarify salaries for employees who are demoted; limit salary increases for employees transferring between appointing authorities; allow former employees who are reemployed to receive their previous salary upon reemployment.

Proposed revisions to 12 MCAR § 2.840 provide for a general upgrading of salary ranges for most of the classes by 8%, with some exceptions; reduce the number of clerical salary plans from six to three and increase intervals between salary steps for clerical classes to the equivalent of that provided for professional and support classes.

Proposed amendments to 12 MCAR § 2.841 corrects a rule reference only.

Proposed revisions to current rules which alter and in some cases retitle existing position classification specifications are 12 MCAR § 2.720 for Fiscal Officer (presently Accounting Officer I); 12 MCAR § 2.721 for Fiscal Supervisor I (presently Accounting Officer II); 12 MCAR § 2.722 for Fiscal Supervisor II (presently Accounting Officer III); 12 MCAR § 2.723 for Fiscal Supervisor III (presently Accountant I); 12 MCAR § 2.724 for Fiscal Supervisor IV (presently Accountant II); 12 MCAR § 2.623 for Financial Assistance Specialist; 12 MCAR § 2.578 for Financial Assistance Supervisor I; 12 MCAR § 2.579 for Financial Assistance Supervisor II; 12 MCAR § 2.590 for Financial Assistance Supervisor III and 12 MCAR § 2.591 for Financial Assistance Supervisor IV. These revisions are proposed to reflect more descriptive class titles and to update current classification specifications including minimum qualifications for such classification. A proposed rule creating a new classification is 12 MCAR § 2.729 for Accounting Technician. This class is being proposed in response to a perceived need within the fiscal organizations of several county welfare and human service agencies.

In view of proposed amendments to 12 MCAR § 2.493 removing the classification plan from the rules, it is proposed to repeal 12 MCAR § 2.530-2.804, consisting of the class specifications for all Public Welfare Merit System classifications.

The agency's authority to adopt the proposed rule is contained in Minn. Stat. § 256.012.

The proposed rule changes affecting salary increases for employees will result in approximately $132,518 increased county expenditures in 1982.

Copies of the proposed rule are now available and at least one free copy may be obtained by writing to Ralph Corey, Department of Public Welfare, Centennial Building, St. Paul, MN 55155, telephone (612)296-3996. Additional copies will be available at the hearing. If you have any questions on the content of the proposed rule and rule amendments, contact Ralph Corey.

Any person may request notification of the date on which the hearing examiner's report will be available, after which date the agency may not take any final action on the rules for a period of five working days. Any person may request notification of the date on which the hearing record has been submitted or resubmitted 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.

Minn. Stat. ch. 10A requires each lobbyist to register with the State Ethical Practices Board within five days after he or she commences lobbying. A lobbyist is defined in Minn. Stat. § 10A.01, subd. 11, 1979 supp., 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: 10.5.81

Arthur E. Noot
Commissioner of Public Welfare

S/gha

STATE OF MINNESOTA

DEPARTMENT OF HEALTH

NOTICE OF HEARING

IN THE MATTER OF PROPOSED AMENDMENTS OF EXISTING RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING DEFINITIONS; STATEMENT OF POLICY AND MEANS OF EFFECTING POLICY; ORGANIZATION; CLASSIFICATION PLAN; COMPENSATION PLAN; EXAMINATIONS; CERTIFICATION OF ELIGIBLES; PROBATIONARY PERIOD; SEPARATION, TENURE AND REINSTATEMENT; LEAVES OF ABSENCE; APPEALS AND HEARINGS; SALARY ADJUSTMENTS AND INCREASES; SALARY COMPUTATION PROVISIONS FOR FULL AND PART-TIME EMPLOYMENT; APPOINTMENTS, PROMOTIONS, DEMOTIONS, TRANSFERS AND REINSTATEMENTS; AND PROVISIONS FOR COMPUTING MONTHLY, HOURLY, LESS-THAN-FULL-TIME, BI-WEEKLY, AND FOUR-WEEK SALARY RATES.

A public hearing concerning the above-entitled matter will be held in Conference Room A, fourth floor, Centennial Office Building, St. Paul, Minnesota, 55155 on December 3, 1981, commencing at 9:30 A.M. and continuing until all interested persons have an opportunity to be heard. The proposed amendments of existing rules may be modified as a result of the hearing process. Therefore, if you are affected in any manner by the above entitled matter, you are urged to participate in the rule hearing process.

Following the agency's presentation at the hearing, all interested or affected persons will have an opportunity to ask questions and make comments. 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 Peter C. Erickson , Office of Administrative Hearings, 1745 University Avenue, Room 300, St. Paul, Minnesota 55104, either before the hearing or within five working days after the public hearing ends. The telephone number is 612/296-8118. The hearing examiner may, at the hearing, order that the record be kept open for a longer period not to exceed 20 calendar days. The rule hearing procedure is governed by Minn. Stat. §§ 15.0411-15.0417 and 15.052, and by 9 MCAR §§ 2.101-2.112 (Minnesota Code of Agency Rules). If you have any questions about the procedure, call or write the hearing examiner.

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 Administrative Hearings. This Statement of Need and Reasonableness will include a summary of all the evidence and argument which the agency anticipates presenting at the hearing justifying both the need for and the reasonableness of the proposed rule or rules. Copies of the Statement of Need and Reasonableness may be obtained from the Office of Administrative Hearings at a minimal charge.

Several minor revisions to the above rules are proposed involving the re-lettering and/or re-numbering of certain provisions, correcting typographical errors, grammatical changes to improve clarity and to correct certain rule and statutory references.

A summary of major proposed revisions to the rules is as follows:

Proposed revisions to 7 MCAR § 1.235 provide definitions for seven new terms: "layoff list," "reemployment list," "reclassification," "change in allocation,"

"reallocation," "salary increase" and "Commissioner."

Proposed revisions to 7 MCAR § 1.236 substitute several references to the Commissioner from references to either the State Board of Health or the Secretary and Executive Officer and provides new language allowing for the application of fiscal sanctions to appointing authorities for noncompliance with the rules and appeal from such sanctions to the Merit System Council.

Proposed revisions to 7 MCAR § 1.237 also substitute several references to the Commissioner from references to either the State Board of Health or the Secretary and Executive Officer; correct a rule reference to the state civil service act and the Department of Civil Service; provide an additional responsibility for the Merit System Supervisor of proposing amendments to Merit System rules.

Proposed revisions to 7 MCAR § 1.238 remove the classification plan from the rules and provides for publishing them in the Health Merit System manual; eliminate the section of the rule allowing amendments to the classification plan for up to six months without a public hearing in emergency situations; provide for incumbents of positions that are reclassified by reallocation to be promoted without examination; provide for a time limit of 60 days in accomplishing reallocations; explain the process for amending the classification plan.

Proposed revisions to 7 MCAR § 1.239 reword those sections involving the preparation and adoption of a compensation plan by the Commissioner and the selection of salary ranges by an appointing authority; raise the allowable maximum percentage increase on cost-of-living salary adjustments from 8% to 9%; provide new language governing appointments above the minimum rate of pay; allow employees to receive a lump-sum general salary adjustment under certain circumstances; provide new language allowing salary increases to be granted under unusual employment conditions; provide a recommended general salary adjustment of 8% for all Merit System employees effective January 1, 1982; allow an employee whose salary is at or above the maximum of their range to receive a one-step merit increase in the form of a lump-sum payment; provide for salary increases for work out of class assignments and incorporates current language from 7 MCAR § 1.260.

Proposed revisions to 7 MCAR § 1.242 include new language allowing the Supervisor to determine the content of all examination processes; provide for disqualification of applicants who cheat on examinations or falsify their identification; eliminate investigation by the Merit System of an applicant's training and experience; allow the Supervisor to establish examination passing points and eliminate current language referring to special written tests.

Proposed revisions to 7 MCAR § 1.244 remove the Merit System Council from involvement with selective certification requests; provide for the certification of names from the reemployment list as extra names; clarify eligibility for appointment of certified eligibles.

Proposed revisions to 7 MCAR § 1.246 clarify the duration of the probationary period; provide for unpaid leaves of short duration not affecting the duration of the probationary period; eliminate investigation by the Supervisor of validity of requests to extend the probationary period; substitute references to the Commissioner for references to the Secretary and Executive Officer.

Proposed revisions to 7 MCAR § 1.249 define suspensions not appealable to the Merit System Council.

Proposed revisions to 7 MCAR § 1.250 clarify employees who shall and shall not accrue vacation leave; provide for accrual of vacation leave by part-time employees; allow for transfer of vacation leave from one agency to another under certain circumstances; allow for reinstatement of previously accrued sick leave for former employees who are reemployed; allow for transfer of sick leave between appointing authorities; provide for accrual of sick leave by part-time employees; define eligibility for holiday pay; provide for pro-rated holiday pay for part-time and intermittent employees; provides that the holidays occurring during an employee's paid vacation or sick leave period shall not be charged to vacation or sick leave.

Proposed revisions to 7 MCAR § 1.254 strike current language entirely; provide new language governing appeals and hearings; provide new language for possible resolution of appeals by the Supervisor prior to consideration by the Council; insert new language providing that actions appealed under a collective bargaining agreement may not also be appealed to the Council; new language preserves all appealable actions contained in old language.

Proposed revisions to 7 MCAR § 1.260 repeal all of the old language in this rule and incorporate it as part of 7 MCAR § 1.239.

Proposed revisions to 7 MCAR § 1.261 change rule references only.

Proposed revisions to 7 MCAR § 1.262 clarify salaries for employees who are demoted; limit salary increases for employees transferring between appointing authorities; allow former employees who are reemployed to receive their previous salary upon reemployment.

Proposed revisions to 7 MCAR § 1.314 provide for a general upgrading of salary ranges for most of the classes by 8% with some exceptions; reduce the number of clerical salary plans from six to three and increase intervals between salary steps for clerical classes to the equivalent of that provided for professional and support classes.

Proposed amendments to 7 MCAR § 1.315 corrects a rule reference only.

In view of proposed amendments to 7 MCAR § 1.238 removing the classification plan from the rules, it is proposed to repeal 7 MCAR §§ 1.260-1.313, consisting of the class specifications for all Health Merit System classifications.

The cost to local public bodies of implementing the proposed rule changes will not exceed $100,000 for 1982.

The agency's authority to adopt the proposed rule 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, Department of Public Welfare, Centennial Building, St. Paul, Minnesota 55155, telephone 612/296-3996. Additional copies will be available at the hearing. If you have any questions on the content of the proposed rule amendments, contact Ralph Corey.

Any person may request notification of the date on which the hearing examiner's report will be available, after which date the agency may not take any final action on the rules for a period of five working days. Any person may request notification of the date on which the hearing record has been submitted or resubmitted 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.

Minn. Stat. ch. 10A requires each lobbyist to register with the State Ethical Practices Board within five days after he or she commences lobbying. A lobbyist is defined in Minn. Stat. § 10A.01, subd. 11, 1979 supp., 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: 10/6/81

for George R. Pettersen, M.D.
Commissioner of Health

In the Matter of Proposed Adoption of a New Rule and Amendments of Existing Rules of the Minnesota Merit System Governing Definitions; Statement of Policy and Means of Effecting Policy; Organization; Classification Plan; Compensation Plan; Examinations; Certification of Eligibles; Probationary Period; Separation, Tenure and Reinstatement; Leaves of Absence; Appeals and Hearings; Salary Adjustments and Increases; Salary Computation Provisions for Full and Part-Time Employment; Appointments, Demotions, Transfers and Reinstatements; and Provisions for Computing Monthly, Hourly, Less-Than-Full-Time, Bi-Weekly, and Four-Week Salary Rates.

AFFIDAVIT OF MAILING

RECEIVED
NOV 4 1981
ADMINISTRATIVE HEARINGS

STATE OF MINNESOTA)
)ss.
COUNTY OF RAMSEY)

Wendy Johnson, being first duly sworn deposes and says:

That on the 28 day of October, 1981, at the City of St. Paul, County of Ramsey, State of Minnesota, she served the attached Notice of Hearing by depositing in the State of Minnesota Central Mail System for United States mailing at said City of St. Paul, a copy thereof, properly enveloped, with postage prepaid, on all persons and associations who have requested that their names be placed on file with the State Department of Public Welfare for the purpose of receiving notice of the proposed adoption of rules by this Department.

Wendy Johnson

Subscribed and sworn to before me
this 28 day of October, 1981.

Margaret Holt

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

RECEIVED
NOV 4 1981
ADMINISTRATIVE
HEARINGS

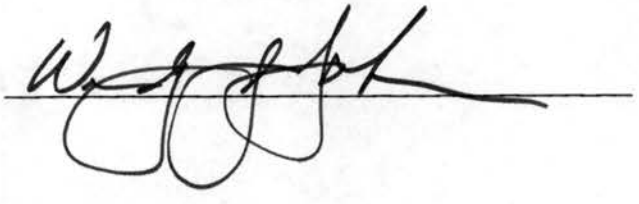
STATE OF MINNESOTA

COUNTY OF RAMSEY

CERTIFICATE

IN THE MATTER OF PROPOSED ADOPTION OF A NEW RULE AND AMENDMENTS OF EXISTING RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING DEFINITIONS; STATEMENT OF POLICY AND MEANS OF EFFECTING POLICY; ORGANIZATION; CLASSIFICATION PLAN; COMPENSATION PLAN; EXAMINATIONS; CERTIFICATION OF ELIGIBLES; PROBATIONARY PERIOD; SEPARATION, TENURE AND REINSTATEMENT; LEAVES OF ABSENCE; APPEALS AND HEARINGS; SALARY ADJUSTMENTS AND INCREASES; SALARY COMPUTATION PROVISIONS FOR FULL AND PART-TIME EMPLOYMENT; APPOINTMENTS, DEMOTIONS, TRANSFERS AND REINSTATEMENTS; AND PROVISIONS FOR COMPUTING MONTHLY, HOURLY, LESS-THAN-FULL-TIME, BI-WEEKLY, AND FOUR-WEEK SALARY RATES.

I hereby certify that the list of persons, associations, and other interested groups who have requested, pursuant to Minn. Stat. §15.0412, subd. 4, that their names be placed on file with and maintained by the State Department of Public Welfare for the purpose of receiving notice of the proposed adoption of rules by this Department is accurate and complete as of 12:00 P.M., this 28 day of October, 1981.



STATE OF MINNESOTA

DEPARTMENT OF PUBLIC WELFARE

IN THE MATTER OF PROPOSED ADOPTION OF A NEW RULE AND AMENDMENTS OF EXISTING RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING DEFINITIONS; STATEMENT OF POLICY AND MEANS OF EFFECTING POLICY; ORGANIZATION; CLASSIFICATION PLAN; COMPENSATION PLAN; EXAMINATION; CERTIFICATION OF ELIGIBLES; PROBATIONARY PERIOD; SEPARATION, TENURE AND REINSTATEMENT; LEAVES OF ABSENCE; APPEALS AND HEARINGS; SALARY ADJUSTMENTS AND INCREASES; SALARY COMPUTATION PROVISIONS FOR FULL AND PART-TIME EMPLOYMENT; APPOINTMENTS, DEMOTIONS, TRANSFERS AND REINSTATEMENTS; AND PROVISIONS FOR COMPUTING MONTHLY, HOURLY, LESS-THAN-FULL-TIME, BI-WEEKLY, AND FOUR-WEEK SALARY RATES.

AFFIDAVIT OF ADDITIONAL MAILING

RECEIVED
NOV 4 1981
ADMINISTRATIVE HEARINGS

Wendy Johnson, being first duly sworn, deposes and says:

That on the 28 day of October, 1981, at the City of St. Paul, County of Ramsey, State of Minnesota, in addition to serving the attached Notice of Hearing to all persons and associations who have requested that their names be placed on file for the purpose of receiving notice of the proposed adoption of rules by this Department, she also served the attached Notice by depositing in the State of Minnesota Central Mail System for first class mailing, a copy thereof, properly enveloped, with postage prepaid to the following agencies:

Welfare & Human Services Agencies
MN Dept. of Health Staff
Commissioner, MN Dept. of Health
MN Nurse's Association
Merit System Council Members
Senior Staff Representative,
Intergovernmental Personnel Prog.
Blue Earth County Personnel Dir.
Olmsted County Personnel Dir.
St. Louis County Personnel Director
Commissioner, MN Dept. Public Safety
MN Dept. Public Safety Staff
Headwaters Nutrition Project
Assoc. of MN Counties
Union Representatives (13)
IMPACK
Don O'Neal - Affirmative Action Dir. DPW

Wendy Johnson

Subscribed and sworn to before me
this 28 day of October, 1981.

Margaret Holt

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

In the Matter of Proposed Amendments of Existing Rules of the Minnesota Merit System Governing Definitions; Statement of Policy and Means of Effecting Policy; Organization; Classification Plan; Compensation Plan; Examinations; Certification of Eligibles; Probationary Period; Separation, Tenure and Reinstatement; Leaves of Absence; Appeals and Hearings; Salary Adjustments and Increases; Salary Computation Provisions for Full and Part-Time Employment; Appointments, Promotions, Demotions, Transfers and Reinstatements; and Provisions for Computing Monthly, Hourly, Less-Than-Full-Time, Bi-Weekly, and Four-Week Salary Rates.

AFFIDAVIT OF MAILING

RECEIVED
NOV 4 1981
ADMINISTRATIVE HEARINGS

STATE OF MINNESOTA)
)ss.
COUNTY OF RAMSEY)

Rose Ann Bauer, being first duly sworn, deposes and says:

That on the 28th day of October, 1981, at the City of St. Paul, County of Ramsey, State of Minnesota, s(he) served the attached Notice of Hearing by depositing in the State of Minnesota Central Mail System for first class mailing (or) in the United States mail at said City of St. Paul, a copy thereof, properly enveloped, with postage prepaid, on all persons and associations who have requested that their names be placed on file with the Department of Health for the purpose of receiving notice of the proposed adoption of rules by this Department.

Rose Ann Bauer

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

Subscribed and sworn to before me

this 28 day of October, 1981.

Margaret Holt

STATE OF MINNESOTA

COUNTY OF RAMSEY

RECEIVED
NOV 1 1981
ADMINISTRATIVE HEARINGS

CERTIFICATE

IN THE MATTER OF THE PROPOSED ADOPTION OF RULES OF THE STATE DEPARTMENT OF HEALTH MERIT SYSTEM GOVERNING DEFINITIONS; STATEMENT OF POLICY AND MENAS OF EFFECTING POLICY; ORGANIZATION; CLASSIFICATION PLAN; COMPENSATION PLAN; EXAMINATIONS; CERTIFICATION OF ELIGIBLES; PROBATIONARY PERIOD; SEPARATION, TENURE AND REINSTATEMENT; LEAVES OF ABSENCE; APPEALS AND HEARINGS; SALARY ADJUSTMENTS AND INCREASES; SALARY COMPUTATION PROVISIONS FOR FULL AND PART-TIME EMPLOYMENT; APPOINTMENTS, PROMOTIONS, DEMOTIONS, TRANSFERS AND REINSTATEMENTS; AND PROVISIONS FOR COMPUTING MONTHLY, HOURLY, LESS-THAN-FULL-TIME, BI-WEEKLY, AND FOUR-WEEK SALARY RATES.

I hereby certify that the list of persons, associations, and other interested groups who have requested, pursuant to Minn. Stat. § 15.0412, subd. 4, that their names be placed on file with and maintained by the State Department of Health for the purpose of receiving notice of the proposed adoption of rules by this Department is accurate and complete as of 10:00 A.M., this 28th day of October, 1981.

Lora L. Erickson

STATE OF MINNESOTA

DEPARTMENT OF HEALTH

RECEIVED
NOV 4 1981
ADMINISTRATIVE HEARINGS

IN THE MATTER OF PROPOSED AMENDMENTS OF EXISTING RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING DEFINITIONS; STATEMENT OF POLICY AND MEANS OF EFFECTING POLICY; ORGANIZATION; CLASSIFICATION PLAN; COMPENSATION PLAN; EXAMINATIONS; CERTIFICATION OF ELIGIBLES; PROBATIONARY PERIOD; SEPARATION, TENURE AND REINSTATEMENT; LEAVES OF ABSENCE; APPEALS AND HEARINGS; SALARY ADJUSTMENTS AND INCREASES; SALARY COMPUTATION PROVISIONS FOR FULL AND PART-TIME EMPLOYMENT; APPOINTMENTS, PROMOTIONS, DEMOTIONS, TRANSFERS AND REINSTATEMENTS; AND PROVISIONS FOR COMPUTING MONTHLY, HOURLY, LESS-THAN-FULL-TIME, BI-WEEKLY, AND FOUR-WEEK SALARY RATES.

AFFIDAVIT OF ADDITIONAL MAILING

Rose Ann Bauer, being first duly sworn, deposes and says:

That on the 28th day of October, 1981, at the City of St. Paul, County of Ramsey, State of Minnesota, in addition to serving the attached Notice of Hearing to all persons and associations who have requested that their names be placed on file for the purpose of receiving notice of the proposed adoption of rules by this Department, s(he) also served the attached Notice by depositing in the State of Minnesota Central Mail System for first class mailing (or) in the United States mail at said City of St. Paul, a copy thereof, properly enveloped, with postage prepaid to the following agencies:

Community Nursing Service, Department of Health
Personnel and Training Division, Department of Health
Commissioner, Department of Health
Minnesota Nurses Association
Olmsted County Personnel Department
Merit System Council
Blue Earth County Personnel
Intergovernmental Personnel Program
Olmsted County Personnel

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

Rose Ann Bauer

Subscribed and sworn to before me

this 28 day of October, 1981.

Margaret Holt

STATE OF MINNESOTA

COUNTY OF RAMSEY

RECEIVED
NOV 4 1981
ADMINISTRATIVE HEARINGS

CERTIFICATE

IN THE MATTER OF THE PROPOSED ADOPTION OF RULES OF THE STATE DEPARTMENT OF PUBLIC SAFETY MERIT SYSTEM GOVERNING DEFINITIONS; STATEMENT OF POLICY AND MEANS OF EFFECTING POLICY; ORGANIZATION; CLASSIFICATION PLAN; COMPENSATION PLAN; EXAMINATIONS; CERTIFICATION OF ELIGIBLES; PROBATIONARY PERIOD; SEPARATION, TENURE AND REINSTATEMENT; LEAVES OF ABSENCE; APPEALS AND HEARINGS; SALARY ADJUSTMENTS AND INCREASES; SALARY COMPUTATION PROVISIONS FOR FULL AND PART-TIME EMPLOYMENT; APPOINTMENTS, PROMOTIONS, DEMOTIONS, TRANSFERS AND REINSTATEMENTS; AND PROVISIONS FOR COMPUTING MONTHLY, HOURLY, LESS-THAN-FULL-TIME, BI-WEEKLY, AND FOUR-WEEK SALARY RATES.

I hereby certify that the list of persons, associations, and other interested groups who have requested, pursuant to Minn. Stat. § 15.0412, subd. 4, that their names be placed on file with and maintained by the State Department of Public Safety for the purpose of receiving notice of the proposed adoption of rules by this Department is accurate and complete as of 9:00 A.M., this 30th day of October, 1981.

Diane K. Hamilton

In the Matter of Proposed Amendments of Existing Rules of the Minnesota Merit System Governing Definitions; Statement of Policy and Means of Effecting Policy; Organization; Classification Plan; Compensation Plan; Examination; Certification of Eligibles; Probationary Period; Separation, Tenure and Reinstatement; Leaves of Absence; Appeals and Hearings; Salary Adjustments and Increases; Salary Computation Provisions for Full and Part-Time Employment; Appointments, Promotions, Demotions, Transfers and Reinstatements; and Provisions for Computing Monthly, Hourly, Less-Than-Full-Time, Bi-Weekly, and Four-Week Salary Rates.

AFFIDAVIT OF MAILING

RECEIVED
NOV 4 1981
ADMINISTRATIVE HEARINGS

STATE OF MINNESOTA)
)ss.
COUNTY OF RAMSEY)

Judy Larkin, being first duly sworn, deposes and says:

That on the 30th day of October, 1981, at the City of St. Paul, County of Ramsey, State of Minnesota, s(he) served the attached Notice of Hearing by depositing in the State of Minnesota Central Mail System for first class mailing at said City of St. Paul, a copy thereof, properly enveloped, with postage prepaid, on all persons and associations who have requested that their names be placed on file with the Department of Public Safety for the purpose of receiving notice of the proposed adoption of rules by this Department.

Judy Larkin

Subscribed and sworn to before me
this 29th day of October, 1981.

Sheryl L. Nielsen

SHERYL L. NIELSEN
NOTARY PUBLIC-MINNESOTA
RAMSEY COUNTY
My Comm. Expires Feb. 4, 1987

STATE OF MINNESOTA

DEPARTMENT OF PUBLIC SAFETY

RECEIVED
NOV 4 1981
ADMINISTRATIVE HEARINGS

IN THE MATTER OF PROPOSED AMENDMENTS OF EXISTING RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING DEFINITIONS; STATEMENT OF POLICY AND MEANS OF EFFECTING POLICY; ORGANIZATION; CLASSIFICATION PLAN; COMPENSATION PLAN; EXAMINATIONS; CERTIFICATION OF ELIGIBLES; PROBATIONARY PERIOD; SEPARATION, TENURE AND REINSTATEMENT; LEAVES OF ABSENCE; APPEALS AND HEARINGS; SALARY ADJUSTMENTS AND INCREASES; SALARY COMPUTATION PROVISIONS FOR FULL AND PART-TIME EMPLOYMENT; APPOINTMENTS, PROMOTIONS, DEMOTIONS, TRANSFERS AND REINSTATEMENTS; AND PROVISIONS FOR COMPUTING MONTHLY, HOURLY, LESS-THAN-FULL-TIME, BI-WEEKLY, AND FOUR-WEEK SALARY RATES.

AFFIDAVIT OF ADDITIONAL MAILING

Judy LarKin, being first duly sworn, deposes and says:

That on the 30th day of October, 1981, at the City of St. Paul, County of Ramsey, State of Minnesota, in addition to serving the attached Notice of Hearing to all persons and associations who have requested that their names be placed on file for the purpose of receiving notice of the proposed adoption of rules by this Department, s(he) also served the attached Notice by depositing in the State of Minnesota Central Mail System for first class mailing (or) in the United States mail at said City of St. Paul, a copy thereof, properly enveloped, with postage prepaid to the following agencies:

LOCAL AND COUNTY CIVIL DEFENSE AGENCIES COVERED BY MINNESOTA MERIT SYSTEM

MERIT SYSTEM COUNCIL MEMBERS

SENIOR STAFF REPRESENTATIVE - U. S. OFFICE OF PERSONNEL MANAGEMENT

Judy Larkin

Subscribed and sworn to before me

this 29th day of October, 1981.

Sheryl L. Nielsen

SHERYL L. NIELSEN
NOTARY PUBLIC-MINNESOTA
RAMSEY COUNTY
My Comm. Expires Feb. 4, 1987

Copies of the proposed rule are now available. Persons with questions about the rule or who desire a free copy of the rule should contact:

RECEIVED
MAR 12 1982
ADMINISTRATIVE HEARINGS

Mr. Dale H. Busacker
Attorney, Income Tax Division
Minnesota Department of Revenue
Centennial Office Building
St. Paul, Minnesota 55145
(612) 296-3439

Minn. Stat. ch. 10A requires each lobbyist to register with the State Ethical Practices Board within five days after he or she commences lobbying. A lobbyist is defined in Minn. Stat. § 10A.01, subd. 11 (1980) 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.

October 15, 1981

Clyde E. Allen, Jr.
Commissioner of Revenue

Rule as Proposed (all new material)

13 MCAR § 1.6501 Depreciation for corporations. For property held by a corporation and used in a trade or business or held for the production of income and which is placed in service after December 31, 1980, a reasonable allowance for depreciation shall be based on the provisions of the accelerated cost recovery system, including the useful class lives, as contained in section 168 of the Internal Revenue Code of 1954, as provided in section 201(a) of the Economic Recovery Tax Act of 1981, Public Law Number 97-34.

Department of Health
Minnesota Merit System

Proposed Rules Governing Definitions; Statement of Policy and Means of Effecting Policy; Organization: Classification Plan; Compensation Plan; Examinations; Certification of Eligibles; Probationary Period; Separation, Tenure and Reinstatement; Leaves of Absence; Appeals and Hearings; Salary Adjustments and Increases; Salary Computation Provisions for Full- and Part-time Employment; Appointments, Promotions, Demotions, Transfers and Reinstatements; and Provisions for Computing Monthly, Hourly, Less-than-full-time, Bi-weekly, and Four-week Salary Rates

Notice of Hearing

A public hearing concerning the above-entitled matter will be held in Conference Room A, fourth floor, Centennial Office Building, St. Paul, Minnesota, 55155 on December 3, 1981, commencing at 9:30 a.m. and continuing until all interested persons have an opportunity to be heard. The proposed amendments of existing rules may be modified as a result of the hearing process. Therefore, if you are affected in any manner by the above-entitled matter, you are urged to participate in the rule hearing process.

Following the agency's presentation at the hearing, all interested or affected persons will have an opportunity to ask questions and make comments. 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 Peter C. Erickson, Office of

Administrative Hearings, 1745 University Avenue, Room 300, St. Paul, Minnesota 55104, either before the hearing or within five working days after the public hearing ends. The telephone number is (612) 296-8118. The hearing examiner may, at the hearing, order that the record be kept open for a longer period not to exceed 20 calendar days. The rule hearing procedure is governed by Minn. Stat. §§ 15.0411-15.0417 and 15.052, and by 9 MCAR §§ 2.101-2.112 (Minnesota Code of Agency Rules). If you have any questions about the procedure, call or write the hearing examiner.

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 Administrative Hearings. This statement of need and reasonableness will include a summary of all the evidence and argument which the agency anticipates presenting at the hearing justifying both the need for and the reasonableness of the proposed rule or rules. Copies of the statement of need and reasonableness may be obtained from the Office of Administrative Hearings at a minimal charge.

Several minor revisions to the above rules are proposed involving the re-lettering and/or re-numbering of certain provisions, correcting typographical errors, grammatical changes to improve clarity and to correct certain rule and statutory references.

A summary of major proposed revisions to the rules is as follows:

Proposed revisions to 7 MCAR § 1.235 provide definitions for seven new terms: "layoff list," "reemployment list," "reclassification," "change in allocation," "reallocation," "salary increase" and "commissioner."

Proposed revisions to 7 MCAR § 1.236 substitutes several references to the commissioner from references to either the State Board of Health or the Secretary and Executive Officer and provides new language allowing for the application of fiscal sanctions to appointing authorities for noncompliance with the rules and appeal from such sanctions to the Merit System Council.

Proposed revisions to 7 MCAR § 1.237 also substitute several references to the commissioner from references to either the State Board of Health or the Secretary and Executive Officer; correct a rule reference to the state civil service act and the Department of Civil Service; provide an additional responsibility for the Merit System Supervisor of proposing amendments to Merit System rules.

Proposed revisions to 7 MCAR § 1.238 remove the classification plan from the rules and provides for publishing them in the Health Merit System Manual; eliminate the section of the rule allowing amendments to the classification plan for up to six months without a public hearing in emergency situations; provide for incumbents of positions that are reclassified by reallocation to be promoted without examination; provide for a time limit of 60 days in accomplishing reallocations; explain the process for amending the classification plan.

Proposed revisions to 7 MCAR § 1.239 reword those sections involving the preparation and adoption of a compensation plan by the commissioner and the selection of salary ranges by an appointing authority; raise the allowable maximum percentage increase on cost-of-living salary adjustments from 8% to 9%, provide new language governing appointments above the minimum rate of pay; allow employees to receive a lump-sum general salary adjustment under certain circumstances; provide new language allowing salary increases to be granted under unusual employment conditions; provide a recommended general salary adjustment of 8% for all merit system employees effective January 1, 1982; allow an employee whose salary is at or above the maximum of their range to receive a one-step merit increase in the form of a lump-sum payment; provide for salary increases for work out of class assignments and incorporates current language from 7 MCAR § 1.260.

Proposed revisions to 7 MCAR § 1.242 include new language allowing the supervisor to determine the content of all examination processes; provide for disqualification of applicants who cheat on examinations or falsify their identification; eliminate investigation by the Merit System of an applicant's training and experience; allow the supervisor to establish examination passing points and eliminate current language referring to special written tests.

Proposed revisions to 7 MCAR § 1.244 remove the Merit System Council from involvement with selective certification requests; provide for the certification of names from the reemployment list as extra names; clarify eligibility for appointment of certified eligibles.

Proposed revisions to 7 MCAR § 1.246 clarify the duration of the probationary period; provide for unpaid leaves of short duration not affecting the duration of the probationary period; eliminate investigation by the supervisor of validity of requests to extend the probationary period; substitute references to the commissioner for references to the Secretary and Executive Officer.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

Proposed revisions to 7 MCAR § 1.249 define suspensions not appealable to the Merit System Council.

Proposed revisions to 7 MCAR § 1.250 clarify employees who shall and shall not accrue vacation leave; provide for accrual of vacation leave by part-time employees; allow for transfer of vacation leave from one agency to another under certain circumstances; allow for reinstatement of previously accrued sick leave for former employees who are reemployed; allow for transfer of sick leave between appointing authorities; provide for accrual of sick leave by part-time employees; define eligibility for holiday pay; provide for pro-rated holiday pay for part-time and intermittent employees; provides that the holidays occurring during an employee's paid vacation or sick leave period shall not be charged to vacation or sick leave.

Proposed revisions to 7 MCAR § 1.254 strike current language entirely; provide new language governing appeals and hearings; provide new language for possible resolution of appeals by the supervisor prior to consideration by the council; insert new language providing that actions appealed under a collective bargaining agreement may not also be appealed to the council; new language preserves all appealable actions contained in old language.

Proposed revisions to 7 MCAR § 1.260 repeal all of the old language in this rule and incorporate it as part of 7 MCAR § 1.239.

Proposed revisions to 7 MCAR § 1.261 change rule references only.

Proposed revisions to 7 MCAR § 1.262 clarify salaries for employees who are demoted; limit salary increases for employees transferring between appointing authorities; allow former employees who are reemployed to receive their previous salary upon reemployment.

Proposed revisions to 7 MCAR § 1.314 provide for a general upgrading of salary ranges for most of the classes by 8% with some exceptions; reduce the number of clerical salary plans from six to three and increase intervals between salary steps for clerical classes to the equivalent of that provided for professional and support classes.

Proposed amendments to 7 MCAR § 1.315 correct a rule reference only.

In view of proposed amendments to 7 MCAR § 1.238 removing the classification plan from the rules, it is proposed to repeal 7 MCAR §§ 1.260-1.313, consisting of the class specifications for all Health Merit System classifications.

The cost to local public bodies of implementing the proposed rule changes will not exceed $100,000 for 1982.

The agency's authority to adopt the proposed rule 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, Department of Public Welfare, Centennial Building, St. Paul, Minnesota 55155, telephone 612/296-3996. Additional copies will be available at the hearing. If you have any questions on the content of the proposed rule amendments, contact Ralph Corey.

Any person may request notification of the date on which the hearing examiner's report will be available, after which date the agency may not take any final action on the rules for a period of five working days. Any person may request notification of the date on which the hearing record has been submitted or resubmitted 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.

Minn. Stat. ch. 10A requires each lobbyist to register with the State Ethical Practices Board within five days after he or she commences lobbying. A lobbyist is defined in Minn. Stat. § 10A.01, subd. 11, 1979 supp., 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.

October 6, 1981

George R. Pettersen, M.D.
Commissioner of Health

Rules as Proposed

Chapter 1: Rules

7 MCAR § 1.235 Definitions.

A. Application. The following definitions apply ~~throughout these rules~~ to 7 MCAR § 1.235-1.315, unless the context clearly requires another meaning.

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

~~2.~~ C. Appointing authority. "Appointing authority" means the county board of commissioners or other officer or board authorized by statute or lawfully delegated authority to make appointments to positions under the merit system for public health.

D. Change in allocation. "Change in allocation" means the reclassification of a position resulting from significant sudden changes imposed by the appointing authority which affects the duties and responsibilities of a position.

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

~~4.~~ F. Classified service. "Classified service" means all positions covered by these rules as provided in 7 MCAR § 1.236 ~~A.~~ E.

G. Commissioner. "Commissioner" or "commissioner of health" means the administrative head of the Department of Health.

~~5.~~ H. Council. "Council" means the merit system council.

~~6.~~ I. County register. "County register" means the subregister established for a county from a statewide ~~register, either~~ competitive or promotional~~,~~ register containing the names of persons who have ~~resided~~ legal residence in the county ~~for 30 days~~ or, in the event of a promotional examination, who are employed by the local agency.

~~7.~~ J. Day. "Day" means calendar day except where otherwise specified in the specific rule.

~~8.~~ K. Demotion. "Demotion" means a change by an employee from a position in one class to a position in another class with less responsible duties and a lower salary range.

~~9.~~ L. Desirable qualifications. "Desirable qualifications" means the requirements of training and experience desired but not necessary to qualify for a given class of positions in the classification plan.

~~10.~~ M. Disabled veteran. "Disabled veteran" means a veteran who is rated or certified as disabled in accordance with the provisions of Minn. Stat. § ~~43.30~~ 43A.11.

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

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

~~13.~~ P. Emergency appointment. "Emergency appointment" means an appointment required by a state of emergency as described in ~~7 MCAR § 1.241~~ 7 MCAR § 1.245 C.

~~14.~~ Q. Employee. "Employee" means any person employed by a local public health agency in a position covered by ~~these rules~~ ~~(~~7 MCAR § 1.236 E.~~)~~ who is paid a salary or wage.

~~15.~~ R. Exclusive representative. "Exclusive representative" has the meaning given in Minn. Stat. § 179.63, subd. 6.

~~16.~~ S. Facsimile. "Facsimile" means a replica, e.g., facsimile of ~~12 MCAR § 2.541~~ 7 MCAR § 1.315 is a chart showing each of the salary rates adopted by an agency divided into monthly and hourly rates and either daily rates and bi-weekly or four-week rates if paid on this basis or the daily rate based on the number of working days in the month. The number of working days in a month is 20, 21, 22 or 23 days if an employee is paid on a monthly basis.

~~17.~~ T. Intermittent employee. "Intermittent employee" means an employee who works whenever needed or on a schedule which cannot be predicted in advance.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

~~18.~~ U. General adjustment. "General adjustment" means the merit system recommended salary adjustment based on ~~the annual~~ a salary survey or a review of consumer price index changes under 7 MCAR § 1.2392.

~~19.~~ V. Layoff. "Layoff" means the termination of employment because of ~~shortage~~ abolishment of a position, lack of funds ~~or curtailment of services~~, shortage of work, or other reason beyond the control of the employee.

W. Layoff list. "Layoff list" means a list of permanent or probationary employees who have been laid off by reason of abolishment of their positions, lack of funds, shortage of work, or other reason beyond the control of the employee.

~~20.~~ X. Limited term appointment. "Limited term appointment" means an appointment from a register for a period not to exceed six months as described in 7 MCAR § ~~1.241 D.~~ 1.245.

~~21.~~ Y. Local agency. "Local agency" means the organization created to carry out the functions and programs of the jurisdiction's public health responsibilities.

~~22.~~ Z. Local public health authority. "Local public health authority" means the governing board, commission, or council under whose authority a county, town, village, or borough establishes a local public health agency.

~~23.~~ AA. Merit increase. "Merit increase" means ~~a salary~~ an increase given to an ~~individual~~ employee based on meritorious job performance.

~~24.~~ BB. Military leave. "Military leave" means ~~the~~ a leave of absence granted by state law to employees entering active duty in the armed forces of the State of Minnesota or the United States of America.

~~25.~~ CC. Minimum qualifications. "Minimum qualifications" means the requirements of training and experience necessary to qualify for a given class.

~~26.~~ DD. Original appointment. "Original appointment" means a regular appointment of an individual to a local public health staff through selection from an open-competitive register ~~and~~. It is the beginning point of the probationary period, ~~(~~sometimes referred to as a probationary appointment~~)~~.

~~27.~~ EE. Permanent employee. "Permanent employee" means an employee who has successfully completed ~~his/her~~ a probationary period or who has attained permanent status upon the installation of the merit system.

~~28.~~ FF. Position. "Position" means a group of current duties and responsibilities assigned or delegated by competent authority requiring the full or part-time employment of one person.

~~29.~~ GG. Probationary employee. "Probationary employee" means an employee who is serving a probationary period in a class to which ~~they have~~ the employee has been appointed from an eligible list.

~~30.~~ HH. Probationary period. "Probationary period" means the first six-month working test period during which a new appointee is required to demonstrate ~~his~~ fitness for the position to which he is appointed by actual performance of the duties of the position.

~~31.~~ II. Promotion. "Promotion" means a change of an employee from a position in one class to a position in another class with more responsible duties and a higher salary range.

~~32.~~ JJ. Provisional appointment. "Provisional appointment" means an appointment of a person not on a register to fill a position pending the establishment of a register for ~~such~~ that position in accordance with the provisions of 7 MCAR § ~~1.241 B.~~ 1.245.

~~33.~~ KK. Reallocation. "Reallocation" means ~~a reassignment, or change in allocation, of a position by raising it to a higher class of positions, reducing it to a lower class of positions, or moving it to another class of positions at the same level, on the basis of significant changes in the kind, difficulty, or responsibility of the work performed in the position~~ the reclassification of a position resulting from significant changes that occur gradually over a period of time in the duties and responsibilities of the position.

LL. Reclassification. "Reclassification" means a change in the allocation of a position to a higher, lower, or equivalent class.

MM. Re-employment list. "Re-employment list" means a list of former permanent or probationary employees who have been laid off or who have voluntarily separated from merit system employment in good standing and whose applications for re-employment in the merit system are submitted within one year of separation.

~~34.~~ NN. Register. "Register" means an officially established list of eligibles for a particular class.

~~35.~~ OO. Resignation. "Resignation" means the termination of employment made at the request of the employee.

~~36.~~ PP. Salary adjustment. "Salary adjustment" means an increase given to employees due to cost-of-living factors, going rates for similar jobs, ~~and/or~~ labor market conditions, or a combination of these reasons.

~~37. "Secretary and Executive Officer" means the Secretary and Executive Office of the Minnesota State Board of Health, who is also the administrative head of the Minnesota Department of Health.~~

QQ. Salary increase. "Salary increase" means an increase granted to an employee on the basis of working out of class or due to unusual employment conditions and not based on job performance, cost of living factors, going rates for similar jobs, labor market conditions, or a combination of these reasons.

~~38.~~ RR. State agency. "State agency" means the ~~Minnesota State Board of Health acting through the State~~ Department of Health, which is responsible for the administration and supervision of the public health programs in the State of Minnesota.

~~39.~~ SS. Supervisor. "Supervisor" means the merit system supervisor.

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

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

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

~~43.~~ WW. Veteran. "Veteran" means ~~all persons~~ a person defined as ~~veterans~~ a veteran by ~~Minnesota Statutes, Section 197.45~~ Minn. Stat. § 197.447.

~~44.~~ XX. Veterans' preference. "Veterans' preference" means the preference granted to veterans by ~~Minnesota Statutes, Sections 197.45 and 197.46~~ Minn. Stat. § 43A.11.

7 MCAR § 1.236 Statement of policy and means of effecting policy.

A. Objectives. ~~1.~~ The ultimate purpose in effecting the merit principle of personnel administration of the local public health agencies is to promote economy and effective service. It is the declared aim of the ~~Minnesota State Board~~ Department of Health to put into full force and effect the merit principles of personnel administration. To this end the council, the supervisor, and the ~~Minnesota State Board of health, acting through its Secretary and Executive Officer and the Minnesota Department of Health,~~ commissioner shall work toward the objectives of:

~~a.~~ 1. The proper classification of positions in order that positions essentially alike in duties and responsibilities shall be treated alike and that positions not so alike shall be treated with due consideration of the nature and extent of the differences between them.

~~b.~~ 2. Fair and equal opportunity to all qualified citizens of the United States to compete for positions and promotions under the jurisdiction of the merit system solely on the basis of merit and fitness as ascertained through practical examination.

~~c.~~ 3. An attractive career service in public health employment within the State of Minnesota.

~~2. The ultimate purpose in effecting the merit principle of personnel administration of the local Public Health agencies is to promote economy and effective service.~~

B. Adoption of the rules. ~~1. These~~ Rules 7 MCAR §§ 1.235-1.263 have been adopted to accomplish the objectives stated in ~~7 MCAR § 1.236~~ A. The rules have been promulgated by the ~~State Board of Health~~ commissioner in accordance with ~~Minnesota Statutes 1969, Section 144.071~~ Minn. Stat. § 144.071, and in compliance with the provisions of ~~Minnesota Statutes, Chapter~~ Minn. Stat. ch. 15. Rules 7 MCAR ~~§~~ §§ 1.235 ~~through 7 MCAR §~~ 1.263 of the public health merit system have been adopted in accordance with ~~Chapter 15 of Minnesota Statutes~~ Minn. Stat. ch. 15 and have the force and effect of law. ~~Rules~~ Merit System Manual IV-5000 ~~through~~ 6530 of the public health merit system ~~provide~~ provides instructions to appointing authorities necessary to the implementation of the rules ~~and regulations~~. These rules from the manual are accorded similar status under these rules ~~and regulations~~.

C. Amendment of the rules. ~~1.~~ If and when it appears desirable in the interests of good administration, the ~~State Board of Health~~ commissioner with the advice and recommendations of the council, may amend these rules after compliance with the provisions of ~~Minnesota Statutes, Chapter~~ Minn. Stat. ch. 15. For this purpose, the ~~Secretary and Executive Officer~~

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

commissioner is authorized to call and hold public hearings for the purpose of amending these rules as well as to perform any and all acts incidental thereto, including but without being limited thereto, signing an order for hearing and notice of hearing as well as acting as presiding officer or appointing a presiding officer for the hearing. Amendments of the rules ~~and regulations~~ specified in ~~7 MCAR § 1.236~~ B. ~~1.~~ shall be considered as amendments of these rules.

D. Editing of the rules. ~~1. Prior to~~ Before issuing or reissuing sections of the merit system rules, the supervisor may make the following, and only the following, changes. Such changes shall not be deemed to be amendments to the rules, and each shall be reported to the ~~Secretary and Executive Officer~~ commissioner before release of the material. Any changes not approved by the ~~Secretary and Executive Officer~~ commissioner shall be excluded from the material to be released. The supervisor may make:

~~a.~~ 1. Changes to correct spelling or typographical errors~~.~~;

~~b.~~ 2. Changes to correct grammatical construction, but ~~such~~ the changes shall not alter the interpretation, intent, or purpose of the rule~~.~~;

~~c.~~ 3. Changes to correct exact quotations of statutes~~,~~ which are clearly identified as such by enclosure in quotation marks and by citation of statutory reference~~,~~ when enactment of statutory amendments make ~~such~~ that action necessary to make the quotations true and accurate~~.~~ ; and

~~d.~~ 4. Changes to renumber rules or rule references as necessary due to the adoption of new rules or the abolition of existing rules.

E. Positions covered ~~by these rules~~.

~~1.~~ ~~These~~ Rules 7 MCAR §§ 1.235-1.263 shall apply to every position created under the jurisdiction of the local public health authority and for which any federal personnel funds are paid to the local jurisdiction except any local public health officer appointed pursuant to ~~Chapter 145, Minnesota Statutes 1969~~ Minn. Stat. ch. 145, ~~created under the jurisdiction of the local public health authority~~ and except the position of the director of a comprehensive health department established pursuant to ~~Chapter 235, Minnesota Sessions Laws 1969, for which any federal personnel funds are paid to the local jurisdiction~~ Laws of 1969, ch. 235.

F. Political activity.

1.-4. [Unchanged.]

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

6. [Unchanged.]

G. Prohibition against discrimination; generally. ~~1.~~ No person shall be discriminated for or against such matters as his recruitment, examination, appointment, tenure, compensation, classification, or promotion or in such matters as conditions, facilities, or privileges of employment because of his race, color, creed, religion, national origin, physical disability ~~(~~where such disability does not interfere with the completion of assigned duties~~)~~, age, or sex. Any person aggrieved by a violation of the above prohibitions may file a complaint under the provisions of ~~the Minnesota State Act Against Discrimination, Chapter 363 of Minnesota Statutes~~ Minn. Stat. ch. 363.

~~2.~~ H. Political opinions; discrimination. No person shall be discriminated for or against as provided in ~~MCAR § 1.236~~ G. ~~1.~~ because of his political opinions or affiliations within the limitations imposed by ~~Rules 1126~~ F., nor shall discrimination occur because of any other non-merit factor. Any person aggrieved by a violation of a prohibited discrimination that does not come within the jurisdiction of ~~Chapter 363 of Minnesota Statutes~~ Minn. Stat. ch. 363 may file a complaint with the supervisor setting forth the basis of his belief that an act or threat or promise of an act of discrimination occurred and identifying by name and position the person alleged to have committed such act or threat or promise of an act of discrimination.

~~3.~~ I. Investigations of discrimination. The supervisor or his designated representative shall conduct an investigation of the alleged discrimination and shall report the complaint and the findings of the investigation to the council at its next meeting. The complainant shall have the right to present his complaint personally to the council. The council shall order any further investigation or hearing as may be warranted ~~preliminary to~~ before making its decision. If the council finds that discrimination has occurred, it shall take whatever action it deems warranted and within its authority to remedy the effect of any act or threat or promise of an act of discrimination and to prevent future discrimination.

~~H.~~ J. Violations.

1. Violations of any of the provisions of ~~these rules~~ 7 MCAR §§ 1.235-1.263 by an employee in the service shall be considered sufficient cause for the dismissal of ~~such~~ that person.

2. Violations of 7 MCAR §§ 1.235-1.263 by an appointing authority shall be brought to the attention of the appointing authority by the supervisor. The notice shall include remedial measures necessary to correct past violations and to ensure future compliance. If the appointing authority refuses to take corrective action, the supervisor shall inform the commissioner who shall take appropriate action including, but not limited to, denial or suspension of all or part of state and federal administrative reimbursement funds.

3. An appointing authority may appeal any denial or suspension of administrative reimbursement to the merit system council which shall make its recommendation to the commissioner. The commissioner's decision shall be final.

7 MCAR § 1.237 Organization.

A. ~~Minnesota State Board of Health~~ Duties and powers of commissioner.

~~1.~~ "The ~~Board~~ commissioner 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~~ commissioner may utilize facilities and personnel of any state department or agency with the consent of such department or agency. The ~~board~~ commissioner may also, by rule or regulation, cooperate with the federal government in any manner necessary to qualify for federal aid." ~~(Minnesota Statutes 1969, Section~~ Minn. Stat. § 144.071.~~)~~

B. ~~Provisions of Rules to Affect Employees of Local Public Health Authorities with Civil Service Systems~~ Affected employees. ~~1.~~ The authority to require methods relating to the establishment and maintenance of personnel standards on a merit basis shall extend to all employees of local public health authorities with civil service systems except as provided in 7 MCAR § 1.236 E.~~,~~ ~~and these rules~~ Rules 7 MCAR §§ 1.235-1.263 shall be applicable to ~~such~~ these employees until ~~such time as~~ the local jurisdiction adopts and maintains rules and regulations affecting classification and compensation, examination and certification of eligibles, and other personnel standards that substantially conform to ~~these rules~~ 7 MCAR §§ 1.235-1.263 and are so certified as conforming by the supervisor.

C. Public Health Merit System Council.

1. The Public Health Merit System Council shall be the council appointed by the Governor to serve as the council for the county welfare merit system.

2. It shall be the duty of the council within the scope of ~~these rules~~ 7 MCAR §§ 1.235-1.263:

a. To establish general policies for the administration of merit examinations and the hearing of personnel appeals as provided in ~~Rule~~ 7 MCAR § ~~1.254.~~ 1.2541;

b. To hear such appeals or to appoint an appeal board of three members or to appoint a referee to hear such appeals on its behalf~~.~~;

c. To consult with the supervisor in formulating procedures for the purpose of insuring conformity with the rules and the policies of the council~~.~~;

d. To review the classification and compensation plans in relation to the merit system program of recruitment and examination and to consult with the ~~Secretary and Executive Officer~~ commissioner on their adoption and revision~~.~~;

e. To make recommendations to the ~~Secretary and Executive Officer~~ commissioner about internal personnel policies to insure conformity with ~~the rules.~~ 7 MCAR §§ 1.235-1.263;

f. To promote public understanding of the purposes, policies, and practices of the merit system~~.~~;

g. To review and make recommendations to the ~~Secretary and Executive Officer~~ commissioner about amendments to the rules of the public health merit system.

3. Meetings of the council shall be held as often as necessary and practicable upon call of the chairman, of the supervisor, or of the ~~Secretary and Executive Officer~~ commissioner. The ~~Secretary and Executive Officer~~ commissioner shall have the right to be represented at all meetings of the council, but such representation shall be without voting power. The council shall adopt procedures for the conduct of its activities.

4. [Unchanged.]

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

~~C.~~ D. Public health merit system supervisor.

1. The public health merit system supervisor shall be the duly appointed supervisor of the Minnesota merit system.

2. In conformance with ~~these rules~~ 7 MCAR §§ 1.235-1.263, it shall be the duty of the supervisor to:

a. ~~To~~ Develop and put into continuous effect policies and procedures for the administration of the merit system as they relate to the preparation, administration, and scoring of examinations; the preparation, custody, and maintenance of registers of eligibles; the determination of availability of eligibles for appointment; the certification for appointments; and the determination of the adequacy of existing registers~~.~~;

b. ~~To~~ Develop and administer the classification and compensation plans and to consult with the ~~Secretary and Executive Officer~~ commissioner and with the council on the adoption and revision of such plans as they relate to the merit system program of recruitment and examination~~.~~;

c. ~~To~~ Maintain personnel records of all persons employed under the merit system and records of all personnel action~~.~~;

d. ~~To~~ Promote public understanding of the purposes, policies, and practices of the merit system and to develop and put into effect procedures for carrying out the personnel administration of the rules ~~and regulations~~ of the merit system~~.~~;

e. ~~To~~ Appoint ~~members of his~~ a staff, including technicians, clerks, stenographers, and such other permanent or temporary employees as are necessary to carry out the provisions of ~~these rules~~ 7 MCAR §§ 1.235-1.263. ~~Such~~ The employees shall be chosen in accordance with the ~~provisions of the State Civil Service rules and regulations.~~ rules of the Minnesota Department of Employee Relations;

f. Review, develop, and propose amendments to existing merit system rules for consideration and recommendation by the merit system council and in accordance with Minn. Stat. ch. 15; and

~~f.~~ g. ~~To~~ Perform ~~such~~ other duties ~~as are~~ prescribed by ~~these rules~~ 7 MCAR §§ 1.235-1.263 or by the council.

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~~ 7 MCAR §§ 1.235-1.263 which shall be published as part of the Health Merit System Manual. 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~~ necessary.

C. ~~Reallocation~~ Reclassification 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~~ reclassified positions.

1. When a position is reclassified and it is determined to be a reallocation, the supervisor may authorize an appointing authority to promote the incumbent of the reallocated position. An employee so promoted shall serve a probationary period in the higher class.

2. When a position in one class is ~~reallocated to a different class~~ reclassified because of a change in allocation, the incumbent shall not be deemed eligible to continue in ~~this~~ the 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~~ 7

MCAR §§ 1.235-1.263 as may be deemed to be applicable. If ineligibility of a permanent or probationary incumbent of such a ~~reallocated~~ reclassified 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. A transfer, promotion, demotion, or layoff in accordance with 7 MCAR §§ 1.235-1.263 must occur within 60 days of the notification of reclassification of the position.

~~2.~~ 3. The Commissioner of Health may authorize the ~~reallocation~~ reclassification 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~~ reclassified 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.

4. 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.~~ 7 MCAR § 1.2442 B., 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.

E. Class specifications.

~~1.~~ The classification plan shall consist of written specifications for each class. Each specification shall include an appropriate class title, a description of the duties and responsibilities of the work, and the requirements of training, experience, and other qualifications.

F. ~~Amendment~~ Revision of ~~the Classification~~ plan.

~~1. Whenever any changes in organization, creation of a new position, or a change in duties or responsibilities of a position necessitate a revision of the classification plan, the Supervisor shall conduct an investigation and analysis of the duties and responsibilities of the class specifications involved. New class specifications will be developed after consultation with the supervisory officials, classification specialists, and persons technically familiar with the character of the work.~~

~~2. The proposed new or revised class specifications shall be submitted to the Merit System Council for review and recommendations. Upon such review and recommendation the Secretary and Executive Officer shall call and hold a public hearing on the proposed new or revised class specifications. Following the public hearing, the State Board of Health may formally adopt a new or revised class of positions and shall notify the agencies of the changes made.~~

~~3. In the event of an emergency, the Merit System Council may approve a new or revised class specification for a period not to exceed six months, without the official Public Hearing. In no case will an emergency class specification last more than six months from the date of approval by the Merit System Council.~~ Existing classes may be abolished or changed and new classes added in the same manner as outlined in A.

7 MCAR § 1.239 Preparation of compensation plan.

A. ~~Preparation and~~ Commissioner's adoption.

~~1.~~ The commissioner shall formally adopt and make effective a comprehensive compensation plan ~~(~~, as provided in 7 MCAR § 1.314~~)~~, for all classes of positions which shall apply to all agencies covered by the merit system except as otherwise negotiated for employees in a bargaining unit in agencies where there is an exclusive representative or in those ~~limited~~ instances where the requirements of 7 MCAR § ~~1.260 C.~~ 1.2395 B.3. have been satisfied. The plan shall include salary ranges for the various classes, with the salary of each class consistent with the duties and responsibilities outlined in the class specifications. Minimum, intervening, and maximum rates of pay for each class shall be established to provide for ~~steps in~~ salary advancement without change of duty, in recognition of meritorious service. The advice and suggestions of appointing authorities, prevailing salary rates ~~in other similar employments~~ for similar and competing types of employment in business and government, and other relevant factors shall be taken into consideration in ~~arriving at such~~ developing the salary ranges.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

~~2.~~ B. Review by council. The proposed compensation plan and any ~~subsequent~~ amendments shall be submitted to the council for review and recommendation ~~in relation to the Merit System program of recruitment and examination.~~ After review and recommendation by the council and after compliance with Minn. Stat. ch. 15, the commissioner shall formally adopt the compensation plan. That plan shall be the official salary schedule of the Minnesota merit system on the date specified in the plan.

C. Classes of positions in plan. The comprehensive compensation plan shall provide for separate alphabetically designated salary plans for different occupational groupings of classes reflecting progressively higher salary ranges except for those classes for which a single range of rates is found to be appropriate. Plans shall be established as provided in 7 MCAR § 1.314 as follows:

1. Professional and administrative: A, B, and C;

2. Health services support: A, B, and C;

3. Clerical: A, B, and C; and

4. Building maintenance: A and B.

~~B.~~ 7 MCAR § 1.2391 **Selection of salary ranges by local public health authority.**

~~1. The local Public Health authority shall select a salary plan for all employees 1) except those in a bargaining unit where a salary schedule has been negotiated by the appointing authority and the exclusive representative and 2) except as provided in 7 MCAR § 1.239 B.6. Such a plan shall be selected from each of the following salary schedules provided under 7 MCAR § 1.314. Professional—A, B, C; Health Services Support Personnel—A, B, C; Clerical—A, B, C, D, E, F; and Building Maintenance—A and B.~~

~~2. Such rates, as provided for in 7 MCAR § 1.239 B.1., shall be identified by alphabetical designation, and adjustment of the plan as provided by 7 MCAR § 1.239 D. shall not serve to amend the alphabetically designated rates selected as the county plan.~~

~~3. The designation of the rates selected from the plan in each case shall be by resolution of the Public Health authority. The Supervisor shall be promptly notified of the rates selected by each jurisdiction.~~

~~4. The alphabetically designated rates selected by the local Public Health authority shall become the official plan for the local Public Health agency until amended by the salary setting authority as provided in 7 MCAR § 1.239 C.~~

~~5. Salary rates for incumbents of positions shall be established in accordance with the provision of 7 MCAR § 1.260 B.1. and 7 MCAR § 1.260 B.2. on the basis of the plan adopted by the local Public Health authority as provided above.~~

A. Adoption of an official plan. Appointing authorities shall choose a salary plan by resolution for each occupational grouping of classes from among the plans listed in 7 MCAR § 1.239 C. unless the provisions of E. apply or if salaries are negotiated with an exclusive representative. The plans adopted shall be the official plans for the appointing authority until amended.

B. Selection of rates. By resolution, each appointing authority shall designate the minimum, intervening, and maximum salary rates to be paid for each class of positions used by the appointing authority. The rates must be within the minimum and maximum salaries for the classes in the adopted plan. The appointing authority shall promptly notify the supervisor about the rates selected.

C. Plan amendments. By resolution, the appointing authority may amend its official plan for one or more occupational groupings of classes. The appointing authority shall promptly notify the supervisor about official action taken to amend its plan.

D. Incumbents. Salary rates for incumbents of positions shall be established in accordance with 7 MCAR § 1.2395 B.-C. on the basis of the plan adopted as provided in 7 MCAR § 1.239 C.

~~6.~~ E. Nonrepresented employees. In agencies with an exclusive representative, the appointing authority ~~has the discretion of paying~~ may pay confidential, supervisory, and other personnel not covered by an exclusive representative who are in the same class as employees who have an exclusive representative, the same rate of pay and salary ranges as negotiated for the class under 7 MCAR § ~~1.239 E.1.~~ 1.2393. In no case would this rule allow the appointing authority to reduce the rate of pay of confidential, supervisory or other excluded employees.

~~C. Amendment of Salary Ranges Selected by Local Public Health Authority.~~

~~1. The local Public Health authority may amend the official plan for the jurisdiction by the selection of a different salary schedule as provided in 7 MCAR § 1.239 B.~~

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

~~D.~~ 7 MCAR § 1.2392 Adjustment of the official salary schedule of the Minnesota merit system.

~~1.~~ A. In general. 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 employment and for changes in the Twin City Consumer Price Index.

~~2.~~ B. Review of labor market conditions. 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 the decision.~~

C. Plan amendments. From the results of this study, the supervisor shall propose amendments to the compensation plan in accordance with Minn. Stat. ch. 15 and 7 MCAR § 1.239. 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.~~ D. Review of consumer price index. 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%~~ nine percent. 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. Plan adjustments. 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 the employees were paid under the former plan.

~~E.~~ 7 MCAR § 1.2393 Negotiation of salary schedule.

~~1.~~ A. Role of exclusive representative. 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~~ Minimum, 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

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

the middle of the contract period and ~~such~~ that class falls within the bargaining unit and no provision exists in the contract for establishing ~~such~~ those salaries, the appointing authority and the exclusive representative shall negotiate a salary schedule for the new classification within ~~sixty~~ 60 days of the date of establishment of the classification.

~~2.~~ B. Filing. 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.

~~F.~~ 7 MCAR § 1.2394 Administration of the plan; minimum rates of pay.

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

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

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

~~AND~~

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

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

~~e. Such appointments under a. or b. above shall be subject to the prior approval of the Supervisor upon submittal by the appointing authority of a written statement of the reasons for the higher rate.~~ In agencies without an exclusive representative or where the collective bargaining agreement is silent regarding initial salaries, the entrance salary for any new employee shall normally be at the minimum rate of pay for the class to which the appointment is made. Requests to appoint above the minimum rate of pay may be made based on the exceptional qualifications of the candidate or the unavailability of candidates at the minimum rate, giving consideration to the salaries of current employees in the same classification. All candidates with similar exceptional qualifications must be offered the same rate of pay which shall be one of the established steps in the agency's adopted salary range for the class to which the appointment is made. A request to appoint above the minimum rate of pay must be submitted in writing by the appointing authority to the supervisor for prior approval and must include the reasons why the request is being made.

7 MCAR § 1.2395 Salary adjustments and increases.

A. Availability of funds. Before salary increases and adjustments are made in accordance with related rules or in accordance with a negotiated collective bargaining agreement, the local public health authority shall have in its records and carry in its minutes a definite statement that funds for this purpose are available.

B. Plan requirements. In agencies where there is no exclusive representative or collective bargaining agreement, negotiated adjustments in the rates of pay of incumbents of positions, in order to conform to a newly adopted or currently effective compensation plan, shall be in accordance with 1.-8.

1. If the rate of pay of an employee is below the minimum of the range prescribed for the employee's classification on the merit system compensation plan adopted by the local public health authority, the rate shall be adjusted to that minimum.

2. If the rate of pay of an employee is at or above the new minimum salary adopted for the employee's class, the employee may receive the general merit system adopted adjustment and, if the employee's class was adjusted to a greater extent than the general adopted adjustment, the employee may receive the additional adjustment as provided in 7 MCAR § 1.2392 D. as long as that additional adjustment does not place the employee's salary over the new maximum adopted salary for the class.

3. If a local public health authority determines the general merit system adopted adjustment is inappropriate for its employees, the authority may grant a different adjustment. The authority shall file with the supervisor the new salary steps by class and a salary conversion table as provided for in 7 MCAR § 1.315. The adjustments shall at least place employees at the minimum salary and not over the maximum salary for their classes, on the salary plan adopted by the authority.

4. Employees at the maximum salary for their class may be granted salary adjustments over the maximum salary prescribed for their class only if that merit system adjustment is adopted and only in the amount adopted for incumbents of that class.

5. If the rate of pay of an employee is higher than the maximum of the range prescribed for the employee's class of positions, the rate may remain the same as long as the employee retains the same classification.

6. If the rate of pay of an employee falls between the minimum and maximum of the salary range prescribed for the employee's class but does not correspond to any intervening steps in the range due to the adoption of a merit system general adjustment, that rate may remain the same. In the case of subsequent merit increases, the employee shall be placed back on a step in the adopted salary range for the appropriate class.

7. Employees at the maximum salary rate for their class may be granted merit system adopted salary adjustments only in the amount adopted for incumbents of that class. If an appointing authority wishes to grant a larger general adjustment to its employees than that adopted by the merit system and that adjustment would place an employee's rate of pay above the maximum salary rate for the employee's class, the appointing authority by prior resolution may grant to that employee the annual equivalent of the difference between the merit system adopted adjustment for incumbents and the agency adopted adjustment in the form of a single lump-sum salary payment on the effective date of the general adjustment. The employee's base salary shall remain at the maximum salary rate for the class.

8. An appointing authority may propose a salary increase within the salary range to an employee upon detailed written statements to the supervisor specifying the unusual employment conditions that make that action necessary and the interests of the authority that will be served by that action. The supervisor shall review each proposal giving due consideration to the salary rates paid other employees in the same class in the authority and may deny any request which in his judgment is contrary to the best interests of the merit system. Salary increases proposed in accordance with this provision are not based on employee performance or a general merit system adopted salary adjustment. The granting of such an increase shall not affect the employee's eligibility for subsequent merit increases or salary adjustments in accordance with merit system rules. If the unusual employment conditions giving rise to such an increase are of a temporary nature, the employee's salary shall be decreased to its previous level upon termination of those conditions, notwithstanding the provisions of 7 MCAR § 1.2397 A. or 1.2541 D.1.

C. Recommended adjustments. The merit system general adjustment recommended for incumbents is eight percent for employees on the professional and administrative, health services support, clerical, and building maintenance salary schedules.

D. Salary differentials. Intra-agency salary differentials between employees in the same class of positions, between employees in different classes of positions in the same occupational field, and between occupational fields in the same appointing authority are recognized as important factors in the maintenance of satisfactory morale. If the general adjustments result in the reduction of the differentials between employees in the same class of positions or between employees in different classes of positions in the same occupational field, adjustments may be made that will insofar as practicable, maintain differentials, within the limits of the new plan. In maintaining differentials, the appointing authority shall take into consideration the length of service and quality of performance of the employee affected.

E. Collective bargaining agreement. In agencies where there is an exclusive representative and a negotiated salary schedule for employees in the bargaining unit, adjustments in the rates of pay of employees shall follow the wording of the contract or agreement.

7 MCAR § 1.2396 Merit increases.

A. Increases by steps. Merit increases from the minimum on the official merit system compensation plan or on any negotiated salary schedule or on any salary schedule filed with the supervisor pursuant to 7 MCAR § 1.2395 B.3. shall be by successive intervening steps of pay for the class, with due consideration for length of service and quality of performance.

B. Eligible employees. In appointing authorities that have adopted a merit increase policy, an employee may be considered for a merit increase upon the satisfactory completion of the probationary period.

C. Annual review for merit increases. In appointing authorities that have adopted a merit increase policy, a merit increase for each employee not at the maximum salary for his or her classification shall be considered at least once each 12-month period unless otherwise negotiated through a contract or agreement by the appointing authority and the exclusive representative. If an increase is not granted, the reasons for the denial of the increase shall be reported, in writing, to the employee and to the merit system supervisor.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

D. Restriction on frequency of increases. In appointing authorities that have adopted a merit increase policy, except as otherwise negotiated by the appointing authority and the exclusive representative, a merit increase shall not be granted until the employee has served at least six months at the rate of pay from which an increase is proposed, except that in cases of exceptionally meritorious service, a merit increase of more than one salary step in the range or at less than a six-month interval may be permitted. In each case, however, the facts upon which the merit increase is based shall be recorded in the official minutes of the local public health authority and reported to the merit system supervisor.

E. Increases based on additional education. In appointing authorities that have adopted a merit increase policy, an extraordinary merit increase within the authority's salary range may be granted upon satisfactory completion of 15 additional credits in a field or fields pertinent to the employee's class. In each case the employee's transcript of coursework must accompany the proposed merit increase.

F. Lump sum payments. In appointing authorities that have adopted a merit increase policy, the appointing authority may grant an employee who meets all other eligibility requirements of the authority for a merit increase but whose salary is at or above the maximum rate of pay in the adopted salary range for the relevant classification, the annual equivalent of a one step merit increase in the form of a single lump sum payment in recognition of meritorious job performance. Before this provision can be effective, an appointing authority must establish by resolution as its official policy prior to the beginning of the year in which such merit increases are granted that such payments will be granted for meritorious job performance. The base salary of an employee receiving a lump sum merit increase shall remain at the rate attained immediately prior to the increase.

7 MCAR § 1.2397 Salary decreases.

A. In general. Except as otherwise negotiated by an appointing authority and the exclusive representative, a salary decrease within the range prescribed for the class may be made only for just cause. A permanent employee shall be notified of the intent to effect a reduction in pay and the reasons for the action at least ten calendar days prior to the date on which the reduction becomes effective. A copy of the notice shall be sent to the supervisor. A permanent employee whose salary is reduced may request a hearing as provided in 7 MCAR § 1.2541 D.1.

B. Exemption. Collective bargaining agreement provisions whereby a salary adjustment or salary increase is negotiated for a set period of time do not fall within the provisions of A.

7 MCAR § 1.2398 Work out of class. If an employee is expressly assigned in writing to perform all the duties of a position allocated to a higher classification that is temporarily unoccupied for reasons other than vacation or sick leave and that work exceeds 15 consecutive work days in duration, the employee so assigned shall be paid for all hours of the assignment at least at the minimum rate of pay of the salary range for the higher class or may be granted a one step salary increase within the employee's salary range. If the assignment is to a position in a classification at an equal or lower level, the employee shall be paid for all hours of the assignment at the employee's current rate of pay. A work out of class assignment may be proposed only if the duration of the vacancy is anticipated to be less than six months. Approval of these assignments by the supervisor is required and requests for approval must be received by the supervisor within five calendar days of the assignment. Upon completion of the work out of class assignment, the employee's salary shall be reduced to its previous level, notwithstanding the provisions of 7 MCAR § 1.2397 A. or 1.2541 D.1.

7 MCAR § 1.242 Examinations; general characteristics.

A. ~~Character~~ Content of examinations. ~~1.~~ Examinations for entrance into the public health merit system shall be conducted on ~~an open~~ a competitive basis. Examinations shall be practical in nature, shall be constructed to reveal the capacity of the applicant for the particular position for which he is competing as well as his general background and related knowledge, and shall be rated objectively. ~~A practical written test shall be included, except that when peculiar and exceptional qualifications of a scientific or professional nature are required and competition through an assembled examination is impracticable, an unassembled examination may be held. The Supervisor shall determine when competition through an assembled examination is impracticable. Examinations may also include:~~

~~a. A competitive performance test for stenographic and typing positions and for any other positions involving the operation of office machines;~~

~~b. A rating of training and experience for the more responsible positions, including all professional, technical, supervisory, and administrative positions;~~

~~c. An oral examination for positions that require frequent contact with the public, or that involve important supervisory or administrative duties, provided, however, the Supervisor may eliminate the oral examinations for those classes of positions in which it is anticipated that the entire eligible register will be exhausted within a relatively short period~~ The supervisor shall

determine the content of all examination processes. Examinations may include, but are not limited to, performance tests, written examinations, ratings of experience and training, promotional ratings, and oral examinations.

~~2.~~ B. Weighting of parts. The supervisor shall assign definite weights to each part of the examination prior to its public announcement.

~~3.~~ C. Positions for disadvantaged groups. Recruitment and selection for those positions identified in the minimum qualifications of the class specification as directed toward clients and other disadvantaged groups will be limited to persons of low income ~~and/~~or low educational achievement, including the physically and mentally disabled. It will be the specific responsibility of the individual appointing authorities to effectively make known opportunities for these jobs to such persons. Persons who do not meet these limitations will be disqualified from competition for these positions and notified of the reasons therefor. Examinations for these positions will include at least one of the following: performance test, ~~structured technical~~ oral examination, ~~practical~~ written test, or oral directions test combining aspects of performance and minimum literacy. The supervisor shall assign definite weights to each part of the examination prior to its public announcement. Eligible lists will be established on an area ~~and/~~or county basis only or on the basis of both area and county. Certification of eligibles on an area basis smaller than the county unit may be approved by the supervisor. Since these positions cover a broad range of duties requiring many different abilities, knowledges, and basic skills, notwithstanding other provisions of the rules, the supervisor also may approve selective certification of eligibles who possess a particular ability, knowledge ~~and/~~or skill or a combination of these attributes.

~~B.~~ 7 MCAR § 1.2421 Notice of examinations. ~~1.~~ The supervisor shall ~~give public announcement of~~ announce all examinations for original entrance into the public health merit system at least ~~three~~ two weeks in advance of the closing date for receipt of applications, and ~~he~~ shall make every reasonable effort to attract qualified persons to compete in these examinations. Notice of examinations shall be posted in important centers throughout the state, and copies shall be distributed among ~~local Public Health Offices and Boards of County Commissioners~~ appointing authorities throughout the state, newspapers, public officials, educational institutions, professional and vocational societies, and such other organizations and individuals as the supervisor may deem expedient. Public announcements of examinations shall specify the title and salary ranges of the classes of positions, ~~with beginning salary,~~ the duties to be performed, the minimum qualifications required, the final date on which applications will be received, and all other conditions of competition, including the relative weight assigned to the various parts of the examination ~~and the fact that failure in one part of the examination will disqualify an applicant~~.

~~C.~~ 7 MCAR § 1.2422 Conduct of examinations.

~~1.~~ A. Place; monitors. Written tests shall be conducted simultaneously in as many places as are necessary for the convenience of the applicants and as are practicable for proper administration. The supervisor may designate such monitors as may be necessary to conduct examinations under instructions prescribed by him and may also arrange for the use of public buildings in which to conduct the examinations. The supervisor shall provide for the compensation of monitors in accordance with the approved budget for the purpose.

~~2. The identity of persons taking competitive assembled examinations shall not be disclosed to the examiners. An identification number, which shall be used to identify all papers of each applicant, shall be assigned by the Supervisor to each applicant. Any examination papers bearing the name of the applicant or identification other than an identification number shall be rejected. In a case of rejection the Supervisor shall promptly notify the applicant.~~

B. Refusal to score. The supervisor may refuse to score the examination of an applicant who copies another applicant's examination paper, or who falsifies his or her identity to gain admittance to the examination, or who otherwise meets the criteria for disqualification as provided in 7 MCAR § 1.241 B.1.

~~D.~~ 7 MCAR § 1.2423 Rating examinations.

~~1.~~ A. Determination of score. The supervisor shall determine a final score for each applicant's examination, computed in accordance with the weights for the several parts established by the supervisor as set forth in the announcement. Failure in any part of an examination ~~shall~~ may disqualify the applicant in the entire examination ~~and shall disqualify him from participation in subsequent parts of the examination~~. All applicants for the same position shall be accorded uniform and equal treatment in all phases of the examination procedure.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

~~2.~~ B. Determination of passing point. The supervisor shall utilize appropriate scientific techniques and procedures in rating the results of examinations and in determining the final scores of the applicants. ~~In determining the system for rating results of the examinations, the Supervisor and the Council shall give~~ The supervisor shall establish reasonable passing points for all examinations, giving due regard to the number of applicants and to the number of vacancies that may reasonably be expected to occur during the life of the register.

~~E.~~ 7 MCAR § 1.2424 Rating training and experience.

~~1.~~ When training and experience form a part of the total examination, the supervisor shall determine a procedure for the evaluation of the training and experience qualifications of the various applicants. The formula used in appraisal shall give due regard to recency and quality, as well as quantity, of experience and to the pertinency of the training. This procedure shall allow for the substitution of training for experience, and experience for training, within the limits stated in the class specifications.

~~2. The Supervisor will investigate an applicant's training and experience to verify the statement contained in his application form and to obtain evidence about his character and fitness either before rating his training and experience or after giving an initial rating but before certification from the register. If this investigation produces information affecting a rating of training and experience already given, the Supervisor shall rerate the applicant's record accordingly and shall make the necessary adjustment on the register. He shall also promptly notify the applicant of any such rerating.~~

~~F.~~ 7 MCAR § 1.2425 Oral examinations.

~~1.~~ When an oral ~~interview or oral test~~ examination forms a part of a total examination for a class of positions, the supervisor shall ~~appoint~~ select one or more oral examination boards as needed. An oral examination board shall consist of two or more members who shall be known to be interested in the improvement of public ~~administered~~ administration and in the selection of efficient government personnel and at least one of whom shall be technically familiar with the character of work in the position for which the applicant will be examined. Any person holding political office or any officer or committee member of any political organization, or any person actively engaged in the work of any political organization, shall not serve as a member of any such board. If practicable, all applicants qualifying for the oral examination for the same class of positions shall be rated by the same oral examination board. A member of any oral examination board shall disclose each instance in which he knows the applicant personally and ~~shall not rate such~~, in those instances, the supervisor shall determine whether that member shall rate that applicant.

~~G.~~ 7 MCAR § 1.2426 Notice of examination results.

~~1.~~ Each applicant passing all parts of the examination shall be notified by mail by the supervisor of his final rating as soon as the rating of the examination has been completed and the register established. An eligible, upon request and presentation of proper identification, shall be entitled to information about his relative position on a register. An applicant who fails any part of the examination or the total examination shall be promptly notified of his failure.

~~H. Special Written Tests~~

~~1. No applicant shall be given a special written test unless the Council by formal and recorded action finds that the applicant's failure to take or complete the original written test was due to an obvious error in connection with the administration of the examination for which the Supervisor or one of his assistants was responsible. The Council's findings and decision shall be recorded in its minutes. No claim for a special written test shall be allowed unless it is filed in writing with the Council within ten days after the date the original written test was held. Any special written test shall be constructed on a pattern similar to the original written test.~~

~~I.~~ 7 MCAR § 1.2427 Examination records.

~~1.~~ The supervisor shall be responsible for the maintenance of all examination records ~~pertinent to the Public Health Merit System examinations~~. Applications and other necessary examination records shall be kept during the life of the register. Examination records of appointees shall be kept permanently, but examination records of applicants not appointed may be destroyed 30 days after the register expires.

7 MCAR § 1.244 ~~Certification of Eligibles.~~

~~A.~~ Methods for filling vacancies.

~~1.~~ Vacancies in the classified service shall be filled by reemployment, original appointment, promotion, transfer, demotion, or reinstatement.

~~B.~~ 7 MCAR § 1.2441 Requisition for certification of certain individuals.

~~1.~~ If a vacancy in any position under ~~a local Public Health agency~~ an appointing authority is to be filled other than by reinstatement, noncompetitive ~~promotion~~ examination, transfer, or demotion, and a new employee is needed, a requisition shall be submitted by the appointing authority to the supervisor. ~~This~~ The requisition shall state the number of positions to be filled in

each class together with the class title and other appropriate information. In addition, desirable special qualifications for the particular position under consideration may be indicated. In requesting the certification of individuals with special qualifications, the appointing authority shall state in the request the reasons for the special qualification requested. Eligibles shall be certified in strict order of standing on the register, except in a case in which the supervisor~~, with the approval of the Council, after conference with the appointing authority,~~ has determined there is reason for a certification of an eligible with special qualifications. Requests for certification of certain individuals with special qualifications approved by the supervisor shall be reported to the council at its next scheduled meeting.

~~C.~~ 7 MCAR § 1.2442 Certification methods.

A. Entrance register. ~~1. Upon receipt of~~ After receiving a requisition, the supervisor shall certify the names of available eligibles. If one position is involved, he shall certify the seven highest available names together with any additional names of persons having an examination rating within three points of the person on the certification with the highest examination rating, and any additional names of persons having the same examination score as that of the seventh person certified, from the open-competitive entrance register established for the class of positions. Names of available eligibles from the appropriate reemployment register, if one exists, shall also be certified as additional names.

~~2.~~ B. Promotional register. The supervisor may also certify the three highest available names together with any additional names of persons having an examination rating within three points of the person on the certification with the highest examination rating, and any additional names of persons having the same examination score as that of the third name certified, from the appropriate promotional register ~~and reemployment register~~ if such ~~registers exist~~ register exists and ~~are~~ is requested. Names of available eligibles from the appropriate reemployment register, if one exists, shall also be certified as additional names.

~~3.~~ C. Multiple vacancies. If more than one vacancy exists, the supervisor shall certify at least as many names from the register as there are vacancies to be filled, together with any additional names of persons having an examination rating within three points of the person on the certification with the highest examination rating, and any additional names of persons having the same examination score as that of the seventh person certified on a competitive certification or as that of the third person certified on a promotional certification. Supplementary certifications will be issued only in instances in which it is found that there are less than seven available candidates on the competitive certification or three available candidates on the promotional certification.

~~4.~~ D. Selection for appointment. The appointing authority may select for appointment anyone among the certified candidates who are eligible for appointment.

~~5.~~ E. Inadequate registers. When the number of names available for filling any vacancy by original appointment, promotion, or reinstatement is fewer than seven on a competitive certification or three on a promotional certification, and there are fewer than three different names on all registers combined, the appointing authority may decline certification for that vacancy and may request certification from a register, or registers, that the supervisor deems appropriate.

~~6.~~ F. Provisional appointments. If there is no register that the supervisor deems appropriate, then the vacancy may be filled provisionally as provided for in 7 MCAR § 1.245 B.1.

~~D.~~ 7 MCAR § 1.2443 County-option certification.

~~1.~~ A. Request for list of eligibles. The appointing authority may request from the supervisor names of eligibles from either the state-wide original entrance register or from a sub-register for the county, a restricted area, or a district of the state, as set forth in 7 MCAR § 1.243 A.5. The supervisor, upon ~~receipt of~~ receiving such requisition, shall certify the names of eligibles from the register as requested.

~~2.~~ B. State-wide certification. If an appointing authority requests a certification of eligibles from a sub-register established for a specific locality but there are insufficient eligibles thereon, certification shall be made on a state-wide basis.

7 MCAR § 1.246 Probationary period.

A. Purpose.

~~1.~~ The probationary period is an essential part of the examination process and shall be used to closely observe the

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

employee's work, to obtain the most effective adjustment of a new employee to the obligations of the position, and to remove any employee whose performance does not meet the required standard of work.

B. When required.

~~1.~~ A person employed by ~~a local Public Health agency~~ an appointing authority in any of the following ways shall serve a probationary period~~.~~:

~~a.~~ 1. Appointment from an eligible register other than the layoff list~~.~~;

~~b.~~ 2. Reinstatement of a former probationary employee or of a former permanent employee in an agency other than the last employing agency~~.~~;

~~c.~~ 3. Transfer of an employee between ~~local Public Health agencies~~ authorities except when specifically waived ~~(~~in writing~~,~~ to the supervisor~~)~~ by the new employing ~~agency~~ authority prior to the date on which the transfer of a permanent employee becomes effective~~.~~; or

~~d.~~ 4. Transfer or reinstatement to a position on the basis of eligibility from a comparable position in a similar merit system jurisdiction.

~~2.~~ C. Probation as condition of employment. An appointing authority may effect a probationary period in an employment action in which such period is not required as specified ~~above~~ in B. by writing this condition of appointment on the appointment report submitted to the supervisor. In no case, however, may a probationary period be required of a permanent employee who is appointed from the layoff list.

~~C.~~ D. Duration of probationary period.

~~1.~~ The probationary period shall consist of the equivalent of the first full six months of ~~actual~~ compensated service following the date of the appointment action requiring such period, except as provided in ~~the following section~~ E. Unpaid leave of ten or fewer work days during the probationary period does not affect the duration of the period.

~~D.~~ E. Extension of probationary period.

~~1.~~ The probationary period shall consist ofthe equivalent of the first full six months of ~~actual~~ compensated service following the date of the appointment action requiring such period, except as provided in ~~the following section~~ E. Unpaid leave of ten or fewer work days during the probationary period does not affect the duration of the period.

~~D.~~ E. Extension of probationary period.

~~1.~~ In rare or unusual circumstances or conditions that prevent the making of a full and fair determination as a basis for granting permanent status or separating the employee from the service, ~~a three months~~ an extension of the probationary period for up to three months may be granted. Initiation of a request to the supervisor for extension must occur on or before the beginning of the sixth month of the probationary period and shall specify the reasons why the extension is ~~required in this instance~~ necessary. A current evaluation of the employee's performance shall accompany the request. A copy of the request for extension and the evaluation shall be provided to the probationary employee by the appointing authority.

~~2. The Supervisor shall make such investigation as he deems necessary to ascertain the validity of the request and assess the best interests of the service and of the probationary employee.~~ The supervisor's decision on the request shall be given to the agency and the employee at least ten days in advance of the end of the ~~six months~~ initial probationary period.

~~3.~~ Each formal request for extension of the probationary period and the ~~determination~~ decision on the request shall be reported to the council at its next meeting.

~~E.~~ F. Promotion during probation.

~~1.~~ An employee serving a probationary period may be promoted to a position in a higher class~~,~~ ~~provided that his name is certified in accordance with these rules from an eligible register established as a result of a competitive examination process~~. An employee who is promoted begins a probationary period in the higher classification as of the date of that appointment.

~~2.~~ A probationary employee who is promoted to a position in a higher class in the same occupational field ~~may~~ shall complete his probationary period in the lower class by service in the higher position.

~~F.~~ G. Transfer during probation.

~~1.~~ A probationary employee may be transferred from a position ~~in~~ under one ~~local Public Health agency~~ appointing authority to a position in the same class ~~in~~ under another ~~local Public Health agency~~ appointing authority if the employee was not appointed from a certification from a county ~~area sub-register of the state-wide~~ register.

~~G.~~ H. Demotion during probation.

~~1.~~ A probationary employee who is demoted to a class of positions in the same occupational field shall have included as part of the probationary period in the lower class his period of service in the higher class unless the appointing authority writes on the report of the demotion to the merit system that a ~~complete~~ new probationary period is required in the lower class.

~~H.~~ I. Removal during probation.

~~1.~~ A probationary employee may be dismissed by an appointing authority without the right to an appeal or hearing except as may otherwise be provided by law. The employee shall be given written notification of ~~his~~ dismissal, including the reasons for dismissal, at least five days in advance of the date on which the dismissal becomes effective. ~~The appointing authority shall submit to the Supervisor a written report of the reasons for the dismissal.~~ A copy of the notification shall also be submitted to the supervisor.

~~2.~~ A probationary employee who has permanent status in another class in the same agency and who is not granted permanent status in the new classification shall be restored to a position in the class from which he was promoted as his seniority permits or in a comparable class as these rules permit, unless the failure to grant permanent status was due to the misconduct of the employee.

~~3.~~ When there is no position to which the employee can be restored, because of abolishment of jobs or lack of seniority, the provisions of 7 MCAR § 1.249 D. apply.

~~I.~~ J. Completion of probationary period.

~~1.~~ The appointing authority shall submit written notice of the satisfactory completion of the probationary period to the employee and to the supervisor at least ten days in advance of the expiration of the probationary period. A rating or appraisal of the employee's performance shall accompany the notice. The employee shall then be granted permanent status in ~~his~~ the position the day following the last day of ~~his probation~~ the probationary period.

~~2.~~ K. Violation of rules; penalty. If an appointing authority fails to implement the purpose and intent of the probationary period by appropriate action as provided in ~~these rules~~ A.-J., a probationary employee who is not certified permanent in accordance with ~~7 MCAR § 1.246 I.1.~~ J. and is not removed or demoted but is continued in employment beyond the full ~~six months~~ six-month period shall obtain permanent status in the position by the default of the ~~agency~~ appointing authority. The payment of salary beyond the ~~six months~~ six-month probationary period shall be deemed to be evidence of the determination by the appointing authority that permanent status shall be granted to the employee. The supervisor shall enter such status on the record of the employee and shall notify the appointing authority and the employee of the change in status.

~~3.~~ L. Reports of violations. Each instance in which permanent status is granted to an employee in accordance with ~~the provisions of 7 MCAR § 1.246 I.2.~~ K. shall be reported to ~~the Secretary and Executive Officer and~~ the council. The council may recommend and the ~~Secretary and Executive Officer~~ commissioner may take appropriate action to insure that the purpose and intent of the probationary period shall be given effect in the ~~agency~~ appointing authority in all future appointments.

7 MCAR § 1.249 Separation, tenure and reinstatement.

A. 1.-2. [Unchanged.]

B. Dismissals.

1. [Unchanged.]

2. No employee who has permanent status shall be dismissed from ~~his~~ a position except for just cause. Before the action is taken, a permanent employee shall be furnished with a statement~~,~~ in writing~~,~~ setting forth reasons for the dismissal. He shall be permitted five days time to reply thereto~~,~~ in writing~~,~~ or, upon request, to appear personally and reply to the appointing authority. A copy of the statement and the employee's reply, if any, shall be filed with the supervisor prior to the effective date of the dismissal. Any such employee who is dismissed may demand a hearing before the merit system council in the manner prescribed by 7 MCAR § ~~1.254 E.2. (See 7 MCAR § 1.254 E.4. for dismissal procedure for veterans.)~~ 1.2541 D.

3. [Unchanged.]

C. Suspension.

~~1.~~ The appointing authority may, after written notice, suspend any employee without pay for ~~delinquency or misconduct~~ just cause for a period not to exceed 30 calendar days in any one calendar year. Suspensions of five or fewer

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

consecutive working days or ten or fewer working days in a calendar year are not appealable to the council under the provisions of 7 MCAR § 1.2541 D.1.

D. 1.-8. [Unchanged.]

E. 1. [Unchanged.]

F. Reinstatement ~~to Previous Class of Positions~~ of former permanent employee.

~~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 in good standing. 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~~ former probationary employee.

~~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~~ of resignation ~~became effective~~.

H.1. [Unchanged.]

I.1. [Unchanged.]

7 MCAR § 1.250 Leaves of absence.

A. ~~In General~~ Applicability of minimum standards.

~~1.~~ Leave policies stated in ~~this subdivision~~ B.-H. 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~~ appointing authority, ~~such~~ negotiated benefits may be applied to all employees of the agency.

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

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

B. ~~Minimum Policy~~

~~1.~~ Jury or witness duty.

~~a.~~ 1. After notice to the appointing authority, any employee under the merit system shall be granted leave with pay for~~:~~ service upon a jury or for 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.~~ 2. 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 listed in 1. ~~Monies~~ Moneys received as expenses shall be kept by the employee.

~~c.~~ 3. 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 agency 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.~~ C. Leaves of absence without pay.

~~a.~~ 1. 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~~ the one-year period. The appointing authority may require that the employee produce medical certification of fitness for work from a registered practicing physician ~~that he/she is fit for work~~ before returning the employee to the job.

2. 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~~ the leave is for 60 calendar days or ~~less~~ fewer. 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~~ the 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/ or her position subject to any eligibility for layoff, transfer, or demotion that ~~he/she~~ may have been 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/ or her class before the expiration of the leave in the same manner. Upon certification by ~~the~~ a 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 within the specified days, ~~he/she~~ the employee must notify the appointing authority and request an approval for a leave of absence.

~~3.~~ D. Vacation leave.

~~a.~~ 1. Upon the completion of six full months of satisfactory service in the merit system, vacation leave shall accrue to ~~the~~ a permanent, probationary, or trainee 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~~ that period, vacation leave shall accrue to ~~the~~ a permanent, probationary, or trainee employee for the time served. Limited term and provisional employees with less than six full months of service and emergency employees shall not accrue vacation leave. Provisional employees with more than six months of service shall accrue vacation leave. 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. Vacation leave may not be used before completion of the period in which it is accrued. Part-time employees shall accrue vacation leave on a prorated basis based on hours worked in accordance with a schedule prepared by the appointing authority.

~~b.~~ 2. Vacation leave shall not ~~accumulate~~ accure to an employee while in a non-pay status, except to ~~employees~~ an employee on military leave.

~~c.~~ 3. A permanent employee who is transferred or promoted from one agency to another shall be paid by the former agency for the number of working days of accrued but unused vacation leave ~~accumulated to his credit~~ unless the new agency, upon request of the employee, agrees to accept all or a portion of the employee's accrued but unused vacation leave.

~~d.~~ 4. Any permanent, probationary, provisional, or trainee 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/her credit~~ accrued.

~~4.~~ E. Sick leave.

~~a.~~ 1. Every permanent, probationary, provisional, and limited-term employee shall ~~earn~~ accrue 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: in 2.-10.

2. Absence necessitated by employee's inability to perform the duties of his/ or her position by reason of illness or injury, by reason of pre-natal 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~~ the employee's spouse.

~~b.~~ 3. Unused sick leave shall accumulate to a total of at least 100 working days.

~~c.~~ 4. Sick leave with pay shall not ~~be granted~~ accrue to emergency, hourly, or per diem employees.

~~d.~~ 5. Sick leave shall not accumulate to an employee while in a non-pay status, except employees on military leave.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

~~e.~~ 6. ~~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.~~ 7. 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.~~ 8. A former merit system employee who is reinstated or reemployed in accordance with merit system rules, except as a provisional or emergency appointee, may have ~~his/her previous~~ previously accumulated and unused balance of sick leave revived and ~~placed to his/her credit~~ recredited upon approval of the new appointing authority.

9. A permanent or probationary employee who is transferred or promoted from one appointing authority to another may be granted credit in the new agency for all or a portion of previously accrued but unused sick leave at the discretion of the new appointing authority.

10. Sick leave may not be used prior to completion of the period in which it is accrued. Part-time employees shall accrue sick leave on a prorated basis based on hours worked in accordance with a schedule prepared by the appointing authority.

~~5.~~ F. 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~~ Minn. Stat. § 192.261.

~~6.~~ G. Record of leaves.

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

~~7.~~ H. Holidays.

~~a.~~ 1. Full-time 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.~~ The following are holidays:

a. New Year's Day, January 1;

b. Lincoln's and Washington's Birthday, the third Monday in February;

c. Memorial Day, the last Monday in May;

d. Independence Day, July 4;

e. Labor Day, the first Monday in September;

f. Veteran's Day, November 11;

g. Thanksgiving Day, the fourth Thursday in November; and

h. Christmas Day, December 25.

2. Appointing authorities may designate one or both of the following as holidays:

a. Christopher Columbus Day, the second Monday in October; and

b. Friday after Thanksgiving.

~~b.~~ 3. 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.

4. Holidays which occur within the employee's vacation or sick leave period shall not be charged to the employee's vacation or sick leave time.

5. Employees must be on the payroll on the work day immediately preceding and the work day immediately following a holiday to be eligible for the holiday. For the purpose of determining eligibility for holiday pay, "on the payroll" shall mean those who are in pay status.

6. Employees who work less than full-time and intermittent employees shall be compensated for holidays on a prorated basis in accordance with a schedule approved by the supervisor.

~~C.~~ I. Optional policy.

1. Beyond the minimum standards listed ~~above~~ in B.-H., 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~~ the employee's 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 filing requirement of A. The appointing authority may allow the employee to continue to accrue eligibility for ~~incentive~~ merit increases, as in 7 MCAR § ~~1.260 D.2.~~ 1.2396, 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.

7 MCAR § 1.2541 Appeals and hearings.

A. General provisions.

1. The council or appeal board or referee appointed by the council shall hear all appeals under this rule.

2. A written notice of appeal, specifying the reason or reasons for the appeal, must be submitted to the supervisor within 30 days of the action appealed or within 30 days of the date notification of the action was mailed to the affected party, whichever is later.

3. Except for appeals under 7 MCAR § 1.254 D., the supervisor shall reply to the appeal, interpreting the merit system rules and applicable law relative to the issues in the appeal. All affected parties will receive copies of the response.

4. Any affected party who is dissatisfied with the supervisor's resolution may appeal that resolution and the appeal will be placed on the agenda of the next council meeting.

5. Any permanent employee under a collective bargaining agreement who appeals a dismissal, suspension, or a reduction in pay or position under the provisions of a grievance procedure in the agreement may not subsequently appeal the same action to the council.

6. All decisions shall be given within a reasonable time following the hearing and shall be in writing. Copies shall be sent to all parties involved and the merit system supervisor when final decisions are made by the appointing authority.

B. Appeals from selection and appointment procedures.

1. Any applicant may appeal a rejection of his or her application based on qualifications or removal from a register for reasons specified in 7 MCAR § 1.243 D. The council shall review the reasonableness of such rejection or removal.

2. Any applicant who has taken an examination may appeal for review of the rating procedures in any part of the examination. The council shall review the rating procedures to see that they have been applied equally and fairly to all applicants.

3. Decisions of the council regarding appeals under 1. and 2. shall be final.

4. Admission to an examination, restoration to a register or correction of an examination rating resulting from an appeal shall not affect a certification or appointment that may have already been made.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

C. Appeal from allocation. Any employee or appointing authority may appeal the allocation of a position. The council shall review all facts relating to the allocation and make a recommendation to the commissioner. The commissioner's decision shall be final.

D. Appeal from dismissal, suspension, or demotion.

1. Any permanent employee who has not appealed such action under the provisions of a grievance procedure contained in a collective bargaining agreement may appeal any dismissal, suspension of more than five consecutive working days or ten working days in a calendar year, or reduction in pay or position to the council. The council shall review the action for compliance with the procedural requirements of 7 MCAR § 1.249 B.2. and for whether the action was taken for just cause.

2. The hearing shall be held within 30 days after the supervisor receives the appeal.

3. After the hearing, the council shall make a recommendation to the appointing authority. Within 30 days of receiving the recommendation, the appointing authority shall make the final decision.

4. Any veteran covered under the provisions of Minn. Stat. § 197.46 shall not be removed except for incompetency or misconduct shown after a hearing upon due notice including written stated charges.

E. Appeal from denial of merit increase.

1. Any permanent employee of an appointing authority with an established policy of granting merit increases who has not received a merit increase for a 12-month period and who is denied a merit increase may appeal the denial if the reasons given for the denial do not reflect on the merit of the employee's performance. The council shall initially determine whether or not such reasons are given. If so, the appeal shall be denied. If not, the council shall take testimony regarding the performance of the employee. Both the appointing authority and the employee shall have the right to present witnesses and give evidence.

2. The council shall recommend the appointing authority either grant or deny the merit increase. The appointing authority shall make the final decision.

F. Other appeals. Any employee or appointing authority affected by action taken in the administration of 7 MCAR §§ 1.235-1.263 may appeal the action. The council shall review the actions for compliance with the rules of the Minnesota merit system and applicable law and shall recommend to the commissioner remedial action which is warranted. The commissioner's action shall be final.

7 MCAR § 1.261 Salary computation provisions for full and part-time employment, vacation and sick leave pay upon termination, partial pay periods, overtime pay and part payment from another source.

A. Pay periods.

~~1.~~ The length of pay periods is at the discretion of the appointing authority ~~and/~~or may be negotiated when there is an exclusive representative.

B. Full-time and part-time employment.

1. All rates prescribed in 7 MCAR §§ 1.314 and ~~7 MCAR §~~ 1.315 shall be standard rates for full-time employes except as otherwise negotiated for employees in a bargaining unit in agencies where there is an exclusive representative or under the provisions of 7 MCAR § ~~1.260 B.1.c~~ 1.2395 B.3. If employment in a position is on a part-time or intermittent basis, only the proportional part of the rate for the time actually employed shall be paid. Such time may be paid on an hourly, working-day or proportion of a month basis. The agencies using 7 MCAR § 1.314 shall use the table prepared in accordance with 7 MCAR § 1.315 in computing such payment.

2. Those agencies with an exclusive representative who negotiate different salary schedules from those shown in 7 MCAR § 1.314 under the provisions of ~~7 MCAR § 1.261 B.~~1. ~~above~~ or those agencies operating under the provisions of 7 MCAR § ~~1.260 B.1.c.~~ 1.2395 B.3. shall file within ten days after the signing of the contract such schedules with the supervisor. Attached~~,~~ thereto~~,~~ shall be a table similar in format, computation, and information to the table provided for in 7 MCAR § 1.315. The table shall show monthly rates with appropriate conversion to hourly rates and to daily rates based on the number of working days and paid holidays in the month, and payment by payroll period for full-time work if such payment is made on other than a monthly basis.

C. Payment for less than a full payroll period.

~~1.~~ The amount of salary paid for a period less than a full payroll period to an employee shall be determined on the basis of the number of ~~hours/days~~ hours and days the employee worked in the payroll period. Agencies shall use the table provided for in 7 MCAR § 1.315 in computing this salary. Those agencies with an exclusive representative who have negotiated different

salary schedules and those agencies operating under the provisions of 7 MCAR § 1.260 B.1.c. shall use their table prepared in accordance with 7 MCAR § 1.315 in computing this salary.

D. Part payment from another source.

~~1.~~ When part of the compensation of a local public health employee regularly is paid from another source, such as federal, state, city or county governmental departments, or from a different fund or account outside the control of the local public health authority, the total salary from all governmental sources combined shall not exceed the amount payable at the maximum rate for the class of position involved on the compensation plan adopted by the agency.

E. Compensation for vacation and/or sick leave upon separation.

1. An employee~~,~~ who has permanent status in a local public health agency in some class~~,~~ and who is separated from the agency shall be paid for accumulated, unused vacation leave in accordance with 7 MCAR § 1.250 ~~C.~~ D.4., on the basis of the appropriate daily or hourly rate as shown on the table prepared in accordance with 7 MCAR § 1.315. This is illustrated by the following examples:

An employee who earns $844 a month and is paid $388 on a bi-weekly payroll ($38.80 daily rate) works 8 days in the payroll period and terminates her employment. She has 11 days of vacation accumulated. Daily rate of $38.80 × 19 days (8 regular working days plus 11 days of vacation) = $737.20.

An employee who earns $844 a month and is paid on a monthly basis works 8 days in the month which has 22 working days in it and terminates her employment. She has 11 days of vacation accumulated. Daily rate of $38.36 (for 22 day month) × 19 days (8 regular working days plus 11 days of vacation) = $727.70.

2. The amount of vacation pay due shall be added to the salary earned by the employee for time worked in the ~~part~~ last pay period of ~~his/her~~ employment and made in the form of a single lump sum payment.

3. Compensation for sick leave payment, in cases where ~~such~~ payment is made on termination, shall be in the same manner as for vacation leave under ~~7 MCAR § 1.261 E.~~ 2.

F. Overtime compensation.

~~1.~~ Except for the provisions of the Minnesota Fair Labor Standards Act, no additional compensation shall be paid for overtime, whether in the discharge of duties of the position or for the duties of another position, except in~~:~~ ~~(1)~~ an emergency in which the local public health authority orders such overtime; or ~~(2)~~ when such overtime is otherwise approved in advance by the local public health authority or its designee; or ~~(3)~~ as may be otherwise negotiated. Rates of pay for this overtime work shall be decided by the local public health authority and it shall be discretionary with the local public health authority whether the employee shall have compensatory time off or overtime pay, except as provided in the Minnesota Fair Labor Standards Act ~~and/~~or as modified through contractual agreement in those agencies where employees have an exclusive representative. When payment is made for overtime, the rate and the number of hours worked shall be shown in the "Remarks" column on the payroll report.

7 MCAR § 1.262 Appointment, promotions, demotions, transfers and reinstatements.

A. Appointment.

1. The entrance salary for any new employee ~~(~~whether an original appointment, provisional appointment, or emergency appointment~~)~~, shall be at the minimum salary for the class of positions to which ~~he~~ the employee is appointed, except when appointments are permitted above the minimum in accordance with 7 MCAR § ~~1.239 E.~~ 1.2394.

2. An employee who is provisionally employed at a rate of pay higher than the minimum of ~~the rate~~ range prescribed for the class shall not be reduced in pay at the time of appointment from a register to the class ~~in which he is serving~~.

B. Promotions.

1. ~~An employee~~ Employees who ~~is~~ are promoted shall have ~~his salary~~ their salaries raised to the minimum rate of pay for the new class. If ~~his salary~~ their salaries before promotion ~~falls~~ fall within the range of the new class but not on any step within that range, the ~~salary~~ salaries shall be adjusted to the ~~nearest~~ next higher step.

2. ~~An employee~~ Employees granted a salary increase after having been promoted may be permitted to retain that increase when returned to a lower class, ~~provided that the~~ if their salary ~~paid~~ does not exceed the maximum ~~of~~ salary for the lower class.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

C. Demotions. ~~1. An employee who is demoted except by reason of 7 MCAR § 1.238 D. shall have his salary reduced to at least the maximum rate of the new class. If the salary is within the range for the new class, he may receive the same rate. An employee who continues in the same position and who is demoted under 7 MCAR § 1.238 D. because of the downward reallocation of his position may continue to be paid at the former salary rate as long as he retains the same position without further increase except as may subsequently be provided in the new classification.~~ An employee who is demoted except in accordance with 7 MCAR § 1.238 D. and whose salary is above the maximum rate for the lower class shall be reduced in salary to at least the maximum rate for the new class. If the former salary is within the salary range for the lower class, the same salary may be continued. An employee whose position is reclassified downward in accordance with 7 MCAR § 1.238 D. and remains in the same position may retain the former salary if it is above the maximum salary rate for the lower class but shall be ineligible to receive any further increases except those subsequently provided in the new classification.

D. Transfers.

~~1.~~ An employee who is transferred may be paid the same salary that he received prior to transfer. ~~His salary may be raised within the range for the class to which he is transferred, but it shall not be lowered.~~ If an employee's salary prior to transfer falls within the salary range of the class to which the employee is transferring, but is not on a salary step in that range, the employee's salary may be increased to the next higher step in the range. It shall not be decreased.

E. Reinstatements.

~~1.~~ A former employee who is reinstated or re-employed may be paid the same salary ~~rate~~ that he last received in the same class of position if it coincides with a step in the current salary range for the class, or if it does not coincide, at the ~~nearest~~ next higher step.

7 MCAR § 1.314 Compensation plan (Public Health) ~~1981~~ 1982. The tables in A.-D. list salary steps in monthly salary amounts for the specified classes of positions.

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	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939	~~1876~~ 2026	~~1960~~ 2117	~~2049~~ 2213	~~2144~~ 2316	~~2242~~ 2421
Asst. Dir. of Pub. Hlth. Nurs.	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939	~~1876~~ 2026	~~1960~~ 2117	~~2049~~ 2213
Business Administrator	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939	~~1876~~ 2026	~~1960~~ 2117	~~2049~~ 2213
Business Supervisor	~~1052~~ 1136	~~1099~~ 1187	~~1149~~ 1241	~~1203~~ 1299	~~1257~~ 1358	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620
Dir. of Envir. Health	~~1795~~ 1939	~~1876~~ 2026	~~1960~~ 2117	~~2049~~ 2213	~~2144~~ 2316	~~2242~~ 2421	~~2344~~ 2532	~~2449~~ 2645	~~2565~~ 2770
Dir. of Pub. Hlth. Nurs. I	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939	~~1876~~ 2026	~~1960~~ 2117	~~2049~~ 2213
Dir. of Pub. Hlth. Nurs. II	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939	~~1876~~ 2026	~~1960~~ 2117	~~2049~~ 2213	~~2144~~ 2316	~~2242~~ 2421
Home Care Coordinator	~~1257~~ 1358	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	
Medical Technologist	~~1149~~ 1241	~~1203~~ 1299	~~1257~~ 1358	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620		
Public Health Educator I	~~1149~~ 1241	~~1203~~ 1299	~~1257~~ 1358	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	
Public Health Educator II	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939	~~1876~~ 2026	~~1960~~ 2117	
Public Health Nurse	~~1203~~ 1299	~~1257~~ 1358	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696		
Public Health Nurse (Team Leader)	~~1257~~ 1358	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777		

Public Health Nutritionist	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939	
Registered Nurse (A.A. Deg., 3 yr. Dip., or B.S. Deg.)	~~1099~~ 1241	~~1149~~ 1299	~~1203~~ 1358	~~1257~~ 1420	~~1315~~ 1485	~~1375~~ 1549			
Sanitarian I	~~1149~~ 1241	~~1203~~ 1299	~~1257~~ 1358	~~1315~~ 1420	~~1375~~ 1485				
Sanitarian II	~~1257~~ 1358	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	
Sanitarian III	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939	~~1876~~ 2026	~~1960~~ 2117
Sanitarian IV	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939	~~1876~~ 2026	~~1960~~ 2117	~~2049~~ 2213	~~2144~~ 2316
School Health Coordinator	~~1203~~ 1299	~~1257~~ 1358	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	
Senior Public Health Nurse	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854		

2. Plan B.

a. Class of positions.

	1	2	3	4	5	6	7	8	9
Asst. Dir. of Envir. Health	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939	~~1876~~ 2026	~~1960~~ 2117	~~2049~~ 2213	~~2144~~ 2316	~~2242~~ 2421	~~2344~~ 2532
Asst. Dir. of Pub. Hlth. Nurs.	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939	~~1876~~ 2026	~~1960~~ 2117	~~2049~~ 2213	~~2144~~ 2316
Business Administrator	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939	~~1876~~ 2026	~~1960~~ 2117	~~2049~~ 2213	~~2144~~ 2316
Business Supervisor	~~1099~~ 1187	~~1149~~ 1241	~~1203~~ 1299	~~1257~~ 1358	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696
Dir. of Envir. Health	~~1876~~ 2026	~~1960~~ 2117	~~2049~~ 2213	~~2144~~ 2316	~~2242~~ 2421	~~2344~~ 2532	~~2449~~ 2645	~~2565~~ 2770	~~2682~~ 2897
Dir. of Pub. Hlth. Nurs. I	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939	~~1876~~ 2026	~~1960~~ 2117	~~2049~~ 2213	~~2144~~ 2316
Dir. of Pub. Hlth. Nurs. II	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939	~~1876~~ 2026	~~1960~~ 2117	~~2049~~ 2213	~~2144~~ 2316	~~2242~~ 2421	~~2344~~ 2532
Home Care Coordinator	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939	
Medical Technologist	~~1203~~ 1299	~~1257~~ 1358	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696		
Public Health Educator I	~~1203~~ 1299	~~1257~~ 1358	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	
Public Health Educator II	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939	~~1876~~ 2026	~~1960~~ 2117	~~2049~~ 2213	
Public Health Nurse	~~1257~~ 1358	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777		

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

Public Health Nurse (Team Leader)	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854		
Public Health Nutritionist	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939	~~1876~~ 2026	
Registered Nurse (A.A. Deg., 3 yr. Dip., or B.S. Deg.)	~~1149~~ 1299	~~1203~~ 1358	~~1257~~ 1420	~~1315~~ 1485	~~1375~~ 1549	~~1434~~ 1620			
Sanitarian I	~~1203~~ 1299	~~1257~~ 1358	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549				
Sanitarian II	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939	
Sanitarian III	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939	~~1876~~ 2026	~~1960~~ 2117	~~2049~~ 2213
Sanitarian IV	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939	~~1876~~ 2026	~~1960~~ 2117	~~2049~~ 2213	~~2144~~ 2316	~~2242~~ 2421
School Health Coordinator	~~1257~~ 1358	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	
Senior Public Health Nurse	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939		

3. Plan C.

a. Class of positions.

	1	2	3	4	5	6	7	8	9
Asst. Dir. of Envir. Health	~~1717~~ 1854	~~1795~~ 1939	~~1876~~ 2026	~~1960~~ 2117	~~2049~~ 2213	~~2144~~ 2316	~~2242~~ 2421	~~2344~~ 2532	~~2449~~ 2645
Asst. Dir. of Pub. Hlth. Nurs.	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939	~~1876~~ 2026	~~1960~~ 2117	~~2049~~ 2213	~~2144~~ 2316	~~2242~~ 2421
Business Administrator	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939	~~1876~~ 2026	~~1960~~ 2117	~~2049~~ 2213	~~2144~~ 2316	~~2242~~ 2421
Business Supervisor	~~1149~~ 1241	~~1203~~ 1299	~~1257~~ 1358	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777
Dir. of Envir. Health	~~1960~~ 2117	~~2049~~ 2213	~~2144~~ 2316	~~2242~~ 2421	~~2344~~ 2532	~~2449~~ 2645	~~2565~~ 2770	~~2682~~ 2897	~~2804~~ 3028
Dir. of Pub. Hlth. Nurs. I	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939	~~1876~~ 2026	~~1960~~ 2117	~~2049~~ 2213	~~2144~~ 2316	~~2242~~ 2421
Dir. of Pub. Hlth. Nurs. II	~~1717~~ 1854	~~1795~~ 1939	~~1876~~ 2026	~~1960~~ 2117	~~2049~~ 2213	~~2144~~ 2316	~~2242~~ 2421	~~2344~~ 2532	~~2449~~ 2645
Home Care Coordinator	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939	~~1876~~ 2026	
Medical Technologist	~~1257~~ 1358	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777		
Public Health Educator I	~~1257~~ 1358	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	
Public Health Educator II	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939	~~1876~~ 2026	~~1960~~ 2117	~~2049~~ 2213	~~2144~~ 2316	
Public Health Nurse	~~1344~~ 1452	~~1404~~ 1516	~~1466~~ 1583	~~1533~~ 1656	~~1606~~ 1734	~~1680~~ 1814	~~1754~~ 1894		
Public Health Nurse (Team Leader)	~~1404~~ 1516	~~1466~~ 1583	~~1533~~ 1656	~~1606~~ 1734	~~1680~~ 1814	~~1754~~ 1894	~~1835~~ 1982		
Public Health Nutritionist	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939	~~1876~~ 2026	~~1960~~ 2117	

Registered Nurse (A.A. Deg., 3 yr. Dip., or B.S. Deg.)	~~1229~~ 1387	~~1284~~ 1452	~~1344~~ 1516	~~1404~~ 1583	~~1466~~ 1656	~~1533~~ 1734			
Sanitarian I	~~1257~~ 1358	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620				
Sanitarian II	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939	~~1876~~ 2026	
Sanitarian III	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939	~~1876~~ 2026	~~1960~~ 2117	~~2049~~ 2213	~~2144~~ 2316
Sanitarian IV	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939	~~1876~~ 2026	~~1960~~ 2117	~~2049~~ 2213	~~2144~~ 2316	~~2242~~ 2421	~~2344~~ 2532
School Health Coordinator	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939	
Senior Public Health Nurse	~~1466~~ 1583	~~1533~~ 1656	~~1606~~ 1734	~~1680~~ 1814	~~1754~~ 1894	~~1835~~ 1982	~~1915~~ 2068		

B. Health services support personnel.

1. Plan A.

a. Class of positions.

	1	2	3	4	5	6	7	8	9
Animal Warden	~~821~~ 887	~~860~~ 929	~~901~~ 973	~~942~~ 1017	~~984~~ 1063	~~1027~~ 1109	~~1075~~ 1161		
Bookkeeper	~~860~~ 929	~~901~~ 973	~~942~~ 1017	~~984~~ 1063	~~1027~~ 1109	~~1075~~ 1161	~~1122~~ 1212	~~1175~~ 1269	~~1229~~ 1327
Home Health Aide	~~632~~ 712	~~659~~ 741	~~686~~ 777	~~719~~ 813	~~753~~ 849	~~786~~ 887	~~821~~		
Home Health Aide Coordinator	~~901~~ 973	~~942~~ 1017	~~984~~ 1063	~~1027~~ 1109	~~1075~~ 1161	~~1122~~ 1212	~~1175~~ 1269		
Inspector I	~~921~~ 995	~~962~~ 1039	~~1004~~ 1084	~~1052~~ 1136					
Inspector II	~~1004~~ 1084	~~1052~~ 1136	~~1099~~ 1187	~~1149~~ 1241	~~1203~~ 1299	~~1257~~ 1358	~~1315~~ 1420		
Laboratory Technician	~~753~~ 849	~~786~~ 887	~~821~~ 929	~~860~~ 973	~~901~~ 1017	~~942~~ 1063	~~984~~ 1109		
Licensed Practical Nurse	~~821~~ 950	~~860~~ 995	~~901~~ 1039	~~942~~ 1084	~~984~~ 1136	~~1027~~ 1187			
Medical Laboratory Assistant	~~821~~ 887	~~860~~ 929	~~901~~ 973	~~942~~ 1017	~~984~~ 1063	~~1027~~ 1109	~~1075~~ 1161		
Nutrition Assistant	~~860~~ 929	~~901~~ 973	~~942~~ 1017	~~984~~ 1063	~~1027~~ 1109	~~1075~~ 1161	~~1122~~ 1212	~~1175~~ 1269	
Public Health Aide	~~552~~ 596	~~579~~ 625	~~606~~ 654	~~632~~ 683	~~659~~ 712	~~686~~ 741	~~719~~ 777		

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

2. Plan B.

a. Class of positions.

	1	2	3	4	5	6	7	8	9
Animal Warden	~~860~~ 929	~~901~~ 973	~~942~~ 1017	~~984~~ 1063	~~1027~~ 1109	~~1075~~ 1161	~~1122~~ 1212		
Bookkeeper	~~901~~ 973	~~942~~ 1017	~~984~~ 1063	~~1027~~ 1109	~~1075~~ 1161	~~1122~~ 1212	~~1175~~ 1269	~~1229~~ 1327	~~1284~~ 1387
Home Health Aide	~~659~~ 741	~~686~~ 777	~~719~~ 813	~~753~~ 849	~~786~~ 887	~~821~~ 929	~~860~~		
Home Health Aide Coordinator	~~942~~ 1017	~~984~~ 1063	~~1027~~ 1109	~~1075~~ 1161	~~1122~~ 1212	~~1175~~ 1269	~~1229~~ 1327		
Inspector I	~~962~~ 1039	~~1004~~ 1084	~~1052~~ 1136	~~1099~~ 1187					
Inspector II	~~1052~~ 1136	~~1099~~ 1187	~~1149~~ 1241	~~1203~~ 1299	~~1257~~ 1358	~~1315~~ 1420	~~1375~~ 1485		
Laboratory Technician	~~786~~ 887	~~821~~ 929	~~860~~ 973	~~901~~ 1017	~~942~~ 1063	~~984~~ 1109	~~1027~~ 1161		
Licensed Practical Nurse	~~860~~ 995	~~901~~ 1039	~~942~~ 1084	~~984~~ 1136	~~1027~~ 1187	~~1075~~ 1241			
Medical Laboratory Assistant	~~860~~ 929	~~901~~ 973	~~942~~ 1017	~~984~~ 1063	~~1027~~ 1109	~~1075~~ 1161	~~1122~~ 1212		
Nutrition Assistant	~~901~~ 973	~~942~~ 1017	~~984~~ 1063	~~1027~~ 1109	~~1075~~ 1161	~~1122~~ 1212	~~1175~~ 1269	~~1229~~ 1327	
Public Health Aide	~~579~~ 625	~~606~~ 654	~~632~~ 683	~~659~~ 712	~~686~~ 741	~~719~~ 777	~~753~~ 813		

3. Plan C.

a. Class of positions.

	1	2	3	4	5	6	7	8	9
Animal Warden	~~901~~ 973	~~942~~ 1017	~~984~~ 1063	~~1027~~ 1109	~~1075~~ 1161	~~1122~~ 1212	~~1175~~ 1269		
Bookkeeper	~~942~~ 1017	~~984~~ 1063	~~1027~~ 1109	~~1075~~ 1161	~~1122~~ 1212	~~1175~~ 1269	~~1229~~ 1327	~~1284~~ 1387	~~1344~~ 1452
Home Health Aide	~~686~~ 777	~~719~~ 813	~~753~~ 849	~~786~~ 887	~~821~~ 929	~~860~~ 973	~~901~~		
Home Health Aide Coordinator	~~984~~ 1063	~~1027~~ 1109	~~1075~~ 1161	~~1122~~ 1212	~~1175~~ 1269	~~1229~~ 1327	~~1284~~ 1387		
Inspector I	~~1004~~ 1084	~~1052~~ 1136	~~1099~~ 1187	~~1149~~ 1241					
Inspector II	~~1099~~ 1187	~~1149~~ 1241	~~1203~~ 1299	~~1257~~ 1358	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549		
Laboratory Technician	~~821~~ 929	~~860~~ 973	~~901~~ 1017	~~942~~ 1063	~~984~~ 1109	~~1027~~ 1161	~~1075~~ 1212		
Licensed Practical Nurse	~~901~~ 1039	~~942~~ 1084	~~984~~ 1136	~~1027~~ 1187	~~1075~~ 1241	~~1122~~ 1299			
Medical Laboratory Assistant	~~901~~ 973	~~942~~ 1017	~~984~~ 1063	~~1027~~ 1109	~~1075~~ 1161	~~1122~~ 1212	~~1175~~ 1269		
Nutrition Assistant	~~942~~ 1017	~~984~~ 1063	~~1027~~ 1109	~~1075~~ 1161	~~1122~~ 1212	~~1175~~ 1269	~~1229~~ 1327	~~1284~~ 1387	
Public Health Aide	~~606~~ 654	~~632~~ 683	~~659~~ 712	~~686~~ 741	~~719~~ 777	~~753~~ 813	~~786~~ 849		

C. Clerical.

1. Plan A.

a. Class of positions.

	1	2	3	4	5	6	7	8	9
Clerk I	~~566~~	~~584~~	~~602~~	~~619~~	~~636~~	~~657~~	~~679~~	~~702~~	~~725~~
	616	645	676	704	734	766	801	839	
Clerk II	~~636~~	~~657~~	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~
	704	734	766	801	839	877	917	959	
Clerk III	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~
	784	821	857	895	937	982	1027	1073	
Clerk-Typist I	~~584~~	~~602~~	~~619~~	~~636~~	~~657~~	~~679~~	~~702~~	~~725~~	~~747~~
	645	676	704	734	766	801	839	877	
Clerk-Typist II	~~636~~	~~657~~	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~
	704	734	766	801	839	877	917	959	
Clerk-Typist III	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~
	784	821	857	895	937	982	1027	1073	
Clerk-Steno I	~~619~~	~~636~~	~~657~~	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~
	676	704	734	766	801	839	877	917	
Clerk-Steno II	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~
	766	801	839	877	917	959	1004	1049	
Clerk-Steno III	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~	~~981~~
	821	857	895	937	982	1027	1073	1119	
Swbd. Operator I	~~602~~	~~619~~	~~636~~	~~657~~	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~
	704	734	766	801	839	877	917	959	
Swbd. Operator II	~~636~~	~~657~~	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~
	748	784	821	857	895	937	982	1027	

2. Plan B.

a. Class of positions.

	1	2	3	4	5	6	7	8	9
Clerk I	~~584~~	~~602~~	~~619~~	~~636~~	~~657~~	~~679~~	~~702~~	~~725~~	~~747~~
	704	734	766	801	839	877	917		
Clerk II	~~657~~	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~
	801	839	877	917	959	1004	1049		
Clerk III	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~	~~981~~
	895	937	982	1027	1073	1119	1172		
Clerk-Typist I	~~602~~	~~619~~	~~636~~	~~657~~	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~
	734	766	801	839	877	917	959		
Clerk-Typist II	~~657~~	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~
	801	839	877	917	959	1004	1049		
Clerk-Typist III	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~	~~981~~
	895	937	982	1027	1073	1119	1172		
Clerk-Steno I	~~636~~	~~657~~	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~
	766	801	839	877	917	959	1004		
Clerk-Steno II	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~
	877	917	959	1004	1049	1094	1147		

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

Clerk-Steno III	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~	~~981~~	~~1015~~
	937	982	1027	1073	1119	1172	1223		
Swbd. Operator I	~~619~~	~~636~~	~~657~~	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~
	801	839	877	917	959	1004	1049		
Swbd. Operator II	~~657~~	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~
	857	895	937	982	1027	1073	1119		

3. Plan C.

a. Class of positions.

	1	2	3	4	5	6	7	8	9
Clerk I	~~602~~	~~619~~	~~636~~	~~657~~	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~
	766	801	839	877	917	959	1004		
Clerk II	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~
	877	917	959	1004	1049	1094	1147		
Clerk III	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~	~~981~~	~~1015~~
	982	1027	1073	1119	1172	1223	1281		
Clerk-Typist I	~~619~~	~~636~~	~~657~~	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~
	801	839	877	917	959	1004	1049		
Clerk-Typist II	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~
	877	917	959	1004	1049	1094	1147		
Clerk-Typist III	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~	~~981~~	~~1015~~
	982	1027	1073	1119	1172	1223	1281		
Clerk-Steno I	~~657~~	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~
	839	877	917	959	1004	1049	1094		
Clerk-Steno II	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~
	959	1004	1049	1094	1147	1198	1252		
Clerk-Steno III	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~	~~981~~	~~1015~~	~~1052~~
	1027	1073	1119	1172	1223	1281	1340		
Swbd. Operator I	~~636~~	~~657~~	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~
	877	917	959	1004	1049	1094	1147		
Swbd. Operator II	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~
	937	982	1027	1073	1119	1172	1223		

~~4. Plan D~~

~~a. Class of Positions~~

	~~1~~	~~2~~	~~3~~	~~4~~	~~5~~	~~6~~	~~7~~	~~8~~	~~9~~
~~Clerk I~~	~~619~~	~~636~~	~~657~~	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~
~~Clerk II~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~
~~Clerk III~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~	~~981~~	~~1015~~	~~1052~~
~~Clerk-Typist I~~	~~636~~	~~657~~	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~
~~Clerk-Typist II~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~
~~Clerk-Typist III~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~	~~981~~	~~1015~~	~~1052~~
~~Clerk-Steno I~~	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~
~~Clerk-Steno II~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~	~~981~~
~~Clerk-Steno III~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~	~~981~~	~~1015~~	~~1052~~	~~1092~~
~~Swbd. Operator I~~	~~657~~	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~
~~Swbd. Operator II~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~

~~5. Plan E~~

~~a. Class of Positions~~

	~~1~~	~~2~~	~~3~~	~~4~~	~~5~~	~~6~~	~~7~~	~~8~~
~~Clerk I~~	~~657~~	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~
~~Clerk II~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~
~~Clerk III~~	~~852~~	~~881~~	~~913~~	~~946~~	~~981~~	~~1015~~	~~1052~~	~~1092~~

~~Clerk-Typist I~~	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~
~~Clerk-Typist II~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~
~~Clerk-Typist III~~	~~852~~	~~881~~	~~913~~	~~946~~	~~981~~	~~1015~~	~~1052~~	~~1092~~
~~Clerk-Steno I~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~
~~Clerk-Steno II~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~	~~981~~	~~1015~~
~~Clerk-Steno III~~	~~881~~	~~913~~	~~946~~	~~981~~	~~1015~~	~~1052~~	~~1092~~	~~1132~~
~~Swbd. Operator I~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~
~~Swbd. Operator II~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~

~~6. Plan F~~

~~a. Class of Positions~~

	~~1~~	~~2~~	~~3~~	~~4~~	~~5~~	~~6~~	~~7~~	~~8~~
~~Clerk I~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~
~~Clerk II~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~	~~981~~
~~Clerk III~~	~~881~~	~~913~~	~~946~~	~~981~~	~~1015~~	~~1052~~	~~1092~~	~~1132~~
~~Clerk-Typist I~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~
~~Clerk-Typist II~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~	~~981~~
~~Clerk-Typist III~~	~~881~~	~~913~~	~~946~~	~~981~~	~~1015~~	~~1052~~	~~1092~~	~~1132~~
~~Clerk-Steno I~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~
~~Clerk-Steno II~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~	~~981~~	~~1015~~	~~1052~~
~~Clerk-Steno III~~	~~913~~	~~946~~	~~981~~	~~1015~~	~~1052~~	~~1092~~	~~1132~~	~~1174~~
~~Swbd. Operator I~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~
~~Swbd. Operator II~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~	~~981~~

D. Building maintenance. Employees in the classes specified in 1. and 2. who are required to work for a period of at least five hours after 6 p.m. on a regularly scheduled basis may be paid a shift differential in the amount of one salary step above their normal day-work rate.

1. Plan A.

a. Class of positions.

	1	2	3	4	5	6	7
Custodian ~~(1)~~	~~632~~	~~656~~	~~681~~	~~711~~	~~742~~		
	683	708	735	768	801		
Janitor ~~(1)~~	~~742~~	~~772~~	~~806~~	~~840~~	~~877~~	~~913~~	~~951~~
	801	834	870	907	947	986	1027

2. Plan B.

a. Class of positions.

	1	2	3	4	5	6	7
Custodian ~~(1)~~	~~742~~	~~772~~	~~806~~	~~840~~	~~877~~		
	801	834	870	907	947		
Janitor ~~(1)~~	~~877~~	~~913~~	~~951~~	~~994~~	~~1036~~	~~1080~~	~~1128~~
	947	986	1027	1074	1119	1166	1218

~~(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 § 1.315 Provisions for computing monthly, hourly, less-than-full-time, bi-weekly, and four week salary rates.

A. Salary conversion tables.

1. The supervisor shall publish a salary conversion table as part of the Minnesota Merit System Manual. The table shall list all existing salary rates listed in 7 MCAR § 1.314. For those salary rates, the supervisor shall calculate hourly, daily and

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

payroll period salaries for each of the salary rates listed. This table shall be based on an 8-hour day, 40 hour week and 2088-hour year. Agencies with a normal work schedule which varies from an 8-hour day, 40-hour week or 2088-hour year or agencies with payroll periods other than once every two weeks, every four weeks, or every month, shall supply the supervisor with a salary conversion table as provided for in 7 MCAR § ~~1.260 B.1.c.~~ 1.2395 B.3. or ~~in 7 MCAR §~~ 1.261 B.2.

Repealer. 7 MCAR §§ 1.269-1.313 are repealed.

Department of Public Safety
Minnesota Merit System

Proposed Rules Governing Definitions; Statement of Policy and Means of Effecting Policy; Organization; Classification Plan; Compensation Plan; Examinations; Certification of Eligibles; Probationary Period; Separation, Tenure and Reinstatement; Leaves of Absence; Appeals and Hearings; Salary Adjustments and Increases; Salary Computation Provisions for Full- and Part-time Employment; Appointments, Promotions, Demotions, Transfers and Reinstatements; and Provisions for Computing Monthly, Hourly, Less-than-full-time, Bi-weekly, and Four-week Salary Rates

Notice of Hearing

A public hearing concerning the above-entitled matter will be held in Conference Room A, fourth floor, Centennial Office Building, St. Paul, Minnesota, 55155 on December 3, 1981, commencing at 9:30 a.m. and continuing until all interested persons have an opportunity to be heard. The proposed amendments of existing rules may be modified as a result of the hearing process. Therefore, if you are affected in any manner by the above-entitled matter, you are urged to participate in the rule hearing process.

Following the agency's presentation at the hearing, all interested or affected persons will have an opportunity to ask questions and make comments. 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 Peter C. Erickson, Office of Administrative Hearings, 1745 University Avenue, Room 300, St. Paul, Minnesota, 55104, either before the hearing or within five working days after the public hearing ends. The telephone number is 612/296-8118. The hearing examiner may, at the hearing, order that the record be kept open for a longer period not to exceed 20 calendar days. The rule hearing procedure is governed by Minn. Stat. §§ 15.0411-15.0417 and 15.052, and by 9 MCAR §§ 2.101-2.112 (Minnesota Code of Agency Rules). If you have any questions about the procedure, call or write the hearing examiner.

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 Administrative Hearings. This statement of need and reasonableness will include a summary of all the evidence and argument which the agency anticipates presenting at the hearing justifying both the need for and the reasonableness of the proposed rule or rules. Copies of the statement of need and reasonableness may be obtained from the Office of Administrative Hearings at a minimal charge.

Several minor revisions to the above rules are proposed involving the re-lettering and/or re-numbering of certain provisions, correcting typographical errors, grammatical changes to improve clarity and to correct certain rule and statutory references.

A summary of major proposed revisions to the rules is as follows:

Proposed revisions to 11 MCAR § 1.2090 provide definitions for six new terms: "layoff list," "reemployment list," "reclassification," "change in allocation," "reallocation" and "salary increase."

Proposed revisions to 11 MCAR § 1.2091 provide new language allowing for the application of fiscal sanctions to appointing authorities for noncompliance with the rules and appeal from such sanctions to the merit system council.

Proposed revisions to 11 MCAR § 1.2092 correct a rule reference to the state civil service act and provide an additional responsibility for the merit system supervisor of proposing amendments to merit system rules.

Proposed revisions to 11 MCAR § 1.2093 remove the classification plan from the rules and provides for publishing them in the Public Safety Merit System Manual; eliminate the section of the rule allowing amendments to the classification plan for up to six

months without a public hearing in emergency situations; provide for incumbents of positions that are reclassified by reallocation to be promoted without examination; explain the process for amending the classification plan.

Proposed revisions to 11 MCAR § 1.2094 reword those sections involving the preparation and adoption of a compensation plan by the commissioner and the selection of salary ranges by an appointing authority; raise the allowable maximum percentage increase of cost-of-living salary adjustments from 8% to 9%; provide new language governing appointments above the minimum rate of pay; allow employees to receive a lump-sum general salary adjustment under certain circumstances; provide new language allowing salary increases to be granted under unusual employment conditions; provide a recommended general salary adjustment of 8% for all merit system employees effective January 1, 1982; allow an employee whose salary is at or above the maximum of their range to receive a one-step merit increase in the form of a lump-sum payment; provide for salary increases for work out of class assignments and incorporates current language from 11 MCAR § 1.2116.

11 MCAR § 1.2091 B. 2. and 3. makes 12 MCAR § 2.495 through 12 MCAR § 2.510, whicha re the rules of the Department of Public Welfare Merit System, applicable to county and local emergency services agencies. A copy of the notice of hearing for the Department of Public Welfare is attached for your information. If the Department of Public Welfare adopts the proposed changes to 12 MCAR §§ 2.496, 2.498, 2.500, 2.503, 2.504 and 2.508, these rules will also apply to emergency services agencies.

Proposed revisions to 11 MCAR § 1.2116 repeal all of the old language in this rule and incorporate it as part of 11 MCAR § 1.2094.

Proposed revisions to 11 MCAR § 1.2117 change rule references only.

Proposed revisions to 11 MCAR § 1.2118 clarify salaries for employees who are demoted; limit salary increases for employees transferring between appointing authorities; allow former employees who are reemployed to receive their previous salary upon reemployment.

Proposed revisions to 11 MCAR § 1.2140 provide for a general upgrading of salary ranges for most of the classes by 8%, with some exceptions; reduce the number of clerical salary plans from six to three and increase intervals between salary steps for clerical classes to the equivalent of that provided for professional and support classes.

Proposed amendments to 11 MCAR § 1.2141 corrects a rule reference only.

In view of proposed amendments to 11 MCAR § 1.2093 removing the classification plan from the rules, it is proposed to repeal 11 MCAR §§ 1.2125, 1.2126, 1.2127, 1.2129 and 1.2130, consisting of the class specifications for all Public Safety Merit System classifications.

The agency's authority to adopt the proposed rule is contained in Minn. Stat. § 12.22, subd. 3.

The cost to local public bodies of implementing the proposed rule changes will not exceed $100,000 for 1982.

Copies of the proposed rule are now available and at least one free copy may be obtained by writing to Ralph Corey, Department of Public Welfare, Centennial Building, St. Paul, Minnesota 55155, telephone 612/296-3996. Additional copies will be available at the hearing. If you have any questions on the content of the proposed rule amendments, contact Ralph Corey.

Any person may request notification of the date on which the hearing examiner's report will be available, after which date the agency may not take any final action on the rules for a period of five working days. Any person may request notification of the date on which the hearing record has been submitted or resubmitted 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.

Minn. Stat. ch. 10A requires each lobbyist to register with the State Ethical Practices Board within five days after he or she commences lobbying. A lobbyist is defined in Minn. Stat. § 10A.01, subd. 11, 1979 supp., 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

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

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.

October 13, 1981

Albert H. Quie
Governor

Rules as Proposed

11 MCAR § 1.2090 Definitions.

A. Applicability. The following definitions apply ~~throughout these rules~~ to 11 MCAR §§ 1.2090-1.2141, unless the context clearly requires another meaning:

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

2. Appointing authority. "Appointing authority" means the county board of commissioners, the town board, the mayor, or other officer or board authorized by statute or lawfully delegated authority to make appointments to positions under the merit system for civil defense.

3. Change in allocation. "Change in allocation" means the reclassification of a position resulting from significant sudden changes imposed by the appointing authority affecting the duties and responsibilities of a position.

~~3.~~ 4. Class. "Class" means one or more positions sufficiently similar in the duties performed, degree of supervision exercised or required, requirements of training, experience, or skill, and such other characteristics that the same title, the same tests of fitness, and the same schedule of compensation may be applied with equity to all of the positions.

~~4.~~ 5. Classified service. "Classified service" means all positions covered by ~~these rules~~ 11 MCAR §§ 1.2090-1.2141 as provided in 11 MCAR § 1.2091 E.

~~5.~~ 6. Commissioner of Public Safety or commissioner. "Commissioner of Public Safety" or "commissioner" means the administrative head of the State Department of Public Safety.

~~6.~~ 7. Council. "Council" means the merit system council.

~~7.~~ 8. County register. "County register" means the subregister established for a county from a state-wide ~~register, either~~ competitive or promotional~~,~~ register containing the names of persons who have legal residence in the county or, in the event of a promotional examination, who are employed by the local agency.

~~8.~~ 9. Day. "Day" means calendar day except where otherwise specified in the specific rule.

~~9.~~ 10. Demotion. "Demotion" means a change by an employee from a position in one class to a position in another class with less responsible duties and a lower salary range.

~~10.~~ 11. Desirable qualifications. "Desirable qualifications" means the requirements of training and experience desired but not necessary to qualify for a given class of positions in the classification plan.

~~11.~~ 12. Disabled veteran. "Disabled veteran" means a veteran who is rated or certified as disabled, in accordance with the provisions of Minn. Stat. ~~43.30~~ § 43A.11.

~~12.~~ 13. Dismissal. "Dismissal" means the termination of employment of an employee for cause.

~~13.~~ 14. Eligible or eligible person. "Eligible" or "eligible person" means any person whose name is on a register.

~~14.~~ 15. Emergency appointment. "Emergency appointment" means an appointment required by a state of emergency as described in 12 MCAR § 2.499 C.

~~15.~~ 16. Employee. "Employee" means any person employed by a local civil defense agency in a position covered by ~~these rules~~ (11 MCAR § 1.2091 E.) who is paid a salary or wage.

~~16.~~ 17. Exclusive representative. "Exclusive representative" has the meaning given in Minn. Stat. § 179.63, subd. 6.

~~17.~~ 18. Facsimile. "Facsimile" means a replica~~, e.g.,~~. A facsimile of ~~12~~ 11 MCAR § ~~2.541~~ 1.2141 is a chart showing each of the salary rates adopted by an agency divided into monthly and hourly rates and either daily rates and bi-weekly or four-week rates if paid on this basis or the daily rate based on the number of working days in the month—20, 21, 22, or 23 days if paid on a monthly basis.

~~18.~~ 19. General adjustment. "General adjustment" means the merit system recommended salary adjustment based on ~~the annual~~ a salary survey.

~~19.~~ 20. Intermittent employee. "Intermittent employee" means an employee who works whenever needed or on a schedule which cannot be predicted in advance.

~~20.~~ 21. Layoff. "Layoff" means the termination of employment because of shortage of funds or curtailment of services.

22. Layoff list. "Layoff list" means a list of permanent or probationary employees who have been laid off by reason of abolishment of their position, lack of funds, shortage of work or other reason beyond the control of the employee.

~~21.~~ 23. Limited-term appointment. "Limited-term appointment" means an appointment from a register for a period not to exceed six months as described in 12 MCAR § 2.499 D.

~~22.~~ 24. Local agency. "Local agency" means the organization created to carry out the functions and programs of the jurisdiction's civil defense responsibilities.

~~23.~~ 25. Local civil defense authority. "Local civil defense authority" means the governing board, commission, council, or mayor under whose authority a county, town, village, or borough establishes a local civil defense agency.

~~24.~~ 26. Merit increase. "Merit increase" means a salary increase given to an individual employee based on meritorious job performance.

~~25.~~ 27. Military leave. "Military leave" means the leave of absence granted by state law to employees entering active duty in the armed forces of the State of Minnesota or the United States of America.

~~26.~~ 28. Minimum qualifications. "Minimum qualifications" means the requirements of training and experience necessary to qualify for a given class.

~~27.~~ 29. Original appointment. "Original appointment" means a regular appointment of an individual to a local civil defense staff through selection from an open-competitive register and is the beginning point of the probationary period ~~(~~and is sometimes referred to as probationary appointment~~)~~.

~~28.~~ 30. Permanent employee. "Permanent employee" means an employee who has successfully completed ~~his/her~~ a probationary period or who has attained permanent status upon the installation of the merit system.

~~29.~~ 31. Position. "Position" means a group of current duties and responsibilities assigned or delegated by competent authority requiring the full or part-time employment of one person.

~~30.~~ 32. Probationary employee. "Probationary employee" means an employee who is serving a probationary period in a class to which ~~they have~~ the employee has been appointed from an eligible list.

~~31.~~ 33. Probationary period. "Probationary period" means the first six-month working test period during which a new appointee is required to demonstrate his fitness for the position to which he is appointed by actual performance of the duties of the position.

~~32.~~ 34. Promotion. "Promotion" means a change of an employee from a position in one class to a position in another class with more responsible duties and a higher salary range.

~~33.~~ 35. Provisional appointment. "Provisional appointment" means an appointment of a person not on a register to fill a position pending the establishment of a register for ~~such~~ the position in accordance with the provisions of 12 MCAR § 2.499 B.

~~34.~~ 36. Reallocation. "Reallocation" means ~~a reassignment, or change in allocation, of a position by raising it to a higher class of positions, reducing it to a lower class of positions, or moving it to another class of positions at the same level, on the basis of significant changes in the kind, difficulty, or responsibility of the work performed in the position~~ the reclassification of a position resulting from significant changes in the duties and responsibilities of the position that occur gradually over a period of time.

37. Reclassification. "Reclassification" means a change in the allocation or reallocation of a position to a higher, lower or equivalent class.

38. Reemployment list. "Reemployment list" means a list of former permanent or probationary employees who have been laid off or who have voluntarily separated from merit system employment in good standing and whose applications for reemployment in the merit system are submitted within one year of separation.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

~~35.~~ 39. Register. "Register" means an officially established list of eligibles for a particular class.

~~36.~~ 40. Resignation. "Resignation" means the termination of employment made at the request of the employee.

~~37.~~ 41. Salary adjustment. "Salary adjustment" means an increase given to employees due to cost-of-living factors, going rates for similar jobs, ~~and/~~or labor market conditions.

42. Salary increase. "Salary increase" means an increase granted to an employee on the basis of working out of class or due to unusual employment conditions and not based on job performance, cost-of-living factors, going rates for similar jobs or labor market conditions.

~~38.~~ 43. State agency. "State agency" means the Governor acting through the State Department of Public Safety, Division of Civil Defense, which is responsible for the administration and supervision of the civil defense programs in the State of Minnesota.

~~39.~~ 44. Supervisor. "Supervisor" means the merit system supervisor.

~~40.~~ 45. Suspension. "Suspension" means an enforced leave of absence with or without pay, for disciplinary purposes or pending investigation of charges made against an employee.

~~41.~~ 46. Temporary employee. "Temporary employee" means an employee who has been appointed to a position from an eligible register but the appointment has a definite ending date.

~~42.~~ 47. Transfer. "Transfer" means the movement of an employee from one position to another in the same class or in another class having the same salary range and usually involving the performance of similar duties and requiring essentially the same qualifications of training and experience.

~~43.~~ 48. Veteran. "Veteran" means all persons defined as veterans by ~~Minnesota Statutes, Section~~ Minn. Stat. § 197.46.

~~44.~~ 49. Veteran's preference. "Veteran's preference" means the preference granted to veterans by ~~Minnesota Statutes, Section 43.30~~ Minn. Stat. § 43A.11.

B.1.-4. [Unchanged.]

11 MCAR § 1.2091 Statement of policy and means of effecting policy.

A.1.a.-e. [Unchanged.]

B.1.-4. [Unchanged.]

C.1. [Unchanged.]

D.1.a.-d. and 2. [Unchanged.]

E.1. [Unchanged.]

F. Political activity.

1.-4. [Unchanged.]

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

6. [Unchanged.]

G. Prohibition against discrimination.

1. In general. No person shall be discriminated for or against in such matters as his recruitment, examination, appointment, tenure, compensation, classification, or promotion or in such matters as conditions, facilities, or privileges of employment because of his race, color, creed, religion, national origin, physical disability ~~(~~where ~~such~~ the disability does not interfere with the completion of assigned duties~~)~~, age or sex. Any person aggrieved by a violation of ~~the~~ ~~above~~ these prohibitions may file a complaint under the provisions of ~~the Minnesota State Act Against Discrimination, Chapter~~ Minn. Stat. ch. 363 ~~of Minnesota Statutes~~.

2. Political opinions. No person shall be discriminated for or against as provided in ~~11 MCAR § 1.2091 C.~~ 1. because of his political opinions or affiliations within the limitations imposed by ~~11 MCAR § 1.2091~~ F. ~~of these rules~~, nor shall discrimination occur because of any other non-merit factor. Any person aggrieved by a violation of a prohibited discrimination that does not come within the jurisdiction of ~~Chapter~~ Minn. Stat. ch. 363 ~~of Minnesota Statutes~~ may file a complaint with the merit system supervisor setting forth the basis of his belief that an act or threat or promise of an act of discrimination occurred

and identifying by name and position the person alleged to have committed ~~such~~ the act or threat or promise of an act of discrimination.

3. Investigations. The supervisor or his designated representative shall conduct an investigation of the alleged discrimination and shall report the complaint and the findings of the investigation to the merit system council at its next meeting. The complainant shall have the right to present his complaint personally to the council. The council shall order any further investigation or hearing as may be warranted ~~preliminary~~ prior to making its decision. If the council finds that discrimination has occurred, it shall take whatever action it deems warranted and within its authority to remedy the effect of any act or threat or promise of an act of discrimination and to prevent future discrimination.

H. Violations.

1. [Unchanged.]

2. Violations of 11 MCAR §§ 1.2090-1.2141 by an appointing authority shall be brought to the attention of the appointing authority by the supervisor. The notice shall include remedial measures necessary to correct past violations and to ensure future compliance. In the event the appointing authority refuses to take corrective action, the supervisor shall inform the commissioner who shall take action as appropriate including, but not limited to, denial or suspension of all or part of state and federal administrative reimbursement funds.

3. An appointing authority may appeal any denial or suspension of administrative reimbursement to the merit system council which shall make its recommendation to the commissioner. The commissioner's decision shall be final.

11 MCAR § 1.2092 Organization.

A. [Unchanged.]

B. [Unchanged.]

C.1.-4. [Unchanged.]

D. Merit system supervisor.

1. [Unchanged.]

2. In conformance with ~~these rules~~ 11 MCAR §§ 1.2090-1.2141, it shall be the duty of the merit system supervisor:

a.-d. [Unchanged.]

e. To appoint staff members, including technicians, clerks, stenographers, and such other permanent or temporary employees as are necessary to carry out the provisions of ~~these rules~~ 11 MCAR §§ 1.2090-1.2141. ~~Such~~ The employees shall be chosen in accordance with the provisions of the ~~State Civil Service~~ Minnesota Department of Employee Relations rules ~~and regulations~~.

f. To review, develop and propose amendments to existing merit system rules for consideration and recommendation by the merit system council and in accordance with the provisions of Minn. Stat. ch. 15.

~~f.~~ g. To perform such other duties as are prescribed by ~~these rules~~ 11 MCAR §§ 1.2090-1.2141 or by the council.

11 MCAR § 1.2093 Classification plan.

A. Preparation and adoption.

1. The Governor, through the Commissioner of Public Safety shall formally adopt a comprehensive classification plan for all positions covered by ~~these rules~~ 11 MCAR §§ 1.2090-1.2141 which shall be published as part of the Public Safety Merit System Manual. 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 Department of Public Safety and the local civil defense agency, as well as in all examination procedures.

2. [Unchanged.]

B. Allocation of positions.

~~1.~~ Every position under the Minnesota merit system as provided in 11 MCAR § 1.2091 E. shall be allocated by the merit

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

system 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~~ necessary.

C. ~~Reallocation~~ Reclassification 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~~ reclassified positions.

1. Appointment authorized. When a position is reclassified and it is determined to be a reallocation resulting from a significant change in the duties and responsibilities of the position occurring gradually over a period of time, the supervisor may authorize an appointing authority to promote the incumbent of the reallocated position. Any employee promoted in accordance with this paragraph shall serve a probationary period in the higher class.

2. Eligibility. When a position ~~in one class is reallocated to a different class~~ is reclassified resulting from a change in allocation, the incumbent shall not be deemed eligible to continue in ~~this~~ the 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~~ 11 MCAR §§ 1.2090-1.2141 as may be deemed to be applicable. If ineligibility of a permanent or probationary incumbent of a ~~reallocated~~ reclassified 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~~ 11 MCAR §§ 1.2090-1.2141 about layoff shall apply. Any transfer, promotion, demotion or layoff in accordance with ~~such~~ these provisions ~~of these rules~~ must occur within ~~sixty~~ 60 days of the notification of ~~reallocation~~ reclassification of the position.

~~2.~~ 3. Equivalent duties. The Commissioner of Public Safety may authorize the ~~reallocation~~ reclassification of a positon 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~~ reclassified 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.

4. Incumbent appointed after exam. If the incumbent examined in accordance with ~~the above procedure~~ 3. 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.

5. Probation prohibited. Notwithstanding the provisions of 12 MCAR § 2.500 B.1.a., an employee appointed under ~~the provisions of this rule will~~ 4. shall not be required to serve a new probationary period in the higher classification.

E. Class specifications.

~~1.~~ The classification plan shall consist of written specifications for each class. Each specification shall include an appropriate class title, a description of the duties and responsibilities of the work, and the requirements of training, experience, and other qualifications.

F. ~~Amendment of the classification~~ Revision of plan.

~~1. Whenever any changes in organization, creation of a new position, or a change in duties or responsibilities of a position necessitate a revision of the classification plan, the Supervisor shall conduct an investigation and analysis of the duties and responsibilities of the class specifications involved. New class specifications will be developed after consultation with supervisory officials, classification specialists, and persons technically familiar with the character of the work.~~

~~2. The proposed new or revised class specifications shall be submitted to the Merit System Council for review and recommendations. Upon such review and recommendation the Commissioner of Public Safety shall call and held a public hearing on the proposed new or revised class specifications. Following the public hearing, the Governor, through the Commissioner of Public Safety, may formally adopt a new or revised class of positions and shall notify the agencies of the changes made.~~

~~3. In the event of an emergency, the Merit System Council may approve a new or revised class specification for a period not to exceed six months, without the official public hearing. In no case will an emergency class specification last more than six months from the date of approval by the Merit System Council~~ Existing classes may be abolished or changed, or new classes added, in accordance with A.

11 MCAR § 1.2094 Compensation plan.

A. Preparation and adoption.

1. Preparation of plan. The Governor, through the Commissioner of Public Safety shall formally adopt and make effective a comprehensive compensation plan, ~~(11 MCAR § 1.2140)~~, for all classes of positions which shall apply to all agencies covered by the merit system except as otherwise negotiated for employees in a bargaining unit in agencies where there is an exclusive representative or in those ~~limited~~ instances where the requirements of ~~11 MCAR § 1.2116 C.~~ F.2.c. have been satisfied. The plan shall include salary ranges for the various classes, with the salary of each class consistent with the duties and responsibilities outlined in the class specifications. Minimum, intervening, and maximum rates of pay for each class shall be established to provide for ~~steps in~~ salary advancement without change of duty, in recognition of meritorious service. The advice and suggestions of appointing authorities, prevailing salary rates ~~in other similar employments,~~ for similar and competing types of employment in business and government and other relevant factors shall be taken into consideration in ~~arriving at such~~ developing the ranges.

2. Review by council. The proposed compensation plan, and any ~~subsequent~~ amendments thereto, shall be submitted to the council for review and recommendation ~~in relation to the merit system program of recruitment and examination.~~ Upon review and recommendation and after compliance with the provisions of Minn. Stat. ch. 15, the Governor, through the commissioner, shall formally adopt the compensation plan which shall be the official salary schedule of the Minnesota merit system, effective the date specified.

3. Salary plans. The comprehensive compensation plan adopted by the commissioner shall provide for separate alphabetically designated salary plans for different occupational groupings of classes reflecting progressively higher salary ranges except for those classes where a single range of rates is found to be appropriate. Plans shall be established as provided in 11 MCAR § 1.2140 as follows:

a. Professional — A, B and C;

b. Clerical — A, B and C.

B. Selection of salary ranges by local civil defense authority.

~~1. The local Civil Defense authority shall select a salary plan for all employees 1) except these in a bargaining unit where a salary schedule has been negotiated by the appointing authority and the exclusive representative and 2) except as provided in 11 MCAR § 1.2094 B.6. Such a plan shall be selected from each of the following salary schedules provided under 11 MCAR § 1.2140. Professional — A, B, C; Clerical — A, B, C, D, E, F.~~

~~2. Such rates, as provided for in 11 MCAR § 1.2094 B.1., shall be identified by alphabetical designation, and adjustment of the plan as provided in 11 MCAR § 1.2094 D. shall not serve to amend the alphabetical designated rates selected as the county plan.~~

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

~~4. The alphabetically designated rates selected by the local Civil Defense authority shall become the official plan for the local Civil Defense agency until amended by the salary setting authority as provided in 11 MCAR § 1.2094 C.~~

~~5. Salary rates for incumbents of positions shall be established in accordance with the provisions of 11 MCAR § 1.2116 B.1. 2. on the basis of the plan adopted by the local Civil Defense authority as provided above.~~

1. Adoption as official plan. Appointing authorities shall by resolution choose a salary plan for each occupational grouping of classes from among the plans listed in A.3. except where salaries are negotiated with an exclusive representative or 5. is applicable. The plans adopted shall become the official plans for the appointing authority until amended.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

2. Selection of rates. Within the minimum and maximum salaries for classes in the adopted plans, appointing authorities shall designate by resolution the minimum, intervening and maximum salary rates to be paid for each class of positions used by the appointing authority. The supervisor shall be promptly notified of the rates selected by each appointing authority.

3. Plan amendments. The appointing authority may by resolution amend its official plan for one or more occupational groupings of classes. The supervisor shall be promptly notified of the amendment.

4. Incumbents. Salary rates for incumbents of positions shall be established in accordance with the provisions of F.2. and 3. on the basis of the plan adopted by the appointing authority as provided in A.3.

~~6.~~ 5. Nonrepresented employees. In agencies with an exclusive representative, the appointing authority ~~has the discretion of paying~~ may pay confidential, supervisory, and other personnel not covered by an exclusive representative who are in the same class as the employees who have an exclusive representative, the same rate of pay and salary ranges as negotiated for the class under ~~11 MCAR § 1.2094 E~~ D.1. In no case would this rule allow the appointing authority to reduce the rate of pay of confidential, supervisory or other excluded employees.

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

~~1. The local Civil Defense authority may amend the official plan for the jurisdiction by the selection of a different salary schedule as provided in 11 MCAR § 1.2094 B.~~

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

~~D.~~ Adjustment of the official salary schedule of the Minnesota merit system.

1. Consumer price index. 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. Biennial review of labor market. 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.~~

Plan amendments. From the results of this study, the supervisor shall propose amendments to the compensation plan in accordance with Minn. Stat. ch. 15, and as outlined in 11 MCAR § 1.2094 A. 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.~~ 4. Biennial review of consumer price index. 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%~~ nine percent. 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.

5. Plan adjustments. 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 the employees were paid under the former plan.

~~E.~~ D. Negotiation of salary schedule.

1. Role of exclusive representative. 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~~ Minimum, 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~~ the class falls within the bargaining unit and no provision exists in the contract for establishing ~~such~~ those salaries, the appointing authority and the exclusive representative shall negotiate a salary schedule for the new classification within ~~sixty~~ 60 days of the date of establishment of the classification.

2. Filing. A complete copy of the ~~adopted~~ negotiated 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.

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

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

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

~~OR~~

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

~~AND~~

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

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

~~e. Such appointment under a. or b. above shall be subject to the prior approval of the Merit System Supervisor upon submittal by the appointing authority of a written statement of the reasons for the higher rate.~~ In those agencies without an exclusive representative or where the collective bargaining agreement is silent regarding initial salaries, the entrance salary for any new employee shall normally be at the minimum rate of pay for the class to which the appointment is made. Requests to appoint above the minimum rate of pay may be made based on the exceptional qualifications of the candidate or the unavailability of candidates at the minimum rate, giving consideration to the salaries of current employees in the same classification. All candidates with similar exceptional qualifications must be offered the same rate of pay which shall be one of the established steps in the agency's adopted salary range for the class to which the appointment is made. The request, including reasons, must be submitted in writing by the appointing authority to the supervisor for prior approval.

F. Salary adjustments and increases.

1. Availability of funds. Before salary increases and adjustments are made in accordance with 11 MCAR §§ 1.2090-1.2141 or

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

in accordance with a negotiated collective bargaining agreement, the civil defense authority shall have in its records and carry in its minutes a definite statement that funds for this purpose are available.

2. Plan requirements. In agencies where there is no exclusive representative or collective bargaining agreement, negotiated adjustments in the rates of pay of incumbents of positions, in order to conform to a newly adopted or currently effective compensation plan, shall be in accordance with a.-h.

a. If the rate of pay of an employee is below the minimum of the range prescribed for the employee's classification on the merit system compensation plan adopted by the appointing authority the rate shall be adjusted to that minimum.

b. If the rate of pay of an employee is at or above the new minimum salary adopted for the employee's class, the employee may receive the general merit system adopted adjustment and, if a class was adjusted to a greater extent than the general adopted adjustment, the class may receive the additional adjustment as provided in C.4. if the additional adjustment does not place the class salary over the new maximum adopted salary for the class.

c. If an appointing authority has determined that the general merit system adopted adjustment is inappropriate for its employees, it may grant a different adjustment; however, it must file with the supervisor the new salary steps by class and a salary conversion table as provided for in 11 MCAR § 1.2141. The adjustments shall at least place employees at the minimum salary and not over the maximum salary for their class on the salary plan adopted by the agency.

d. Employees at the maximum salary for their class may be granted salary adjustments over the maximum salary prescribed for their class, only if a merit system adjustment is adopted and only in the amount adopted for incumbents of that class.

e. If the rate of pay of an employee is higher than the maximum of the range prescribed for the employee's class the rate may remain the same as long as the employee retains the same classification.

f. If the rate of pay of an employee falls between the minimum and maximum of the salary range prescribed for the employee's class but does not correspond to any intervening steps in the range due to the adoption of a merit system general adjustment the rate may remain the same. In the case of subsequent merit increases the employee shall be placed on a step in the adopted salary range for the employee's class.

g. Employees at the maximum salary rate for their class may only be granted merit system adopted salary adjustments in the amount adopted for incumbents of that class. If an appointing authority wishes to grant a larger general adjustment to its employees than that adopted by the merit system and the adjustment would place an employee's rate of pay above the maximum salary rate for the employee's class, the appointing authority by prior resolution may grant to an employee the annual equivalent of the difference between the merit system adopted adjustments for incumbents and the agency adopted adjustment in the form of a single lump sum salary payment on the effective date of the general adjustment. The employee's base salary will remain at the maximum salary rate for the employee's class.

h. An appointing authority may propose a salary increase within the salary range after providing detailed written statements to the supervisor specifying the unusual employment conditions that make the action necessary and the interests of the agency that will be served by the action. The supervisor shall review each such proposal giving due consideration to the salary rates paid other employees in the same class in the agency and may deny any request which in his judgment is contrary to the best interests of the merit system. Salary increases proposed in accordance with this paragraph are not based on employee performance or a general merit system adopted salary adjustment. The granting of the increase will not affect the employee's eligibility for subsequent merit increases or salary adjustments in accordance with merit system rules. If the unusual employment conditions justifying the increase are of a temporary nature the employee's salary shall be decreased to its previous level upon conclusion of those conditions, notwithstanding the provisions of H.1. or 12 MCAR § 2.508 D.1.

3. Recommended adjustment. The merit system general adjustment recommended for incumbents is eight percent for employees on the professional and clerical salary schedules.

4. Salary differentials. Intra-agency salary differentials between employees in the same class of positions, between employees in different classes of positions in the same occupational field, and between occupational fields in the same agency are recognized as important factors in the maintenance of satisfactory morale. If the general adjustments result in the reduction of the differential between employees in the same class of positions or between employees in different classes of positions in the same occupational field adjustments may be made that will, insofar as practicable, maintain differentials within the limits of the new plan. In maintaining differentials the appointing authority shall consider the length of service and quality of performance of the employee affected.

5. Collective bargaining agreements. In agencies where there is an exclusive representative and a negotiated salary

schedule for employees in the bargaining unit adjustments in the rates of pay of employees shall follow the wording of the contract or agreement.

G. Merit increases.

1. Increases by step. Merit increases from the minimum on the official merit system compensation plan or on any negotiated salary schedules or on any salary schedules filed with the supervisor pursuant to F.2.c. shall be by successive intervening steps of pay for the class with due consideration for length of service and quality of performance.

2. Eligible employees. In those agencies that have adopted a merit increase policy, an employee may be considered for a merit increase upon the satisfactory completion of the probationary period.

3. Annual review for merit increases. In those agencies that have adopted a merit increase policy, a merit increase for each employee not at the maximum salary for the employee's classification shall be considered at least once each 12-month period unless otherwise negotiated through a contract or agreement by the appointing authority and the exclusive representative. In the event an increase is not granted the reasons for the denial of the increase shall be reported in writing to the employee and to the merit system supervisor.

4. Restriction on frequency of increases. In those agencies that have adopted a merit increase policy, except as otherwise negotiated by the appointing authority and the exclusive representative, a merit increase shall not be granted until the employee has served at least six months at the rate of pay from which an increase is proposed. In cases of exceptionally meritorious service, a merit increase of more than one salary step in the range or at less than a six month interval may be permitted. The facts upon which each exceptional merit increase is based shall be recorded in the official minutes of the local civil defense authority and reported to the merit system supervisor.

5. Increases based on additional education. In those agencies that have adopted a merit increase policy, an extraordinary merit increase within the agency's salary range may be granted upon satisfactory completion of 15 additional credits in a field or fields pertinent to the employee's class. In each case the employee's transcript of coursework must accompany the proposed merit increase.

6. Lump sum payments. In those agencies that have adopted a merit increase policy, the appointing authority may grant an employee who meets all other agency eligibility requirements for a merit increase but whose salary is at or above the maximum rate of pay in the adopted salary range for his classification the annual equivalent of a one step merit increase in the form of a single lump sum payment in recognition of meritorious job performance. Appointing authorities, prior to the beginning of the year in which these merit increases are effective, must by resolution establish as official policy that these payments will be granted for meritorious job performance. The base salary of an employee receiving a lump sum merit increase shall remain at the rate attained immediately prior to the increase.

H. Salary decreases.

1. In general. Except as otherwise negotiated by an agency and the exclusive representative, a salary decrease within the range prescribed for the class may be made only for just cause. A permanent employee shall be notified of the intent to effect a reduction in pay and the reasons for the action at least ten calendar days prior to the date on which the reduction becomes effective. A copy of the notice shall be sent to the supervisor. A permanent employee whose salary is reduced may request a hearing as provided in 12 MCAR § 2.508 D.1.

2. Exemption. Collective bargaining agreement provisions whereby a salary adjustment or salary increase is negotiated for a set period of time do not fall within the provisions of 1.

I. Work out of class. If an employee is expressly assigned in writing to perform all the duties of a position allocated to a higher classification that is temporarily unoccupied for reasons other than vacation or sick leave and the work exceeds 15 consecutive work days the employee so assigned shall be paid for all hours of the assignment at least at the minimum rate of pay of the salary range for the higher class or may be granted a one step salary increase within his salary range. If the assignment is to a position in a classification at an equal or lower level the employee shall be paid for all hours of the assignment at the employee's current rate of pay. A work out of class assignment may be proposed only if the duration of the vacancy is

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

anticipated to be less than six months. Approval of the assignments by the supervisor is required and must be received by the supervisor within five calendar days of the assignment. Upon completion of the work out of class assignment the employee's salary shall be reduced to its previous level, notwithstanding the provisions of H.1. or 12 MCAR § 2.508 D.1.

11 MCAR § 1.2117 Salary computation provisions for full and part-time employment, vacation and sick leave pay upon termination, partial pay periods, overtime pay and part payment from another source.

A. Pay periods.

~~1.~~ The length of pay periods is at the discretion of the appointing authority ~~and/~~or may be negotiated when there is an exclusive representative.

B. Full-time and part-time employment.

1. All rates prescribed in 11 MCAR §§ 1.2140 and 1.2141 shall be standard rates for full-time employees except as otherwise negotiated for employees in a bargaining unit in agencies where there is an exclusive representative or under the provisions of 11 MCAR § ~~1.2116 B.1.c.~~ 1.2094 F.2.c. If employment in a position is on a part-time or intermittent basis, only the proportional part of the rate for the time actually employed shall be paid. ~~Such~~ The time may be paid on an hourly, working-day or proportion of a month basis. The agencies using 11 MCAR § 1.2140 shall use the table prepared in accordance with 11 MCAR § 1.2141 in computing ~~such~~ the payment.

2. Those agencies with an exclusive representative who negotiate different salary schedules from those shown in 11 MCAR § 1.2140 under the provisions of ~~11 MCAR § 1.2117 B.~~1. ~~above~~ or those agencies operating under the provisions of 11 MCAR § ~~1.2116 B.1.c.~~ 1.2094 F.2.c. shall file within ~~10~~ ten days after the signing of the contract ~~such~~ the schedules with the supervisor. Attached thereto, shall be a table similar in format, computation, and information to the table provided for in 11 MCAR § 1.2141. The table shall show monthly rates with appropriate conversion to hourly rates and to daily rates based on the number of working days and paid holidays in the month, and payment by payroll period for full-time work if ~~such~~ the payment is made on other than a monthly basis.

C. Payment for less than a full payroll period.

~~1.~~ The amount of salary paid for a period less than a full payroll period to an employee shall be determined on the basis of the number of hours~~/~~ and days the employee worked in the payroll period. Agencies shall use the table provided for in 11 MCAR § 1.2141 in computing this salary. Those agencies with an exclusive representative who have negotiated different salary schedules and those agencies operating under the provisions of 11 MCAR § ~~1.2116 B.1.c.~~ 1.2094 F.2.c. shall use their table prepared in accordance with 11 MCAR § 1.2141 in computing this salary.

D. Part payment from another source.

~~1.~~ When part of the compensation of a local civil defense employee regularly is paid from another source, such as federal, state, city or county governmental departments, or from a different fund or account outside the control of the local civil defense authority, the total salary from all governmental sources combined shall not exceed the amount payable at the maximum rate for the class of position involved on the compensation plan adopted by the agency.

E. Compensation for vacation ~~and/~~or sick leave upon separation.

1. An employee, who has permanent status in the county in some class, who is separated from the agency shall be paid for accumulated, unused vacation leave in accordance with 12 MCAR § 2.504 ~~C.4.~~ B.3.d. on the basis of the appropriate daily or hourly rate as shown on the table prepared in accordance with 11 MCAR § 1.2141. This is illustrated by the following examples.

An employee who earns $844 a month and is paid $388 on a bi-weekly payroll ($38.80 daily rate) works 8 days in the payroll period and terminates her employment. She has 11 days of vacation accumulated. Daily rate of $38.80 × 19 days (8 regular working days plus 11 days of vacation) = $737.20.

An employee who earns $844 a month and is paid on a monthly basis works 8 days in the month which has 22 working days in it and terminates her employment. She has 11 days of vacation accumulated. Daily rate of $38.36 (for 22 day month) × 19 days (8 regular working days plus 11 days of vacation) = $727.70.

2. [Unchanged.]

3. [Unchanged.]

F. 1 [Unchanged.]

11 MCAR § 1.2118 Appointments, promotions, demotions, transfers, and reinstatements.

A. Appointment.

1. The entrance salary for ~~any~~ the original appointment, provisional appointment, or emergency appointment of a new

employee ~~(original appointment, provisional appointment, or emergency appointment)~~ shall be at the minimum salary for the class of positions to which he is appointed, except when appointments are permitted above the minimum in accordance with 11 MCAR § 1.2094 E.

2. An employee who is provisionally employed at a rate of pay other than the minimum of the range prescribed for the class shall not be reduced in pay at the time of appointment from a register to the class ~~in which he is serving~~.

B. Promotions.

1. ~~An employee~~ Employees who ~~is~~ are promoted shall have ~~his~~ their salary raised to the minimum rate of pay for the new class. If ~~his~~ their salary before promotion falls within the range of the new class but not on any step within that range, the salary shall be adjusted to the ~~nearest~~ next higher step.

2. ~~An employee~~ Employees granted a salary increase after having been promoted may be permitted to retain that increase when returned to a lower class, ~~provided that~~ if the salary ~~paid~~ does not exceed the maximum ~~of~~ salary for the lower class.

C. Demotions.

~~1. An employee who is demoted except by reason of 11 MCAR § 1.2093 D. shall have his salary reduced to at least the maximum rate of the new class. If the salary is within the range for the new class, he may receive the same rate. An employee who continues in the same position and who is demoted under 11 MCAR § 1.2093 D. because of the downward reallocation of his position may continue to be paid at the former salary rate as long as he retains the same position without further increase except as may subsequently be provided in the new classification~~ An employee who is demoted, except one demoted in accordance with 11 MCAR § 1.2094 C., and whose salary is above the maximum rate for the lower class shall be reduced in salary to at least the maximum rate for the new class. If the former salary is within the salary range for the lower class the same salary may be continued. An employee whose position is reclassified downward in accordance with 11 MCAR § 1.2094 C. and remains in the same position may retain the former salary if it is above the maximum salary rate for the lower class but shall be ineligible to receive any further increases except those subsequently provided in the new classification.

D. Transfers.

~~1.~~ An employee who is transferred may be paid the same salary that he received prior to transfer. ~~His salary may be raised within the range for the class to which he is transferred, but it shall not be lowered~~ If an employee's salary prior to transfer falls within the salary range of the class to which he is transferring but not on a salary step in that range, the employee's salary may be increased to the next higher step in the range but it shall not be lowered.

E. Reinstatements.

~~1.~~ A former employee who is reinstated or reemployed may be paid the same salary rate that he last received in the same class of positions if it coincides with a step in the current salary range for the class, or if it does not coincide, at the ~~nearest~~ next higher step.

11 MCAR § 1.2140 Compensation plan (emergency services) ~~1981~~ 1982

A. Professional

1. Plan A

Class of positions

	1	2	3	4	5	6	7	8
Administrative	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~
Officer	1299	1358	1420	1485	1549	1620	1696	1777
Asst. Civil Defense	~~805~~	~~841~~	~~880~~	~~921~~	~~962~~	~~1004~~	~~1052~~	~~1099~~
Director I	869	908	950	995	1039	1084	1136	1187
Asst. Civil Defense	~~962~~	~~1004~~	~~1052~~	~~1099~~	~~1149~~	~~1203~~	~~1257~~	~~1315~~
Director II	1039	1084	1136	1187	1241	1299	1358	1420
Asst. Civil Defense	~~1149~~	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~
Director III	1241	1299	1358	1420	1485	1549	1620	1696

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

Asst. Civil Defense Director IV	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939	~~1876~~ 2026
Communications Officer	~~1052~~ 1136	~~1099~~ 1187	~~1149~~ 1241	~~1203~~ 1299	~~1257~~ 1358	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549
County Civil Defense Director I	~~1149~~ 1241	~~1203~~ 1299	~~1257~~ 1358	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696
County Civil Defense Director II	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939
County Civil Defense Director III	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939	~~1876~~ 2026	~~1960~~ 2117	~~2049~~ 2213
County Civil Defense Director IV	~~2144~~ 2316	~~2242~~ 2421	~~2344~~ 2532	~~2449~~ 2645	~~2565~~ 2770	~~2682~~ 2897	~~2804~~ 3028	~~2927~~ 3161
Local Civil Defense Director I	~~921~~ 995	~~962~~ 1039	~~1004~~ 1084	~~1052~~ 1136	~~1099~~ 1187	~~1149~~ 1241	~~1203~~ 1299	~~1257~~ 1358
Local Civil Defense Director II	~~1052~~ 1136	~~1099~~ 1187	~~1149~~ 1241	~~1203~~ 1299	~~1257~~ 1358	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549
Local Civil Defense Director III	~~1203~~ 1299	~~1257~~ 1358	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777
Local Civil Defense Director IV	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939	~~1876~~ 2026	~~1960~~ 2117	~~2049~~ 2213
Local Civil Defense Director V	~~2144~~ 2316	~~2242~~ 2421	~~2344~~ 2532	~~2449~~ 2645	~~2565~~ 2770	~~2682~~ 2897	~~2804~~ 3028	~~2927~~ 3161
Operations Officer	~~1203~~ 1299	~~1257~~ 1358	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777
Public Information Officer	~~1203~~ 1299	~~1257~~ 1358	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777
Radiological Defense Officer	~~1052~~ 1136	~~1099~~ 1187	~~1149~~ 1241	~~1203~~ 1299	~~1257~~ 1358	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549
Safety Services Coordinator	~~1203~~ 1299	~~1257~~ 1358	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777

2. Plan B

a. Class of positions

	1	2	3	4	5	6	7	8
Administrative Officer	~~1257~~ 1358	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854
Asst. Civil Defense Director I	~~841~~ 908	~~880~~ 950	~~921~~ 995	~~962~~ 1039	~~1004~~ 1084	~~1052~~ 1136	~~1099~~ 1187	~~1149~~ 1241
Asst. Civil Defense Director II	~~1004~~ 1084	~~1052~~ 1136	~~1099~~ 1187	~~1149~~ 1241	~~1203~~ 1299	~~1257~~ 1358	~~1315~~ 1420	~~1375~~ 1485
Asst. Civil Defense Director III	~~1203~~ 1299	~~1257~~ 1358	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777
Asst. Civil Defense Director IV	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939	~~1876~~ 2026	~~1960~~ 2117
Communications Officer	~~1099~~ 1187	~~1149~~ 1241	~~1203~~ 1299	~~1257~~ 1358	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620
County Civil Defense Director I	~~1149~~ 1241	~~1203~~ 1299	~~1257~~ 1358	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696
County Civil Defense Director II	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939
County Civil Defense Director III	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939	~~1876~~ 2026	~~1960~~ 2117	~~2049~~ 2213
County Civil Defense Director IV	~~2144~~ 2316	~~2242~~ 2421	~~2344~~ 2532	~~2449~~ 2645	~~2565~~ 2770	~~2682~~ 2897	~~2804~~ 3028	~~2927~~ 3161
Local Civil Defense Director I	~~921~~ 995	~~962~~ 1039	~~1004~~ 1084	~~1052~~ 1136	~~1099~~ 1187	~~1149~~ 1241	~~1203~~ 1299	~~1257~~ 1358

Local Civil Defense	~~1052~~	~~1099~~	~~1149~~	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~
Director II	1136	1187	1241	1299	1358	1420	1485	1549
Local Civil Defense	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~
Director III	1299	1358	1420	1485	1549	1620	1696	1777
Local Civil Defense	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~	~~1960~~	~~2049~~
Director IV	1620	1696	1777	1854	1939	2026	2117	2213
Local Civil Defense	~~2144~~	~~2242~~	~~2344~~	~~2449~~	~~2565~~	~~2682~~	~~2804~~	~~2927~~
Director V	2316	2421	2532	2645	2770	2897	3028	3161
Operations	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~
Officer	1358	1420	1485	1549	1620	1696	1777	1854
Public Information	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~
Officer	1358	1420	1485	1549	1620	1696	1777	1854
Radiological Defense	~~1099~~	~~1149~~	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~
Officer	1187	1241	1299	1358	1420	1485	1549	1620
Safety Services	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~
Coordinator	1358	1420	1485	1549	1620	1696	1777	1854

3. Plan C

a. Class of positions

	1	2	3	4	5	6	7	8
Administrative	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~
Officer	1420	1485	1549	1620	1696	1777	1854	1939
Asst. Civil Defense	~~880~~	~~921~~	~~962~~	~~1004~~	~~1052~~	~~1099~~	~~1149~~	~~1203~~
Director I	950	995	1039	1084	1136	1187	1241	1299
Asst. Civil Defense	~~1052~~	~~1099~~	~~1149~~	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~
Director II	1136	1187	1241	1299	1358	1420	1485	1549
Asst. Civil Defense	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~
Director III	1358	1420	1485	1549	1620	1696	1777	1854
Asst. Civil Defense	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~	~~1960~~	~~2049~~
Director IV	1620	1696	1777	1854	1939	2026	2117	2213
Communications	~~1149~~	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~
Officer	1241	1299	1358	1420	1485	1549	1620	1696
County Civil Defense	~~1149~~	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~
Director I	1241	1299	1358	1420	1485	1549	1620	1696
County Civil Defense	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~
Director II	1420	1485	1549	1620	1696	1777	1854	1939
County Civil Defense	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~	~~1960~~	~~2049~~
Director III	1620	1696	1777	1854	1939	2026	2117	2213
County Civil Defense	~~2144~~	~~2242~~	~~2344~~	~~2449~~	~~2565~~	~~2682~~	~~2804~~	~~2927~~
Director IV	2316	2421	2532	2645	2770	2897	3028	3161
Local Civil Defense	~~921~~	~~962~~	~~1004~~	~~1052~~	~~1099~~	~~1149~~	~~1203~~	~~1257~~
Director I	995	1039	1084	1136	1187	1241	1299	1358
Local Civil Defense	~~1052~~	~~1099~~	~~1149~~	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~
Director II	1136	1187	1241	1299	1358	1420	1485	1549
Local Civil Defense	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~
Director III	1299	1358	1420	1485	1549	1620	1696	1777
Local Civil Defense	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~	~~1960~~	~~2049~~
Director IV	1620	1696	1777	1854	1939	2026	2117	2213
Local Civil Defense	~~2144~~	~~2242~~	~~2344~~	~~2449~~	~~2565~~	~~2682~~	~~2804~~	~~2927~~
Director V	2316	2421	2532	2645	2770	2897	3028	3161

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

Operations Officer	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939
Public Information Officer	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939
Radiological Defense Officer	~~1149~~ 1241	~~1203~~ 1299	~~1257~~ 1358	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696
Safety Services Coordinator	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939

B. Clerical

1. Plan A

a. Class of positons

	1	2	3	4	5	6	7	8	9
Clerk I	~~566~~ 616	~~584~~ 645	~~602~~ 676	~~619~~ 704	~~636~~ 734	~~657~~ 766	~~679~~ 801	~~702~~ 839	~~725~~
Clerk II	~~636~~ 704	~~657~~ 734	~~679~~ 766	~~702~~ 801	~~725~~ 839	~~747~~ 877	~~770~~ 917	~~795~~ 959	~~823~~
Clerk III	~~725~~ 784	~~747~~ 821	~~770~~ 857	~~795~~ 895	~~823~~ 937	~~852~~ 982	~~881~~ 1027	~~913~~ 1073	~~946~~
Clerk-Typist I	~~584~~ 645	~~602~~ 676	~~619~~ 704	~~636~~ 734	~~657~~ 766	~~679~~ 801	~~702~~ 839	~~725~~ 877	~~747~~
Clerk-Typist II	~~636~~ 704	~~657~~ 734	~~679~~ 766	~~702~~ 801	~~725~~ 839	~~747~~ 877	~~770~~ 917	~~795~~ 959	~~823~~
Clerk-Typist III	~~725~~ 784	~~747~~ 821	~~770~~ 857	~~795~~ 895	~~823~~ 937	~~852~~ 982	~~881~~ 1027	~~913~~ 1073	~~946~~
Clerk-Steno I	~~619~~ 676	~~636~~ 704	~~657~~ 734	~~679~~ 766	~~702~~ 801	~~725~~ 839	~~747~~ 877	~~770~~ 917	~~795~~
Clerk-Steno II	~~679~~ 766	~~702~~ 801	~~725~~ 839	~~747~~ 877	~~770~~ 917	~~795~~ 959	~~823~~ 1004	~~852~~ 1049	~~881~~
Clerk-Steno II	~~747~~ 821	~~770~~ 857	~~795~~ 895	~~823~~ 937	~~852~~ 982	~~881~~ 1027	~~913~~ 1073	~~946~~ 1119	~~981~~

2. Plan B

a. Class of positions

	1	2	3	4	5	6	7	8	9
Clerk I	~~584~~ 704	~~602~~ 734	~~619~~ 766	~~636~~ 801	~~657~~ 839	~~679~~ 877	~~702~~ 917	~~725~~	~~747~~
Clerk II	~~657~~ 801	~~679~~ 839	~~702~~ 877	~~725~~ 917	~~747~~ 959	~~770~~ 1004	~~795~~ 1049	~~823~~	~~852~~
Clerk III	~~747~~ 895	~~770~~ 937	~~795~~ 982	~~823~~ 1027	~~852~~ 1073	~~881~~ 1119	~~913~~ 1172	~~946~~	~~981~~
Clerk-Typist I	~~602~~ 734	~~619~~ 766	~~636~~ 801	~~657~~ 839	~~679~~ 877	~~702~~ 917	~~725~~ 959	~~747~~	~~770~~
Clerk-Typist II	~~657~~ 801	~~679~~ 839	~~702~~ 877	~~725~~ 917	~~747~~ 959	~~770~~ 1004	~~795~~ 1049	~~823~~	~~852~~
Clerk-Typist III	~~747~~ 895	~~770~~ 937	~~795~~ 982	~~823~~ 1027	~~852~~ 1073	~~881~~ 1119	~~913~~ 1172	~~946~~	~~981~~
Clerk-Steno I	~~636~~ 766	~~657~~ 801	~~679~~ 839	~~702~~ 877	~~725~~ 917	~~747~~ 959	~~770~~ 1004	~~795~~	~~823~~
Clerk-Steno II	~~702~~ 877	~~725~~ 917	~~747~~ 959	~~770~~ 1004	~~795~~ 1049	~~823~~ 1094	~~852~~ 1147	~~881~~	~~913~~
Clerk-Steno III	~~770~~ 937	~~795~~ 982	~~823~~ 1027	~~852~~ 1073	~~881~~ 1119	~~913~~ 1172	~~946~~ 1223	~~981~~	~~1015~~

3. Plan C

a. Class of positions

	1	2	3	4	5	6	7	~~8~~	~~9~~
Clerk I	~~602~~	~~619~~	~~636~~	~~657~~	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~
	766	801	839	877	917	959	1004		
Clerk II	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~
	877	917	959	1004	1049	1094	1147		
Clerk III	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~	~~981~~	~~1015~~
	982	1027	1073	1119	1172	1223	1281		
Clerk-Typist I	~~619~~	~~636~~	~~657~~	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~
	801	839	877	917	959	1004	1049		
Clerk-Typist II	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~
	877	917	959	1004	1049	1094	1147		
Clerk-Typist III	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~	~~981~~	~~1015~~
	982	1027	1073	1119	1172	1223	1281		
Clerk-Steno I	~~657~~	~~670~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~
	839	877	917	959	1004	1049	1094		
Clerk-Steno II	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~
	959	1004	1049	1094	1147	1198	1252		
Clerk-Steno III	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~	~~981~~	~~1015~~	~~1052~~
	1027	1073	1119	1172	1223	1281	1340		

~~4. Plan D~~

~~a. Class of Positions~~

	~~1~~	~~2~~	~~3~~	~~4~~	~~5~~	~~6~~	~~7~~	~~8~~	~~9~~
~~Clerk I~~	~~619~~	~~636~~	~~657~~	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~
~~Clerk II~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~
~~Clerk III~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~	~~981~~	~~1015~~	~~1052~~
~~Clerk-Typist I~~	~~636~~	~~657~~	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~
~~Clerk-Typist II~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~
~~Clerk-Typist III~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~	~~981~~	~~1015~~	~~1052~~
~~Clerk-Steno I~~	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~
~~Clerk-Steno II~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~	~~981~~
~~Clerk-Steno III~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~	~~981~~	~~1015~~	~~1052~~	~~1092~~

~~5. Plan E~~

~~a. Class of Positions~~

	~~1~~	~~2~~	~~3~~	~~4~~	~~5~~	~~6~~	~~7~~	~~8~~
~~Clerk I~~	~~657~~	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~
~~Clerk II~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~
~~Clerk III~~	~~852~~	~~881~~	~~913~~	~~946~~	~~981~~	~~1015~~	~~1052~~	~~1092~~
~~Clerk-Typist I~~	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~
~~Clerk-Typist II~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~
~~Clerk-Typist III~~	~~852~~	~~881~~	~~913~~	~~946~~	~~981~~	~~1015~~	~~1052~~	~~1092~~
~~Clerk-Steno I~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~
~~Clerk-Steno II~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~	~~981~~	~~1015~~
~~Clerk-Steno III~~	~~881~~	~~913~~	~~946~~	~~981~~	~~1015~~	~~1052~~	~~1092~~	~~1132~~

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

~~6. Plan F~~

~~a. Class of Positions~~

	~~1~~	~~2~~	~~3~~	~~4~~	~~5~~	~~6~~	~~7~~	~~8~~
~~Clerk I~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~
~~Clerk II~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~	~~981~~
~~Clerk III~~	~~881~~	~~913~~	~~946~~	~~981~~	~~1015~~	~~1052~~	~~1092~~	~~1132~~
~~Clerk-Typist I~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~
~~Clerk-Typist II~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~	~~981~~
~~Clerk-Typist III~~	~~881~~	~~913~~	~~946~~	~~981~~	~~1015~~	~~1052~~	~~1092~~	~~1132~~
~~Clerk-Steno I~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~
~~Clerk-Steno II~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~	~~981~~	~~1015~~	~~1052~~
~~Clerk-Steno III~~	~~913~~	~~946~~	~~981~~	~~1015~~	~~1052~~	~~1092~~	~~1132~~	~~1174~~

11 MCAR § 1.2141 Provisions for computing monthly, hourly, less-than-full-time, bi-weekly, and four week salary rates.

~~A. Salary Conversion Tables.~~

~~1.~~ The supervisor shall publish a salary conversion table as part of the Minnesota Merit System Manual. The table shall list all existing salary rates listed in 11 MCAR § ~~1.140~~ 1.2140. For those salary rates, the supervisor shall calculate hourly, daily and payroll period salaries for each of the salary rates listed. This table shall be based on an ~~8~~ eight-hour day, 40-hour week and 2088-hour year. Agencies with a normal work schedule which varies from an ~~8~~ eight-hour day, 40-hour week or 2088-hour year or agencies with payroll periods other than once every two weeks, every four weeks, or every month, shall supply the supervisor with a salary conversion table as provided for in 11 MCAR § ~~1.116 B.1.e.~~ 1.2094 F.2.c. or in 11 MCAR S ~~1.117~~ 1.2117 B.2.

Repealer. Rules 11 MCAR § 1.2116, 1.2125, 1.2126, 1.2127, 1.2129, and 1.2130 are repealed.

Department of Public Welfare
Merit System

Proposed Rule and Amendments of Existing Rules Governing Definitions; Statement of Policy and Means of Effecting Policy; Organization; Classification Plan; Compensation Plan; Examinations; Certification of Eligibles; Probationary Period; Separation, Tenure and Reinstatement; Leaves of Absence; Appeals and Hearings; Salary Adjustments and Increases; Salary Computation Provisions for Full and Part-time Employment; Appointments, Demotions, Transfers and Reinstatements; and Provisions for Computing Monthly, Hourly, Less-than-full-time, Bi-weekly, and Four-week Salary Rates

Notice of Hearing

A public hearing concerning the above-entitled matter will be held in the Centennial Office Building, Room A, 658 Cedar Street, St. Paul, Minnesota, on December 3, 1981, commencing at 9:30 a.m. and continuing until all interested persons have an opportunity to be heard. The proposed rule and proposed amendments of existing rules may be modified as a result of the hearing process. Therefore, if you are affected in any manner by the above entitled matter, you are urged to participate in the rule hearing process.

Following the agency's presentation at the hearing, all interested or affected persons will have an opportunity to ask questions and make comments. 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 Peter Erickson, Office of Administrative Hearings, 1745 University Avenue, Room 300, St. Paul, Minnesota, 55104 (612)296-8118 either before the hearing or within five working days after the public hearing ends. The hearing examiner may, at the hearing, order that the record be kept open for a longer period not to exceed 20 calendar days. The rule hearing procedure is governed by Minn. Stat. §§ 15.0411-15.0417 and 15.052, and by 9 MCAR §§ 2.101-2.112 (Minnesota Code of Agency Rules). If you have any questions about the procedure, call or write the hearing examiner.

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 Administrative Hearings. This statement of need and reasonableness will include a summary of all the evidence and argument which the agency anticipates presenting at the hearing justifying both the need for and the reasonableness of the proposed rule or rules. Copies of the statement of need and reasonableness may be obtained from the Office of Administrative Hearings at a minimal charge.

Several minor revisions to the above rules are proposed involving the re-lettering and/or re-numbering of certain provisions, correcting typographical errors, grammatical changes to improve clarity and to correct certain rule and statutory references.

A summary of major proposed revisions to the rules is as follows:

Proposed revisions to 12 MCAR § 2.490 provide definitions for six new terms: "layoff list," "reemployment list," "reclassification," "change in allocation," "reallocation" and "salary increase."

Proposed revisions to 12 MCAR § 2.491 provide new language allowing for the application of fiscal sanctions to appointing authorities for noncompliance with the rules and appeal from such sanctions to the merit system council.

Proposed revisions to 12 MCAR § 2.492 correct rule references to the state civil service act and the Department of Civil Service and provide an additional responsibility for the merit system supervisor of proposing amendments to merit system rules.

Proposed revisions to 12 MCAR § 2.493 remove the classification plan from the rules and provides for publishing them in the Public Welfare Merit System Manual; eliminate the section of the rule allowing amendments to the classification plan for up to six months without a public hearing in emergency situations; provide for incumbents of positions that are reclassified by reallocation to be promoted without examination.

Proposed revisions to 12 MCAR § 2.494 reword those sections involving the preparation and adoption of a compensation plan by the commissioner and the selection of salary ranges by an appointing authority; raise the allowable maximum percentage increase on cost-of-living salary adjustments from 8% to 9%; provide new language governing appointments above the minimum rate of pay; allow employees to receive a lump-sum general salary adjustment under certain circumstances; provide new language allowing salary increases to be granted under unusual employment conditions; provide a recommended general salary adjustment of 8% for all merit system employees effective January 1, 1982; allow an employee whose salary is at or above the maximum of their range to receive a one-step merit increase in the form of a lump-sum payment; provide for salary increases for work out of class assignments and incorporates current language from 12 MCAR § 2.516.

Proposed revisions to 12 MCAR § 2.496 include new language allowing the supervisor to determine the content of all examination processes; provide for disqualification of applicants who cheat on examinations or falsify their identification; eliminate investigation by the merit system of an applicant's training and experience; allow the supervisor to establish examination passing points and eliminate current language referring to special written tests.

Proposed revisions to 12 MCAR § 2.498 remove the merit system council for involvement with selective certification requests; provide for the certification of names from the reemployment list as extra names; clarify eligibility for appointment of certified eligibles.

Proposed revisions to 12 MCAR § 2.500 clarify the duration of the probationary period; provide for unpaid leaves of short duration not affecting the duration of the probationary period; eliminate investigation by the supervisor of validity of requests to extend the probationary period.

Proposed revisions to 12 MCAR § 2.503 define suspensions not appealable to the merit system council.

Proposed revisions to 12 MCAR § 2.504 clarify employees who shall and shall not accrue vacation leave; provide for accrual of vacation leave by part-time employees; allow for transfer of vacation leave from one agency to another under certain circumstances; allow for reinstatement of previously accrued sick leave for former employees who are reemployed; allow for transfer of sick leave between appointing authorities; provide for accrual of sick leave by part-time employees; define eligibility for holiday pay; provide for pro-rated holiday pay for part-time and intermittent employees; provides that the holidays occurring during an employee's paid vacation or sick leave period shall not be charged to vacation or sick leave.

Proposed revisions to 12 MCAR § 2.508 strike current language entirely; provide new language governing appeals and hearings; renumber the rule; provide new language for possible resolution of appeals by the supervisor prior to consideration by

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

the council; insert new language providing that actions appealed under a collective bargaining agreement may not also be appealed to the council; new language preserves all appealable actions contained in old language.

Proposed revisions to 12 MCAR § 2.516 repeal all of the old language in this rule and incorporate it as part of 12 MCAR § 2.494.

Proposed revisions to 12 MCAR § 2.517 change rule references.

Proposed revisions to 12 MCAR § 2.518 clarify salaries for employees who are demoted; limit salary increases for employees transferring between appointing authorities; allow former employees who are reemployed to receive their previous salary upon reemployment.

Proposed revisions to 12 MCAR § 2.840 provide for a general upgrading of salary ranges for most of the classes by 8%, with some exceptions; reduce the number of clerical salary plans from six to three and increase intervals between salary steps for clerical classes to the equivalent of that provided for professional and support classes.

Proposed amendments to 12 MCAR § 2.841 corrects a rule reference only.

Proposed revisions to current rules which alter and in some cases retitle existing position classification specifications are 12 MCAR § 2.720 for Fiscal Officer (presently Accounting Officer I); 12 MCAR § 2.721 for Fiscal Supervisor I (presently Accounting Officer II); 12 MCAR § 2.722 for Fiscal Supervisor II (presently Accounting Officer III); 12 MCAR § 2.723 for Fiscal Supervisor III (presently Accounting I); 12 MCAR § 2.724 for Fiscal Supervisor IV (presently Accounting II); 12 MCAR § 2.623 for Financial Assistance Specialist; 12 MCAR § 2.578 for Financial Assistance Supervisor I; 12 MCAR § 2.579 for Financial Assistance Supervisor II; 12 MCAR § 2.590 for Financial Assistance Supervisor III and 12 MCAR § 2.591 for Financial Assistance Supervisor IV. These revisions are proposed to reflect more descriptive class titles and to update current classification specifications including minimum qualifications for such classification. A proposed rule creating a new classification is 12 MCAR § 2.729 for Accounting Technician. This class is being proposed in response to a perceived need within the fiscal organizations of several county welfare and human service agencies.

In view of proposed amendments to 12 MCAR § 2.493 removing the classification plan from the rules, it is proposed to repeal 12 MCAR § 2.530–2.804, consisting of the class specifications for all Public Welfare Merit System classifications.

The agency's authority to adopt the proposed rule is contained in Minn. Stat. § 256.012.

The proposed rule changes affecting salary increases for employees will result in approximately $132,518 increased county expenditures in 1982.

Copies of the proposed rule are now available and at least one free copy may be obtained by writing to Ralph Corey, Department of Public Welfare, Centennial Building, St. Paul, MN 55155, telephone (612)296-3996. Additional copies will be available at the hearing. If you have any questions on the content of the proposed rule and rule amendments, contact Ralph Corey.

Any person may request notification of the date on which the hearing examiner's report will be available, after which date the agency may not take any final action on the rules for a period of five working days. Any person may request notification of the date on which the hearing record has been submitted or resubmitted 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.

Minn. Stat. ch. 10A requires each lobbyist to register with the State Ethical Practices Board within five days after he or she commences lobbying. A lobbyist is defined in Minn. Stat. § 10A.01, subd. 11, 1979 supp., 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 communicte 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.

October 20, 1981

Arthur E. Noot
Commissioner of Public Welfare

Rules as Proposed

12 MCAR § 2.490 Definitions.

A. The following definitions apply ~~throughout these rules,~~ to 12 MCAR §§ 2.490-2.841 unless the context clearly requires another meaning.

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

2. Appointing authority. "Appointing authority" means the county board, county welfare board, human service board or officer authorized by statute or lawfully delegated authority to make appointments to positions under the Merit System.

3. Board. "Board" means the county board, county welfare board, or human service board.

4. Change in allocation. "Change in allocation" means the reclassification of a position resulting from significant sudden changes imposed by the appointing authority affecting the duties and responsibilities of a position.

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

~~5.~~ 6. Commissioner. "Commissioner" or "Commissioner of Public Welfare" means the administrative head of the Department of Public Welfare.

~~6.~~ 7. Council. "Council" means the Merit System Council.

~~7.~~ 8. County agency. "County agency" means the organization created by the county board, county welfare board or the human service board to carry out the functions and policies of the board with regard to community social service or income maintenance programs funded in whole or in part by federal grants-in-aid requiring a merit system of personnel administration.

~~8.~~ 9. County register. "County register" means the sub-register established for a county from a statewide ~~register, either~~ competitive or promotional~~,~~ register containing the names of persons who have legal residence in the county or, in the event of a promotional examination, who are employed by the county agency.

10. County welfare board. "County welfare board" means the county welfare board, county board or human service board.

~~9.~~ 11. Day. "Day" means a calendar day except when otherwise specified in the specific rule.

~~10.~~ 12. Demotion. "Demotion" means a change by an employee from a position in one class to a position in another class with less responsible duties and a lower salary range.

~~11.~~ 13. Disabled veteran. "Disabled veteran" means a veteran who is rated or certified as disabled, in accordance with the provisions of Minn. Stat. ~~43.30~~ § 43A.11.

~~12.~~ 14. Dismissal. "Dismissal" means the termination of employment ~~of an employee~~ for cause.

~~13.~~ 15. Eligible. "Eligible" means any person whose name is on ~~the~~ a register.

~~14.~~ 16. Emergency employee. "Emergency employee" means an employee who was appointed to perform certain duties when an emergency situation exists.

~~15.~~ 17. Employee. "Employee" means any person in the employ of a county board, county welfare board, or human services board, exclusive of its members, who occupies a position covered by ~~these rules~~ 12 MCAR §§ 2.490-2.841 and who is paid a salary or wage.

~~16.~~ 18. Exclusive representative. "Exclusive representative" has the meaning given in Minn. Stat. § 179.63, subd. 6.

~~17.~~ 19. Facsimile. "Facsimile" means a replica~~, e.g.,~~. A facsimile of 12 MCAR § 2.841 is a chart showing each of the salary rates adopted by an agency divided into monthly and hourly rates and either daily rates and bi-weekly rates or four-week rates if paid on this basis or the daily rate based on the number of working days in the month—20, 21, 22, or 23 days if paid on a monthly basis.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

~~18.~~ 20. General adjustment. "General adjustment" means the merit system recommended salary adjustment based on ~~the annual~~ a salary survey or a review of consumer price index changes.

~~19.~~ 21. Intermittent employee. "Intermittent employee" means an employee who works whenever needed or on a schedule that cannot be predicted in advance.

~~20.~~ 22. Layoff. "Layoff" means the termination of employment because of ~~shortage~~ abolishment of a position, lack of funds ~~or curtailment of service~~, shortage of work, or other reason beyond the control of the employee.

23. Layoff list. "Layoff list" means a list of permanent or probationary employees who have been laid off by reason of abolishment of their positions, lack of funds, shortage of work, or other reason beyond the control of the employee.

~~21.~~ 24. Merit increase. "Merit increase" means ~~a salary~~ an increase given to an ~~individual~~ employee based on meritorious job performance.

~~22.~~ 25. Military leave. "Military leave" means ~~the~~ a leave of absence granted by ~~the~~ state law to employees entering active duty in the armed forces of the State of Minnesota or of the United States of America.

~~23.~~ 26. Minimum qualifications. "Minimum qualifications" means the requirements of training and experience necessary to qualify for a given class.

~~24.~~ 27. Original appointment. "Original appointment" means the date of initial entry to probationary status normally through appointment from an open-competitive list.

~~25.~~ 28. Overtime. "Overtime" means hours worked in excess of a normal work shift or beyond a normal work week.

~~26.~~ 29. Permanent employee. "Permanent employee" means ~~any~~ an employee who has successfully completed ~~his/her~~ a probationary period or who has attained permanent status upon the installation of the Merit System.

~~27.~~ 30. Position. "Position" means a group of current duties and responsibilities assigned or delegated by competent authority requiring the full-time or part-time employment of one ~~position~~ person.

~~28.~~ 31. Probationary employee. "Probationary employee" means an employee who is serving a probationary period in a class to which ~~they have~~ the employee has been appointed from an eligible list.

~~29.~~ 32. Probationary period. "Probationary period" means the six-month working trial period during which a new employee is required to demonstrate ~~his~~ fitness for the position to which ~~he~~ the employee is appointed by actual performance of the duties of the position.

~~30.~~ 33. Promotion. "Promotion" means a change of an employee from a position in one class to a position in another class with more responsible duties and a higher salary range.

~~31.~~ 34. Provisional employee. "Provisional employee" means an employee who meets the minimum qualifications for the position but who has been appointed to a position without having been appointed from an eligible register.

~~32.~~ 35. Reallocation. "Reallocation" means ~~a reassignment, or change in allocation, of a position by raising it to a higher class, reducing it to a lower class, or moving it to another class at the same level, on the basis of significant changes in the kind, difficulty, or responsibility to the work performed in the position~~ the reclassification of a position resulting from significant changes in the duties and responsibilities of the position that occur gradually over a period of time.

36. Reclassification. "Reclassification" means a reallocation or change in allocation of a position to a higher, lower, or equivalent class.

37. Reemployment list. "Reemployment list" means a list of former permanent or probationary employees who have been laid off and the names of former permanent or probationary employees who have voluntarily separated from Merit System employment in good standing and whose applications for reemployment in the Merit System are submitted within one year of separation.

~~33.~~ 38. Register. "Register" means an officially established list of eligibles for a particular class.

~~34.~~ 39. Resignation. "Resignation" means the termination of employment made at the request of the employee.

~~35.~~ 40. Salary adjustment. "Salary adjustment" means an increase given to employees due to cost-of-living factors, going rates for similar jobs, ~~and/or~~ or labor market conditions.

41. Salary increase. "Salary increase" means an increase granted to an employee on the basis of working out of class or due to unusual employment conditions and not based on job performance, cost-of-living factors, going rates for similar jobs or labor market conditions.

~~36.~~ 42. State agency. "State agency" means the State Department of Public Welfare.

~~37.~~ 43. Supervisor. "Supervisor" means the Merit System supervisor.

~~38.~~ 44. Suspension. "Suspension" means an enforced leave of absence with or without pay, for disciplinary purposes or pending investigation of charges made against an employee.

~~39.~~ 45. Temporary employee. "Temporary employee" means an employee who has been appointed to a position from an eligible register but the appointment has a definite ending date.

~~40.~~ 46. Transfer. "Transfer" means the movement of an employee from one position to another in the same class or in another class having the same salary range and usually involving the performance of similar duties and requiring essentially the same qualifications of training and experience.

~~41.~~ 47. Veteran. "Veteran" means every person defined as a veteran by ~~Minnesota Statutes, Section~~ Minn. Stat. § 197.46.

~~42.~~ 48. Veterans preference. "Veterans preference" means preference granted to veterans by ~~Minnesota Statutes, Section 43.30~~ Minn. Stat. § 43A.11.

~~43. "County welfare board" means the county welfare board, county board or human service board.~~

12 MCAR § 2.491 Statement of policy and means of effecting policy.

A. Objectives.

~~1.~~ It is the aim of the Department of Public Welfare of the State of Minnesota, through the establishment of the County Welfare Merit System, to provide ~~county welfare boards~~ appointing authorities with an effective system of personnel administration based on merit principles. Specific objectives are:

~~a.~~ 1. Economy and effective service in the Minnesota welfare and human services program~~.~~;

~~b.~~ 2. The proper classification of positions so that positions essentially alike in duties and responsibilities are treated alike and positions not so alike are treated with due consideration to the nature and extent of the differences between them~~.~~;

~~c.~~ 3. Fair and equal opportunity for all qualified persons to compete for positions and promotions under the jurisdiction of the Merit System solely on the basis of merit and fitness as ascertained through practical examinations~~.~~;

~~d.~~ 4. Equitable pay scales for the various classes established on the basis of equal pay for equal work~~.~~; and

~~e.~~ 5. An attractive career service in public welfare and human services employment within the State of Minnesota.

B. Adoption and amendment of the rules.

1. Statutory authority. In order to accomplish the objectives stated in ~~12 MCAR § 2.091 A.1.~~, ~~these rules~~ 12 MCAR §§ 2.490-2.841 have been promulgated by the Commissioner of Public Welfare in accordance with ~~Minnesota Statutes, Section 245.42,~~ Minn. Stat. §§ 256.01 ~~(4)~~, subd. 4, 256.012, and 393.07 ~~(5)~~, subd. 5, and in compliance with ~~Minnesota Statutes, Chapter~~ Minn. Stat. ch. 15.

2. Procedures. The Commissioner of Public Welfare, with the ~~advise~~ advice and recommendations of the council, may amend ~~these rules~~ 12 MCAR §§ 2.490-2.841 after compliance with the provisions of ~~Minnesota Statutes, Chapter~~ Minn. Stat. ch. 15.

E. Violations.

1. By employees. Violations of any of the provisions of ~~these rules~~ 12 MCAR §§ 2.490-2.841 by an employee in the service shall be considered sufficient cause for the dismissal of ~~such persons~~ that employee.

2. By an appointing authority. Violations of 12 MCAR §§ 2.490-2.841 by an appointing authority shall be brought to the attention of the appointing authority by the supervisor. The notice shall include remedial measures necessary to correct past violations and to ensure future compliance. If the appointing authority refuses to take corrective action, the supervisor shall inform the commissioner who shall take appropriate action, including but not limited to denial or suspension of all or part of state and federal administrative reimbursement funds.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

3. Appeals. An appointing authority may appeal any denial or suspension of administrative reimbursement to the Merit System Council which shall make its recommendation to the commissioner. The commissioner's decision shall be final.

F. Political activity.

4. An employee continues to be covered by the Federal Hatch Act restrictions including all restrictions listed in ~~12 MCAR § 2.091 F.1. through 5.~~ 1.-5. while on annual leave, sick leave, leave without pay or administrative leave. Any employee shall resign from the service upon filing as a candidate for public office, except as provided in ~~12 MCAR § 2.091 F.~~5.

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

G. Prohibition against discrimination.

1. In general. No person shall be discriminated for or against in ~~such matters as his~~ recruitment, examination, appointment, tenure, compensation, classification, or promotion or in ~~such matters as~~ conditions, facilities, or privileges of employment because of ~~his~~ race, color, creed, religion, national origin, physical disability ~~(~~when such disability does not interfere with the completion of assigned duties~~)~~, age, or sex. Any person aggrieved by a violation of ~~the above~~ these prohibitions may file a complaint under the provisions of ~~the Minnesota State Act Against Discrimination, Chapter~~ Minn. Stat. ch. 363 ~~of Minnesota Statutes~~.

2. Political opinions. No person shall be discriminated for or against as provided ~~in 12 MCAR § 2.491 C.~~1. because of his political opinions or affiliations within the limitations imposed by ~~12 MCAR~~ § ~~2.491~~ F. ~~of these rules, or~~ nor shall discrimination occur because of any other non-merit factor. Any person aggrieved by a violation of a prohibited discrimination that does not come within the jurisdiction of ~~Chapter 363 of Minnesota Statutes~~ Minn. Stat. ch. 363 may file a complaint with the Merit System supervisor, setting forth the basis for his belief that an act or threat or promise of an act of discrimination occurred and identifying by name and position the person alleged to have committed ~~such~~ the act or threat or promise of an act of discimination.

3. Investigations. The supervisor ~~of~~ or his designated representative shall conduct an investigation ~~or~~ of the alleged discrimination and shall report the complaint and the findings of the investigation to the Merit System Council at its next meeting. The complainant shall have the right to present his complaint personally to the council. The council shall order any further investigation or hearing as may be warranted ~~preminary~~ prior to making its decision. If the council finds that discrimination has occurred, it shall take whatever action it deems warranted and within its authority to remedy the effect of any act or threat or promise of an act of discrimination and to prevent discrimination.

12 MCAR § 2.492 Organization.

A. Duties and powers of the commissioner.

~~1.~~ The Commissioner of Public Welfare shall have authority to require ~~such~~ methods of administration ~~as~~ which 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. The adoption of methods relating to the establishment and maintenance of personnel standards on a merit basis ~~of~~ for all ~~such~~ employees ~~of the county welfare boards~~ in positions covered by 12 MCAR §§ 2.490-2.841 and the examination thereof, and the administration thereof, shall be directed and controlled exclusively by the Commissioner of Public Welfare ~~(see~~ pursuant to Minn. Stat. ~~Sect.~~ §§ 256.012 and 393.07~~)~~. Nevertheless, the Commissioner of Public Welfare shall exercise no authority in the selection, tenure of office, and compensation of a specific individual employed in accordance with ~~such~~ these methods.

B. Organization of the Merit System Council.

1. The Merit System Council members shall be appointed by the Governor from a panel of names submitted by the Commissioner of Public Welfare. The council shall be composed of three members who shall be public-spirited persons of recognized standing and of known interest in the improvement of public administration and in the impartial selection of efficient government personnel. No member shall have held political office or have been an officer in a political organization during the year preceding ~~his~~ appointment, nor shall he hold such office during his term. No member of the council shall have been an employee of the state agency or an employee or member of ~~a county welfare board~~ an appointing authority within one year prior to his appointment.

4. The supervisor shall serve as Secretary of the Council. The supervisor shall keep a calendar of all business to be transacted at each meeting, issue notices of regular and special meetings, present to the council all matters that require consideration by the council, keep records and files of the council and minutes, and handle other matters as the council may

direct or circumstances indicate as necessary and proper in order to facilitate and give effect to the actions of the council ~~with~~ within the scope of its powers and duties.

D. Duties of the Merit System Council.

~~1.~~ It shall be the duty of the council within the scope of ~~these rules~~ 12 MCAR §§ 2.490-2.841~~.~~:

~~a.~~ 1. To establish general policies for the administration of merit examinations and the hearing of personnel appeals as provided in 12 MCAR § ~~2.508.~~ 2.5081;

~~b.~~ 2. To hear such appeals or to appoint an appeal board of three members or to appoint a referee to hear such appeals on its behalf~~.~~;

~~c.~~ 3. To consult with the Commissioner of Public Welfare about the appointment of a full-time Merit System supervisor~~.~~;

~~d.~~ 4. To consult with the supervisor in formulating ~~procedure~~ procedures for the purpose of ensuring conformity with the rules and the policies of the council.

~~e.~~ 5. To review the classification and compensation plans and to make recommendations to the commissioner about their adoption and subsequent revision~~.~~;

~~f.~~ 6. To make recommendations to the commissioner about internal personnel policies to ensure conformity with the rules~~.~~;

~~g.~~ 7. To promote public understanding of the purposes, policies, and practices of the Merit System~~.~~; and

~~h.~~ 8. To review and make ~~written~~ recommendations to the commissioner about any amendments to the rules of the Merit System.

E. Compensation of council members.

~~1.~~ Each member of the council shall be paid $50 per regular meeting, but no member shall be paid more than $600 in any one calendar year for regular meetings. Each member of the council shall be paid $50 per day when serving on an appeal or hearing board. In addition, members whose residence is in excess of 50 miles from the place of meeting shall be compensated for travel expenses and, in an instance in which the meeting is scheduled for more than one day or when the tour of the beginning of the meeting, or the close of the meeting, does not allow coming from or returning to the place of residence within a reasonable time, for lodging and meals.

F. Appointment of the Merit System Supervisor.

~~1.~~ The commissioner, after consultation with the council, shall appoint a Merit System Supervisor in accordance with ~~the Minnesota Civil Service Act~~ Minn. Stat. ch. 43A, and the rules ~~and regulations~~ of the ~~Department of Civil Service~~ Minnesota Department of Employee Relations. The supervisor shall be a person who has had training and experience in a field related to merit system administration and who has known sympathies with the merit principle in government service and shall possess such other qualifications as are requisite for the performance of the duties ~~hereinafter~~ defined in G. Within three years prior to appointment, the supervisor shall not have held, nor during the term of office shall the supervisor hold, political office or office in any political organization.

G. Duties of the supervisor.

~~1.~~ In conformance with ~~these rules~~ 12 MCAR §§ 2.490-2.841, it shall be the duty of the supervisor to:

~~a.~~ 1. ~~To~~ Develop and put into continuous effect policies and procedures for the administration of the Merit System program as they relate to the preparation, administration, and scoring of examinations; the preparation, custody, and maintenance of registers of eligibles; the determination of availability to eligibles for appointment; the certification for appointment; and the determination of the adequacy of existing registers.

~~b.~~ 2. ~~To~~ Develop the classification and compensation plans and ~~to~~ consult with the council on the adoption and revision of such plans as they relate to the Merit System program of recruitment and examination.

~~c.~~ 3. ~~To~~ Promote public understanding of purposes, policies, and practices of the Merit System program.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

~~d.~~ 4. ~~To~~ Appoint staff members, including technicians, clerks, stenographers, and ~~such~~ other permanent or temporary employees ~~as~~ who are necessary to carry out the provisions of ~~these rules~~ 12 MCAR §§ 2.490-2.841. ~~Such~~ Employees shall be chosen in accordance with the provisions of the ~~State Civil Service~~ Minnesota Department of Employee Relations rules ~~and regulations~~.

5. Review, develop and propose amendments to existing Merit System rules for consideration and recommendation by the Merit System council and in accordance with the provisions of Minn. Stat. ch. 15.

~~e.~~ 6. ~~To~~ Perform ~~such~~ other duties ~~as~~ which are prescribed by ~~these rules~~ 12 MCAR §§ 2.490-2.841.

12 MCAR § 2.493 Classification plan.

A. Preparation and adoption.

1. Commissioner's duty. The Commissioner of Public Welfare shall formally adopt and make effective a comprehensive classification plan for all positions covered by 12 MCAR §§ 2.490-2.841 which shall be published as part of the Public Welfare Merit System Manual. 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.

2. Review by council. The proposed classification plan, and any changes therein, shall be submitted to the Merit System council for review and recommendations. ~~Upon such~~ After that review and recommendation and upon formal adoption by the Commissioner of Public Welfare, the classification plan shall be the official plan for all positions. Class titles established by the adoption of the classification plan shall be used in all personnel and financial records of the Department of Public Welfare and ~~the County Welfare or Human Service Boards~~ appointing authorities, as well as in all examination procedures.

B. Allocation of positions.

~~1.~~ Every position under the ~~County Welfare or Human Service Boards~~ jurisdiction of an appointing authority shall be allocated by the supervisor to one of the appropriate classes established by 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~~ the necessary ~~allocation~~ allocations or ~~reallocation~~ reallocations shall be made by the supervisor to new or existing classes as ~~is necessitated thereby~~ necessary.

C. Revision of plan.

~~1.~~ Existing classes may be abolished or changed, or new classes added, in the same manner as the classification plan is originally adopted.

~~2. In the event of an emergency, the Merit System Council may approve a new or revised class specification for a period not to exceed six months, without the official public hearing. In no case will an emergency class specification last more than six months after the date of approval by the Merit System Council.~~

D. Incumbents of ~~reallocated~~ reclassified positions.

1. Appointment authorized. When a position is reclassified and it is determined to be a reallocation resulting from a significant change in the duties and responsibilities of the position occurring gradually over a period of time, the supervisor may authorize an appointing authority to promote the incumbent of the reallocated position. An employee promoted in accordance with this provision shall serve a probationary period in the higher class.

2. Eligibility. When a position ~~in one class is reallocated to a different class,~~ is reclassified resulting from a change in allocation the incumbent shall not be ~~deemed~~ eligible to continue in ~~this~~ the position except as provided in ~~12 MCAR § 2.493 D.2.~~ 3. or unless he ~~would have been~~ 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~~ the applicable provisions of ~~these rules as may be deemed to be applicable~~ 12 MCAR §§ 490-2.841. If ineligibility of a permanent or probationary incumbent of such a ~~reallocated~~ reclassified 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~~ those provisions ~~of these rules~~ must occur within ~~sixty~~ 60 days of the notification of ~~reallocation~~ reclassification of the position.

~~2.~~ 3. Change in agency size. If a position is ~~reallocated~~ reclassified 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.~~ 4. Equivalent duties. The Commissioner of Public Welfare may authorize the ~~reallocation~~ reclassification 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~~ reclassified 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.

5. Incumbent appointed after exam. If the incumbent examined in accordance with ~~the above procedure~~ 4. 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.

6. Probation prohibited. Notwithstanding the provisions of 12 MCAR § 2.500 B.1.a., an employee appointed under ~~the provision of this rule will~~ 5. shall not be required to serve a new probationary period in the higher classification.

12 MCAR § 2.494 Compensation plan.

A. Preparation and adoption.

1. Preparation of plan. In accordance with Minn. Stat. ch. 15, the commissioner shall formally adopt and make effective a comprehensive compensation plan, ~~(~~12 MCAR § 2.840~~)~~, for all classes of positions which shall apply to all agencies covered by the Merit System except as otherwise negotiated for employees in a bargaining unit in agencies where there is an exclusive representative or in those ~~limited~~ instances where the requirements of ~~12 MCAR § 2.516 B.1.c.~~ F.2.c. have been satisfied. The plan shall include salary schedules for the various classes, with the salary of each class consistent with the functions outlined in the class specifications. ~~Initial~~ Minimum, intervening, and maximum rates of pay for each class shall be established to provide for ~~steps in~~ salary advancement without change in duty, in ~~the~~ recognition of meritorious service. The advice and suggestions of appointing authorities, prevailing salary rates ~~in other county departments~~ for similar and competing types of employment in business and goverment, and other relevant factors shall be taken into consideration in ~~arriving at such~~ developing the salary schedules.

2. Review by council. The proposed compensation plan, and any ~~changes therein~~ amendments to it, shall be submitted to the Merit System Council for review and recommendation. Upon ~~such~~ review and recommendation by the council and ~~upon formal adoption by~~ after compliance with the provisions of Minn. Stat. ch. 15, the commissioner~~,~~ shall formally adopt the compensation which shall be the official salary schedule of the Minnesota Merit System, effective the date specified.

3. ~~Salary ranges for all class of positions on the official salary schedule of the Minnesota Merit System shall be amended in the same manner as originally adopted.~~ Salary Plans. The comprehensive compensation plan adopted by the commissioner shall provide for separate alphabetically designated salary plans for different occupational groupings of classes reflecting progressively higher salary ranges except for those classes where a single range of rates is found to be appropriate. Plans shall be established as provided in 12 MCAR § 2.840 as follows:

a. Professional—A, B and C;

b. Support Personnel—A, B and C;

c. Clerical—A, B and C;

d. Maintenance and Trades—A and B.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

B. Selection of salary ranges by appointing authority.

1. ~~The appointing authority shall select a salary plan for all employees 1) except those in a bargaining unit where a salary schedule has been negotiated by the board and the exclusive representative, and 2) except as provided in 12 MCAR § 2.494 B.6. Such plan shall be selected from each of the following salary schedules provided under 12 MCAR § 2.840:~~

~~Professional—A, B, and C;~~

~~Support Personnel—A, B, and C;~~

~~Clerical—A, B, C, D, E, and F;~~

~~Maintenance and Trades—A and B.~~

~~2. Such rates shall be identified by alphabetical designation, and adjustment of the plan as provided in 12 MCAR § 2.494 D. shall not serve to amend the alphabetically designated rates selected as the appointing authority's plan.~~

~~3. The designation of the rates selected from the plan in each case shall be by resolution of the appointing authority. Supervisor shall be promptly notified of the rates selected by each jurisdiction.~~

~~4. The alphabetically designated rates selected by the appointing authority shall become the official plan for the county until amended by the appointing authority as provided in 12 MCAR § 2.494 C.~~

~~5. Salary rates for incumbents of positions shall be established in accordance with the provisions of 12 MCAR § 2.516 B.1. and 12 MCAR § 2.516 B.2. on the basis of the plan adopted by the appointing authority as provided above.~~ Adoption of official plan. Appointing authorities shall choose, by resolution, a salary plan for each occupational grouping of classes from among the plans listed in A.3. except when salaries are negotiated with an exclusive representative or the provisions of 5. are applicable. The plans adopted shall become the official plans for the appointing authority until amended.

2. Selection of rates. Within the minimum and maximum salaries for classes in the adopted plans, appointing authorities shall designate, by resolution, the minimum, intervening and maximum salary rates to be paid for each class of positions used by the appointing authority. The supervisor shall be promptly notified of the rates selected by each appointing authority.

3. Plan amendments. The appointing authority may amend, by resolution, its official plan for one or more occupational groupings of classes. The supervisor shall be promptly notified of the official action taken by the appointing authority to amend its plan.

4. Incumbents. Salary rates for incumbents of positions shall be established in accordance with the provisions of F.2. and 3. on the basis of the plan adopted by the appointing authority as provided in A.3.

~~6.~~ 5. Nonrepresented employees. In agencies with an exclusive representative, the appointing authority ~~has the discretion of paying~~ may pay confidential, supervisory and other personnel not covered by an exclusive representative who are in the same class as employees who have an exclusive representative, the same rate of pay and salary ranges as negotiated for the class under ~~12 MCAR § 2.494 E.1.~~ D.1. In no case would this rule allow the appointing authority to reduce the rate of pay of confidential, supervisory or other excluded employees.

C. ~~Amendment of salary ranges selected by appointing authority.~~

~~1. The appointing authority may amend the official plan for the agency by selection of a different salary schedule as provided in 12 MCAR § 2.494 B.~~

~~2. Supervisor shall be notified of the official action of the appointing authority to amend the plan for the county at least 30 days in advance of the date on which such amended county plan becomes effective unless such change results from the signing of a contract by the board and the exclusive representative.~~

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

1. Consumer price index. The compensation plan provided in 12 MCAR § 2.840 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. Biennial review of labor market. 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 ~~fundings~~ findings to the Commissioner of Public Welfare 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 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 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 Commissioner shall make his decision.~~ Plan amendments. From the results of this study, the supervisor shall propose amendments to the compensation plan in accordance with the provisions of Minn. Stat. ch. 15, and as outlined in 12 MCAR § 2.494 A. 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.~~ 4. Biennial review of consumer price index. 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%~~ 9 percent. 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.

5. Plan adjustments. 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.

~~E.~~ D. Negotiation of a salary schedule.

1. Role of exclusive representative. In those agencies where employees have elected an exclusive representative the appointing authority and the exclusive representative may negotiate their own salary schedules for employees in the bargaining unit by class, with the salary for each class consistent with the functions outlined in the class specifications. ~~Initial~~ Minimum, 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~~ 60 days of the date of establishment of the classification.

2. Filing. A complete copy of the ~~adopted~~ negotiated 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.

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

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

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

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

~~OR~~

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

~~AND~~

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

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

~~e. Such appointments under (a) and (b) above shall be subject to the prior approval of the Merit System Supervisor upon submittal by the appointing authority of a written statement of the reasons for the higher rate.~~ In those agencies without an exclusive representative or where the collective bargaining agreement is silent regarding initial salaries, the entrance salary for any new employee shall normally be at the minimum rate of pay for the class to which the appointment is made. Requests to appoint above the minimum rate of pay may be made based on the exceptional qualifications of the candidate or the unavailability of candidates at the minimum rate, giving consideration to the salaries of current employees in the same classification. All candidates with similar exceptional qualifications must be offered the same rate of pay which shall be one of the established steps in the agency's adopted salary range for the class to which the appointment is made. Requests, including the reasons, must be submitted in writing by the appointing authority to the supervisor for prior approval.

F. Salary adjustments and increases.

1. Availability of funds. Before salary increases and adjustments are made in accordance with 12 MCAR § 2.494, or in accordance with a negotiated collective bargaining agreement, the appointing authority shall have in its records and carry in its minutes a definite statement that funds for this purpose are available.

2. Plan requirements. In agencies where there is no exclusive representative or collective bargaining agreement, negotiated adjustments in the rates of pay of incumbents of positions, in order to conform to a newly adopted or currently effective compensation plan, shall be in accordance with the following provisions.

a. If the rate of pay of an employee is below the minimum of the range prescribed for the employee's classification on the Merit System Compensation plan adopted by the appointing authority, the rate shall be adjusted to that minimum.

b. If the rate of pay of an employee is at or above the new minimum salary adopted for their class, the employee may receive the general Merit System adopted adjustment, and if the employee's class was adjusted to a greater extent than the general adopted adjustment, the employee may receive the additional adjustment as provided in C.4. as long as the additional adjustment does not place the employee's salary over the new maximum adopted salary for the class.

c. In those situations where the appointing authority has determined that the general Merit System adopted adjustment is inappropriate for its employees, it may grant a different adjustment; however, the authority must file with the supervisor the new salary steps by class and a Salary Conversion Table as provided for in 12 MCAR § 2.841. These adjustments shall at least place employees at the minimum salary and not over the maximum salary for their class on the salary plan adopted by the agency.

d. Employees at the maximum salary for their class may be granted salary adjustments over the maximum salary prescribed for their class, only if such a Merit System adjustment is adopted and only in the amount adopted for incumbents of that class.

e. If the rate of pay of an employee is higher than the maximum of the range prescribed for the employee's class of positions, the rate may remain the same as long as the employee retains the same classification.

f. If the rate of pay of an employee falls between the minimum and maximum of the salary range prescribed for the employee's class but does not correspond to any intervening steps in the range, due to the adoption of Merit System general adjustment, such rate may remain the same. In the case of subsequent merit increases, the employee shall be placed back on a step in the adopted salary range for his or her class.

g. Employees at the maximum salary rate for their class may be granted Merit System adopted salary adjustments only in the amount adopted for incumbents of that class. If an appointing authority wishes to grant a larger general adjustment to

its employees than that adopted by the Merit System and such an adjustment would place an employee's rate of pay above the maximum salary rate for their class, the appointing authority, by prior resolution, may grant to that employee the annual equivalent of the difference between the Merit System adopted adjustment for incumbents and the agency adopted adjustment in the form of a single lump sum salary payment on the effective date of the general adjustment. The employee's base salary rate shall remain at the maximum salary rate for his or her class.

h. An appointing authority may propose a salary increase within the salary range to an employee upon detailed written statements to the supervisor specifying the unusual employment conditions that make the action necessary and the interests of the agency that will be served by the action. The supervisor shall review each proposal, giving due consideration to the salary rates paid other employees in the same class in the agency and may deny any request which in his judgment is contrary to the best interests of the Merit System. Salary increases proposed in accordance with this section are not based on employee performance or a general Merit System adopted salary adjustment. The granting of such an increase shall not affect the employees' eligibility for subsequent merit increases or salary adjustments in accordance with Merit System rules. If the unusual employment conditions giving rise to such an increase are of a temporary nature, the employee's salary shall be decreased to its previous level upon conclusion of those conditions, notwithstanding the provisions of H.1. or 12 MCAR § 2.5081 D.1.

3. Recommended adjustment. The Merit System general adjustment recommended for incumbents is eight percent for employees on the professional, support, clerical, and maintenance and trades salary schedules.

4. Salary differentials. Intra-agency salary differentials between employees in the same class of positions, between employees in different classes of positions in the same occupational field, and between occupational fields in the same agency are recognized as important factors in the maintenance of satisfactory morale. If the general adjustments result in the reduction of the differential between employees in the same class of positions or between employees in different classes of positions in the same occupational field, adjustments may be made that will, insofar as practicable, maintain such differentials within the limits of the new plan. In maintaining such differentials, the appointing authority shall take into consideration the length of service and quality of performance of the employees affected.

5. Collective bargaining agreements. In agencies where there is an exclusive representative and a negotiated salary schedule for employees in the bargaining unit, adjustments in the rates of pay of employees shall follow the wording of the contract or agreement.

G. Merit increases.

1. Increases by steps. Merit increases from the minimum on the official Merit System Compensation Plan or on any negotiated salary schedules or on any salary schedules filed with the supervisor pursuant to F.2.c. shall be by successive intervening steps of pay for the class, with due consideration for length of service and quality of performance.

2. Eligible employees. In those agencies that have adopted a merit increase policy, an employee may be considered for a merit increase upon the satisfactory completion of the probationary period.

3. Annual review for merit increases. In those agencies that have adopted a merit increase policy, a merit increase for each employee not at the maximum salary for his or her classification shall be considered at least once each 12 month period unless otherwise negotiated through a contract or agreement by the appointing authority and the exclusive representative. In the event an increase is not granted, the reasons for the denial of the increase shall be reported, in writing, to the employee and to the Merit System supervisor.

4. Restriction on frequency of increases. In those agencies that have adopted a merit increase policy and, except as otherwise negotiated by the appointing authority and the exclusive representative, a merit increase shall not be granted until the employee has served at least six months at the rate of pay from which an increase is proposed, except that in cases of exceptionally meritorious service, a merit increase of more than one salary step in the range or at less than a six month interval may be permitted. In each case, however, the facts upon which the merit increase is based shall be recorded in the official minutes kept by the appointing authority and reported to the Merit System supervisor.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

5. Increases based on additional education. In those agencies that have adopted a merit increase policy, an extraordinary merit increase within the agency's salary range may be granted upon satisfactory completion of 15 additional credits in a field or fields pertinent to the employee's class. In each case the employee's transcript of coursework must accompany the proposed merit increase.

6. Lump sum payments. In those agencies that have adopted a merit increase policy, the appointing authority may grant an employee who meets all other agency eligibility requirements for a merit increase but whose salary is at or above the maximum rate of pay in the adopted salary range for their classification the annual equivalent of a one step merit increase in the form of a single lump sum payment in recognition of meritorious job performance. For this provision to be effective, appointing authorities, prior to the beginning of the year in which such merit increases, if granted, are effective must establish, by resolution, as its official policy that these payments will be granted for meritorious job performance. The base salary of an employee receiving a lump sum merit increase shall remain at the rate attained immediately prior to the increase.

H. Salary decreases.

1. In general. Except as otherwise negotiated by an agency and the exclusive representative, a salary decrease within the range prescribed for the class may be made only for just cause. A permanent employee shall be notified of the intent to effect a reduction in pay and the reasons for the action at least ten calendar days prior to the date on which the reduction becomes effective. A copy of the notice shall be sent to the supervisor. A permanent employee whose salary is reduced may request a hearing as provided in 12 MCAR § 2.5081 D.1.

2. Exemption. Collective bargaining agreement provisions whereby a salary adjustment or salary increase is negotiated for a set period of time do not fall within the provisions of 1.

I. Work out of class. If an employee is expressly assigned in writing to perform all the duties of a position allocated to a higher classification that is temporarily unoccupied for reasons other than vacation or sick leave and that work exceeds 15 consecutive work days in duration, the employee so assigned shall be paid for all hours of the assignment at least at the minimum rate of pay of the salary range for the higher class or may be granted a one step salary increase within the assigned employee's salary range. If the assignment is to a position in a classification at an equal or lower level, the employee shall be paid for all hours of the assignment at the employee's current rate of pay. A work out of class assignment may be proposed only if the duration of the vacancy is anticipated to be less than six months. Approval of such assignments by the supervisor is required and must be received by the supervisor within five calendar days of the assignment. Upon completion of the work out of class assignment, the employee's salary shall be reduced to its previous level, notwithstanding the provisions of H.1. or 12 MCAR § 2.5081 D.1.

12 MCAR § 2.496 Examinations.

A. Character of examinations.

1. In general. Examinations for entrance into the ~~county welfare service~~ Public Welfare and Public Safety Merit Systems shall be conducted on ~~an open~~ a competitive basis. Examinations shall be practical in nature, shall be constructed to reveal the capacity of the applicant for the particular position for which he is competing, as well as his general background and related knowledge, and shall be rated objectively. ~~A practical written test shall be included, except that when peculiar and exceptional qualifications of a specific or professional nature are required and competition through an assembled examination is impracticable, an unassembled examination may be held. The Supervisor shall determine when competition through an assembled examination is impracticable. Examinations shall also include:~~

~~a. A competitive performance test for stenographic and typing positions and for any other positions involving the operation of office machines.~~

~~b. A rating of training and experience for the more responsible positions, including all professional, technical, supervisory, and administrative positions.~~

~~c. An oral examination for positions that require frequent coantact with the public, or that involve important supervisory or administrative duties, provided, however, that after consultation with the Council, the Supervisor may eliminate the oral examinations for those classes of positions in which it is anticipated that the entire eligible register will be exhausted within a relatively short period.~~

The supervisor shall determine the content of all examination processes which may include, but are not limited to, performance tests, written examinations, ratings of experience and training, promotional ratings and oral examinations.

2. Weight assigned to parts. The supervisor shall assign definite weights to each part of the examination prior to its public announcement.

3. Positions for disadvantaged groups. Recruitment and selection for those positions identified in the minimum qualifications of the class specification as directed toward clients and other disadvantaged groups will be limited to persons of low income ~~and/or~~ or low educational achievement, including the physically and mentally disabled. It will be the specific responsibility of the individual appointing authorities to effectively make known opportunities for these jobs to such persons. Persons who do not meet these limitations will be disqualified from competition for these positions and notified of the reasons therefor. Examinations for these positions will include at least one of the following: performance test, ~~structured~~ ~~technical~~ oral examination, ~~practical~~ written test, or oral directions test combining aspects of performance and minimum literacy. The supervisor shall assign a definite weight to each part of the examination prior to its public announcement. Eligible lists will be established on an area ~~and/or~~ or county basis only. Certification of eligibles on an area basis smaller than the county unit may be approved by the supervisor. ~~Since~~ Because these positions cover a broad range of duties requiring many different abilities, knowledges, and basic skills, notwithstanding other provisions of ~~the rules~~ 12 MCAR §§ 2.490-2.841, the supervisor also may approve selective certification of eligibles who possess a particular ability, knowledge, ~~and/or~~ or skill.

B. Notice of examination.

~~1.~~ The supervisor shall ~~give public announcement of~~ announce all examinations for original entrance into the ~~county welfare service~~ Public Welfare and Public Safety Merit Systems at least ~~three~~ two weeks in advance of the closing date for receipt of applications, and ~~he~~ shall make every reasonable effort to attract qualified persons to compete in these examinations. Notice of examinations shall be posted in important centers throughout the state, and copies shall be distributed among ~~welfare directors and county welfare boards~~ appointing authorities throughout the state, newspapers, public officials, educational institutions, professional and vocational societies, and such other organizations and individuals as the supervisor may deem expedient. Public announcement of examinations shall specify the title and salary ranges of the class of positions, ~~with beginning salary,~~ the duties to be performed, the minimum qualifications required, the final date on which applications will be received, and all other conditions of competition, including the relative weights assigned to the various parts of the examination ~~and the fact that failure in one part of the examination will disqualify an applicant~~.

C. Conduct of examinations.

1. Place; monitors. Written tests shall be conducted simultaneously in as many places as are necessary for the convenience of the applicants and as are practicable for proper administration. The supervisor may designate such monitors as may be necessary to conduct examinations under instructions prescribed by him and may also arrange for the use of public buildings in which to conduct the examinations. The supervisor shall provide for the compensation of monitors in accordance with the approved budget for the purpose.

2. ~~The identity of persons taking competitive assembled examinations shall not be disclosed to the examiners. An identification number, which shall be used to identify all papers of each applicant, shall be assigned by the Supervisor to each applicant. Any examination papers bearing the name of the applicant or identification other than an identification number shall be rejected. In a case of rejection the Supervisor shall promptly notify the applicant.~~ Refusal to score. The supervisor may refuse to score the examination of an applicant who copies another applicant's examination paper, or falsifies an identity to gain admittance to the examination, or who otherwise meets the criteria for disqualification as provided for in 12 MCAR § 2.495 C.1.

D. Rating examinations.

1. Determination of score. The supervisor shall determine a final score for each applicant's examination, computed in accordance with the weights for the several parts established by the supervisor as set forth in the announcement. Failure in any part of an examination ~~shall~~ may disqualify the applicant in the entire examination ~~and shall disqualify him from participation in subsequent parts of the examination~~. All applicants for the same position shall be accorded uniform and equal treatment in all phases of the examination procedure.

2. Determination of passing point. The supervisor shall utilize appropriate scientific techniques and procedures in rating the results of examinations and in determining the final scores of the applicants. ~~In determining the system for rating results of the examinations, the Supervisor and the Council shall give~~ The supervisor shall establish reasonable passing points for all examinations, giving due regard to the number of vacancies that may reasonably be expected to occur during the life of the register.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

E. Rating training and experience.

~~1.~~ When training and experience form a part of the total examination, the supervisor shall determine a procedure for the evaluation of the training and experience qualifications of the various applicants. The formula used in appraisal shall give due regard to recency and quality, as well as quantity, of experience and to the pertinency of the training. This procedure shall allow for the substitution of training for experience, and experience for training, within the limits stated in the class specifications.

~~2. The Supervisor will investigate an applicant's training and experience to verify the statements contained in his application form and to obtain evidence about his character and fitness either before rating his training and experience or after giving an initial rating but before certification from the register. If this investigation produces information affecting a rating of training and experience already given, the Supervisor shall re-rate the applicant's record accordingly and shall make the necessary adjustment on the register. He shall also promptly notify the applicant of any such re-rating.~~

F. Oral examination.

~~1.~~ When an oral ~~interview or oral test~~ examination forms a part of a total examination for a class of positions, the supervisor shall ~~appoint~~ select one or more oral examination ~~board~~ boards as needed. An oral examination board shall consist of two or more members who shall be known to be interested in the improvement of public administration and in the selection of efficient government personnel and at least one of whom shall be technically familiar with the character of work in the position for which the applicant will be examined. Any person holding political office or any officer or committee member of any political organization, or any person actively engaged in the work of any political organization, shall not serve as a member of ~~any such~~ a board. If practicable, all applicants qualifying for the oral examination for the class of positions shall be rated by the same oral examination board. A member of an oral examination board shall disclose each instance in which he knows the applicant personally and ~~shall not rate such applicant~~, in those instances, the supervisor shall determine whether the oral examination board member shall rate that applicant.

~~H. Special written tests.~~

~~1. No applicant shall be given a special written test unless the Council, by formal and recorded action, finds that the applicant's failure to take or complete the original written test was due to an obvious error in connection with the administration of the examination for which the Supervisor or one of his assistants was responsible. The Council's findings and decision shall be recorded in its minutes. No claim for a special written test shall be allowed unless it is filed in writing with the Council within ten days after the date the original written test was held. Any special written test shall be constructed on a pattern similar to the original written test.~~

~~1.~~ H. Examination records.

~~1.~~ The supervisor shall be responsible for the maintenance of all examination records ~~pertinent to the county welfare examination programs~~. ~~Applicants~~ Applications and other necessary examination records shall be kept during the life of the register. Examination records of appointees shall be kept permanently, but examination records of applicants not appointed may be destroyed 30 days after the register expires.

12 MCAR § 2.498 Certification of eligibles.

A. Vacancies.

~~1.~~ Vacancies in the classified service shall be filled by reemployment, original appointment, promotion, transfer, demotion, or reinstatement.

B. Requisition for certification.

~~1.~~ If a vacancy in any position under ~~a county welfare or human service board~~ an appointing authority is to be filled other than by reinstatement, non-competitive examination, ~~promotion,~~ transfer, or demotion, and a new employee is needed, a requisition shall be submitted by the appointing authority to the supervisor. This requisition shall state the number of positions to be filled in each class, together with the class title and other appropriate information. In addition, desirable special qualifications for the particular position under consideration may be indicated. In requesting the certification of individuals with special qualifications, the appointing authority shall state in the request the reasons for the special qualifications requested. Eligibles shall be certified in strict order of standing on the register, except in a case in which the supervisor~~,~~ ~~with the approval of the Merit System Council,~~ has determined that there is reason for a certification of an eligible with special qualifications. Requests for certification of individuals with special qualifications approved by the supervisor shall be reported to the council at its next scheduled meeting.

C. Certification methods.

1. Entrance register. Upon ~~receipt of~~ receiving a requisition, the supervisor shall certify the names of available eligibles. If one position is involved, ~~he~~ the supervisor shall certify the seven highest available names together with any additional names

of persons having an examination rating within three points of the person on the certification with the highest examination rating, and any additional names of persons having the same examination score as that of the seventh person certified, from the open-competitive entrance register established for the class of positions. Names of available eligibles from the appropriate reemployment register, if one exists, shall also be certified as additional names.

2. Promotional register. The supervisor may also certify the three highest available names together with any additional names of persons having an examination rating within three points of the person on the certification with the highest examination rating, and any additional names of persons having the same examination scores as that of the third name certified, from the appropriate promotional register ~~and reemployment register~~ if such ~~registers exist~~ register exists and ~~are~~ is requested. Names of available eligibles from the appropriate reemployment register, if one exists, shall also be certified as additional names.

3. Certification for more than one vacancy. If more than one vacancy exists, the supervisor shall certify at least as many names from the register as there are vacancies to be filled, together with any additional names of persons having an examination rating within three points of the person on the certification with the highest examination rating, and any additional names of persons having the same examination score as that of the last person certified on a competitive certification or as that of the last person certified on a promotional certification. Supplementary certifications will be issued only in instances in which it is found that there are ~~less~~ fewer than seven available candidates on the competitive certification or three available candidates on the promotional certification.

4. Selection for appointment. The appointing authority may select for appointment anyone among the certified candidates who are eligible for appointment.

12 MCAR § 2.500 Probationary period.

B. When required.

1. A person employed by ~~a county welfare department~~ an appointing authority in any of the following ways shall serve a probationary period~~.~~:

a. Appointment from an eligible register other than the layoff list~~.~~;

b. Reinstatement of a former probationary employee or of a former permanent employee in an agency other than the last employing agency~~.~~;

c. Transfer of an employee between counties except when specifically waived ~~(in writing,~~ in a written document addressed to the Merit System Supervisor~~)~~ by the new employing county prior to the date on which the transfer of a permanent employee becomes effective~~.~~; or

d. Transfer or reinstatement to a position on the basis of eligibility from a comparable position in a similar merit system jurisdiction.

C. Duration of probationary period.

~~1.~~ The probationary period shall consist of the equivalent of the first six full months of ~~actual~~ compensated service following the date of the appointment action requiring ~~such~~ a probationary period, except as provided in ~~the following section~~ D. Unpaid leave of ten or fewer workdays during the probationary period does not affect the duration of the probationary period.

D. Extension of probationary period.

1. In rare or unusual circumstances or conditions that prevent the making of a full and fair determination as a basis for granting permanent status or separating the employee from the service, ~~a three-month~~ an extension of the probationary period for up to three months may be granted. Initiation of a request to the Merit System supervisor for extension must occur on or before the beginning of the sixth month of the probationary period and shall specify the reasons why the extension is ~~required in this instance~~ necessary. A current evaluation of the employee's performance shall accompany the request. A copy of the request for extension and the evaluation shall be provided to the probationary employee by the appointing authority.

2. ~~The Supervisor shall make such investigation as he deems necessary to ascertain the validity of the request and~~

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

~~assess the best interests of the service and of the probationary employee.~~ The supervisor's decision on the request shall be given to the agency and the employee at least ten days in advance of the end of the ~~six-months~~ initial probation period.

3. Each formal request for extension of the probationary period and the ~~determination~~ decision on the request shall be reported to the Merit System Council at its next meeting.

E. Promotion during probation.

1. An employee serving a probationary period may be promoted to a position in a higher class~~, provided that his name is certified in accordance with these rules from an eligible register established as a result of a competitive examination process~~. An employee who is promoted begins a probationary period in the higher classification as of the date of that appointment.

2. A probationary employee who is promoted to a position in a higher class in the same occupational field ~~may~~ shall complete his probationary period in the lower class by service in the higher position.

F. Transfer during probation.

~~1.~~ A probationary employee may be transferred from a position ~~in~~ under one ~~county welfare department~~ appointing authority to a position in the same class ~~in~~ under another ~~county welfare department~~ appointing authority if the employee was not appointed from a certification from a county ~~or area sub-register of the state-wide~~ register.

G. Demotion during probation.

~~1.~~ A probationary employee who is demoted to a class of positions in the same occupational field shall have included as a part of the probationary period in the lower class his period of service in the higher class unless the appointing authority writes on the report of the demotion to the Merit System that a ~~complete~~ new probationary period is required in the lower class.

H. Removal during probation.

1. A probationary employee may be dismissed by an appointing authority without the right to an appeal or hearing except as may otherwise be provided by law. The employee shall be given written notification ~~of~~, including the reasons for his dismissal, at least five days in advance of the date on which the dismissal becomes effective~~. The appointing authority shall submit to the Supervisor a written report of the reasons for the dismissal~~ and a copy of the notification shall be submitted to the supervisor.

I. Completion of probationary period.

1. The appointing authority shall submit written notice of the satisfactory completion of the probationary period to the employee and to the Merit System at least ten days in advance of the expiration of the probationary period. A rating or appraisal of the employee's performance shall accompany the notice. The employee shall then be granted permanent status in his position the day following the last day of his probation period.

2. If an appointing authority fails to implement the purpose and intent of the probationary period by appropriate action as provided in ~~these rules~~ 12 MCAR § 2.500, a probationary employee who is not certified permanent in accordance with ~~12 MCAR § 2.500 I.~~ 1. and is not removed or demoted but is continued in employment beyond the full six-months period shall obtain permanent status in the position by the default of the agency. The payment of salary beyond the six-months probationary period shall be deemed to be evidence of the determination by the appointing authority that permanent status shall be granted to the employee. The supervisor shall enter such status on the record of the employee and shall notify the appointing authority and the employee of the change in status.

3. Each instance in which permanent status is granted to an employee in accordance with the provisions of ~~12 MCAR § 2.500 I.~~ 2. shall be reported to the ~~Commissioner of Public Welfare and the~~ Merit System Council. The council may recommend and the commissioner may take appropriate action to insure that the purpose and intent of the probationary period shall be given effect in the agency in all future appointments.

12 MCAR § 2.503 Separation, tenure and reinstatement.

B. Dismissals.

2. No employee who has permanent status shall be dismissed from his position except for just cause. Before the action is taken, a permanent employee shall be furnished with a statement, in writing, setting forth reasons for the dismissal. He shall be permitted five days time to reply thereto, in writing, or, upon request, to appear personally and reply to the appointing authority. A copy of the statement and the employee's reply, if any, shall be filed with the supervisor prior to the effective date of the dismissal. Any such employee who is dismissed may demand a hearing before the Merit System Council in the manner prescribed by ~~12 MCAR § 2.508 E.2. (See 12 MCAR § 2.508 E.4. for dismissal procedure for veterans.)~~ 12 MCAR § 2.5081 D.

C. Suspension.

~~1.~~ After written notice, the appointing authority may suspend any employee without pay for ~~delinquency or misconduct~~ just cause for a period not to exceed 30 calendar days in any one calendar year. Suspensions of five or fewer consecutive working days or ten or fewer working days in a calendar year are not appealable to the council under 12 MCAR § 2.5081 D.1.

F. Reinstatement ~~to previous class of positions~~ of former permanent employee.

~~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~~ 12 MCAR §§ 2.490-2.841 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 resignationin good standing. 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~~ former probationary employee.

~~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~~ of resignation ~~became effective.~~

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~~ appointing authority, ~~such~~ these 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~~ as described in a. 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 agency 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

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

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~~ that one-year period. The appointing authority may require that the employee produce medical certification from a registered practicing physician that ~~he/she~~ the employee 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~~ the 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~~ that 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~~ his or her position subject to any eligibility for layoff, transfer, or demotion that ~~he/she~~ he or 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~~ his or her class before the expiration of the leave in the same manner. Upon certification by ~~the~~ a 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~~ he or 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~~ a permanent, probationary, or trainee 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 the satisfactory completion of such period, vacation leave shall accrue to ~~the~~ a permanent, probationary, or trainee 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. Vacation leave may not be used prior to completion of the period in which it is accrued. Part time employees shall accrue vacation leave on a pro-rated basis based on hours worked in accordance with a schedule prepared by the appointing authority.

b. Vacation leave shall not ~~accumulate~~ accrue 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 by the former agency for the number of working days of accrued but unused vacation leave ~~accumulated to his credit~~ unless the new agency, upon the request of the employee, agrees to accept all or a portion of the employee's accrued but unused vacation leave.

d. Any permanent, probationary, provisional or trainee 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~~ accrued to his credit.

4. Sick leave.

a. Every permanent, probationary, provisional, limited-term and trainee employee shall ~~earn~~ accrue 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 an employee's inability to perform the duties of ~~his/her~~ his or her position by reason of illness or injury, by necessity for medical or dental care, by reason of prenatal and postnatal 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~~ the employee's 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~~ accrue 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~~ or attesting that the employee is fit to return to work.

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

h. A permanent or probationary employee who is transferred or promoted from one appointing authority to another may be granted credit in the new agency for all previously accrued but unused sick leave.

i. Sick leave may not be used prior to completion of the period in which it is accrued. Part-time employees shall accrue sick leave on a pro-rated basis based on hours worked in accordance with a schedule prepared by the 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~~ Minn. Stat. § 192.261.

6. Record of leaves.

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

7. Holidays.

a. Full time 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.~~ The following days are holidays:

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

Veteran's Day—November 11

Thanksgiving Day—the fourth Thursday in November

Christmas Day—December 25

Appointing authorities may designate one or both of the following as holidays:

Christopher Columbus Day—the second Monday in October

Friday after Thanksgiving

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. Holidays which occur within the employee's vacation or sick leave period shall not be charged to the employee's vacation or sick leave time.

d. Employees must be on the payroll on the work day immediately preceding and the work day immediately following a holiday to be eligible for such holiday. For the purpose of determining eligibility for holiday pay, "on the payroll" means those who are in pay status.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

e. Employees who work less than full-time or intermittent employees shall be compensated for holidays on a pro-rated basis in accordance with a schedule prepared by the appointing authority and approved by the supervisor.

C. Optional 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~~ merit increases, as in 12 MCAR § ~~2.516 D.2.~~ 2.494 G., and ~~such salary~~ the merit 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.

12 MCAR § 2.5081 Appeals and hearings.

A. General provisions.

1. The council or appeal board or referee apppointed by the council shall hear all appeals under this rule.

2. A written notice of appeal, specifying the reason or reasons for the appeal, must be submitted to the supervisor within 30 days of the action appealed or within 30 days of the date notification of the action was mailed to the affected party, whichever is later.

3. Except for appeals under D., the supervisor shall reply to the appeal, interpreting the Merit System rules and applicable law relative to the issues in the appeal. All affected parties will receive copies of the response.

4. Any affected party who is dissatisfied with the supervisor's resolution may appeal that resolution and the appeal will be placed on the agenda of the next council meeting.

5. Any permanent employee under a collective bargaining agreement who appeals a dismissal, suspension, or a reduction in pay or position under the provisions of a grievance procedure in such agreement may not subsequently appeal the same action to the council.

6. All decisions shall be given within a reasonable time following the hearing and shall be in writing. Copies shall be sent to all parties involved and the Merit System where final decisions are made by the appointing authority.

B. Appeals from selection and appointment procedures.

1. Any applicant may appeal a rejection of his or her application based on qualifications or removal from a register for reasons specified in 12 MCAR § 2.497 D. The council shall review the reasonableness of the rejection or removal.

2. Any applicant who has taken an examination may appeal for review of the rating procedures in any part of the examination. The council shall review the rating procedures in order to determine whether they have been applied equally and fairly to all applicants.

3. Decisions of the council regarding appeals under 1. and 2. shall be final.

4. Admission to an examination, restoration to a register, or correction of an examination rating resulting from an appeal shall not affect a certification or appointment that may have already been made.

C. Appeal from allocation. Any employee or appointing authority may appeal the allocation of a position. The council shall review all facts relating to the allocation and make a recommendation to the commissioner. The commissioner's decision shall be final.

D. Appeal from dismissal, suspension, or demotion.

1. Any permanent employee who has not appealed under the provisions of a grievance procedure contained in a collective bargaining agreement may appeal any dismissal, suspension of more than five consecutive working days or ten working days in a calendar year, or reduction in pay or position to the council. The council shall review the action for compliance with the procedural requirements of 12 MCAR § 2.503 B.2. and whether or not the action was taken for just cause.

2. The hearing shall be held within 30 days of when the appeal is received by the supervisor.

3. After the hearing, the council shall make a recommendation to the appointing authority. Within 30 days of receiving the recommendation, the appointing authority shall make the final decision.

4. Any veteran covered under the provisions of Minn. Stat. § 197.46 shall not be removed except for incompetency or misconduct shown after a hearing upon due written notice which includes a statement of charges.

E. Appeal from denial of merit increase.

1. Any permanent employee of an appointing authority with an established policy of granting merit increases who has not received a merit increase for a 12 month period and who is denied a merit increase may appeal the denial if the reasons given for the denial do not reflect on the merit of the employee's performance. The council shall initially determine whether or not such reasons are given. If so, the appeal shall be denied. If not, the council shall take testimony regarding the performance of the employee. Both the appointing authority and the employee shall have the right to present witnesses and give evidence.

2. The council shall recommend the appointing authority either grant or deny the merit increase. The appointing authority shall make the final decision.

F. Other appeals. Any employee or appointing authority affected by action taken in the administration of 12 MCAR §§ 2.490-2.841 may appeal the action. The council shall review the action for compliance with the rules of the Minnesota Merit System and applicable law and shall recommend to the commissioner remedial action it may deem warranted. The commissioner's action shall be final.

12 MCAR § 2.517 Salary computation provisions for full and part-time employment, vacation and sick leave pay upon termination, partial pay periods, overtime pay and part payment from another source.

A. Pay periods.

~~1.~~ The length of pay periods is at the discretion of the appointing authority ~~and/or~~ but it may be negotiated when there is an exclusive representative.

B. Full-time and part-time employment.

1. All rates prescribed in 12 MCAR §§ 2.840 and 2.841 shall be standard rates for full-time employees except as otherwise negotiated for employees in a bargaining unit in agencies where there is an exclusive representative or under the provisions of ~~12 MCAR § 2.516 B.1.c.~~ 12 MCAR § 2.494 F.2.c. If employment in a position is on a part-time or intermittent basis, only the proportional part of the rate for the time actually employed shall be paid. Such time may be paid on an hourly, working day or proportion of a month basis. The agencies using 12 MCAR § 2.840 shall use the table prepared in accordance with 12 MCAR § 2.841 in computing such payment.

2. Those agencies with an exclusive representative who negotiate different salary schedules from those shown in 12 MCAR § 2.840 under the provisions of ~~12 MCAR § 2.517 B. 1. above~~ or those agencies operating under the provisions of ~~12 MCAR § 2.516 B.1.c.~~ 12 MCAR § 2.494 F.2.c. shall file within ten days after the signing of the contract such schedules with the supervisor. Attached thereto, shall be a table similar in format, computation, and information to the table provided for in 12 MCAR § 2.841. The table shall show monthly rates with appropriate conversion to hourly rates and to daily rates based on the number of working days and paid holidays in the month, and payment by payroll period for full-time work if such payment is made on other than a monthly basis.

C. Payment for less than a full payroll period.

~~1.~~ The amount of salary paid for a period less than a full payroll period to an employee shall be determined on the basis of the number of hours~~/~~ or days the employee worked in the payroll period. Agencies shall use the table provided for in 12 MCAR § 2.841 in computing this salary. Those agencies with an exclusive representative who have negotiated different salary schedules and those agencies operating under the provisions of ~~12 MCAR § 2.516 B.1.c.~~ 12 MCAR § 2.494 F.2.c. shall use their table prepared in accordance with 12 MCAR § 2.841 in computing this salary.

D. Part payment from another source.

~~1.~~ When part of the compensation of a county welfare or human service employee regularly is paid from another source, such as federal, state, city or county governmental departments, or from a different fund or account outside the control of the

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

appointing authority, the total salary from all governmental sources combined shall not exceed the amount payable at the maximum rate for the class of position involved on the compensation plan adopted by the agency.

E. Compensation for vacation ~~and/~~or sick leave or both upon separation.

1. An employee, who has permanent status in the county agency in some class, who is separated from the agency shall be paid for accumulated, unused vacation leave in accordance with 12 MCAR § 2.504 ~~C.4.~~ B.3.d. on the basis of the appropriate daily or hourly rate as shown on the table prepared in accordance with 12 MCAR § 2.841. This is illustrated by the following examples:

An employee who earns $844 a month and is paid $388 on a bi-weekly payroll ($38.80 daily rate) works 8 days in the payroll period and terminates her employment. She has 11 days of vacation accumulated. Daily rate of $38.80 × 19 days (8 regular working days plus 11 days of vacation) = $737.20.

An employee who earns $844 a month and is paid on a monthly basis works 8 days in the month which has 22 working days in it and terminates her employment. She has 11 days of vacation accumulated. Daily rates of $38.36 (for 22 day month) × 19 days (8 regular working days plus 11 days of vacation) = $727.70.

12 MCAR § 2.518 Appointment, promotions, demotions, transfers, and reinstatements.

A. Appointment.

1. The entrance salary for ~~any~~ the original appointment, provisional appointment, or emergency appointment of a new employee ~~(original appointment, provisional appointment, or emergency appointment)~~ shall be at the minimum salary for the class of positions to which he is appointed, except when appointments are permitted above the minimum in accordance with 12 MCAR § 2.494 E.~~1.~~

2. An employee who is provisionally employed at a rate of pay higher than the minimum of the range prescribed for the class shall not be reduced in pay at the time of appointment from a register to the class ~~in which he is serving~~.

B. Promotions.

1. An employee who is promoted shall have his or her salary raised to the minimum rate of pay for the new class. If his or her salary before promotion falls within the range of the new class but not on any step within that range, the salary shall be adjusted to the ~~nearest~~ next higher step.

2. An employee granted a salary increase after having been promoted may be permitted to retain that increase when returned to a lower class, ~~provided that~~ if the salary paid does not exceed the maximum ~~of~~ salary for the lower class.

C. Demotions.

~~1. An employee who is demoted except by reason of 12 MCAR § 2.493 D. shall have his salary reduced to at least the maximum rate of the new class. If the salary is within the range for the new class, he may receive the same rate. An employee who continues in the same position and who is demoted under 12 MCAR § 2.493 D. because of the downward reallocation of his position may continue to be paid at the former salary rate as long as he retains the same position without further increase except as may subsequently be provided in the new classification.~~ An employee who is demoted except in accordance with 12 MCAR § 2.493 D. and whose salary is above the maximum rate for the lower class shall be reduced in salary to at least the maximum rate for the new class. If the former salary is within the salary range for the lower class, the same salary may be continued. An employee whose position is reclassified downward in accordance with 12 MCAR § 2.493 D. and remains in the same position may retain his or her former salary if it is above the maximum salary rate for the lower class but shall be ineligible to receive any further increases except those subsequently provided in the new classification.

D. Transfers.

~~1.~~ An employee who is transferred may be paid the same salary that he received prior to transfer. ~~His salary may be raised within the range for the class to which he is transferred, but it shall not be lowered.~~ If an employee's salary prior to transfer falls within the salary range of the class to which the employee is transferring but not on a salary step in that range, the employee's salary may be increased to the next higher step in the range but it shall not be lowered.

E. Reinstatements.

~~1.~~ A former employee who is reinstated or reemployed may be paid the same salary rate that he last received in the same class of position if it coincides with a step on the current salary range for the class, or if it does not coincide, at the ~~nearest~~ next higher step.

12 MCAR § 2.578 Financial Assistance Supervisor I.

D. Minimum qualifications of education and experience. A Financial Assistance Supervisor I shall have:

1. ~~Four~~ Three years of experience as either a Financial Worker I or II, or the equivalent~~.~~; or

~~OR~~

2. ~~Three~~ Two 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 ~~(~~with at least 23 quarter credits or 16 semester credits~~).~~; or

~~OR~~

3. ~~Thirty~~ Eighteen 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.

12 MCAR § 2.579 Financial Assistance Supervisor II.

D. Minimum qualifications of education and experience. ~~One year of experience as a Financial Assistance Supervisor I.~~

~~OR~~

~~Two years of experience as a Financial Assistance Specialist.~~ A Financial Assistance Supervisor II shall have:

1. Four years of experience as a Financial Worker I or II; or

2. Three years of experience either as a Financial Worker I or II, or the equivalent, and completion of two years of study at an accredited two-year or four-year college, with emphasis in the behavioral sciences, business, or closely related subjects, with at least 23 quarter credits or 16 semester credits; or

3. Two years of experience as a Financial Worker I or II, and a bachelor's degree in social work, psychology, sociology, business, or closely related subjects.

12 MCAR § 2.590 Financial Assistance Supervisor III.

D. Minimum qualifications of education and experience. A Financial Assistance Supervisor III shall have:

1. ~~Graduation~~ Graduated from an accredited four-year college, with a major in social work, psychology, sociology, business administration, public administration, or related fields, and ~~three years of experience as a Financial Assistance Supervisor I or equivalent level of experience.~~ five years of experience as a Financial Worker, or equivalent, three years of which must have been at the Financial Worker II, or Senior level; or

~~OR~~

2. ~~When taking a promotional examination for this position, an employee may substitute one year of Financial Assistance Supervisor I experience for one year of college for up to two years of the required college education.~~

~~OR~~

~~3.~~ ~~Graduation~~ Graduated from an accredited four-year college, with a major in social work, psychology, sociology, business adminstration, public administration or related fields, and ~~one year of experience as a Financial Assistance Supervisor II, or equivalent level of experience~~ four years of experience as either a social worker in a public social service agency or as a Financial Assistance Supervisor.

~~OR~~

~~4. When taking a promotional examination for this position, an employee may substitute one year of Financial Assistance Supervisor II experience for one year of college for each year of the required college education.~~

~~OR~~

~~5.~~ When taking a promotional examination for this position, completion of any four-year degree from an accredited college will substitute for the bachelor's degree requirement. On a promotional basis, one year of experience as a social worker or Financial Assistance Supervisor may be substituted for two years of college.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

12 MCAR § 2.591 Financial Assistance Supervisor IV.

D. Minimum qualifications of education and experience.

1. ~~Graduation~~ A Financial Assistance Supervisor IV shall have graduated from an accredited four-year college with a major in social work, psychology, sociology, business administration, public administration or related fields, and ~~one year~~ three years of experience as a Financial Assistance Supervisor III, or equivalent level of experience.

~~OR~~

2. ~~Graduation from an accredited four-year college with a major in social work, psychology, sociology, business administration, public administration or related fields, and three years of experience as a Financial Assistance Supervisor II, or equivalent level of experience.~~

~~OR~~

~~3.~~ When taking a promotional examination for this position, completion of any four-year degree from an accredited college will substitute for the bachelor's degree requirement.

~~OR~~

~~4.~~ 3. Master's degree level work in social work, psychology, sociology, human services administration, business administration, public administration or related fields may be substituted for the ~~Financial Assistance Supervisor II level~~ experience on a year-for-year basis, not to exceed two years.

12 MCAR § 2.623 Financial Assistance Specialist.

D. Minimum qualifications of education and experience. A Financial Assistance Specialist shall have:

1. ~~Three~~ Two years of successful experience as either a Financial Worker I or II, or the equivalent~~.~~;

~~OR~~

2. ~~Thirty~~ Eighteen 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-year or four-year college, or similar institution, with emphasis in the behavioral sciences, business, or closely related subjects ~~(~~with at least 23 quarter credits or 16 semester credits~~).~~; or

~~OR~~

3. ~~Two years~~ One year 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 § 2.720 ~~Accounting Officer I~~ Fiscal Officer.

A. Kind of work. Under general supervision. a Fiscal Officer is responsible for the maintenance of financial records and accounts; ~~prepares~~ preparation of budget estimates and periodic financial and statistical reports in a small county welfare or human services agency or ~~carries similar responsibility~~ supervision of the work of a small number of accounting and clerical employees in the maintenance of ~~a major part of~~ financial records and reports in a large county welfare or human services agency; and ~~performs~~ performance of related work as assigned.

The classification of a position will be determined by a biennial classification study and will depend, in part, on the size of the agency and the level of discretion of the incumbent.

B. Examples of work (illustrative only). Maintains ledgers. Processes ~~and/~~or approves processing of bills, requisitions, and receipts. Prepares financial reports. Prepares or assists in the preparation of the agency budget. Develops new procedures when changes in state or county policies or programs occur affecting fiscal matters. Prepares Merit System forms and maintains personnel records. May order supplies and maintains an inventory of supplies. Prepares payrolls. ~~Assigns and supervises~~ May assign and supervise work of account clerks ~~and/~~or clerical employees assigned to the accounting unit. Trains new accounting employees. ~~Evaluates staff performance~~ Analyzes and interprets fiscal reports so that the information is available in useful form. Develops and maintains control procedures for handling of cash.

C. Knowledges and abilities required.

1. Knowledge of accounting practices and procedures. Knowledge of business arithmetic. Knowledge of the principles of budgeting and accounting. Knowledge of the principles of supervision. Knowledge of the principles of office management. Knowledge of office procedures and practices and of uses of standard office equipment.

2. Ability to accept responsibility. Ability to plan, organize, and assign work. Ability to analyze work flow problems and to design procedures. Ability to perform detailed work rapidly and accurately. Ability to analyze financial records and reports,

locate errors, and recommend solutions to procedural or other problems. Ability to interpret bookkeeping records and documents, and prepare information in summary form. Ability to maintain satisfactory working relationships with professional and clerical staff and with the public. Ability to maintain confidentiality.

D. Minimum qualifications of education and experience. A Fiscal Officer shall have:

1. A high school degree, or the equivalent, and ~~completion of~~ shall have completed two years of training in bookkeeping or accounting courses in a business school, college or university and one year of experience as an account clerk~~,~~ or bookkeeper;

2. One year of experience as an account clerk or bookkeeper may be substituted for each year of college coursework~~,~~; or

~~OR~~

3. Any combination of the above experience and education.

12 MCAR § 2.721 ~~Accounting Officer II~~ Fiscal Supervisor I.

A. Kind of work. Under general supervision, a Fiscal Supervisor I is responsible for the maintenance of financial records and accounts; ~~prepares~~ preparation of budget estimates and periodic financial and statistical reports in a medium sized county welfare or human services agency or ~~supervises five or more~~ supervision of accounting and clerical employees in the maintenance of financial records and reports in a large urban county welfare or human services agency; and ~~performs~~ performance of related work as assigned.

The classification of a position will be determined by a biennial classification study and will depend, in part, on the size of the agency and level of discretion of the incumbent.

B. Examples of work (illustrative only). Maintains ledgers. Processes ~~and/~~or approves processing of bills, requisitions, and receipts. Prepares financial reports. Prepares or assists in the preparation of the agency budget. Develops new procedures when changes in state or county policies or programs occur affecting fiscal matters. Prepares Merit System forms and maintains personnel records. May order office supplies and maintains an inventory of supplies. Prepares payrolls. Analyzes and interprets fiscal reports so that the information is available in useful form. Assigns and supervises work of accounting clerks ~~and/~~or clerical employees assigned to the accounting staff. Trains new accounting employees. Evaluates staff performance. Develops and maintains control procedures for handling of cash.

C. ~~Knowledges~~ Knowledge and abilities required.

1. Knowledge of accounting practices and procedures. Knowledge of business arithmetic. Knowledge of the principles of budgeting and accounting. Knowledge of the principles of office management. Knowledge of the principles of supervision. Knowledge of office procedures and practices and uses of standard office equipment.

2. Ability to accept responsibility. Ability to analyze work-flow problems and to design and implement procedures to increase effectiveness and efficiency of employees. Ability to prepare and interpret complex fiscal reports and records, recognize problems and effect solutions. Ability to plan, organize, and assign work. Ability to perform detailed work rapidly and accurately. ~~Ability to supervise clerical workers in simple bookkeeping operations~~ Ability to write and speak effectively. Ability to maintain satisfactory working relationships with professional and clerical staff and with the public. Ability to maintain confidentiality.

D. Minimum qualifications of education and experience. A. Fiscal Supervisor I shall have:

1. A. high school degree, or the equivalent, and completion of two years of training in bookkeeping or accounting courses in a business school, college, or university, and two years of experience as an account clerk~~,~~ or bookkeeper; or

~~OR~~

2. One year of account clerk or bookkeeper experience ~~as an account clerk~~ may be substituted for each year of college coursework~~,~~; or

~~OR~~

3. Any combination of the above experience and education.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

12 MCAR § 2.722 ~~Accounting Officer III~~ Fiscal Supervisor II.

A. Kind of work. Under general ~~administrative~~ supervision, a Fiscal Supervisor II directs the maintenance of all financial records and accounts in a medium or large county welfare or human services agency, supervises the preparation of periodic financial and statistical reports; prepares agency budget estimates and expenditures reports; and performs related work as assigned.

The classification of a position will be determined by a biennial classification study and will depend, in part, on the size of the agency and level of discretion of the incumbent.

B. Examples of work (illustrative only). Maintains ledgers. Compiles difficult and complex financial and statistical reports. Processes ~~and/~~or approves processing of bills, requisitions, and receipts. Projects program costs for the agency and prepares or assists in the preparation of the agency budget. Prepares payrolls. May order office supplies and maintain an inventory of supplies. Develops new procedures when changes in state or county policies or programs occur affecting fiscal matters. Prepares Merit System forms and maintains personnel records. Assigns and supervises work of account clerks ~~and/~~or clerical employees assigned to the accounting staff. Trains new accounting employees. Analyzes and interprets complex fiscal reports so that the information is available in useful form. Evaluates staff performance. Develops and maintains control procedures for handling of cash.

C. ~~Knowledge~~ Knowledge and abilities required.

1. Knowledge of accounting practices and procedures. Knowledge of business arithmetic. Knowledge of principles of budgeting and accounting. Knowledge of principles of office management. Knowledge of the principles of supervision. Knowledge of office procedures and practices and of use of standard office equipment.

2. Ability to accept responsibility. Ability to effectively plan, organize, and assign work. Ability to analyze work flow problems and to design and implement procedures to increase effectiveness and efficiency of employees. Ability to perform detailed work rapidly and accurately. Ability to prepare and interpret complex fiscal reports and records, recognize problems, and effect solutions. Ability to write and speak effectively. Ability to maintain satisfactory working relationships with professional and clerical staff and the public. Ability to maintain confidentiality.

D. Minimum qualifications of education and experience.

1. A Fiscal Supervisor II must have a high school degree, or the equivalent, and ~~completion of~~ two years of training in bookkeeping or accounting courses in a business school, college, or university, and three years of experience ~~as either an Accounting Officer I or II, or the equivalent~~ in accounting or auditing.

~~OR~~

2. One year of experience ~~as an Accounting Officer I or II~~ in accounting or auditing may be substituted for each year of college coursework, up to a maximum of two years.

12 MCAR § 2.723 ~~Accountant I~~ Fiscal Supervisor III.

A. Kind of work. ~~Performs professional accounting work, assisting in auditing the accounts of departments and institutions under the jurisdiction of a county welfare board, or supervises an accounting unit of a county welfare board~~ Under general supervision, a Fiscal Supervisor III directs the maintenance of financial records and accounts in a large county welfare or human services agency; prepares agency budget estimates and expenditure reports; and performs related work as assigned.

The classification of a position will be determined by a biennial classification study and will depend, in part, on the size of the agency and the level of discretion of the incumbent.

B. Examples of work (illustrative only). Assigns and supervises the work of ~~assistants~~ account clerks or clerical employees assigned to the accounting unit. ~~Assists in the auditing of the accounts of the welfare board and institutions of the county welfare board.~~ Supervises the disbursing of aid and payroll warrants and expense vouchers. Maintains ledgers. Compiles difficult and complex financial and statistical reports. Projects program costs for the agency ~~and prepares budget and reports. Assists in the initiation and development of work procedures and methods. Supervises a group of clerical employees engaged in mechanical count and tabulations. Reconciles bank statements, auditing and verifying grant pay rolls and rent checks, Obtains and assembles data, schedules, and other necessary accounting information from banks, auditors, welfare agencies, individuals, and division or units of the county welfare board.~~ Trains new employees. ~~Prepares Merit System forms and maintains personnel records.~~ Evaluates staff performance ~~of assigned staff.~~ Prepares or assists in the preparation of the agency budget. Develops new procedures when changes in state or county policies or programs occur which affect fiscal matters. Coordinates agency's purchasing so that all purchases are made within county and agency requirements. Plans and directs the computerization of systems applied to fiscal services to ensure efficient operation.

C. Knowledges and abilities required.

1. ~~Comprehensive~~ Knowledge of the principles of budgeting. ~~Thorough~~ Knowledge of the principles and practices of accounting. ~~Considerable~~ Knowledge of the principles of office management. ~~Considerable~~ Knowledge of the principles of supervision. ~~Considerable knowledge of administrative procedures in a county welfare program.~~ ~~Considerable~~ Knowledge of office procedures, practices, and uses of standard office equipment.

2. Ability to accept responsibility. Ability to effectively plan, organize, and assign work. Ability to analyze work-flow problems and to design and implement procedures to increase effectiveness and efficiency of employees. ~~Ability to perform detailed work rapidly and accurately~~ Ability to write and speak effectively. Ability to prepare and interpret complex fiscal records and reports, recognize problems, and effect solutions. Ability to supervise. Ability to maintain satisfactory working relationships with staff members and with the public.

D. Minimum qualifications of education and experience. A Fiscal Supervisor III shall have:

1. ~~Graduation~~ Graduated from an accredited four-year college, with a major in accounting or a closely related business field~~.~~; or

~~OR~~

2. ~~Graduation~~ Graduated from a standard high school and have five years of successful full-time paid employment involving work in accounting and auditing.

12 MCAR § 2.724 ~~Accountant II~~ Fiscal Supervisor IV.

A. Kind of work. Under general ~~administrative~~ supervision, a Fiscal Supervisor IV performs professional accounting work and supervises a large staff of accounting, clerical, and ~~machine operator~~ data processing personnel in maintaining the financial records and reports of a large county welfare or human services department; supervises the maintenance of internal record-keeping procedures in relation to the purpose and functions of the agency; and performs related work as assigned.

The classification of a position will be determined by a biennial classification study and will depend, in part, on the size of the agency and the level of discretion of the incumbent.

B. Examples of work (illustrative only). Participates in the development of agency procedures relating to transmittal of information about financial actions in welfare cases. Plans and installs internal procedures in the accounting department. Supervises the operations of the several functional units within the accounting department, including the data processing ~~machine~~ section. Performs the more difficult and complex accounting entries, transactions, and reconciliations. Prepares operating statements, major periodic reports, and special reports as requested. Prepares or assists in preparing agency budget ~~planning and preparation. Participates in selection of~~ Selects personnel for the accounting departments and evaluates the performance of staff members. Coordinates agency's purchasing so that all purchases are made within county and agency requirements. Develops new procedures when changes in state or county policies occur which effect fiscal matters.

C. ~~Knowledges~~ Knowledge and abilities required.

1. ~~Thorough~~ Knowledge of the principles and practices of governmental accounting. ~~Thorough~~ Knowledge of office procedures, practices, and equipment. ~~Considerable~~ Knowledge of the uses and applications of data processing equipment. Knowledge of accounting theory and approved practices of fiscal management. Knowledge of the scope and purposes of agency operations.

2. Ability to plan, assign, and coordinate the work of a large number of employees. Ability to maintain good working relationships with staff members and other departments of the agency. Ability to direct and supervise the work of others. Ability to write and speak effectively. Ability to prepare and interpret complex fiscal records and reports, recognize problems and effect solutions. Ability to implement procedures to increase effectiveness and efficiency of employees.

D. Minimum qualifications of education and experience.

~~1.~~ ~~Graduation~~ A Fiscal Supervisor IV shall have graduated from an accredited four-year college~~,~~ with a major in accounting or business administration, and shall have three years of full-time paid experience as an accountant or auditor.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

12 MCAR § 2.729 Accounting Technician.

A. Kind of work. Under general supervision, an Accounting Technican does accounting work in a county welfare or human services agency, acts as a lead worker to other accounting staff and may supervise account clerks or clerk typists, and performs related work as assigned. The major difference between this classification and the Account Clerk classification is the greater emphasis on recognizing errors or problems and recommending alternative solutions, and less emphasis on transactional matters.

B. Examples of work. (Illustrative only) Journalize and summarize receipts and disbursements for general ledger. Monitor expenditures according to state, federal, and county regulations and guidelines. Correct or reconcile audit discrepancies. May perform more responsible payroll functions including payment for less than full-time employees. Assist supervisor of accounting unit with preparation of the budget. Complete reports to the state, including reports required for federal and state administrative reimbursement. Provide lead work direction to other bookkeeping and clerical employees which includes assigning and reviewing work and having input into performance evaluations of workers. Investigate errors or problems in the processing of fiscal transactions and recommend changes in procedures.

C. Knowledge and abilities required. Knowledge of accounting principles and practices. Knowledge of office terminology, procedures, and equipment. Knowledge of business arithmetic and simple mathematics. Ability to perform mathematical computations. Ability to follow written and oral detailed instructions. Ability to interpret bookkeeping records and documents and prepare information in summary form. Ability to understand fiscal procedural and transactional practices. Ability to analyze financial records and reports, locate errors and recommend solutions to procedural or other problems. Ability to maintain effective working relationships with supervisors, co-workers, and the public. Ability to operate a variety of office equipment. Ability to organize work efficiently. Ability to perform detailed work with speed and accuracy. Ability to work under pressure and willingness to accept responsibility for meeting deadlines.

D. Minimum qualifications of education and experience.

1. An Accounting Technician must have a high school diploma or the equivalent, and two years of experience as an account clerk or bookkeeper.

2. Completion of college coursework, vocational school, or business school in accounting may be substituted on a year-for-year basis for the account clerk or bookkeeping experience.

SUB-CHAPTER D—COMPENSATION PLAN

~~Approximate Monthly Salaries~~

12 MCAR § 2.840 Compensation plan ~~(~~; Public Welfare~~)~~—1981 1982

A. Professional

1. Plan A~~*~~. The following salary steps in monthly salary amounts shall be applicable to the specified classes of positions. The salary steps shall not include any amounts paid by any county welfare board under Minn. Stat. § 471.61.

~~a. Class of positions~~

	1	2	3	4	5	6	7	8	9	10
~~Accountant I~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~	
~~Accountant II~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~	~~1960~~	~~2049~~	~~2144~~	~~2242~~	~~2344~~
Adm. Asst. I	~~1466~~	~~1533~~	~~1606~~	~~1680~~	~~1754~~	~~1835~~	~~1915~~	~~2003~~	~~2096~~	~~2191~~
	1583	1656	1734	1814	1894	1982	2068	2163	2264	2366
Adm. Asst. II	~~1606~~	~~1680~~	~~1754~~	~~1835~~	~~1915~~	~~2003~~	~~2096~~	~~2191~~	~~2292~~	~~2393~~
	1734	1814	1894	1982	2068	2163	2264	2366	2475	2584
Adm. Asst. III	~~1876~~	~~1960~~	~~2049~~	~~2144~~	~~2242~~	~~2344~~	~~2449~~	~~2565~~	~~2682~~	
	2026	2117	2213	2316	2421	2532	2645	2770	2897	
Adm. Services	~~1960~~	~~2049~~	~~2144~~	~~2242~~	~~2344~~	~~2449~~	~~2565~~	~~2682~~	~~2804~~	
Director	2117	2213	2316	2421	2532	2645	2770	2897	3028	
Adult Day Care	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~
Center Supvr.	1299	1358	1420	1485	1549	1620	1696	1777	1854	1939
Asst. Human	~~1960~~	~~2049~~	~~2144~~	~~2242~~	~~2344~~	~~2449~~	~~2565~~	~~2682~~	~~2804~~	
Services Director	2117	2213	2316	2421	2532	2645	2770	2897	3028	
Asst. Welfare	~~2449~~	~~2565~~	~~2682~~	~~2804~~	~~2927~~	~~3055~~	~~3188~~	~~3333~~	~~3484~~	
Director	2645	2770	2897	3028	3161	3299	3443	3600	3763	

Assoc. M.-&-P.	~~1149~~	~~1203~~	~~1257~~	~~1315~~						
Analyst	1241	1299	1358	1420						
Auditor	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~	~~1960~~	~~2049~~	~~2144~~
	1549	1620	1696	1777	1854	1939	2026	2117	2213	2316
Center	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~	~~1960~~
Coordinator	1420	1485	1549	1620	1696	1777	1854	1939	2026	2117
Chemical	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~	~~1960~~
Dependency Coord.	1420	1485	1549	1620	1696	1777	1854	1939	2026	2117
Collection Services	~~1404~~	~~1466~~	~~1533~~	~~1606~~	~~1680~~	~~1754~~	~~1835~~	~~1915~~	~~2003~~	~~2096~~
Supvr. II	1516	1583	1656	1734	1814	1894	1982	2068	2163	2264
Community-Health	~~1466~~	~~1533~~	~~1606~~	~~1680~~	~~1754~~	~~1835~~	~~1915~~	~~2003~~	~~2096~~	~~2191~~
Serv. Supvr.	1583	1656	1734	1814	1894	1982	2068	2163	2264	2366
Community-	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~	~~1960~~	~~2049~~	~~2144~~	
Rela. Spec.	1620	1696	1777	1854	1939	2026	2117	2213	2316	
Computer	~~1149~~	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~			
Programmer	1241	1299	1358	1420	1485	1549	1620			
Day Care	~~1466~~	~~1533~~	~~1606~~	~~1680~~	~~1754~~	~~1835~~	~~1915~~	~~2003~~	~~2096~~	
Center. Supvr.	1583	1656	1734	1814	1894	1982	2068	2163	2264	
Dev. Achievement	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~
Center Dr.	1299	1358	1420	1485	1549	1620	1696	1777	1854	1939
Dev. Achievement	~~1099~~	~~1149~~	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~
Center Teacher	1187	1241	1299	1358	1420	1485	1549	1620	1696	1777
Dev. Disabilities	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~
Coord.	1299	1358	1420	1485	1549	1620	1696	1777	1854	1939
Dietitian	~~1149~~	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	
	1241	1299	1358	1420	1485	1549	1620	1696	1777	
Dir. of Business	~~1754~~	~~1835~~	~~1915~~	~~2003~~	~~2096~~	~~2191~~	~~2292~~	~~2393~~		
Mgmt. I	1894	1982	2068	2163	2264	2366	2475	2584		
Dir. of Business	~~2144~~	~~2242~~	~~2344~~	~~2449~~	~~2565~~	~~2682~~	~~2804~~	~~2927~~	~~3055~~	
Mgmt. II	2316	2421	2532	2645	2770	2897	3028	3161	3299	
Dir. of Financial	~~1960~~	~~2049~~	~~2144~~	~~2242~~	~~2344~~	~~2449~~	~~2565~~	~~2682~~	~~2804~~	
Asst.	2117	2213	2316	2421	2532	2645	2770	2897	3028	
Dir. of	~~1960~~	~~2049~~	~~2144~~	~~2242~~	~~2344~~	~~2449~~	~~2565~~	~~2682~~	~~2804~~	
Planning	2117	2213	2316	2421	2532	2645	2770	2897	3028	
Dir. of Pub.	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~	~~1960~~	~~2049~~	
Hlth. Nurs. I	1549	1620	1696	1777	1854	1939	2026	2117	2213	
Dir. of Soc.	~~1960~~	~~2049~~	~~2144~~	~~2242~~	~~2344~~	~~2449~~	~~2565~~	~~2682~~	~~2804~~	
Services	2117	2213	2316	2421	2532	2645	2770	2897	3028	
Dir. of	~~1960~~	~~2049~~	~~2144~~	~~2242~~	~~2344~~	~~2449~~	~~2565~~	~~2682~~	~~2804~~	
Support Services	2117	2213	2316	2421	2532	2645	2770	2897	3028	
Education	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~	~~1960~~	
Supervisor	1485	1549	1620	1696	1777	1854	1939	2026	2117	
Emp. Guid.	~~1099~~	~~1149~~	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	
Couns. I	1187	1241	1299	1358	1420	1485	1549	1620	1696	
Emp. Guid.	~~1149~~	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	
Couns. II	1241	1299	1358	1420	1485	1549	1620	1696	1777	
Emp. Guid.	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	
Couns. III	1299	1358	1420	1485	1549	1620	1696	1777	1854	
Family Serv.	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~		
Coord. II	1358	1420	1485	1549	1620	1696	1777	1854		

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

Finan. Asst.	~~1466~~	~~1533~~	~~1606~~	~~1680~~	~~1754~~	~~1835~~	~~1915~~	~~2003~~	~~2096~~	~~2191~~
Supvr. III	1583	1656	1734	1814	1894	1982	2068	2163	2264	2366
Finan. Asst.	~~1606~~	~~1680~~	~~1754~~	~~1835~~	~~1915~~	~~2003~~	~~2096~~	~~2191~~	~~2292~~	~~2393~~
Supvr. IV	1734	1814	1894	1982	2068	2163	2264	2366	2475	2584
Fiscal Supervisor III	1485	1549	1620	1696	1777	1854	1939	2026	2117	
Fiscal Supervisor IV	1696	1777	1854	1939	2026	2117	2213	2316	2421	2532
Home Care	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~		
Coordinator	1358	1420	1485	1549	1620	1696	1777	1854		
Homemaker	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~	~~1960~~	
Supervisor	1485	1549	1620	1696	1777	1854	1939	2026	2117	
Human Services	~~1754~~	~~1835~~	~~1915~~	~~2003~~	~~2096~~	~~2191~~	~~2292~~	~~2393~~	~~2507~~	~~2621~~
Dir. I	1894	1982	2068	2163	2264	2366	2475	2584	2708	2831
Human Services	~~2049~~	~~2144~~	~~2242~~	~~2344~~	~~2449~~	~~2565~~	~~2682~~	~~2804~~	~~2927~~	
Dir. II	2213	2316	2421	2532	2645	2770	2897	3028	3161	
Human Services	~~2242~~	~~2344~~	~~2449~~	~~2565~~	~~2682~~	~~2804~~	~~2927~~	~~3055~~	~~3188~~	
Dir. III	2421	2532	2645	2770	2897	3028	3161	3299	3443	
Human Services	~~1466~~	~~1533~~	~~1606~~	~~1680~~	~~1754~~	~~1835~~	~~1915~~	~~2003~~	~~2096~~	~~2191~~
Supvr. I	1583	1656	1734	1814	1894	1982	2068	2163	2264	2366
Marriage	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~	~~1960~~	~~2049~~	
Counselor	1549	1620	1696	1777	1854	1939	2026	2117	2213	
Med.-Care	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	
Advisor	1299	1358	1420	1485	1549	1620	1696	1777	1854	
Med.-Serv.	~~1960~~	~~2049~~	~~2144~~	~~2242~~	~~2344~~	~~2449~~	~~2565~~	~~2682~~		
Adm.	2117	2213	2316	2421	2532	2645	2770	2897		
Mental Health	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~	
Worker	1420	1485	1549	1620	1696	1777	1854	1939	2026	2117
Meth.-&-Proc.	~~1344~~	~~1404~~	~~1466~~	~~1533~~	~~1606~~	~~1680~~	~~1754~~	~~1835~~	~~1915~~	
Analyst	1452	1516	1583	1656	1734	1814	1894	1982	2068	
Meth.-&-Proc.	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~	~~1960~~	~~2049~~	~~2144~~	~~2242~~	
Supvr.	1696	1777	1854	1939	2026	2117	2213	2316	2421	
Nursing Care	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	
Advisor	1299	1358	1420	1485	1549	1620	1696	1777	1854	
Nutrition Proj.	~~1099~~	~~1149~~	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~
Asst. Dir.	1187	1241	1299	1358	1420	1485	1549	1620	1696	1777
Nutrition	~~1466~~	~~1533~~	~~1606~~	~~1680~~	~~1754~~	~~1835~~	~~1915~~	~~2003~~	~~2096~~	~~2191~~
Proj. Dir.	1583	1656	1734	1814	1894	1982	2068	2163	2264	2366
Occupa. Supvr.	~~1052~~	~~1099~~	~~1149~~	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~
Inst. I	1136	1187	1241	1299	1358	1420	1485	1549	1620	1696
Occupa. Supvr.	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~
Inst. II	1299	1358	1420	1485	1549	1620	1696	1777	1854	1939
Office Manager	~~1099~~	~~1149~~	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	
	1187	1241	1299	1358	1420	1485	1549	1620	1696	
Personnel	~~1099~~	~~1149~~	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~
Officer	1187	1241	1299	1358	1420	1485	1549	1620	1696	1777
Personnel	~~1533~~	~~1606~~	~~1680~~	~~1754~~	~~1835~~	~~1915~~	~~2003~~	~~2096~~	~~2191~~	~~2292~~
Director	1656	1734	1814	1894	1982	2068	2131	2264	2366	2475
Physical Therapist	~~1122~~ 1212	~~1175~~ 1269	~~1229~~ 1327	~~1284~~ 1387	~~1344~~ 1452	~~1404~~ 1516	~~1466~~ 1583	~~1533~~ 1656		
Planner (Human	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~	~~1960~~	
Services)	1485	1549	1620	1696	1777	1854	1939	2026	2117	
Policy/Program	~~1533~~	~~1606~~	~~1680~~	~~1754~~	~~1835~~	~~1915~~	~~2003~~	~~2096~~	~~2191~~	~~2292~~
Analyst	1656	1734	1814	1894	1982	2068	2163	2264	2366	2475
Programmer	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~		
Analyst	1485	1549	1620	1696	1777	1854	1939	2026		

Psychologist I	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~	
	1420	1485	1549	1620	1696	1777	1854	1939	2026	
Psychologist II	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~	~~1960~~	~~2049~~	~~2144~~	~~2242~~	
	1696	1777	1854	1939	2026	2117	2213	2316	2421	
Psychologist III	~~1835~~	~~1915~~	~~2003~~	~~2096~~	~~2191~~	~~2292~~	~~2393~~	~~2507~~		
	1982	2068	2163	2264	2366	2475	2584	2708		
Psychologist IV	~~2003~~	~~2096~~	~~2191~~	~~2292~~	~~2393~~	~~2507~~	~~2621~~	~~2742~~		
	2163	2264	2366	2475	2584	2708	2831	2961		
Pub. Health Educator I	~~1149~~	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~		
	1241	1299	1358	1420	1485	1549	1620	1696		
Pub. Health Educator II	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~	~~1960~~		
	1549	1620	1696	1777	1854	1939	2026	2117		
Public Health Nurse	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~			
	1299	1358	1420	1485	1549	1620	1696			
Pub. Hlth. Nurse (Team Leader)	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~			
	1358	1420	1485	1549	1620	1696	1777			
Registered Nurse (A.A. Deg., 3 yr. Dip., or B.S., Deg.)	~~1099~~	~~1149~~	~~1203~~	~~1257~~	~~1315~~	~~1375~~				
	1241	1299	1358	1420	1485	1549				
Sanitarian I	~~1149~~	~~1203~~	~~1257~~	~~1315~~	~~1375~~					
	1241	1299	1358	1420	1485					
Sanitarian II	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~		
	1358	1420	1485	1549	1620	1696	1777	1854		
Sr. Pub. Health Nurse	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~			
	1420	1485	1549	1620	1696	1777	1854			
Social Worker I	~~1099~~	~~1149~~	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~
	1187	1241	1299	1358	1420	1485	1549	1620	1696	1777
Social Worker II	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~
	1299	1358	1420	1485	1549	1620	1696	1777	1854	1939
Social Worker III	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~	~~1960~~
	1420	1485	1549	1620	1696	1777	1854	1939	2026	2117
Social Worker Trainee	~~1004~~									
	1084									
Soc. Serv. Supvr. I	~~1466~~	~~1533~~	~~1606~~	~~1680~~	~~1754~~	~~1835~~	~~1915~~	~~2003~~	~~2096~~	~~2191~~
	1583	1656	1734	1814	1894	1982	2068	2163	2264	2366
Soc. Serv. Supvr. II	~~1606~~	~~1680~~	~~1754~~	~~1835~~	~~1915~~	~~2003~~	~~2096~~	~~2191~~	~~2292~~	~~2393~~
	1734	1814	1894	1982	2068	2163	2264	2366	2475	2584
Soc. Welf. Supvr. III	~~1876~~	~~1960~~	~~2049~~	~~2144~~	~~2242~~	~~2344~~	~~2449~~	~~2565~~	~~2682~~	
	2026	2117	2213	2316	2421	2532	2645	2770	2897	
Soc. Welf. Supvr. Trainee	~~1404~~	~~1466~~	~~1533~~	~~1606~~	~~1680~~	~~1754~~				
	1516	1583	1656	1734	1814	1894				
Staff Trng. Supvr. I	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~	~~1960~~	~~2049~~	~~2144~~	
	1620	1696	1777	1854	1939	2026	2117	2213	2316	
Staff. Trng. Supvr. II	~~1645~~	~~1717~~	~~1795~~	~~1876~~	~~1960~~	~~2049~~	~~2144~~	~~2242~~	~~2344~~	
	1777	1854	1939	2026	2117	2213	2316	2421	2532	
Student Soc. Worker (Intern)	Rate proposed by appointing authority.									
Student Soc. Worker (SWEP)	Rate proposed by appointing authority.									

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

Systems Prog.-	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~	~~1960~~	~~2049~~	~~2144~~		
Analyst	1696	1777	1854	1939	2026	2117	2213	2316		
Trainee	Rate proposed by appointing authority and approved by the merit system supervisor and the Commissioner of Public Welfare.									
Vol.-Serv.	~~1099~~	~~1149~~	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~
Coord. I	1187	1241	1299	1358	1420	1485	1549	1620	1696	1777
Vol.-Serv.	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~	~~1960~~	
Coord. II	1485	1549	1620	1696	1777	1854	1939	2026	2117	
Welfare	~~1606~~	~~1680~~	~~1754~~	~~1835~~	~~1915~~	~~2003~~	~~2096~~	~~2191~~	~~2292~~	~~2393~~
Director I	1814	1894	1982	2068	2163	2264	2366	2475	2584	2708
Welfare	~~1754~~	~~1835~~	~~1915~~	~~2003~~	~~3096~~	~~2191~~	~~2292~~	~~2393~~	~~2507~~	~~2621~~
Director II	1982	2068	2163	2264	2366	2475	2584	2708	2831	2961
Welfare	~~2049~~	~~2144~~	~~2242~~	~~2344~~	~~3449~~	~~2565~~	~~2682~~	~~2804~~	~~2927~~	
Director III	2213	2316	2421	2532	2645	2770	2897	3028	3161	
Welfare	~~2242~~	~~2344~~	~~2449~~	~~2565~~	~~2682~~	~~2804~~	~~2927~~	~~3055~~	~~3188~~	
Director IV	2421	2532	2645	2770	2897	3028	3161	3299	3443	
Welfare	~~3055~~	~~3188~~	~~3333~~	~~3484~~	~~3641~~	~~3804~~	~~3983~~	~~4154~~	~~4440~~	
Director V	3299	3443	3600	3763	3932	4108	4302	4486	4795	
Work-Exp. &	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~	~~1960~~	
Trng. Spec.	1485	1549	1620	1696	1777	1854	1939	2026	2117	

~~*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~~*~~. The following salary steps in monthly salary amounts shall be applicable to the specified classes of positions. The salary steps shall not include any amounts paid by any county welfare board under Minn. Stat. § 471.61.

~~a. Class of positions~~

	1	2	3	4	5	6	7	8	9	10
~~Accountant I~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~	
~~Accountant II~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~	~~1960~~	~~2049~~	~~2144~~	~~2242~~	~~2344~~
Adm. Asst. I	~~1533~~	~~1606~~	~~1680~~	~~1754~~	~~1835~~	~~1915~~	~~2003~~	~~2096~~	~~2191~~	~~2292~~
	1656	1734	1814	1894	1982	2068	2163	2264	2366	2475
Adm. Asst. II	~~1680~~	~~1754~~	~~1835~~	~~1915~~	~~2003~~	~~2096~~	~~2191~~	~~2292~~	~~2393~~	~~2507~~
	1814	1894	1982	2068	2163	2264	2366	2475	2584	2708
Adm. Asst. III	~~1960~~	~~2049~~	~~2144~~	~~2242~~	~~2344~~	~~2449~~	~~2565~~	~~2682~~	~~2804~~	
	2117	2213	2316	2421	2532	2645	2770	2897	3028	
Adm. Services	~~2049~~	~~2144~~	~~2242~~	~~2344~~	~~2449~~	~~2565~~	~~2682~~	~~2804~~	~~2927~~	
Director	2213	2316	2421	2532	2645	2770	2897	3028	3161	
Adult Day Care	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~
Center Supvr.	1358	1420	1485	1549	1620	1696	1777	1854	1939	2026
Asst. Human	~~1960~~	~~2049~~	~~2144~~	~~2242~~	~~2344~~	~~2449~~	~~2565~~	~~2682~~	~~2804~~	
Services Director	2117	2213	2316	2421	2532	2645	2770	2897	3028	
Asst. Welfare	~~2449~~	~~2565~~	~~2682~~	~~2804~~	~~2927~~	~~3055~~	~~3188~~	~~3333~~	~~3484~~	
Director	2645	2770	2897	3028	3161	3299	3443	3600	3763	
Assoc. M.-&-P.	~~1203~~	~~1257~~	~~1315~~	~~1375~~						
Analyst	1299	1358	1420	1485						
Auditor	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~	~~1960~~	~~2049~~	~~2144~~	~~2242~~
	1620	1696	1777	1854	1939	2026	2117	2213	2316	2421
Center	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~	~~1960~~	~~2049~~
Coordinator	1485	1549	1620	1696	1777	1854	1939	2026	2117	2213
Chemical De-	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~	~~1960~~	~~2049~~
pendency Coord.	1485	1549	1620	1696	1777	1854	1939	2026	2117	2213
Collections	~~1466~~	~~1533~~	~~1606~~	~~1680~~	~~1754~~	~~1835~~	~~1915~~	~~2003~~	~~2096~~	~~2191~~
Services Supvr. II	1583	1656	1734	1814	1894	1982	2068	2163	2264	2366
Community-	~~1533~~	~~1606~~	~~1680~~	~~1754~~	~~1835~~	~~1915~~	~~2003~~	~~2096~~	~~2191~~	~~2292~~
Health Serv. Supvr.	1656	1734	1814	1894	1982	2068	2163	2264	2366	2475

Community-Rela. Spec.	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~	~~1960~~	~~2049~~	~~2144~~	~~2242~~	
	1696	1777	1854	1939	2026	2117	2213	2316	2421	
Computer Programmer	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~			
	1299	1358	1420	1485	1549	1620	1696			
Day Care Center Supvr.	~~1533~~	~~1606~~	~~1680~~	~~1754~~	~~1835~~	~~1915~~	~~2003~~	~~2096~~	~~2191~~	
	1656	1734	1814	1894	1982	2068	2163	2264	2366	
Dev. Achievement Center Dir.	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~
	1358	1420	1485	1549	1620	1696	1777	1854	1939	2026
Dev. Achievement Center Teacher	~~1149~~	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~
	1241	1299	1358	1420	1485	1549	1620	1696	1777	1854
Dev. Disabilities Coord.	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~
	1358	1420	1485	1549	1620	1696	1777	1854	1939	2026
Dietitian	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	
	1299	1358	1420	1485	1549	1620	1696	1777	1854	
Dir. of Business Mgmt. I	~~1754~~	~~1835~~	~~1915~~	~~2003~~	~~2096~~	~~2191~~	~~2292~~	~~2393~~		
	1894	1982	2068	2163	2264	2366	2475	2584		
Dir. of Business Mgmt. II	~~2144~~	~~2242~~	~~2344~~	~~2449~~	~~2565~~	~~2682~~	~~2804~~	~~2927~~	~~3055~~	
	2316	2421	2532	2645	2770	2897	3028	3161	3299	
Dir. of Financial Asst.	~~2049~~	~~2144~~	~~2242~~	~~2344~~	~~2449~~	~~2565~~	~~2682~~	~~2804~~	~~2927~~	
	2213	2316	2421	2532	2645	2770	2897	3028	3161	
Dir. of Planning	~~2049~~	~~2144~~	~~2242~~	~~2344~~	~~2449~~	~~2565~~	~~2682~~	~~2804~~	~~2927~~	
	2213	2316	2421	2532	2645	2770	2897	3028	3161	
Dir. of Pub. Hlth. Nurs. I	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~	~~1960~~	~~2049~~	~~2144~~	
	1620	1696	1777	1854	1939	2026	2117	2213	2316	
Dir. of Soc. Services	~~2049~~	~~2144~~	~~2242~~	~~2344~~	~~2449~~	~~2565~~	~~2682~~	~~2804~~	~~2927~~	
	2213	2316	2421	2532	2645	2770	2897	3028	3161	
Dir. of Support Services	~~2049~~	~~2144~~	~~2242~~	~~2344~~	~~2449~~	~~2565~~	~~2682~~	~~2804~~	~~2927~~	
	2213	2316	2421	2532	2645	2770	2897	3028	3161	
Education Supervisor	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~	~~1960~~	~~2049~~	
	1549	1620	1696	1777	1854	1939	2026	2117	2213	
Emp. Guid. Couns. I	~~1149~~	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	
	1241	1299	1358	1420	1485	1549	1620	1696	1777	
Emp. Guid. Couns. II	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	
	1299	1358	1420	1485	1549	1620	1696	1777	1854	
Emp. Guid. Couns. III	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	
	1358	1420	1485	1549	1620	1696	1777	1854	1939	
Family Service Coord. II	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~		
	1420	1485	1549	1620	1696	1777	1854	1939		
Finan. Asst. Supvr. III	~~1533~~	~~1606~~	~~1680~~	~~1754~~	~~1835~~	~~1915~~	~~2003~~	~~2096~~	~~2191~~	~~2292~~
	1656	1734	1814	1894	1982	2068	2163	2264	2366	2475
Finan. Asst. Supvr. IV	~~1680~~	~~1754~~	~~1835~~	~~1915~~	~~2003~~	~~2096~~	~~2191~~	~~2292~~	~~2393~~	~~2507~~
	1814	1894	1982	2068	2163	2264	2366	2475	2584	2708
Fiscal Supervisor III	1485	1549	1620	1696	1777	1854	1939	2026	2117	
Fiscal Supervisor IV	1696	1777	1854	1939	2026	2117	2213	2316	2421	2532
Home Care Coordinator	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~		
	1420	1485	1549	1620	1696	1777	1854	1939		
Homemaker Supervisor	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~	~~1960~~	~~2049~~	
	1549	1620	1696	1777	1854	1939	2026	2117	2213	
Human Services Dir. I	~~1754~~	~~1835~~	~~1915~~	~~2003~~	~~2096~~	~~2191~~	~~2292~~	~~2393~~	~~2507~~	~~2621~~
	1894	1982	2068	2163	2264	2366	2475	2584	2708	2831

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

Human Services	~~2049~~	~~2144~~	~~2242~~	~~2344~~	~~2449~~	~~2565~~	~~2682~~	~~2804~~	~~2927~~	
Dir. II	2213	2316	2421	2532	2645	2770	2897	3028	3161	
Human Services	~~2242~~	~~2344~~	~~2449~~	~~2565~~	~~2682~~	~~2804~~	~~2927~~	~~3055~~	~~3188~~	
Dir. III	2421	2532	2645	2770	2897	3028	3161	3299	3443	
Human Services	~~1533~~	~~1606~~	~~1680~~	~~1754~~	~~1835~~	~~1915~~	~~2003~~	~~2096~~	~~2191~~	~~2292~~
Supvr. I	1656	1734	1814	1894	1982	2068	2163	2264	2366	2475
Marriage	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~	~~1960~~	~~2049~~	~~2144~~	
Counselor	1620	1696	1777	1854	1939	2026	2117	2213	2316	
Med.-Care	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	
Advisor	1358	1420	1485	1549	1620	1696	1777	1854	1939	
Med.-Serv.	~~2049~~	~~2144~~	~~2242~~	~~2344~~	~~2449~~	~~2565~~	~~2682~~	~~2804~~		
Adm.	2213	2316	2421	2532	2645	2770	2897	3028		
Mental Health	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~	~~1960~~	
Worker	1485	1549	1620	1696	1777	1854	1939	2026	2117	2213
Meth.-&-Proc.	~~1404~~	~~1466~~	~~1533~~	~~1606~~	~~1680~~	~~1754~~	~~1835~~	~~1915~~	~~2003~~	
Analyst	1516	1583	1656	1734	1814	1894	1982	2068	2163	
Meth.-&-Proc.	~~1645~~	~~1717~~	~~1795~~	~~1876~~	~~1960~~	~~2049~~	~~2144~~	~~2242~~	~~2344~~	
Supvr.	1777	1854	1939	2026	2117	2213	2316	2421	2532	
Nursing Care	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	
Advisor	1358	1420	1485	1549	1620	1696	1777	1854	1939	
Nutrition Proj.	~~1149~~	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~
Asst. Dir.	1241	1299	1358	1420	1485	1549	1620	1696	1777	1854
Nutrition	~~1533~~	~~1606~~	~~1680~~	~~1754~~	~~1835~~	~~1915~~	~~2003~~	~~2096~~	~~2191~~	~~2292~~
Proj. Dir.	1656	1734	1814	1894	1982	2068	2163	2264	2366	2475
Occupa. Supvr.	~~1099~~	~~1149~~	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~
Inst. I	1187	1241	1299	1358	1420	1485	1549	1620	1696	1777
Occupa. Supvr.	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~
Inst. II	1358	1420	1485	1549	1620	1696	1777	1854	1939	2026
Office	~~1149~~	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	
Manager	1241	1299	1358	1420	1485	1549	1620	1696	1777	
Personnel	~~1149~~	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~
Officer	1241	1299	1358	1420	1485	1549	1620	1696	1777	1854
Personnel	~~1606~~	~~1680~~	~~1754~~	~~1835~~	~~1915~~	~~2003~~	~~2096~~	~~2191~~	~~2292~~	~~2393~~
Director	1734	1814	1894	1982	2068	2163	2264	2366	2475	2584
Physical	~~1175~~	~~1229~~	~~1284~~	~~1344~~	~~1404~~	~~1466~~	~~1533~~	~~1696~~		
Therapist	1269	1327	1387	1452	1516	1583	1656	1734		
Planner (Human	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~	~~1960~~	~~2049~~	
Services)	1549	1620	1696	1777	1854	1939	2026	2117	2213	
Policy/Program	~~1606~~	~~1680~~	~~1754~~	~~1835~~	~~1915~~	~~2003~~	~~2096~~	~~2191~~	~~2292~~	~~2393~~
Analyst	1734	1814	1894	1982	2068	2163	2264	2366	2475	2584
Programmer	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~	~~1960~~		
Analyst	1549	1620	1696	1777	1854	1939	2026	2117		
Psychologist I	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~	~~1960~~	
	1485	1549	1620	1696	1777	1854	1939	2026	2117	
Psychologist II	~~1645~~	~~1717~~	~~1795~~	~~1876~~	~~1960~~	~~2049~~	~~2144~~	~~2242~~	~~2344~~	
	1777	1854	1939	2026	2117	2213	2316	2421	2532	
Psychologist III	~~1915~~	~~2003~~	~~2096~~	~~2191~~	~~2292~~	~~2393~~	~~2507~~	~~2621~~		
	2068	2163	2264	2366	2475	2584	2708	2831		
Psychologist IV	~~2096~~	~~2191~~	~~2292~~	~~2393~~	~~2507~~	~~2621~~	~~2742~~	~~2862~~		
	2264	2366	2475	2584	2708	2831	2961	3091		
Pub. Health	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~		
Educator I	1299	1358	1420	1485	1549	1620	1696	1777		
Pub. Health	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~	~~1960~~	~~2049~~		
Educator II	1620	1696	1777	1854	1939	2026	2117	2213		
Public Health	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~			
Nurse	1358	1420	1485	1549	1620	1696	1777			

Pub. Hlth. Nurse	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~			
(Team Leader)	1420	1485	1549	1620	1696	1777	1854			
Registered Nurse (A.A. Deg.,	~~1149~~	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~				
3 yr. Dip., or B.S. Deg.)	1299	1358	1420	1485	1549	1620				
Sanitarian I	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~					
	1299	1358	1420	1485	1549					
Sanitarian II	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~		
	1420	1485	1549	1620	1696	1777	1854	1939		
Sr. Pub.	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~			
Health Nurse	1485	1549	1620	1696	1777	1854	1939			
Social Worker I	~~1149~~	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~
	1241	1299	1358	1420	1485	1549	1620	1696	1777	1854
Social Worker II	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~
	1358	1420	1485	1549	1620	1696	1777	1854	1939	2026
Social Worker III	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~	~~1960~~	~~2049~~
	1485	1549	1620	1696	1777	1854	1939	2026	2117	2213
Social Worker	~~1004~~									
Trainee	1084									
Soc. Serv.	~~1533~~	~~1606~~	~~1680~~	~~1754~~	~~1835~~	~~1915~~	~~2003~~	~~2096~~	~~2191~~	~~2292~~
Supvr. I	1656	1734	1814	1894	1982	2068	2163	2264	2366	2475
Soc Serv.	~~1680~~	~~1754~~	~~1835~~	~~1915~~	~~2003~~	~~2096~~	~~2191~~	~~2292~~	~~2393~~	~~2507~~
Supvr. II	1814	1894	1982	2068	2163	2264	2366	2475	2584	2708
Soc. Welf.	~~1960~~	~~2049~~	~~2144~~	~~2242~~	~~2344~~	~~2449~~	~~2565~~	~~2682~~	~~2804~~	
Supvr. III	2117	2213	2316	2421	2532	2645	2770	2897	3028	
Soc. Welf.	~~1466~~	~~1533~~	~~1606~~	~~1680~~	~~1754~~	~~1835~~				
Supvr. Trainee	1583	1656	1734	1814	1894	1982				
Staff Trng.	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~	~~1960~~	~~2049~~	~~2144~~	~~2242~~	
Supvr. I	1696	1777	1854	1939	2026	2117	2213	2316	2421	
Staff Trng.	~~1717~~	~~1795~~	~~1876~~	~~1960~~	~~2049~~	~~2144~~	~~2242~~	~~2344~~	~~2449~~	
Supvr. II	1854	1939	2026	2117	2213	2316	2421	2532	2645	
Student Soc. Worker (Intern)	Rate proposed by appointing authority.									
Student Soc. Worker (SWEP)	Rate proposed by appointing authority.									
Systems Prog.	~~1645~~	~~1717~~	~~1795~~	~~1876~~	~~1960~~	~~2049~~	~~2144~~	~~2242~~		
Analyst	1777	1854	1939	2026	2117	2213	2316	2421		
Trainee	Rate proposed by appointing authority and approved by the merit system supervisor and the Commissioner of Public Welfare.									
Vol.-Serv.	~~1149~~	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~
Coord. I	1241	1299	1358	1420	1485	1549	1620	1696	1777	1854
Vol.-Serv.	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~	~~1960~~	~~2049~~	
Coord. II	1549	1620	1696	1777	1854	1939	2026	2117	2213	
Welfare	~~1606~~	~~1680~~	~~1754~~	~~1835~~	~~1915~~	~~2003~~	~~2096~~	~~2191~~	~~2292~~	~~2393~~
Director I	1814	1894	1982	2068	2163	2264	2366	2475	2584	2708
Welfare	~~1754~~	~~1835~~	~~1915~~	~~2003~~	~~2096~~	~~2191~~	~~2292~~	~~2393~~	~~2507~~	~~2621~~
Director II	1982	2068	2163	2264	2366	2475	2584	2708	2831	2961
Welfare	~~2049~~	~~2144~~	~~2242~~	~~2344~~	~~2449~~	~~2565~~	~~2682~~	~~2804~~	~~2927~~	
Director III	2213	2316	2421	2532	2645	2770	2897	3028	3161	
Welfare	~~2242~~	~~2344~~	~~2449~~	~~2565~~	~~2682~~	~~2804~~	~~2927~~	~~3055~~	~~3188~~	
Director IV	2421	2532	2645	2770	2897	3028	3161	3299	3443	

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

Welfare Director V Work-Exp. & Trng. Spec.	~~3055~~ 3299 ~~1434~~ 1549	~~3188~~ 3443 ~~1500~~ 1620	~~3333~~ 3600 ~~1570~~ 1696	~~3484~~ 3763 ~~1645~~ 1777	~~3641~~ 3932 ~~1717~~ 1854	~~3804~~ 4108 ~~1795~~ 1939	~~3983~~ 4302 ~~1876~~ 2026	~~4154~~ 4486 ~~1960~~ 2117	~~4440~~ 4795 ~~2049~~ 2213

~~*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*. The following salary steps in monthly salary amounts shall be applicable to the specified classes of positions. The salary steps shall not include any amounts paid by any county welfare board under Minn. Stat. § 471.61.

~~a. Class of positions~~

	1	2	3	4	5	6	7	8	9	10
~~Accountant I~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~	
~~Accountant II~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~	~~1960~~	~~2049~~	~~2144~~	~~2242~~	~~2344~~
Adm. Asst. I	~~1606~~ 1734	~~1680~~ 1814	~~1754~~ 1894	~~1835~~ 1982	~~1915~~ 2068	~~2003~~ 2163	~~2096~~ 2264	~~2191~~ 2366	~~2292~~ 2475	~~2393~~ 2584
Adm. Asst. II	~~1754~~ 1894	~~1835~~ 1982	~~1915~~ 2068	~~2003~~ 2163	~~2096~~ 2264	~~2191~~ 2366	~~2292~~ 2475	~~2393~~ 2584	~~2507~~ 2708	~~2621~~ 2831
Adm. Asst. III	~~2049~~ 2213	~~2144~~ 2316	~~2242~~ 2421	~~2344~~ 2532	~~2449~~ 2645	~~2565~~ 2770	~~2682~~ 2897	~~2804~~ 3028	~~2927~~ 3161	
Adm. Services Director	~~2144~~ 2316	~~2242~~ 2421	~~2344~~ 2532	~~2449~~ 2645	~~2565~~ 2770	~~2682~~ 2897	~~2804~~ 3028	~~2927~~ 3161	~~3055~~ 3299	
Adult Day Care Center supvr.	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939	~~1876~~ 2026	~~1960~~ 2117
Asst. Human Services Director	~~1960~~ 2117	~~2049~~ 2213	~~2144~~ 2316	~~2242~~ 2421	~~2344~~ 2532	~~2449~~ 2645	~~2565~~ 2770	~~2682~~ 2897	~~2804~~ 3028	
Asst. Welfare Director	~~2449~~ 2645	~~2565~~ 2770	~~2682~~ 2897	~~2804~~ 3028	~~2927~~ 3161	~~3055~~ 3299	~~3188~~ 3443	~~3333~~ 3600	~~3484~~ 3763	
Assoc. M.-&-P. Analyst	~~1257~~ 1358	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549						
Auditor	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939	~~1876~~ 2026	~~1960~~ 2117	~~2049~~ 2213	~~2144~~ 2316	~~2242~~ 2421	~~2344~~ 2532
Center Coordinator	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939	~~1876~~ 2026	~~1960~~ 2117	~~2049~~ 2213	~~2144~~ 2316
Chemical Dependency Coord.	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939	~~1876~~ 2026	~~1960~~ 2117	~~2049~~ 2213	~~2144~~ 2316
Collections Services Supvr. II	~~1533~~ 1656	~~1606~~ 1734	~~1680~~ 1814	~~1754~~ 1894	~~1835~~ 1982	~~1915~~ 2068	~~2003~~ 2163	~~2096~~ 2264	~~2191~~ 2366	~~2292~~ 2475
Community-Health Serv. Supvr.	~~1606~~ 1734	~~1680~~ 1814	~~1754~~ 1894	~~1835~~ 1982	~~1915~~ 2068	~~2003~~ 2163	~~2096~~ 2264	~~2191~~ 2366	~~2292~~ 2475	~~2393~~ 2584
Community-Rela. Spec.	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939	~~1876~~ 2026	~~1960~~ 2117	~~2049~~ 2213	~~2144~~ 2316	~~2242~~ 2421	~~2344~~ 2532	
Computer Programmer	~~1257~~ 1358	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777			
Day Care Center Supvr.	~~1606~~ 1734	~~1680~~ 1814	~~1754~~ 1894	~~1835~~ 1982	~~1915~~ 2068	~~2003~~ 2163	~~2096~~ 2264	~~2191~~ 2366	~~2292~~ 2475	
Dev. Achievement Center Dir.	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939	~~1876~~ 2026	~~1960~~ 2117
Dev. Achievement Center Teacher	~~1203~~ 1299	~~1257~~ 1358	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939
Dev. Disabilities Coord.	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939	~~1876~~ 2026	~~1960~~ 2117
Dietitian	~~1257~~ 1358	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939	
Dir. of Business Mgmt. I	~~1754~~ 1894	~~1835~~ 1982	~~1915~~ 2068	~~2003~~ 2163	~~2096~~ 2264	~~2191~~ 2366	~~2292~~ 2475	~~2393~~ 2584		

Dir. of Business Mgmt. II	~~2144~~	~~2242~~	~~2344~~	~~2449~~	~~2565~~	~~2682~~	~~2804~~	~~2927~~	~~3055~~	
	2316	2421	2532	2645	2770	2897	3028	3161	3299	
Dir. of Financial Asst.	~~2144~~	~~2242~~	~~2344~~	~~2449~~	~~2565~~	~~2682~~	~~2804~~	~~2927~~	~~3055~~	
	2316	2421	2532	2645	2770	2897	3028	3161	3299	
Dir. of Planning	~~2144~~	~~2242~~	~~2344~~	~~2449~~	~~2565~~	~~2682~~	~~2804~~	~~2927~~	~~3055~~	
	2316	2421	2532	2645	2770	2897	3028	3161	3299	
Dir. of Pub. Hlth. Nurs. I	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~	~~1960~~	~~2049~~	~~2144~~	~~2242~~	
	1696	1777	1854	1939	2026	2117	2213	2316	2421	
Dir. of Soc. Serv.	~~2144~~	~~2242~~	~~2344~~	~~2449~~	~~2565~~	~~2682~~	~~2804~~	~~2927~~	~~3055~~	
	2316	2421	2532	2645	2770	2897	3028	3161	3299	
Dir. of Support Services	~~2144~~	~~2242~~	~~2344~~	~~2449~~	~~2565~~	~~2682~~	~~2804~~	~~2927~~	~~3055~~	
	2316	2421	2532	2645	2770	2897	3028	3161	3299	
Education Supervisor	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~	~~1960~~	~~2049~~	~~2144~~	
	1620	1696	1777	1854	1939	2026	2117	2213	2316	
Emp. Guid. Couns. I	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	
	1299	1358	1420	1485	1549	1620	1696	1777	1854	
Emp. Guid. Couns. II	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	
	1358	1420	1485	1549	1620	1696	1777	1854	1939	
Emp. Guid. Couns. III	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~	
	1420	1485	1549	1620	1696	1777	1854	1939	2026	
Family Serv. Coord. II	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~		
	1485	1549	1620	1696	1777	1854	1939	2026		
Finan. Asst. Supvr. III	~~1606~~	~~1680~~	~~1754~~	~~1835~~	~~1915~~	~~2003~~	~~2096~~	~~2191~~	~~2292~~	~~2393~~
	1734	1814	1894	1982	2068	2163	2264	2366	2475	2584
Finan. Asst. Supvr. IV	~~1754~~	~~1835~~	~~1915~~	~~2003~~	~~2096~~	~~2191~~	~~2292~~	~~2393~~	~~2507~~	~~2621~~
	1894	1982	2068	2163	2264	2366	2475	2584	2708	2831
Fiscal Supervisor III	1485	1549	1620	1696	1777	1854	1939	2026	2117	
	1696	1777	1854	1939	2026	2117	2213	2316	2421	2532
Fiscal Supervisor IV	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~		
	1485	1549	1620	1696	1777	1854	1939	2026		
Home Care Coordinator Homemaker Supervisor	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~	~~1960~~	~~2049~~	~~2144~~	
	1620	1696	1777	1854	1939	2026	2117	2213	2316	
Human Services Dir. I	~~1754~~	~~1835~~	~~1915~~	~~2003~~	~~2096~~	~~2191~~	~~2292~~	~~2393~~	~~2507~~	~~2621~~
	1894	1982	2068	2163	2264	2366	2475	2584	2708	2831
Human Services Dir. II	~~2049~~	~~2144~~	~~2242~~	~~2344~~	~~2449~~	~~2565~~	~~2682~~	~~2804~~	~~2927~~	
	2213	2316	2421	2532	2645	2770	2897	3028	3161	
Human Services Dir. III	~~2242~~	~~2344~~	~~2449~~	~~2565~~	~~2682~~	~~2804~~	~~2927~~	~~3055~~	~~3188~~	
	2421	2532	2645	2770	2897	3028	3161	3299	3443	
Human Services Supvr. I Marriage Counselor Med-Care Advisor Med.-Serv. Adm. Mental Health Worker	~~1606~~	~~1680~~	~~1754~~	~~1835~~	~~1915~~	~~2003~~	~~2096~~	~~2191~~	~~2292~~	~~2393~~
	1734	1814	1894	1982	2068	2163	2264	2366	2475	2584
	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~	~~1960~~	~~2049~~	~~2144~~	~~2242~~	
	1696	1777	1854	1939	2026	2117	2213	2316	2421	
	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~	
	1420	1485	1549	1620	1696	1777	1854	1939	2026	
	~~2144~~	~~2242~~	~~2344~~	~~2449~~	~~2565~~	~~2682~~	~~2804~~	~~2927~~		
	2316	2421	2532	2645	2770	2897	3028	3161		
	~~1434~~	~~1500~~	~~1570~~	~~1645~~	~~1717~~	~~1795~~	~~1876~~	~~1960~~	~~2049~~	
	1549	1620	1696	1777	1854	1939	2026	2117	2213	2316

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

Meth.-&-Proc. Analyst	~~1466~~ 1583	~~1533~~ 1656	~~1606~~ 1734	~~1680~~ 1814	~~1754~~ 1894	~~1835~~ 1982	~~1915~~ 2068	~~2003~~ 2163	~~2096~~ 2264	
Meth.-&-Proc. Supvr.	~~1717~~ 1854	~~1795~~ 1939	~~1876~~ 2026	~~1960~~ 2117	~~2049~~ 2213	~~2144~~ 2316	~~2242~~ 2421	~~2344~~ 2532	~~2449~~ 2645	
Nursing Care Advisor	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939	~~1876~~ 2026	
Nutrition Proj. Asst. Dir.	~~1203~~ 1299	~~1257~~ 1358	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939
Nutrition Proj. Dir.	~~1606~~ 1734	~~1680~~ 1814	~~1754~~ 1894	~~1835~~ 1982	~~1915~~ 2068	~~2003~~ 2163	~~2096~~ 2264	~~2191~~ 2366	~~2292~~ 2475	~~2393~~ 2584
Occupa. Supvr. Inst. I	~~1149~~ 1241	~~1203~~ 1299	~~1257~~ 1358	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854
Occupa. Supvr. Inst. II	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939	~~1876~~ 2026	~~1960~~ 2117
Office Manager	~~1203~~ 1299	~~1257~~ 1358	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	
Personnel Officer	~~1203~~ 1299	~~1257~~ 1358	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939
Personnel Director	~~1680~~ 1814	~~1754~~ 1894	~~1835~~ 1982	~~1915~~ 2068	~~2003~~ 2163	~~2096~~ 2264	~~2191~~ 2366	~~2292~~ 2475	~~2393~~ 2584	~~2507~~ 2708
Physical Therapist	~~1257~~ 1358	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854		
Planner (Human Services)	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939	~~1876~~ 2026	~~1960~~ 2117	~~2049~~ 2213	~~2144~~ 2316	
Policy/Program Analyst Programmer	~~1680~~ 1814	~~1754~~ 1894	~~1835~~ 1982	~~1915~~ 2068	~~2003~~ 2163	~~2096~~ 2264	~~2191~~ 2366	~~2292~~ 2475	~~2393~~ 2584	~~2507~~ 2708
Psychologist I	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939	~~1876~~ 2026	~~1960~~ 2117	~~2049~~ 2213		
Psychologist II	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939	~~1876~~ 2026	~~1960~~ 2117	~~2049~~ 2213	
Psychologist III	~~1717~~ 1854	~~1795~~ 1939	~~1876~~ 2026	~~1960~~ 2117	~~2049~~ 2213	~~2144~~ 2316	~~2242~~ 2421	~~2344~~ 2532	~~2449~~ 2645	
Psychologist IV	~~2003~~ 2163	~~2096~~ 2264	~~2191~~ 2366	~~2292~~ 2475	~~2393~~ 2584	~~2507~~ 2708	~~2621~~ 2831	~~2742~~ 2961		
Pub. Health Educator I	~~2191~~ 2366	~~2292~~ 2475	~~2393~~ 2584	~~2507~~ 2708	~~2621~~ 2831	~~2742~~ 2961	~~2862~~ 3091	~~2989~~ 3228		
Pub. Health Educator II	~~1257~~ 1358	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854		
Public Health Nurse	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939	~~1876~~ 2026	~~1960~~ 2117	~~2049~~ 2213	~~2144~~ 2316		
Pub. Hlth. Nurse (Team Leader)	~~1344~~ 1452	~~1404~~ 1516	~~1466~~ 1583	~~1533~~ 1656	~~1606~~ 1734	~~1680~~ 1814	~~1754~~ 1894			
Registered Nurse (A.A. Deg., 3 yr. Dip., or B.S. Deg.)	~~1404~~ 1516	~~1466~~ 1583	~~1533~~ 1656	~~1606~~ 1734	~~1680~~ 1814	~~1754~~ 1894	~~1835~~ 1982			
Sanitarian I	~~1229~~ 1387	~~1284~~ 1452	~~1344~~ 1516	~~1404~~ 1583	~~1466~~ 1656	~~1533~~ 1734				
Sanitarian II	~~1257~~ 1358	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620					
Sr. Pub. Health Nurse	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939	~~1876~~ 2026		
Social Worker I	~~1466~~ 1583	~~1533~~ 1656	~~1606~~ 1734	~~1680~~ 1814	~~1754~~ 1894	~~1835~~ 1982	~~1915~~ 2068			
Social Worker II	~~1203~~ 1299	~~1257~~ 1358	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939
	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939	~~1876~~ 2026	~~1960~~ 2117

Social Worker III	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939	~~1876~~ 2026	~~1960~~ 2117	~~2049~~ 2213	~~2144~~ 2316
Social Worker Trainee	~~1004~~ 1084									
Soc. Serv. Supvr. I	~~1606~~ 1734	~~1680~~ 1814	~~1754~~ 1894	~~1835~~ 1982	~~1915~~ 2068	~~2003~~ 2163	~~2096~~ 2264	~~2191~~ 2366	~~2292~~ 2475	~~2393~~ 2584
Soc. Serv. Supvr. II	~~1754~~ 1894	~~1835~~ 1982	~~1915~~ 2068	~~2003~~ 2163	~~2096~~ 2264	~~2191~~ 2366	~~2292~~ 2475	~~2393~~ 2584	~~2507~~ 2708	~~2621~~ 2831
Soc. Welf. Supvr. III	~~2049~~ 2213	~~2144~~ 2316	~~2242~~ 2421	~~2344~~ 2532	~~2449~~ 2645	~~2565~~ 2770	~~2682~~ 2897	~~2804~~ 3028	~~2927~~ 3161	
Soc. Welf. Supvr. Trainee	~~1533~~ 1656	~~1606~~ 1734	~~1680~~ 1814	~~1754~~ 1894	~~1835~~ 1982	~~1915~~ 2068				
Staff Trng. Supvr. I	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939	~~1876~~ 2026	~~1960~~ 2117	~~2049~~ 2213	~~2144~~ 2316	~~2242~~ 2421	~~2344~~ 2532	
Staff Trng. Supvr. II	~~1795~~ 1939	~~1876~~ 2026	~~1960~~ 2117	~~2049~~ 2213	~~2144~~ 2316	~~2242~~ 2421	2344 ~~2532~~	~~2449~~ 2645	~~2565~~ 2770	

Student Soc. Worker (Intern) — Rate proposed by appointing authority.

Student Soc. Worker (SWEP) — Rate proposed by appointing authority.

Systems Prog.-Analyst Trainee	~~1717~~ 1854	~~1795~~ 1939	~~1876~~ 2026	~~1960~~ 2117	~~2049~~ 2213	~~2144~~ 2316	~~2242~~ 2421	~~2344~~ 2532

Rate proposed by appointing authority and approved by the merit system supervisor and the Commissioner of Public Welfare.

Vol.-Serv. Coord. I	~~1203~~ 1299	~~1257~~ 1358	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939
Vol.-Serv. Coord. II	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939	~~1876~~ 2026	~~1960~~ 2117	~~2049~~ 2213	~~2144~~ 2316	
Welfare Director I	~~1606~~ 1814	~~1680~~ 1894	~~1754~~ 1982	~~1835~~ 2068	~~1915~~ 2163	~~2003~~ 2264	~~2096~~ 2366	~~2191~~ 2475	~~2292~~ 2584	~~2393~~ 2708
Welfare Director II	~~1754~~ 1982	~~1835~~ 2068	~~1915~~ 2163	~~2003~~ 2264	~~2096~~ 2366	~~2191~~ 2475	~~2292~~ 2584	~~2393~~ 2708	~~2507~~ 2831	~~2621~~ 2961
Welfare Director III	~~2049~~ 2213	~~2144~~ 2316	~~2242~~ 2421	~~2344~~ 2532	~~2449~~ 2645	~~2565~~ 2770	~~2682~~ 2897	~~2804~~ 3028	~~2927~~ 3161	
Welfare Director IV	~~2242~~ 2421	~~2344~~ 2532	~~2449~~ 2645	~~2565~~ 2770	~~2682~~ 2897	~~2804~~ 3028	~~2927~~ 3161	~~3055~~ 3299	~~3188~~ 3443	
Welfare Director V	~~3055~~ 3299	~~3188~~ 3443	~~3333~~ 3600	~~3484~~ 3763	~~3641~~ 3932	~~3804~~ 4108	~~3983~~ 4302	~~4154~~ 4486	~~4440~~ 4795	
Work;-Exp. & Trng. Spec.	~~1500~~ 1620	~~1570~~ 1696	~~1645~~ 1777	~~1717~~ 1854	~~1795~~ 1939	~~1876~~ 2026	~~1960~~ 2117	~~2049~~ 2213	~~2144~~ 2316	

~~*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*. The following salary steps in monthly salary amounts shall be applicable to the specified classes of positions. The salary steps shall not include any amounts paid by any county welfare board under Minn. Stat. § 471.61.

~~a. Class of positons~~

	1	2	3	4	5	6	7	8	9
Account Clerk	~~805~~ 869	~~841~~ 908	~~880~~ 950	~~921~~ 995	~~962~~ 1039	~~1004~~ 1084	~~1052~~ 1136	~~1099~~ 1187	

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

~~Accounting Officer I~~	~~1004~~	~~1052~~	~~1099~~	~~1149~~	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~
~~Accounting Officer II~~	~~1099~~	~~1149~~	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~
~~Accounting Officer III~~	~~1229~~	~~1284~~	~~1344~~	~~1404~~	~~1466~~	~~1533~~	~~1606~~	~~1680~~	~~1754~~
Accounting Technician	929	973	1017	1063	1109	1161	1212	1269	
Adult Day Care Center Prog. Coord.	~~821~~ 887	~~860~~ 929	~~901~~ 973	~~942~~ 1017	~~984~~ 1063	~~1027~~ 1109	~~1075~~ 1161	~~1122~~ 1212	~~1175~~ 1269
Asst. Residential Facility Opr. (s)	~~659~~ 712	~~686~~ 741	~~719~~ 777	~~753~~ 813	~~786~~ 849	~~821~~ 887	~~860~~ 929	~~901~~ 973	
Case Aide	~~821~~ 887	~~860~~ 929	~~901~~ 973	~~942~~ 1017	~~984~~ 1063	~~1027~~ 1109	~~1075~~ 1161	~~1122~~ 1212	~~1175~~ 1269
Chemical Dependency Counselor	~~1052~~ 1136	~~1099~~ 1187	~~1149~~ 1241	~~1203~~ 1299	~~1257~~ 1358	~~1315~~ 1420	~~1375~~ 1485		
Child Health Aide	~~719~~ 777	~~753~~ 813	~~786~~ 849	~~821~~ 887	~~860~~ 929	~~901~~ 973	~~942~~ 1017	~~984~~ 1063	
Child Support Officer I	~~1004~~ 1084	~~1052~~ 1136	~~1099~~ 1187	~~1149~~ 1241	~~1203~~ 1299	~~1257~~ 1358	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549
Child Support Officer II	~~1122~~ 1212	~~1175~~ 1269	~~1229~~ 1327	~~1284~~ 1387	~~1344~~ 1452	~~1404~~ 1516	~~1466~~ 1583	~~1533~~ 1656	
Collection Services Supvr. I	~~1284~~ 1387	~~1344~~ 1452	~~1404~~ 1516	~~1466~~ 1583	~~1533~~ 1656	~~1606~~ 1734	~~1680~~ 1814	~~1754~~ 1894	
Community-Service Aide	~~552~~ 596	~~579~~ 625	~~606~~ 654	~~632~~ 683	~~659~~ 712	~~686~~ 741	~~719~~ 777		
Coordinator of Aging	~~841~~ 908	~~880~~ 950	~~921~~ 995	~~962~~ 1039	~~1004~~ 1084	~~1052~~ 1136	~~1099~~ 1187	~~1149~~ 1241	~~1203~~ 1299
Dev. Achievement Center Inst.	~~659~~ 712	~~686~~ 741	~~719~~ 777	~~753~~ 813	~~786~~ 849	~~821~~ 887			
Family Service Aide I	~~632~~ 712	~~659~~ 741	~~686~~ 777	~~719~~ 813	~~753~~ 849	~~786~~ 887	~~821~~		
Family Service Aide II	~~686~~ 777	~~719~~ 813	~~753~~ 849	~~786~~ 887	~~821~~ 929	~~860~~ 973	~~901~~ 1017	~~942~~ 1063	
Family Service Coord. I	~~901~~ 973	~~942~~ 1017	~~984~~ 1063	~~1027~~ 1109	~~1075~~ 1161	~~1122~~ 1212	~~1175~~ 1269		
Family Service /Home Health Aide	~~632~~ 712	~~659~~ 741	~~686~~ 777	~~719~~ 813	~~753~~ 849	~~786~~ 887	~~821~~		
Finan.-Assistance Specialist	~~1052~~ 1136	~~1099~~ 1187	~~1149~~ 1241	~~1203~~ 1299	~~1257~~ 1358	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	
Finan.-Assistance Supvr. I	~~1175~~ 1327	~~1229~~ 1387	~~1284~~ 1452	~~1344~~ 1516	~~1404~~ 1583	~~1466~~ 1656	~~1533~~ 1734	~~1606~~ 1814	~~1680~~ 1894
Finan.-Assistance Suvr. II	~~1284~~ 1452	~~1344~~ 1516	~~1404~~ 1583	~~1466~~ 1656	~~1533~~ 1734	~~1606~~ 1814	~~1680~~ 1894	~~1754~~ 1982	~~1835~~ 2068
Financial Worker I	~~821~~ 887	~~860~~ 929	~~901~~ 973	~~942~~ 1017	~~984~~ 1063	~~1027~~ 1109	~~1075~~ 1161	~~1122~~ 1212	~~1175~~ 1269
Financial Worker II	~~921~~ 995	~~962~~ 1039	~~1004~~ 1084	~~1052~~ 1136	~~1099~~ 1187	~~1149~~ 1241	~~1203~~ 1299	~~1257~~ 1358	~~1315~~ 1420
Fiscal Officer	1136	1187	1241	1299	1358	1420	1485	1549	1620
Fiscal Supervisor I	1241	1299	1358	1420	1485	1549	1620	1696	1777
Fiscal Supervisor II	1387	1452	1516	1583	1656	1734	1814	1894	1982
Home Health Aide	~~632~~ 712	~~659~~ 741	~~686~~ 777	~~719~~ 813	~~753~~ 849	~~786~~ 887	~~821~~		
Home Health Aide Coordinator	~~901~~ 973	~~942~~ 1017	~~984~~ 1063	~~1027~~ 1109	~~1075~~ 1161	~~1122~~ 1212	~~1175~~ 1269		

Housekeeper	Rate proposed by appointing authority and approved by the merit system supervisor and the Commissioner of Public Welfare.
Housing Coordinator	~~1027~~ ~~1075~~ ~~1122~~ ~~1175~~ ~~1229~~ ~~1284~~ ~~1344~~ ~~1404~~ ~~1466~~ 1109 1161 1212 1269 1327 1387 1452 1516 1583
Licensed Practical Nurse	~~821~~ ~~860~~ ~~901~~ ~~942~~ ~~984~~ ~~1027~~ 950 995 1039 1084 1136 1187
Public Health Aide	~~552~~ ~~579~~ ~~606~~ ~~632~~ ~~659~~ ~~686~~ ~~719~~ 596 625 654 683 712 741 777
Residential Facility Operator(s)	~~686~~ ~~719~~ ~~753~~ ~~786~~ ~~821~~ ~~860~~ ~~901~~ ~~942~~ 741 777 813 849 887 929 973 1017
Senior Case Aide	~~921~~ ~~962~~ ~~1004~~ ~~1052~~ ~~1099~~ ~~1149~~ ~~1203~~ ~~1257~~ ~~1315~~ 995 1039 1084 1136 1187 1241 1299 1358 1420
Senior Citizen's Aide	~~552~~ ~~579~~ ~~606~~ ~~632~~ ~~659~~ ~~686~~ ~~719~~ 596 625 654 683 712 741 777
Transportation Coordinator	~~841~~ ~~880~~ ~~921~~ ~~962~~ ~~1004~~ ~~1052~~ ~~1099~~ ~~1149~~ 908 950 995 1039 1084 1136 1187 1241
Welfare Fraud Investigator	~~1284~~ ~~1344~~ ~~1404~~ ~~1466~~ ~~1533~~ ~~1606~~ ~~1680~~ 1387 1452 1516 1583 1656 1734 1814
Welfare Fraud Unit Supervisor	~~1404~~ ~~1466~~ ~~1533~~ ~~1606~~ ~~1680~~ ~~1754~~ ~~1835~~ 1516 1583 1656 1734 1814 1894 1982

~~*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*. The following salary steps in monthly salary amounts shall be applicable to the specified classes of positions. The salary steps shall not include any amounts paid by any county board under Minn. Stat. § 471.61.

~~a. Class of positions~~

	1	2	3	4	5	6	7	8	9
Account Clerk	~~841~~	~~880~~	~~921~~	~~962~~	~~1004~~	~~1052~~	~~1099~~	~~1149~~	
	908	950	995	1039	1084	1136	1187	1241	
~~Accounting Officer I~~	~~1004~~	~~1052~~	~~1099~~	~~1149~~	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~
~~Accounting Officer II~~	~~1099~~	~~1149~~	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~
~~Accounting Officer III~~	~~1229~~	~~1284~~	~~1344~~	~~1404~~	~~1466~~	~~1533~~	~~1606~~	~~1680~~	~~1754~~
Accounting Technician	973	1017	1063	1109	1161	1212	1269	1327	
Adult Day Care Center Prog. Coord.	~~860~~	~~901~~	~~942~~	~~984~~	~~1027~~	~~1075~~	~~1122~~	~~1175~~	~~1229~~
	929	973	1017	1063	1109	1161	1212	1269	1327
Asst. Residential Facility Opr. (s)	~~686~~	~~719~~	~~753~~	~~787~~	~~821~~	~~860~~	~~901~~	~~942~~	
	741	777	813	849	887	929	973	1017	
Case Aide	~~860~~	~~901~~	~~942~~	~~984~~	~~1027~~	~~1075~~	~~1122~~	~~1175~~	~~1229~~
	929	973	1017	1063	1109	1161	1212	1269	1327
Chemical Dependency Counselor	~~1099~~	~~1149~~	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~		
	1187	1241	1299	1358	1420	1485	1549		
Child Health Aide	~~753~~	~~786~~	~~821~~	~~860~~	~~901~~	~~942~~	~~984~~	~~1027~~	
	813	849	887	929	973	1017	1063	1109	
Child Support Officer I	~~1052~~	~~1099~~	~~1149~~	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~
	1136	1187	1241	1299	1358	1420	1485	1549	1620
Child Support Officer II	~~1175~~	~~1229~~	~~1284~~	~~1344~~	~~1404~~	~~1466~~	~~1533~~	~~1606~~	
	1269	1327	1387	1452	1516	1583	1656	1734	
Collection Services Supvr. I	~~1344~~	~~1404~~	~~1466~~	~~1533~~	~~1606~~	~~1680~~	~~1754~~	~~1835~~	
	1452	1516	1583	1656	1734	1814	1894	1982	

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

Community-Service Aide	~~579~~ 625	~~606~~ 654	~~632~~ 683	~~659~~ 712	~~686~~ 741	~~719~~ 777	~~753~~ 813		
Coordinator of Aging	~~880~~ 950	~~921~~ 995	~~962~~ 1039	~~1004~~ 1084	~~1052~~ 1136	~~1099~~ 1187	~~1149~~ 1241	~~1203~~ 1299	~~1257~~ 1358
Dev. Achievement Center Inst.	~~686~~ 741	~~719~~ 777	~~753~~ 813	~~786~~ 849	~~821~~ 887	~~860~~ 929			
Family Service Aide I	~~659~~ 741	~~686~~ 777	~~719~~ 813	~~753~~ 849	~~786~~ 887	~~821~~ 929	~~860~~		
Family Service Aide II	~~719~~ 813	~~753~~ 849	~~786~~ 887	~~821~~ 929	~~860~~ 973	~~901~~ 1017	~~942~~ 1063	~~984~~ 1109	
Family Service Coord. I	~~942~~ 1017	~~984~~ 1063	~~1027~~ 1109	~~1075~~ 1161	~~1122~~ 1212	~~1175~~ 1269	~~1229~~ 1327		
Family Service/Home Health Aide	~~659~~ 741	~~686~~ 777	~~719~~ 813	~~753~~ 849	~~786~~ 887	~~821~~ 929	~~860~~		
Finan.-Assistance Specialist	~~1099~~ 1187	~~1149~~ 1241	~~1203~~ 1299	~~1257~~ 1358	~~1315~~ 1420	~~1375~~ 1485	~~1434~~ 1549	~~1500~~ 1620	
Finan.-Assistance Supvr. I	~~1229~~ 1387	~~1284~~ 1452	~~1344~~ 1516	~~1404~~ 1583	~~1466~~ 1656	~~1533~~ 1734	~~1606~~ 1814	~~1680~~ 1894	~~1754~~ 1982
Finan.-Assistance Supvr. II	~~1344~~ 1516	~~1404~~ 1583	~~1466~~ 1656	~~1533~~ 1734	~~1606~~ 1814	~~1680~~ 1894	~~1754~~ 1982	~~1835~~ 2068	~~1915~~ 2163
Financial Worker I	~~860~~ 929	~~901~~ 973	~~942~~ 1017	~~984~~ 1063	~~1027~~ 1109	~~1075~~ 1161	~~1122~~ 1212	~~1175~~ 1269	~~1229~~ 1327
Financial Worker II	~~962~~ 1039	~~1004~~ 1084	~~1052~~ 1136	~~1099~~ 1187	~~1149~~ 1241	~~1203~~ 1299	~~1257~~ 1358	~~1315~~ 1420	~~1375~~ 1485
Fiscal Officer	1136	1187	1241	1299	1358	1420	1485	1549	1620
Fiscal Supervisor I	1241	1299	1358	1420	1485	1549	1620	1696	1777
Fiscal Supervisor II	1387	1452	1516	1583	1656	1734	1814	1894	1982
Home Health Aide	~~659~~ 741	~~686~~ 777	~~719~~ 813	~~753~~ 849	~~786~~ 887	~~821~~ 929	~~860~~		
Home Health Aide Coordinator	~~942~~ 1017	~~984~~ 1063	~~1027~~ 1109	~~1075~~ 1161	~~1122~~ 1212	~~1175~~ 1269	~~1229~~ 1327		
Housekeeper	Rate proposed by appointing authority and approved by the merit system supervisor and the Commissioner of Public Welfare.								
Housing Coordinator	~~1075~~ 1161	~~1122~~ 1212	~~1175~~ 1269	~~1229~~ 1327	~~1284~~ 1387	~~1344~~ 1452	~~1404~~ 1516	~~1466~~ 1583	~~1533~~ 1656
Licensed Practical Nurse	~~860~~ 995	~~901~~ 1039	~~942~~ 1084	~~984~~ 1136	~~1027~~ 1187	~~1075~~ 1241			
Public Health Aide	~~579~~ 625	~~606~~ 654	~~632~~ 683	~~659~~ 712	~~686~~ 741	~~719~~ 777	~~753~~ 813		
Residential Facility Operator(s)	~~719~~ 777	~~753~~ 813	~~786~~ 849	~~821~~ 887	~~860~~ 929	~~901~~ 973	~~942~~ 1017	~~984~~ 1063	
Senior Case Aide	~~962~~ 1039	~~1004~~ 1084	~~1052~~ 1136	~~1099~~ 1187	~~1149~~ 1241	~~1203~~ 1299	~~1257~~ 1358	~~1315~~ 1420	~~1375~~ 1485
Senior Citizen's Aide	~~579~~ 625	~~606~~ 654	~~632~~ 683	~~659~~ 712	~~686~~ 741	~~719~~ 777	~~753~~ 813		
Transportation Coordinator	~~880~~ 950	~~921~~ 995	~~962~~ 1039	~~1004~~ 1084	~~1052~~ 1136	~~1099~~ 1187	~~1149~~ 1241	~~1203~~ 1299	
Welfare Fraud Investigator	~~1344~~ 1452	~~1404~~ 1516	~~1466~~ 1583	~~1533~~ 1656	~~1606~~ 1734	~~1680~~ 1814	~~1754~~ 1894		
Welfare Fraud Unit Supervisor	~~1466~~ 1583	~~1533~~ 1656	~~1606~~ 1734	~~1680~~ 1814	~~1754~~ 1894	~~1835~~ 1982	~~1915~~ 2068		

~~*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*. The following salary steps in monthly salary amounts shall be applicable to the specified classes of positions. The salary steps shall not include any amounts paid by any county board under Minn. Stat. § 471.61.

~~a. Class of positions.~~

	1	2	3	4	5	6	7	8	9
Account Clerk	~~880~~	~~921~~	~~962~~	~~1004~~	~~1052~~	~~1099~~	~~1149~~	~~1203~~	
	950	995	1039	1084	1136	1187	1241	1299	
~~Accounting Officer I~~	~~1004~~	~~1052~~	~~1099~~	~~1149~~	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~
~~Accounting Officer II~~	~~1099~~	~~1149~~	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~
~~Accounting Officer III~~	~~1229~~	~~1284~~	~~1344~~	~~1404~~	~~1466~~	~~1533~~	~~1606~~	~~1680~~	~~1754~~
Accounting Technician	1017	1063	1109	1161	1212	1269	1327	1387	
Adult Day Care	~~901~~	~~942~~	~~984~~	~~1027~~	~~1075~~	~~1122~~	~~1175~~	~~1229~~	~~1284~~
Center Prog. Coord.	973	1017	1063	1109	1161	1212	1269	1327	1387
Asst. Residential	~~719~~	~~753~~	~~786~~	~~821~~	~~860~~	~~901~~	~~942~~	~~984~~	
Facility Opr.(s)	777	813	849	887	929	973	1017	1063	
Case Aide	~~901~~	~~942~~	~~984~~	~~1027~~	~~1075~~	~~1122~~	~~1175~~	~~1229~~	~~1284~~
	973	1017	1063	1109	1161	1212	1269	1327	1387
Chemical Dependency	~~1149~~	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~		
Counselor	1241	1299	1358	1420	1485	1549	1620		
Child Health Aide	~~786~~	~~821~~	~~860~~	~~901~~	~~942~~	~~984~~	~~1027~~	~~1075~~	
	849	887	929	973	1017	1063	1109	1161	
Child Support	~~1099~~	~~1149~~	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~
Officer I	1187	1241	1299	1358	1420	1485	1549	1620	1696
Child Support	~~1229~~	~~1284~~	~~1344~~	~~1404~~	~~1466~~	~~1533~~	~~1606~~	~~1680~~	
Officer II	1327	1387	1452	1516	1583	1656	1734	1814	
Collection Services	~~1404~~	~~1466~~	~~1533~~	~~1606~~	~~1680~~	~~1754~~	~~1835~~	~~1915~~	
Supvr. I	1516	1583	1656	1734	1814	1894	1982	2068	
Community-Service	~~606~~	~~632~~	~~659~~	~~686~~	~~719~~	~~753~~	~~786~~		
Aide	654	683	712	741	777	813	849		
Coordinator of Aging	~~921~~	~~962~~	~~1004~~	~~1052~~	~~1099~~	~~1149~~	~~1203~~	~~1257~~	~~1315~~
	995	1039	1084	1136	1187	1241	1299	1358	1420
Dev. Achievement	~~719~~	~~753~~	~~786~~	~~821~~	~~860~~	~~901~~			
Center Inst.	777	813	849	887	929	973			
Family Service	~~686~~	~~719~~	~~753~~	~~786~~	~~821~~	~~860~~	~~901~~		
Aide I	777	813	849	887	929	973			
Family Service	~~753~~	~~786~~	~~821~~	~~860~~	~~901~~	~~942~~	~~984~~	~~1027~~	
Aide II	849	887	929	973	1017	1063	1109	1161	
Family Service	~~984~~	~~1027~~	~~1075~~	~~1122~~	~~1175~~	~~1229~~	~~1284~~		
Coord. I	1063	1109	1161	1212	1269	1327	1387		
Family Service/Home	~~686~~	~~719~~	~~753~~	~~786~~	~~821~~	~~860~~	~~901~~		
Health Aide	777	813	849	887	929	973			
Finan.-Assistance	~~1149~~	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~	~~1500~~	~~1570~~	
Specialist	1241	1299	1358	1420	1485	1549	1620	1696	
Finan.-Assistance	~~1284~~	~~1344~~	~~1404~~	~~1466~~	~~1533~~	~~1606~~	~~1680~~	~~1754~~	~~1835~~
Supvr. I	1452	1516	1583	1656	1734	1814	1894	1982	2068
Finan.-Assistance	~~1404~~	~~1466~~	~~1533~~	~~1606~~	~~1680~~	~~1754~~	~~1835~~	~~1915~~	~~2003~~
Supvr. II	1583	1656	1734	1814	1894	1982	2068	2163	2264
Financial	~~901~~	~~942~~	~~984~~	~~1027~~	~~1075~~	~~1122~~	~~1175~~	~~1229~~	~~1284~~
Worker I	973	1017	1063	1109	1161	1212	1269	1327	1387
Financial	~~1004~~	~~1052~~	~~1099~~	~~1149~~	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~
Worker II	1084	1136	1187	1241	1299	1358	1420	1485	1549
Fiscal Officer	1136	1187	1241	1299	1358	1420	1485	1549	1620
Fiscal Supervisor I	1241	1299	1358	1420	1485	1549	1620	1696	1777

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

Fiscal Supervisor II	1387	1452	1516	1583	1656	1734	1814	1894	1982
Home Health Aide	~~686~~	~~719~~	~~753~~	~~786~~	~~821~~	~~860~~	~~901~~		
	777	813	849	887	929	973			
Home Health Aide	~~984~~	~~1027~~	~~1075~~	~~1122~~	~~1175~~	~~1229~~	~~1284~~		
Coordinator	1063	1109	1161	1212	1269	1327	1387		
Housekeeper	Rate proposed by appointing authority and approved by the merit system supervisor and the Commissioner of Public Welfare.								
Housing Coordinator	~~1122~~	~~1175~~	~~1229~~	~~1284~~	~~1344~~	~~1404~~	~~1466~~	~~1533~~	~~1606~~
	1212	1269	1327	1387	1452	1516	1583	1656	1734
Licensed Practical	~~901~~	~~942~~	~~984~~	~~1027~~	~~1075~~	~~1122~~			
Nurse	1039	1084	1136	1187	1241	1299			
Public Health Aide	~~606~~	~~632~~	~~659~~	~~686~~	~~719~~	~~753~~	~~786~~		
	654	683	712	741	777	813	849		
Residential Facility	~~753~~	~~786~~	~~821~~	~~860~~	~~901~~	~~942~~	~~984~~	~~1027~~	
Operator(s)	813	849	887	929	973	1017	1063	1109	
Senior Case Aide	~~1004~~	~~1052~~	~~1099~~	~~1149~~	~~1203~~	~~1257~~	~~1315~~	~~1375~~	~~1434~~
	1084	1136	1187	1241	1299	1358	1420	1485	1549
Senior Citizen's	~~606~~	~~632~~	~~659~~	~~686~~	~~719~~	~~753~~	~~786~~		
Aide	654	683	712	741	777	813	849		
Transportation	~~921~~	~~962~~	~~1004~~	~~1052~~	~~1099~~	~~1149~~	~~1203~~	~~1257~~	
Coordinator	995	1039	1084	1136	1187	1241	1299	1358	
Welfare Fraud	~~1404~~	~~1466~~	~~1533~~	~~1606~~	~~1680~~	~~1754~~	~~1835~~		
Investigator	1516	1583	1656	1734	1814	1894	1982		
Welfare Fraud	~~1533~~	~~1606~~	~~1680~~	~~1754~~	~~1835~~	~~1915~~	~~2003~~		
Unit Supervisor	1656	1734	1814	1894	1982	2068	2163		

~~*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~~*~~. The following salary steps in monthly salary amounts shall be applicable to the specified classes of positions. The salary steps shall not include any amounts paid by any county board under Minn. Stat. § 471.61.

~~a. Class of positions~~

	1	2	3	4	5	6	7	8	~~9~~
Bkkp. Machine	~~636~~	~~657~~	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~
Operator	704	734	766	801	839	877	917	959	
Clerical	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~	~~981~~	~~1015~~	~~1052~~
Supervisor	857	895	937	982	1027	1073	1119	1172	
Clerk I	~~566~~	~~584~~	~~602~~	~~619~~	~~636~~	~~657~~	~~679~~	~~702~~	~~725~~
	616	645	676	704	734	766	801	839	
Clerk II	~~636~~	~~657~~	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~
	704	734	766	801	839	877	917	959	
Clerk III	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~
	784	821	857	895	937	982	1027	1073	
Clerk-Typist I ~~(I)~~	~~584~~	~~602~~	~~619~~	~~636~~	~~657~~	~~679~~	~~702~~	~~725~~	~~747~~
	645	676	704	734	766	801	839	877	
Clerk-Typist II	~~636~~	~~657~~	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~
	704	734	766	801	839	877	917	959	
Clerk-Typist III	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~
	784	821	857	895	937	982	1027	1073	
Clerk Specialist	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~	~~981~~	~~1015~~	~~1052~~	~~1092~~
	857	895	937	982	1027	1073	1119	1172	
Clerk-Steno I	~~619~~	~~636~~	~~657~~	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~
	676	704	734	766	801	839	877	917	
Clerk-Steno II	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~
	766	801	839	877	917	959	1004	1049	

Clerk-Steno III	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~	~~981~~
	821	857	895	937	982	1027	1073	1119	
Information Systems Specialist Keypunch Operator	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~	~~981~~	~~1015~~
	784	821	857	895	937	982	1027	1073	
Swbd. Opr. I	~~619~~	~~636~~	~~657~~	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~
	676	704	734	766	801	839	877	917	
Swbd. Opr. II	~~602~~	~~619~~	~~636~~	~~657~~	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~
	704	734	766	801	839	877	917	959	
	~~636~~	~~657~~	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~
	748	784	821	857	895	937	982	1027	

~~*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~~ the class of Clerk-Typist I who are assigned on a full-time basis to transcribing machine operation may be paid within the county range for Clerk-Stenographer I.

2. Plan B*. The following salary steps in monthly salary amounts shall be applicable to the specified classes of positions. The salary steps shall not include any amounts paid by any county board under Minn. Stat. § 471.61.

~~a. Class of positions~~

	1	2	3	4	5	6	7	8	9
Bkkp. Machine Operator Clerical Supervisor Clerk I	~~657~~	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~
	801	839	877	917	959	1004	1049		
	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~	~~981~~	~~1015~~	~~1052~~	~~1092~~
	982	1027	1073	1119	1172	1223	1281		
Clerk II	~~584~~	~~602~~	~~619~~	~~636~~	~~657~~	~~679~~	~~702~~	~~725~~	~~747~~
	704	734	766	801	839	877	917		
Clerk III	~~657~~	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~
	801	839	877	917	959	1004	1049		
Clerk-Typist I ~~(1)~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~	~~981~~
	895	937	982	1027	1073	1119	1172		
Clerk-Typist II	~~602~~	~~619~~	~~636~~	~~657~~	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~
	734	766	801	839	877	917	959		
Clerk-Typist III	~~657~~	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~
	801	839	877	917	959	1004	1049		
Clerk Specialist	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~	~~981~~
	895	937	982	1027	1073	1119	1172		
Clerk-Steno I	~~852~~	~~881~~	~~913~~	~~946~~	~~981~~	~~1015~~	~~1052~~	~~1092~~	~~1132~~
	982	1027	1073	1119	1172	1223	1281		
Clerk-Steno II	~~636~~	~~657~~	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~
	766	801	839	877	917	959	1004		
Clerk-Steno III	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~
	877	917	959	1004	1049	1094	1147		
Information Systems Specialist Keypunch Operator Swbd. Opr. I	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~	~~981~~	~~1015~~
	937	982	1027	1073	1119	1172	1223		
	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~	~~981~~	~~1015~~	~~1052~~
	895	937	982	1027	1073	1119	1172		
	~~636~~	~~657~~	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~
	766	801	839	877	917	959	1004		
	~~619~~	~~636~~	~~657~~	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~
	801	839	877	917	959	1004	1049		

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

Swbd. Opr. II	~~657~~	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~
	857	895	937	982	1027	1073	1119		

~~*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~~ the class of Clerk-Typist I who are assigned on a full-time basis to trascribing machine operation may be paid within the county range for Clerk-Stenographer I.

3. Plan C~~*~~. The following salary steps in monthly salary amounts shall be applicable to the specified classes of positions. The salary steps shall not include any amounts paid by any county board udner Minn. Stat. § 471.61.

~~a. Class of positions~~

	1	2	3	4	5	6	7	8	9
Bkkp. Machine	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~
Operator	877	917	959	1004	1049	1094	1147		
Clerical	~~852~~	~~881~~	~~913~~	~~946~~	~~981~~	~~1015~~	~~1052~~	~~1092~~	~~1132~~
Supervisor	1073	1119	1172	1223	1281	1340	1400		
Clerk I	~~602~~	~~619~~	~~636~~	~~657~~	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~
	766	801	839	877	917	959	1004		
Clerk II	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~
	877	917	959	1004	1049	1094	1147		
Clerk III	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~	~~981~~	~~1015~~
	981	1027	1073	1119	1172	1223	1281		
Clerk-Typist I ~~(1)~~	~~619~~	~~636~~	~~657~~	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~
	801	839	877	917	959	1004	1049		
Clerk-Typist II	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~
	877	917	959	1004	1049	1094	1147		
Clerk-Typist II	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~	~~981~~	~~1015~~
	982	1027	1073	1119	1172	1223	1281		
Clerk Specialist	~~881~~	~~913~~	~~946~~	~~981~~	~~1015~~	~~1052~~	~~1092~~	~~1132~~	~~1174~~
	1073	1119	1172	1223	1281	1340	1400		
Clerk-Steno I	~~657~~	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~
	839	877	917	959	1004	1049	1094		
Clerk-Steno II	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~
	959	1004	1049	1094	1147	1198	1252		
Clerk-Steno III	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~	~~981~~	~~1015~~	~~1052~~
	1027	1073	1119	1172	1223	1281	1340		
Information	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~	~~981~~	~~1015~~	~~1052~~	~~1092~~
Systems Specialist	982	1027	1073	1119	1172	1223	1281		
Keypunch	~~657~~	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~
Operator	839	877	917	959	1004	1049	1094		
Swbd. Opr. I	~~636~~	~~657~~	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~
	877	917	959	1004	1049	1094	1147		
Swbd. Opr. II	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~
	937	982	1027	1073	1119	1172	1223		

~~*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~~ the class of Clerk-Typist I who are 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~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~
~~Clerical Supervisor~~	~~881~~	~~913~~	~~946~~	~~981~~	~~1015~~	~~1052~~	~~1092~~	~~1132~~	~~1174~~
~~Clerk I~~	~~619~~	~~636~~	~~657~~	~~679~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~

Clerk II	702	725	747	770	795	823	852	881	913
Clerk III	795	823	852	881	913	946	981	1015	1052
Clerk-Typist I (1)	636	657	679	702	725	747	770	795	823
Clerk-Typist II	702	725	747	770	795	823	852	881	913
Clerk-Typist III	795	823	852	881	913	946	981	1015	1052
Clerk-Specialist	913	946	981	1015	1052	1092	1132	1174	1219
Clerk-Steno I	679	702	725	747	770	795	823	852	881
Clerk-Steno II	747	770	795	823	852	881	913	946	981
Clerk-Steno III	823	852	881	913	946	981	1015	1052	1092
Information Systems Specialist	852	881	913	946	981	1015	1052	1092	1132
Keypunch Operator	679	702	725	747	770	795	823	852	881
Swbd. Operator I	657	679	702	725	747	770	795	823	852
Swbd. Operator II	702	725	747	770	795	823	852	881	913

*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.

5. Plan E*

a. Class of Positions

	1	2	3	4	5	6	7	8
Bkkp. Machine Operator	747	770	795	823	852	881	913	946
Clerical Supervisor	946	981	1015	1052	1092	1132	1174	1219
Clerk I	657	679	702	725	747	770	795	823
Clerk II	747	770	795	823	852	881	913	946
Clerk III	852	881	913	946	981	1015	1052	1092
Clerk-Typist I (1)	679	702	725	747	770	795	823	852
Clerk-Typist II	747	770	795	823	852	881	913	946
Clerk-Typist III	852	881	913	946	981	1015	1052	1092
Clerk-Specialist	981	1015	1052	1092	1132	1174	1219	1266
Clerk-Steno I	725	747	770	795	823	852	881	913
Clerk-Steno II	795	823	852	881	913	946	981	1015
Clerk-Steno III	881	913	946	981	1015	1052	1092	1132
Information Systems Specialist	913	946	981	1015	1052	1092	1132	1174
Keypunch Operator	725	747	770	795	823	852	881	913
Swbd. Operator I	702	725	747	770	795	823	852	881
Swbd. Operator II	747	770	795	823	852	881	913	946

*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	770	795	823	852	881	913	946	981
Clerical Supervisor	981	1015	1052	1092	1132	1174	1219	1266

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. Strike outs indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. Strike outs indicate deletions from proposed rule language.

~~Clerk I~~	~~702~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~
~~Clerk II~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~	~~981~~
~~Clerk III~~	~~881~~	~~913~~	~~946~~	~~981~~	~~1015~~	~~1052~~	~~1092~~	~~1132~~
~~Clerk-Typist I (1)~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~
~~Clerk-Typist II~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~	~~981~~
~~Clerk-Typist III~~	~~881~~	~~913~~	~~946~~	~~981~~	~~1015~~	~~1052~~	~~1092~~	~~1132~~
~~Clerk-Specialist~~	~~1015~~	~~1052~~	~~1092~~	~~1132~~	~~1174~~	~~1219~~	~~1266~~	~~1314~~
~~Clerk-Steno I~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~
~~Clerk-Steno II~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~	~~981~~	~~1015~~	~~1052~~
~~Clerk-Steno III~~	~~913~~	~~946~~	~~981~~	~~1015~~	~~1052~~	~~1092~~	~~1132~~	~~1174~~
~~Information Systems Specialist~~	~~946~~	~~981~~	~~1015~~	~~1052~~	~~1092~~	~~1132~~	~~1174~~	~~1219~~
~~Keypunch Operator~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~	~~981~~
~~Swbd. Operator I~~	~~725~~	~~747~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~
~~Swbd. Operator II~~	~~770~~	~~795~~	~~823~~	~~852~~	~~881~~	~~913~~	~~946~~	~~981~~

~~*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 and trades

1. Plan A*. The following salary steps in monthly salary amounts shall be applicable to the specified classes of positions. The salary steps shall not include any amounts paid by any county board under Minn. Stat. § 471.61. Janitors who are required to work for a period of at least five hours after 6 p.m. on a regularly scheduled basis may be paid a shift differential in the amount of one salary step above their normal day-work rate.

~~a. Class of positions~~

	1	2	3	4	5	6	7
Auto Driver	~~681~~	~~711~~	~~742~~	~~772~~	~~806~~	~~840~~	~~877~~
	735	768	801	834	870	907	947
Bus Driver	~~742~~	~~772~~	~~806~~	~~840~~	~~877~~	~~913~~	~~951~~
	801	834	870	907	947	986	1027
Janitor ~~(1)~~	~~742~~	~~772~~	~~806~~	~~840~~	~~877~~	~~913~~	~~951~~
	801	834	870	907	947	986	1027
Laborer	~~$4.26/hour~~						
	$4.60/hour						
Maintenance Worker	~~772~~	~~806~~	~~840~~	~~877~~	~~913~~	~~951~~	~~994~~
	834	870	907	947	986	1027	1074

2. Plan B*. The following salary steps in monthly salary amounts shall be applicable to the specified classes of positions. The salary steps shall not include any amounts paid by any county board under Minn. Stat. § 471.61. Janitors who are required to work for a period of at least five hours after 6 p.m. on a regularly scheduled basis may be paid a shift differential in the amount of one salary step above their normal day-work rate.

~~a. Class of positions~~

	1	2	3	4	5	6	7
Auto Driver	~~877~~	~~913~~	~~951~~	~~994~~	~~1036~~	~~1080~~	~~1128~~
	947	986	1027	1074	1119	1166	1218
Bus Driver	~~913~~	~~951~~	~~994~~	~~1036~~	~~1080~~	~~1128~~	~~1176~~
	986	1027	1074	1119	1166	1218	1270
Janitor ~~(1)~~	~~877~~	~~913~~	~~951~~	~~994~~	~~1036~~	~~1080~~	~~1128~~
	947	986	1027	1074	1119	1166	1218
~~Laborer~~	~~$5.25/hour~~						
	$5.67/hour						
Maintenance Worker	~~951~~	~~994~~	~~1036~~	~~1080~~	~~1128~~	~~1176~~	~~1227~~
	1027	1074	1119	1166	1218	1270	1325

~~*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 § Provisions for computing monthly, hourly, less-than-full-time, bi-weekly, and four week salary rates.

A. Salary conversion tables.

~~1.~~ The supervisor shall publish a salary conversion table as part of the Minnesota Merit System Manual. The table shall list all existing salary rates listed in 12 MCAR § 2.840. For those salary rates, the supervisor shall calculate hourly, daily and payroll period salaries for each of the salary rates listed. This table shall be based on an 8-hour day, 40-hour week and 2088-hour year. Agencies with a normal work schedule which varies from an 8-hour day, 40-hour week or 2088-hour year or agencies with payroll periods other than once every two weeks, every four weeks, or every month, shall supply the supervisor with a salary conversion table as provided in ~~12 MCAR § 2.516 B.1.c.~~ 12 MCAR § 2.494 F.2.c. or in 12 MCAR § 2.517 B.2.

Repealer. 12 MCAR §§ 2.508; 2.516; and 2.530-2.804 are repealed.

ADOPTED RULES

The adoption of a rule becomes effective after the requirements of Minn. Stat. § 15.0412, subd. 4, have been met and five working days after the rule is published in the *State Register*, unless a later date is required by statutes or specified in the rule.

If an adopted rule is identical to its proposed form as previously published, a notice of adoption and a citation to its previous *State Register* publication will be printed.

If an adopted rule differs from its proposed form, language which has been deleted will be printed with strike outs and new language will be underlined, and the rule's previous *State Register* publication will be cited.

A temporary rule becomes effective upon the approval of the Attorney General as specified in Minn. Stat. § 15.0412, subd. 5. Notice of his decision will be published as soon as practicable, and the adopted temporary rule will be published in the manner provided for adopted rules under subd. 4.

Minnesota Energy Agency
Alternative Energy Development Division

Adopted Temporary Rule Governing Certification of Solar Collectors to Qualify Renewable Energy Source Expenditures for the Minnesota Individual Income Tax Residential Energy Credit (6 MCAR § 2.1500)

The temporary rule proposed and published at *State Register*, Volume 5, Number 34, pp. 1305-06, February 23, 1981 (5 S.R. 1305), is adopted by the Energy Agency without change.

Temporary Rule as Adopted

6 MCAR § 2.1500 (Temporary) Solar collector certification. Any solar collector included in a renewable energy source expenditure after December 31, 1980, shall be deemed certified by the Minnesota Energy Agency for purposes of Minn. Stat. § 290.06, subd. 14 (1980), so long as the expenditure qualifies for the federal renewable energy source residential credit of Section 44C of the Internal Revenue Code of 1954 (26 U.S.C. § 44C), as amended through December 31, 1978, and any regulation promulgated pursuant thereto.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
400 SUMMIT BANK BUILDING
310 SOUTH FOURTH AVENUE
MINNEAPOLIS, MINNESOTA 55415
(612) 341-7600

January 26, 1982

Mr. Ralph W. Corey
Merit System Supervisor
Department of Public Welfare
Fourth Floor, Centennial Office Building
St. Paul, Minnesota 55155

RE: In the Matter of the Proposed Rules Governing Definitions; Statement of Policy and Means of Effecting Policy; etc.
OAH Docket No. DPW-82-020-PE

Dear Mr. Corey:

I enclose herewith and serve upon you by mail the Report of the Hearing Examiner, together with the Report of the Chief Hearing Examiner, and the official record, in the above-entitled matter, and I am closing our file in this case.

Yours very truly,

Peter C. Erickson

PETER C. ERICKSON
Hearing Examiner
(612)341-7606

PCE/eag
Encs.
CC:1 - Governor Albert Quie
CC:2 - Commissioner Arthur Noot
CC:3 - Commissioner John Sopsic
CC:4 - Commissioner George Pettersen
CC:5 - Mr. John M. Burman, Special Assistant Attorney General

JAN 27 1982

AN EQUAL OPPORTUNITY EMPLOYER

STATE OF MINNESOTA)
(ss.
COUNTY OF HENNEPIN)

AFFIDAVIT OF SERVICE

Eileen A. Gaiovnik, being first duly sworn, deposes and says that on the 26th day of January, 1982, at the City of Minneapolis, County of Hennepin, State of Minnesota, she served the attached Reports of the Chief Hearing Examiner and the Hearing Examiner, DPW-82-020-PE

unstamped, by placing in the designated tray to be collected by messenger for delivery to the central mailing station as required by Minn. Stat. § 16.54 (1980), a true and correct copy thereof on all persons at the addresses shown on the attached mailing list.

Eileen A. Gaiovnik

Subscribed and sworn to before me
this 26th day of January, 1982.

Susan C. Wojcik

SUSAN C. WOJCIK
NOTARY PUBLIC-MINNESOTA
RAMSEY COUNTY
My Commission Expires April 26, 1986

Mr. Ralph W. Corey
Merit System Supervisor
Department of Public Welfare
Fourth Floor, Centennial Office Building
St. Paul, Minnesota 55155

Mr. Arthur E. Noot, Commissioner
Department of Public Welfare
Fourth Floor, Centennial Office Building
St. Paul, Minnesota 55155

Mr. John P. Sopsic, Commissioner
Department of Public Safety
211 Transportation Building
St. Paul, Minnesota 55155

Dr. George R. Pettersen, Commissioner
Department of Health
Department of Health Building
717 Delaware Street S. E.
Minneapolis, Minnesota 55440

Governor Albert H. Quie
State Capitol Building
St. Paul, Minnesota 55155

Mr. John M. Burman
Special Assistant Attorney General
515 Transportation Building
St. Paul, Minnesota 55155

DPW-82-020-PE

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

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

In the Matter of the Proposed Rules Governing Definitions; Statement of Policy and Means of Effecting Policy; Organization: Classification Plan; Compensation Plan; Examinations; Certification of Eligibles; Probationary Period; Separation, Tenure and Reinstatement; Leaves of Absence; Appeals and Hearings; Salary Adjustments and Increases; Salary Computation Provisions for Full- and Part-time Employment; Appointments, Promotions, Demotions, Transfers and Reinstatements; and Provisions for Computing Monthly, Hourly, Less-than-full-time, Biweekly, and Four-week Salary Rates.

REPORT OF THE
CHIEF HEARING EXAMINER

The above-entitled matter came on for review by the Chief Hearing Examiner pursuant to the provisions of Minn. Stat. § 15.0412, subd. 4d (1980) which provides in part:

> If the [hearing examiner's] report contains a finding that the proposed rule is substantially different from that which was proposed at the public hearing, or that the agency has not met the requirements of section 15.0412, subdivisions 4 through 4f, it shall be submitted to the chief hearing examiner for approval. If the chief hearing examiner approves the finding of the hearing examiner, he shall advise the agency of actions which will correct the defects, and the agency shall not adopt the rule until the chief hearing examiner determines that the defects have been corrected. If the chief hearing examiner determines that the need for and reasonableness of the rule has not been established pursuant to subdivision 4, clause (c), and if the agency does not elect to follow the suggested actions of the hearing examiner to correct that defect, then the agency shall submit the proposed rule to the legislative commission to review administrative rules for the commission's advice and comment. The agency shall not proceed to adopt the rule until it has received and considered the advice of the commission; provided, that the agency is not required to delay adoption longer than 30 days after the commission's receipt of the agency's submission.

Based upon a review of the record in this proceeding, the Chief Hearing Examiner hereby approves the Report of the Hearing Examiner in all respects and specifically as to any finding of substantial change or of failure to comply with Minn. Stat. § 15.0412, subd. 4-4f (1980) or of failure to establish need for and reasonableness of the proposed rule.

In order to correct the defects enumerated by the Hearing Examiner, the agency shall either take the action recommended by the Hearing Examiner or reconvene the rule hearing if appropriate. If the agency chooses to reconvene the rule hearing, it shall do so as if it is initiating a new rule hearing, complying with all substantive and procedural requirements imposed on the agency by law or rule.

If the agency chooses to take the action recommended by the Hearing Examiner, it shall, prior to submitting the rules to the Attorney General for review, submit to the Chief Hearing Examiner a copy of the rules as initially published in the State Register, a copy of the rules as proposed for final adoption in the form required by the State Register for final publication, and a copy of the agency's Findings of Fact and Order Adopting Rules. The Chief Hearing Examiner will then make a determination as to whether the defect in regard to substantial change and the requirements of Minn. Stat. § 15.0412, subd. 4-4f (1980) have been corrected.

Should the agency make changes in the rules other than those recommended by the Hearing Examiner, it shall also, prior to submitting the rule to the Attorney General, submit the complete record to the Chief Hearing Examiner for a review in regard to substantial changes.

Dated: January 26th, 1982.

DUANE R. HARVES
Chief Hearing Examiner

DPW-82-020-PE

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

FOR THE MINNESOTA DEPARTMENT OF HEALTH,
THE MINNESOTA DEPARTMENT OF PUBLIC WELFARE,
AND
THE MINNESOTA DEPARTMENT OF PUBLIC SAFETY

In the Matter of the Proposed Rules Governing Definitions; Statement of Policy and Means of Effecting Policy; Organization: Classification Plan; Compensation Plan; Examinations; Certification of Eligibles; Probationary Period; Separation, Tenure and Reinstatement; Leaves of Absence; Appeals and Hearings; Salary Adjustments and Increases; Salary Computation Provisions for Full- and Part-time Employment; Appointments, Promotions, Demotions, Transfers and Reinstatements; and Provisions for Computing Monthly, Hourly, Less-than-full-time, Biweekly, and Four-week Salary Rates.

REPORT OF THE
HEARING EXAMINER

The above-entitled matter came on for hearing before Hearing Examiner Peter C. Erickson of the State Office of Administrative Hearings at 9:30 a.m. on Thursday, December 3, 1981, in the Centennial Office Building, Saint Paul, Minnesota.

John M. Burman, Special Assistant Attorney General, 515 Department of Transportation Building, Saint Paul, Minnesota 55155, appeared on behalf of the Department of Public Welfare, Department of Public Safety, and Department of Health. Ralph W. Corey, Merit System Supervisor, and Betty Carlson, Senior Personnel Representative, appeared and testified in support of the proposed rules on behalf of the Merit System Office. The hearing continued until all interested groups or persons had had an opportunity to testify concerning the adoption of the proposed rules. Pursuant to Minn. Stat. § 15.0412, subd. 4d, the Chief Hearing Examiner ordered an extension for the completion of this Report through January 20, 1982.

The Commissioner of Health, Commissioner of Public Welfare and Governor[1] (hereinafter "Agency Heads") must wait at least five working days before taking any final action on the rules; during that period, this Report must be made available to all interested persons upon request.

Pursuant to the provisions of Minn. Stat. § 15.0412, subd. 4d (1980), this Report has been submitted to the Chief Hearing Examiner for his approval. If the Chief Hearing Examiner approves the findings of this Report, he will advise the Agency Heads of actions which will correct the defects and the Agency Heads may not adopt the rule until the Chief Hearing Examiner determines that the defects have been corrected. However, in those instances where the Chief Hearing

- -

1 Pursuant to Minn. Stat. § 12.022, subd. 3 (1980), the Governor is given the statutory authority to promulgate rules for the Division of Emergency Services, Department of Public Safety.

Examiner identifies defects which relate to the issues of need or reasonableness, the Agency Heads may either adopt the Hearing Examiner's recommendations to cure the defects or, in the alternative, if the Agency Heads do not elect to adopt the recommendations, they may submit the proposed rule to the Legislative Commission to Review Administrative Rules for the Commission's advice and comment. Provisions relating to this submission to the Commission may be found in Minn. Stat. § 15.0412, subd. 4d (1980).

If the Agency Heads elect to adopt the recommendations of the Hearing Examiner and make no other changes, and the Chief Hearing Examiner determines that the defects have been corrected, then the Agency Heads shall submit the rule to the Attorney General for review of form and legality. If the Agency Heads make changes in the rule other than those recommended by the Hearing Examiner, then they shall submit the rule, with the complete record, to the Chief Hearing Examiner for a review of the changes before adopting it and submitting it to the Attorney General. Procedures relating to this subsequent review by the Chief Hearing Examiner are set forth in Minn. Stat. § 15.0412, subd. 4e (1980).

When the Agency Heads submit the rule to the Attorney General, they shall give notice on the day of submission to all persons who requested that they be informed of the submission to the Attorney General.

Based upon all the testimony, exhibits and written comments, the Hearing Examiner makes the following:

FINDINGS OF FACT

1. On October 19, 1981, the Departments filed the following documents with the Chief Hearing Examiner:

(a) A copy of the proposed rules.
(b) The Order for Hearing.
(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 November 2, 1981, a Notice of Hearing and a copy of the proposed rules were published at 6 State Register 18, pages 748-851.

3. On October 28, 1981, the Departments mailed the Notice of Hearing to all persons and associations who had registered their names with the Departments for the purpose of receiving such notice.

4. On November 4, 1981, the Departments filed the following documents:

(a) The Notice of Hearing as mailed.
(b) The Agency's certification that its mailing list was accurate and complete.
(c) The Affidavit of Mailing the Notice to all persons on the Agency's list.
(d) The Statement of Need and Reasonableness.
(e) The names of Department personnel who will represent the Agency at the hearing together with the names of any other witnesses solicited by the Agency to appear on its behalf.
(f) A copy of the State Register containing the proposed rules.
(g) The Petition requesting a rule hearing.

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

5. The record remained open through December 10, 1981, for the receipt of written comments and statements.

6. Statutory authority to adopt the proposed rules is contained in Minn. Stat. §§ 12.22, subd. 3 (Department of Public Safety), 256.012 (Department of Public Welfare), and 144.071 (Department of Health).[2]

7. At hearing, the following amendments to the rules, as published, were made by the Merit System Office:

7 MCAR § 1.235 L.L. (page 5)

The definition of reclassification should read:

> Reclassification means a reallocation or change in the allocation of a position to a higher, lower, or equivalent class.

The words "reallocation or" were left out in error.

12 MCAR § 2.500 B.1.c. (page 35)

The phrase "in a written document addressed" was inserted by the Revisor's office and "in writing" was deleted. We would like to retain the original phrase "in writing".

12 MCAR § 2.500 I.1. (page 37)

Insert "the" for "his" in the third sentence, and in that same sentence replace "his probation" with "the probationary".

12 MCAR § 2.503 B.2. (page 38)

Substitute "a" for "his" in the first sentence of this section.

12 MCAR § 2.504 B.3.a. (page 42)

In error new language that was originally proposed was not inserted in this section. The third and fourth sentences of this paragraph should read:

> Limited term and provisional employees with less than six full months of service and emergency employees shall not accrue vacation leave. Provisional employees with more than six months of service shall accrue vacation leave.

Subsequent to hearing, the Merit Systems Office made the following amendments to the proposed rules in response to comments made at the hearing:

7 MCAR § 1.236 G. (page 9) should be changed as follows:

Delete "his" in line 19; and insert after "age" in line 24 "marital status, status with regard to public assistance". The changes are to render the subdivision gender neutral, and to bring it into conformance with Minn. Stat. § 363.03, subd. 1 (1980).

12 MCAR § 2.492 B.1. (page 10) should be changed as follows:

Delete "his" in line 7. This change is to render the subdivision gender neutral.

11 MCAR § 1.2091 G.1. (page 6 of the rules as approved by the revisor) should be changed as follows:

- -

2 The 1980 edition of Minnesota Statutes shows that section 144.071 has expired. However, the Revisor's Office has admitted that a mistake was made and that the statutory section, as printed in the 1978 edition of Minnesota Statutes, is still in effect.

Insert after "age" in line 30, ", marital status, status with regard to public assistance". The change is to bring the subdi- vision into conformance with Minn. Stat. § 363.03, subd. 1 (1980).

11 MCAR § 1.2091 G.3. (page 7) should be changed as follows:

Change "his" in line 12 to "a". The change is to render the subdivision gender neutral.

12 MCAR § 2.419 G.1. (line 17 of page 8 of the rules as approved by the revisor) should be changed as follows:

After "age" insert "marital status, status with regard to public assistance". The change is to bring the proposed rule into conformance with Minn. Stat. § 363.03, subd. 1 (1980).

12 MCAR § 2.492 B.1. (lines 2, 3 and 6 of page 10) should be changed as follows:

Delete "nor shall he hold such office during his term" and replace with "or during the term of such appointment". Also, delete "his" in line 6. These changes are made to render the subdivision gender neutral.

The Hearing Examiner finds that these amendments are not substantial changes. The need for and reasonableness of the amendments has been demonstrated by the Departments.

8. 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. Federal regulations require that the merit system rules contain certain provisions regarding recruitment and selection programs, classification and compensation plans, performance evaluation devices and non-discriminatory treatment of applicants and employees. The statutory authority cited above was enacted by the Minnesota Legislature to allow the Governor, the Commissioner of Health and the Commissioner of Public Welfare to adopt rules implementing merit systems for local governmental employees employed by health, welfare or emergency services agencies. Collectively, the resulting programs are referred to as the "Minnesota Merit System" and consist of three sets of rules: 7 MCAR §§ 1.235-1.315 (Department of Health); 11 MCAR §§ 1.2090-1.2141 (Department of Public Safety); and 12 MCAR §§ 2.490-2.841 (Department of Public Welfare). Each of the three sets of rules contains similar, if not identical, language covering the same subject areas.

9. The need for and reasonableness of the proposed amendments and additions to the Merit System rules is set forth in a 45-page document submitted by Ralph Corey, Merit System Supervisor. This report will not duplicate that document; but rather, discuss pertinent comments made by the public and any issues of need or reasonableness which have not been addressed. Except as noted in the Findings and Conclusions below, the Hearing Examiner finds that the need for and reasonableness of the proposed rules has been demonstrated by the proposing Departments.

10. Charles Olson, Director of the Rock County Family Service Agency, commented in opposition to the reclassification of Accounting Officer I to Fiscal Officer and the 13% increase in the minimum salary and the 13% increase in the minimum salary of Family Service Aide I. Mr. Olson stated that these proposals

would come into conflict with the Rock County Board's attempt to retain employees at a step based upon length of service. Instead of increasing all classifications by 8%, the amendments propose to increase some by 13%. This results in inequitable salary adjustments for the Accounting Officer I and the Family Service Aide I.

Shirley R. Karstens, President of the Association of Minnesota Social Service Accountants, commented that since accounting officers are most generally supervisors, she recommends that the accounting officer classification be reclassified to include supervisor in their titles.

Eileen Anderson, on behalf of the Minnesota Social Service Accountants Personnel Committee, commented that because of the additional demands placed on the head accounting person in a welfare system office, the job title change from Accounting Officer/Accountant to Fiscal Officer/Fiscal Supervisor should be made as it is a more correct description of the position.

Marina Vork, Social Service Supervisor for the Isanti County Family Services and Welfare Department, objected to the reduction of salary increases from 9% to 8% as the 9% figure is a more correct figure based upon the survey performed. Ms. Vork recommends that the survey results be recommended with no reduction.

Donald Strei, President of the Minnesota Association of County Social Service Administrators, commented in support of the proposed amendment which removes the classification plan from the rules and places it in the merit system manual.

Gene L. Johannes, Executive Director of the Minnesota Chiropractic Association, and Robert Fitzgerald, on behalf of the International Chiropractic Association, suggested that the merit classification system should be amended to include a doctor of chiropractic and that chiropractic services should be included in the services provided by local welfare and health agencies.

These comments should be considered by the Departments prior to taking final action; however, none impinge upon the need for and reasonableness of the proposed rules.

11. Several of the proposed rules impart broad and unbridled discretion upon the Commissioner of each proposing Department, the Merit System Supervisor and the appointing authorities. Because the appointing authorities are the "persons" regulated, such discretion is appropriate. However, neither the Commissioners nor the Merit System Supervisor may be granted such discretion. Use of the word "may" or rules which allow discretion without standards to follow have repeatedly been held by the Office of the Attorney General to be in violation of Minn. Stat. § 15.0411, subd. 3.

[That section defines "rule" as "every agency statement of general applicability and future effect . . . made to implement or make specific the law enforced or administered by [the agency]." Thus, discretionary rules are impermissibly vague if no criteria are included to govern exercise of the discretion. Proposed rules 7 MCAR § 1.236 J.2., 11 MCAR § 1.2091 H.2., and 12 MCAR § 2.491 E.2. allow the respective Commissioners to "take appropriate action, including but not limited to . . .". These sections provide the Commissioners unlimited discretion to act and are in violation of the cited statute. This constitutes a violation of a substantive provision of law. To correct these defects, the sections should specifically set forth what the Commissioner is empowered to do or list alternatives with standards to be applied.]

Many sections of the proposed rules state that "the merit system supervisor may . . .". 7 MCAR §§ 1.238 D.1., 1.2395 B.8., 1.2422 B., and 1.2423 A.; 11 MCAR §§ 1.2093 D.1., and 1.2094 F.2.h.; 12 MCAR §§ 2.493 D.1., 2.494 F.2.h., 2.496 A.1., 2.496 C.2., and 2.496 D.1. All of these sections grant the Merit System Supervisor unbridled discretion to act and are in violation of a substantive provision of law. To correct these defects, the word "may" should either be changed to "shall" or specific standards should be incorporated into the rules to govern the discretion.

12. Rules 7 MCAR § 1.236 J.3., 11 MCAR § 1.2091 H.3., and 12 MCAR § 2.491 E.3. provide that an appointing authority may appeal any denial or suspension of an administrative reimbursement made by the Commissioner to the Merit System Council who shall make a recommendation back to the Commissioner who will make the final decision. The rules do not state whether this appeal procedure includes an evidentiary hearing. If a hearing is contemplated as part of this appeal procedure, it must be a Chapter 15 hearing because the result is an adjudication of the legal rights and duties of specific parties by a state agency. See, Minn. Stat. § 15.0411, subds. 2 and 4. If the appeal process does not involve a hearing, however, Chapter 15 will not apply. These rule provisions should be clarified and if a hearing is included in the appeal process, a Chapter 15 hearing must be afforded to correct the defect noted.

Rules 7 MCAR § 1.2541 and 12 MCAR § 2.5081 govern an appeal and hearing process before the Merit System Council or appeal board or referee appointed by the Council. Certain of these appeals, which can be made by appointing authorities or employees, result in final decisions made by the Merit System Council. Other appeals result in recommendations to the Commissioner for final decision or to the appointing authority for final decision. In cases where the final decision is made by either the Merit System Council or the Commissioner, an adjudication by a state agency has occurred and the appeal and hearing must be governed by Minn. Stat. Ch. 15. However, in cases where the Merit System Council simply makes a recommendation to the appointing authority, no adjudication by a state agency has occurred, and Chapter 15 does not apply. To correct the defects in the rules for the types of hearings listed above, a Chapter 15 hearing must be provided for all parties when the final decision is made by the Merit System Council or the Commissioner.

13. As is quite obvious, the three sets of Merit System rules are duplicative. The Hearing Examiner suggests that at some time in the future implementation and administration of the three systems may be made easier by combining all three into one "Minnesota Merit System".

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

CONCLUSIONS

1. That the Departments of Health, Public Safety and Public Welfare gave proper notice of the hearing in this matter.

2. That the Departments have fulfilled the procedural requirements of Minn. Stat. § 15.0412, subd. 4-4f (1980) and all other procedural requirements of law or rule.

3. That the Departments have demonstrated their statutory authority to adopt the proposed rules and have fulfilled all other substantive requirements

of law or rule within the meaning of Minn. Stat. §§ 15.0412, subd. 4e and 15.052, subd. 3(4)(i) and (ii) (1980), except as noted at Findings 11 and 12.

4. That the Departments have documented the need for and reasonableness of their proposed rules with an affirmative presentation of facts in the record within the meaning of Minn. Stat. § 15.0412, subd. 4c (1980).

5. That the amendments and additions to the proposed rules which were suggested by the Departments after publication of the proposed rules in the State Register do not result in rules which are substantially different from the proposed rules as published in the State Register within the meaning of Minn. Stat. § 15.0412, subd. 4d (1980) and 9 MCAR §§ 2.110 A. and 2.111 (1980 Ed.).

6. That the Hearing Examiner has suggested action to correct the defects cited in Conclusion 3 as noted at Findings 11 and 12.

7. That due to Conclusion 3, this Report has been submitted to the Chief Hearing Examiner for his approval pursuant to Minn. Stat. § 15.0412, subd. 4d (1980).

8. That any Findings which might properly be termed Conclusions and any Conclusions which might properly be termed Findings are hereby adopted as such.

9. That a finding or conclusion of need and reasonableness in regard to any particular rule subsection does not preclude and should not discourage the Departments from further modification of the proposed rules based upon an examination of the public comments, provided that no substantial change is made from the proposed rules as originally published, and provided that the rule finally adopted is based upon facts appearing in this rule hearing record.

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

RECOMMENDATION

It is hereby recommended that the proposed rules be consistent with the Findings and Conclusions set forth above.

Dated this 19 day of January, 1982.

Peter C. Erickson

PETER C. ERICKSON
Hearing Examiner

DPW-82-020-PE

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

FOR THE MINNESOTA DEPARTMENT OF HEALTH
THE MINNESOTA DEPARTMENT OF PUBLIC WELFARE
AND
THE MINNESOTA DEPARTMENT OF PUBLIC SAFETY

IN THE MATTER OF THE PROPOSED RULES GOVERNING DEFINITIONS; STATEMENT OF POLICY AND MEANS OF EFFECTING POLICY; ORGANIZATION: CLASSIFICATION PLAN; COMPENSATION PLAN; EXAMINATIONS; CERTIFICATION OF ELIGIBLES; PROBATIONARY PERIOD; SEPARATION, TENURE AND REINSTATEMENT; LEAVES OF ABSENCE; APPEALS AND HEARINGS; SALARY ADJUSTMENTS AND INCREASES; SALARY COMPUTATION PROVISIONS FOR FULL- AND PART-TIME EMPLOYMENT; APPOINTMENTS, PROMOTIONS, DEMOTIONS, TRANSFERS AND REINSTATEMENTS; AND PROVISIONS FOR COMPUTING MONTHLY, HOURLY, LESS-THAN-FULL-TIME, BI-WEEKLY, AND FOUR-WEEK SALARY RATES.

ORDER OF THE
CHIEF HEARING EXAMINER

WHEREAS, a hearing was held on December 3, 1981, before Peter C. Erickson, a Hearing Examiner of the State Office of Administrative Hearings, 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 Department of Health, the Minnesota Department of Public Welfare, and the Minnesota Department of Public Safety (hereinafter "Departments"); and

WHEREAS, the Departments have now determined to adopt rules pursuant to Minn. Stat. § 15.0412, subd. 4-4f; and

WHEREAS, the Departments have submitted said rules to the Chief Hearing Examiner for review pursuant to Minn. Stat. §§ 15.0412, subd. 4e and 15.052, subd. 4, and 9 MCAR § 2.111; 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 Departments have cured the defects in the rules as required.

NOW, THEREFORE, upon receipt of this Order, the Departments have the responsibility of submitting the complete hearing record and the rules as adopted by the Departments to the Attorney General and to publish in the State Register, all pursuant to Minn. Stat. § 15.0412, subd. 4e and 4f.

Dated: April 1, 1982.

DUANE R. HARVES
Chief Hearing Examiner

RECEIVED
JAN 12 1982
ADMINISTRATIVE HEARINGS

STATE OF MINNESOTA

DEPARTMENT OF PUBLIC WELFARE

In the Matter of the Proposed Adoption of Rules of the State Department of Public Welfare Governing the Minnesota Merit System

FINDINGS OF FACT

The above-entitled matter came on for hearing before Hearing Examiner Peter C. Erickson on the 3rd day of December, 1981, at 9:30 A.M. in the Centennial Office Building, St. Paul, Minnesota, after proper notice required by Minnesota Statutes §15.0412 was served upon all persons, associations, and other interested groups registered with the State Department of Public Welfare for that purpose.

After affording interested persons an opportunity to present written and oral data, statements and arguments, having heard all of the testimony, having considered all of the evidence adduced upon the records, files, and proceedings herein, I find the following:

That the rules of the Minnesota Merit System 12 MCAR §§ 2.490-2.841 be adopted as proposed and published on November 2, 1981, at 6 State Register 18, pages 800-851, except for non-substantive changes proposed to 12 MCAR §§ 2.491, 2.492, 2.500, 2.503 and 2.504 by the Merit System office, changes required in 12 MCAR §§ 2.491, 2.493, 2.494, 2.496 and 2.5081 to accept the findings of fact and conclusions of the Hearing Examiner and non-substantive changes proposed to several rules by the Revisor of Statutes to correct typographical errors and improve grammar and consistency of language. For rationale behind all Merit System proposed changes, see findings of fact 7, 11 and 12 in the report of the Hearing Examiner dated January 19, 1982.

STATE OF MINNESOTA

Commissioner of Public Welfare

RECEIVED
JAN 12 1982
ADMINISTRATIVE HEARINGS

STATE OF MINNESOTA

DEPARTMENT OF HEALTH

In the Matter of the Proposed Adoption of Rules of the State Department of Health Governing the Minnesota Merit System

FINDINGS OF FACT

The above-entitled matter came on for hearing before Hearing Examiner Peter C. Erickson on the 3rd day of December, 1981, at 9:30 A.M. in the Centennial Office Building, St. Paul, Minnesota, after proper notice required by Minnesota Statutes §15.0412 was served upon all persons, associations, and other interested groups registered with the State Department of Health for that purpose.

After affording interested persons an opportunity to present written and oral data, statements and arguments, having heard all of the testimony, having considered all of the evidence adduced upon the records, files, and proceedings herein, I find the following:

That the rules of the Minnesota Merit System 7 MCAR §§ 1.235-1.315 be adopted as proposed and published on November 2, 1981, at 6 State Register 18, pages 748-782, except for non-substantive changes proposed to 7 MCAR §§ 1.235 and 1.236 by the Merit System office, changes required in 7 MCAR §§ 1.236, 1.238, 1.2395, 1.2422, 1.2423 and 1.2541 to accept the findings of fact and conclusions of the Hearing Examiner and non-substantive changes proposed to several rules by the Revisor of Statutes to correct typographical errors and improve grammar and consistency of language. For rationale behind all Merit System proposed changes, see findings of fact 7, 11 and 12 in the report of the Hearing Examiner dated January 19, 1982.

STATE OF MINNESOTA

Deputy Commissioner of Health

RECEIVED
JAN 12 1982
ADMINISTRATIVE HEARINGS

STATE OF MINNESOTA

DEPARTMENT OF PUBLIC SAFETY

In the Matter of the Proposed Adoption of Rules of the State Department of Public Safety Governing the Minnesota Merit System

FINDINGS OF FACT

The above-entitled matter came on for hearing before Hearing Examiner Peter C. Erickson on the 3rd day of December, 1981, at 9:30 A.M. in the Centennial Office Building, St. Paul, Minnesota, after proper notice required by Minnesota Statutes §15.0412 was served upon all persons, associations, and other interested groups registered with the State Department of Public Safety for that purpose.

After affording interested persons an opportunity to present written and oral data, statements and arguments, having heard all of the testimony, having considered all of the evidence adduced upon the records, files, and proceedings herein, I find the following:

That the rules of the Minnesota Merit System 11 MCAR §§ 1.2090-1.2141 be adopted as proposed and published on November 2, 1981, at 6 State Register 18, pages 782-800, except for non-substantive changes proposed to 11 MCAR § 1.2091 by the Merit System office, non-substantive changes proposed to 11 MCAR §§ 1.2090, 1.2091, 1.2094, 1.2117, 1.2118, 1.2140 and 1.2141 by the Revisor of Statutes office and changes required in 11 MCAR §§ 1.2091, 1.2093 and 1.2094 to accept the findings of fact and conclusions of the Hearing Examiner. For rationale behind all proposed changes, see findings of fact 7, 11 and 12 in the report of the Hearing Examiner dated January 19, 1982.

STATE OF MINNESOTA

Albert H. Quie

Governor

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE ARTHUR E. NOOT
COMMISSIONER OF PUBLIC WELFARE

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

BEFORE ALBERT H. QUIE
GOVERNOR

IN THE MATTER OF THE PROPOSED ADOPTION OF RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING DEFINITIONS; STATEMENT OF POLICY AND MEANS OF EFFECTING POLICY; ORGANIZATION; CLASSIFICATION PLAN; COMPENSATION PLAN; EXAMINATIONS; CERTIFICATION OF ELIGIBLES; PROBATIONARY PERIOD; SEPARATION, TENURE AND REINSTATEMENT; LEAVES OF ABSENCE; APPEALS AND HEARINGS; SALARY ADJUSTMENTS AND INCREASES; SALARY COMPUTATION PROVISIONS FOR FULL AND PART-TIME EMPLOYMENT; APPOINTMENTS, PROMOTIONS, DEMOTIONS, TRANSFERS AND REINSTATEMENTS; AND PROVISIONS FOR COMPUTING MONTHLY, HOURLY, LESS-THAN-FULL-TIME, BI-WEEKLY, AND FOUR-WEEK SALARY RATES.

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 Office of Personnel Management, acting under authority transferred to the United States Civil Service Commission from the Departments of Health, Education and Welfare, Labor, and Agriculture by the Intergovernmental Personnel Act (IPA) of 1970 and subsequently transferred on January 1, 1979, to the Office of Personnel Management by the Reorganization Plan Number Two of 1978, promulgated the Standards for a Merit System of Personnel Administration 5 CFR Part 900, Subpart F, 44FR 10238, February 16, 1979, which imposes on the State of Minnesota general requirements for a merit system of personnel administration in the administration of the federal grant-in-aid programs. (See, Footnote 1 Supra.)

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 the applicable federal standards. Those standards require that in order for the agencies under the Minnesota Merit System to be eligible to receive federal grant-in-aid funds the Minnesota Merit System rules must specifically include, among other things, an active recruitment, selection and appointment program (5 CFR 900.602 - 900.603), current classification and compensation plans (5 CFR 900.604), training (5 CFR 900.605), retention on the basis of performance (5 CFR 900.606) and fair, non-discriminatory treatment of applicants and employees with due regard to their privacy and constitutional rights (5 CFR 900.607).

4. In conformance with 5 CFR Part 900, Subpart F, the Minnesota Legislature enacted Minn. Stat. § 12.22 subd. 3, § 144.071 and § 256.012[2/], which respectively authorize the governor, 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".

2/ See also Minn. Stat. §§ 393.07 (5), 256.01 (4), 393.07 (3) and 256.011.

5. Pursuant to such statutory authority those state agencies have adopted comprehensive administrative rules which regulate administration of the Minnesota Merit System.[3/]

6. The Minnesota Supreme Court upheld the authority of the Commissioner of Public Welfare and by implication that of the Commissioner of Health and the Governor to promulgate personnel rules and regulations in quashing a writ of mandamus brought by the Hennepin County Welfare Board against the county auditor in an attempt to force payment of salaries in excess of the maximum rates established by the Director of Social Welfare.[4/]

> . . . . . it is clear that the Director of Social 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.

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).

7. 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 Employee Labor Relation Act (Minn. Stat. §§ 179.61 - 179.77).

3/ 12 MCAR §§ 2.490-2.841, 11 MCAR §§ 1.2090-1.2141 and 7 MCAR § 1.235-1.315.

4/ "Director of Social Welfare" was the former title of the 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. DEFINITIONS

1. 12 MCAR § 2.490, 7 MCAR § 1.235 and 11 MCAR § 1.2090

These rules deal with the definitions of various terms used throughout the Public Welfare, Public Health and Public Safety Merit System rules. Minor amendments proposed to 12 MCAR § 2.490, 7 MCAR § 1.235 and 11 MCAR § 1.2090 involve the re-numbering of terms included in the definition rule, as well as minor corrections in grammar, or deletion of references to the masculine gender. Additional amendments throughout the rules include providing titles for sections with numerical designations so that the reader can easily identify sections by content area.

Additional minor amendments to 12 MCAR § 2.490, 7 MCAR § 1.235 and 11 MCAR § 1.2090 are proposed either for grammatical reasons or to improve the meaning of the definitions for "county register," "allocation," "eligible," "intermittent employee," "merit increase," "military leave," "permanent employee" "register," and "state agency."

The proposed amendment to "general adjustment" is necessary to reflect language in the rules that general salary adjustments recommended by the Merit System in even-numbered years follow a formula based on changes in the Twin City Consumer Price Index without a salary survey being conducted.

The proposed amendment to "layoff" is necessary to bring the definition for that term into conformance with the definition for "layoff list" as well as the layoff procedure described in the rules.

Seven amendments are proposed to 12 MCAR § 2.490, 7 MCAR § 1.235 and 11 MCAR § 1.2090 providing definitions for new terms. The first two are definitions of "layoff list" and "reemployment list." In 1979, amendments were proposed and adopted to the Public Welfare, Public Health and Public Safety Merit System rules establishing procedures to be followed in the event of layoff.

Although the amended rules refer to a layoff list there has never been a definition for layoff list included in the rules. Because of its significance, it is considered both necessary and reasonable to include a definition for layoff list in the rules. Similarly, in 1979, changes were adopted in the rules for all three agencies establishing the concept of a reemployment list for use by former employees of the Merit System who are either laid off or who voluntarily separate in good standing. Again, no definition of a reemployment list is in the rules and so a definition is being proposed at this time.

The next three amendments proposed to 12 MCAR § 2.490, 7 MCAR § 1.235 and 11 MCAR § 1.2090 involve new definitions for the terms "reclassification," "change in allocation" and "reallocation." Amendments being proposed today to 12 MCAR § 2.493, 7 MCAR § 1.238 and 11 MCAR § 1.2093 use all three of these terms in describing the process by which incumbents of reclassified positions qualify for promotion. Any change in the allocation of a position is considered to be a reclassification. Reclassifications are one of two types depending on the impetus and time frame involved in the reclassification. A management-imposed abrupt change in the duties and responsibilities of a position is considered a change in allocation while a more gradual change in the duties and responsibilities of a position initiated by the incumbent of the position is considered a reallocation. It is necessary to define these terms in the rules since the incumbents of reclassified positions must follow different procedures in qualifying for promotion depending upon whether the reclassification is the result of a change in allocation or a reallocation.

The next amendment to 12 MCAR § 2.490, 7 MCAR § 1.235 and 11 MCAR § 1.2090 involves a new definition for "salary increase." Amendments being proposed today to 12 MCAR § 2.494, 7 MCAR § 1.239 and 11 MCAR § 1.2094 would allow appointing authorities to grant salary increases to employees that are based on working out of class or unusual employment conditions rather than job performance, cost-of-living factors or other labor market rates for comparable work. For this reason, such a definition in the rules is necessary to distinguish this type of increase from a merit increase or salary adjustment, already defined in the rules.

The last amendment proposed is to 7 MCAR § 1.235 and provides a definition for "Commissioner" who is defined as the administrative head of the state Department of Health. The old title of this position was "Secretary and Executive Officer." Minnesota Laws 1977, Chapter 305 eliminated all references to the Board of Health and to the Secretary and Executive Officer. Minnesota 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. It is our intent to strike references to "Secretary and Executive Officer" and "State Board of Health" wherever appropriate when proposing amendments to the Health Merit System rules.

B. STATEMENT OF POLICY AND MEANS OF EFFECTING POLICY

1. 12 MCAR § 2.491, 7 MCAR § 1.236 and 11 MCAR § 1.2091

Amendments to 12 MCAR § 2.491, 7 MCAR § 1.236 and 11 MCAR § 1.2091 include providing titles for numbered sections. Additionally, amendments are proposed throughout 7 MCAR § 1.236 to correct references to either the Board of Health or Secretary and Executive Officer. These amendments are proposed for the same reason as those proposed to 7 MCAR § 1.235 above.

Minor amendments are proposed to 12 MCAR § 2.491 A. to add the phrase "and human services" since these rules apply to human services agencies as well as county welfare departments and substituting "appointing authorities" for "county welfare boards" since the former includes human services boards and county boards as well as county welfare boards.

Other amendments to these sections are the re-numbering or re-lettering of the sectio

Minor amendments to 12 MCAR § 2.491 B. 1. and 2. eliminate the reference to Minnesota Statutes, Section 245.42 since that section has been repealed, and add a reference to Section 256.012 enacted in 1980 which authorizes the Commissioner of Welfare to promulgate by rule personnel standards on a merit basis. Amendments to 7 MCAR § 1.236 B. and C. correct references to Minnesota Statutes and correct rule references and grammar.

Minor amendments to 12 MCAR § 2.491 F., G. and H., 7 MCAR § 1.236 F., G. and H. and 11 MCAR § 1.2091 F. and G. correct grammar and delete superfluous language and correct the reference to Minnesota Statutes, Chapter 363. With the passage of the Age Discrimination in Employment Act at the federal level, it is necessary to amend 12 MCAR § 2.491 G. 1., 7 MCAR § 1.236 G. and 11 MCAR § 1.2091 G. 1. to

include age as a factor against which discrimination is prohibited. An amendment is proposed to 12 MCAR § 2.491 F. 5., 7 MCAR § 1.236 F. 5. and 11 MCAR § 1.2091 F. 5. to correct the redundancy in the last sentence of those sections.

Major amendments are proposed to 12 MCAR § 2.491 E., 7 MCAR § 1.236 J. and 11 MCAR § 1.2091 H. The first new section being proposed relates to issues of non-conformance with the rules by an appointing authority and provides for the application of fiscal sanctions to the appointing authority when all other remedial measures fail to obtain conformance. In practice, the department has applied fiscal sanctions to appointing authorities in the past. The Federal Standards for a Merit System of Personnel Administration, on which the Merit System rules are based, provides that the agency designated to supervise local compliance with the standards (which, in Minnesota, is the Department of Public Welfare) may take appropriate steps to insure corrective action when necessary. In essence, the proposed amendment merely places in rule language what has been an established practice in dealing with non-conformance issues. The second section of the proposed amendment allows for appeal by an appointing authority of fiscal sanctions to the Merit System Council. The Council is not an integral part of the department and is, therefore, a neutral and objective entity. Considering the seriousness of the withholding of administrative reimbursement funds, it is reasonable to afford appointing authorities an opportunity to present facts leading to the denial or suspension of such reimbursement to an impartial body for their review, consideration and recommendation to the Commissioner.

C. ORGANIZATION

1. 12 MCAR § 2.492, 7 MCAR § 1.237 and 11 MCAR § 1.2092

The first proposed amendment is to 12 MCAR § 2.492 A. 1. and eliminates the phrase "of the county welfare board" and substitutes the phrase "in positions covered by 12 MCAR §§ 2.490-2.841." The Community Social Services Act of 1979 changed the employer of some county welfare department employees from the county welfare board to the county board. In addition, human services boards are also the employers of employees covered by the Merit System rules. Therefore, the specific reference in the rule to county welfare board employees is incorrect and needs to be eliminated. The second proposed amendment to this same section adds a statutory reference Minn. Stat. Sect. 256.012 to the section. The 1980 Legislature passed this legislation providing the Commissioner of Public Welfare with authority to promulgate, by rule, personnel standards for certain employees of county boards and all employees of county welfare boards and human services boards. This amendment is needed to more fully reference the Commissioner's rule making authority as regards the Minnesota Merit System.

A proposed amendment to 12 MCAR § 2.492 B. 1. abolishes the phrase "a county welfare board" and substitutes the phrase "an appointing authority." In 1980, a rule change was adopted changing the definition of "appointing authority" to include the county board as well as county welfare board and human service board. This amendment is necessary to properly identify those employees or members not eligible for appointment to the Merit System Council. Another minor amendment to this same section changes "with" to "within" and is necessary to provide meaning to the sentence.

Amendments to Section D include the renumbering of sections and correction of references to Merit System rules. A minor proposed amendment to 12 MCAR § 2.492 D. 8. strikes the word "written" from the sentence. The Council votes on all proposed Merit System rule amendments and each vote is recorded on the tape recording of each Council meeting. However, it is incorrect to state that each and every Council recommendation pertaining to rule amendments is provided to the commissioner in written form.

Proposed amendments to 12 MCAR § 2.492 F. substitute "Minnesota Statutes, Chapter 43A" for "the Minnesota Civil Service Act" and "Minnesota Department of Employee Relations" for "Department of Civil Service." The first amendment is reasonable in terms of providing the reader with a definite statutory reference and the second amendment is necessary to conform to a 1980 statutory change in the title of the state Department of Personnel.

An amendment to 12 MCAR § 2.492 G., 7 MCAR § 1.237 G. and 11 MCAR § 1.2092 D. substitutes "Minnesota Department of Employee Relations" for "State Civil Service" and is necessary to bring the rules into conformity with the 1980 statutory change in the title of the state Department of Personnel.

Another proposed amendment to 12 MCAR § 2.492 G., 7 MCAR § 1.237 D. and 11 MCAR § 1.2092 D. provides an additional duty for the Supervisor to those already listed. A considerable amount of time is spent by the Supervisor in this activity which has never been acknowledged in the rules. Due to its significance, this duty needs to be recognized in the rules as a major function performed by the Supervisor. Minor amendments are proposed to re-number these sections and to correct references made to the Merit System rules.

Lastly, several minor amendments are proposed to 7 MCAR § 1.237 A., C. and D. substituting "Commissioner" for "Board of Health" and "Secretary and Executive Officer." Minnesota Laws 1977, Chapter 305 eliminated all references to the Board of Health and the Secretary or Executive Officer. Minnesota 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. This statutory change makes these proposed amendments necessary.

D. CLASSIFICATION PLAN

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

Amendments throughout these rules include providing titles for sections with numerical designation, correcting grammatical errors and eliminating superfluous language. Other proposed amendments to 12 MCAR § 2.493 A. 1., 7 MCAR § 1.238 A. and 11 MCAR § 1.2093 A. 1. add language that provides consistency of wording for all three rules, removes the classification plan from the rules and provides for its publishing in the appropriate manual. For many years, the class specifications which make up the classification plan have been included as part of the Public Welfare, Health and Public Safety Merit System rules. Consequently, whenever a need arises to establish a new classification of positions or amend an existing classification or even abolish an existing classification that is no longer being used, it is necessary to observe all of the provisions of the Administrative Procedures Act before being able to effect such changes to the classification plan. It is an extremely time-consuming and costly process which severely restricts the ability of the Merit System to respond in a timely fashion to classification needs expressed by Merit System agencies that we are obligated to serve. It is estimated by the Department of Public Welfare that the time required to amend an existing rule or adopt a new rule under the provisions of Chapter 15 varies from 220-270 days. By removing the classification plan from the rules, the Merit System will be able to respond to agency classification needs in a much more timely fashion. With the adoption of this amendment, any proposed additions, deletions or changes to the classification plan must still be presented to the Merit System Council in an open meeting for consideration, discussion and recommendation to the respective commissioners prior to adoption. Input from interested and affected parties would still be provided at the Council meeting.

Minnesota statutes relating to the Minnesota Merit System provide only for the promulgation by rule of personnel standards on a merit basis in accordance with the federal standards for a merit system of personnel administration. Neither the federal standards nor state statute specifically require that the classification plan be promulgated as a rule. In 1981, the Legislature enacted Minnesota Statutes, Chapter 43A, known as the State Personnel Management and Labor Relations Act, which requires the commissioner of the Department of Employee Relations to establish and maintain a merit based personnel management

system for state employees. The provisions of this act expressly exempt certain administrative matters from the Chapter 15 rule-making procedures. The commissioner is directed to develop administrative procedures for matters which do not directly affect the rights of or processes available to the general public and the act specifically states that among the procedures not subject to the rule-making provisions of Chapter 15 is the "maintenance and administration of the plan of classification for all positions in the classified service....." Therefore, it appears clear that the Legislature views a classification plan as being exempt from the provisions of Chapter 15. Finally, the definition of a "rule" as contained in Chapter 15 exempts internal management affairs from the rule-making provisions of the act and it is reasonable to interpret "internal management" as including the classification plan. This proposed amendment would change the procedure for maintaining and administering the Merit System classification plan and make it similar to the procedure used by the state Department of Employee Relations.

Other proposed amendments to 12 MCAR § 2.493 A. 2. substitute the term "appointing authorities" for "the County Welfare or Human Service Boards." This change is necessary due to the fact that the definition of appointing authority also includes county boards as well as county welfare boards and human service boards. In addition, the Merit System is attempting to change all of its specific rule references relative to an employer to the more generic term of appointing authority.

A similar proposed amendment to 12 MCAR § 2.493 B. substitutes the language "jurisdiction of an appointing authority" for "County Welfare or Human Service Board" and is proposed for the same reasons as the previous amendment.

A minor amendment to 12 MCAR § 2.493 B., 7 MCAR § 1.238 B. and 11 MCAR § 1.2093 B. substitutes the word "necessary" for "is necessitated thereby" and is being proposed merely for the sake of consistency throughout the rules and for grammatical purposes Other minor amendments substitute "allocations" for "allocation" and "reallocations" for "reallocation."

An amendment is proposed to 12 MCAR § 2.493 C. 2., 7 MCAR § 1.238 F. 1., 2. and 3. and 11 MCAR § 1.2093 F. 1., 2. and 3. abolishing those sections. In view of the proposed amendments to 12 MCAR § 2.493 A. 1., 7 MCAR § 1.238 A. and 11 MCAR § 1.2093 A. 1. removing the classification plan from the rules, the language contained in these sections is unnecessary. New language is proposed to 7 MCAR § 1.238 F. and 11 MCAR § 1.2093 F. to make them consistent with 12 MCAR § 2.493 C.

A proposed amendment to 12 MCAR § 2.493 D., 7 MCAR § 1.238 D. and 11 MCAR § 1.2093 D. adds a new section (1) to these provisions covering the procedure to be followed when a position is reclassified by virtue of reallocation as opposed to a change in allocation. Under the proposed amendment, the incumbent of a position that is reclassified by reallocation may be promoted to the reallocated position by the appointing authority without examination. The rationale for this lies in the definition of reallocation wherein the incumbent is already satisfactorily performing the duties of the reallocated position and it is the position of the Merit System that it is both unnecessary and unfair to the incumbent of a position so reallocated to have to compete with others for promotion when the incumbent has already demonstrated the ability to capably perform the duties and responsibilities of the position. This amendment is similar to a provision contained in Minn. Stat., Chapter 43A, governing such situations occurring under the state of Minnesota's personnel management program.

Several amendments are proposed to 12 MCAR § 2.493 D. 2., 7 MCAR § 1.238 D. 2. and 11 MCAR § 1.2093 D. 2. substituting the words "reclassified" and "reclassification" for the words "reallocated" and "reallocation." These changes are necessary due to the new definitions being proposed for "reclassification" and "reallocation" which mean these two terms are no longer synonymous. Other minor amendments are made for grammatical purposes.

A proposed amendment to 12 MCAR § 2.493 D. 2., 7 MCAR § 1.238 D. 2. and 11 MCAR § 1.2093 D. 2. referring to reclassifications resulting from a change in allocation of a position is necessary to illustrate the procedure to be followed by the incumbent of such a position as opposed to that followed when a position is reclassified as a result of reallocation. The basic difference between the procedures is that the incumbent of a position reclassified as a result of a change in allocation must qualify for appointment in order to continue in the same position. The rationale for this is that, unlike a reallocation, the duties and responsibilities of a position are changed abruptly by the appointing authority and the incumbent of the position has not demonstrated a capability to perform the functions of the changed position. Therefore, the incumbent must compete and qualify under the rules in order to continue in the reclassified position.

An amendment proposed to 7 MCAR § 1.238 D. 2. establishing a sixty-day grace period during which the appointing authority must take action on a reallocation or change in allocation, makes the rule consistent with Public Welfare and Public Safety rules.

Finally, minor amendments are proposed to 12 MCAR § 2.[illegible]3 D., 7 MCAR § 1.238 D. and 11 MCAR § 1.2093 D. re-numbering paragraphs of these sections and are necessary due to the proposing of a new paragraph 1. Other proposed amendments serve to remove superfluous language.

E. COMPENSATION PLAN

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

Amendments throughout these rules include providing titles for numbered sections to assist the reader in determining the content of the section, correcting grammatical errors and eliminating superfluous language. Additionally, the Revisor's office has split the former compensation plan rule for Health (7 MCAR § 1.239) into several separately numbered rules (7 MCAR §§ 1.239-1.2398). Several amendments are proposed to 12 MCAR § 2.494 A. 1., 7 MCAR § 1.239 A. and 11 MCAR § 1.2094 A. 1. which are designed principally to obtain relatively consistent language among the three sections. The primary change being proposed is to emphasize the importance of gathering salary data for similar positions to those in the Merit System as a factor in developing and making salary recommendations.

Amendments proposed to 12 MCAR § 2.494 A. 2., 7 MCAR § 1.239 B. and 11 MCAR § 1.2094 A. 2. are necessary to establish in rule form the fact that the process of proposing and amending the compensation plan is subject to the rulemaking provisions of the administrative procedures act prior to final adoption. Other proposed amendments to these provisions are grammatical in nature.

An amendment proposed to 12 MCAR § 2.494 A. 3. eliminates current language of this provision which is unnecessary since the procedure for amending the compensation plan is contained in amendments to 12 MCAR § 2.494 A. 2.

Other proposed amendments to 12 MCAR § 2.494 A. 3., 7 MCAR § 1.239 C. and 11 MCAR § 1.2094 A. 3. add new language which more accurately describes the makeup of the comprehensive compensation plan. The most significant change being proposed for the various salary plans involves reducing the number of compensation plans for clerical employees from the current six to three. The difference between minimum salaries and maximum salaries for the same classification on the first four clerical salary plans is less than 4% which is considerably less than the difference between minimum and maximum salaries for classifications on the various professional and support salary plans. The

proposed amendment is necessary to provide significant differences in salary between the alphabetically designated clerical salary plans and yet preserve the flexibility of appointing authorities to choose from among three plans when adopting a salary plan for clerical employees. Additionally, three salary plans for clerical employees is consistent with the number of plans available to appointing authorities for professional and support employees.

Amendments proposed to 12 MCAR § 2.494 B., 7 MCAR § 1.2391 and 11 MCAR & 1.2094 B. strike current language and re-number the paragraphs of the sections. The new language does not change any of the former provisions of these rules to any significant degree but is designed to provide more clarity of language to the sections. New language still provides appointing authorities with a choice of salary plans, allows them to establish their own salary ranges within the minimum and maximum salaries of the plan they have chosen and allows them to amend their adopted compensation plan by resolution. Certain rule references are also changed which are necessary due to the merging of 12 MCAR § 2.516, 7 MCAR § 1.260 and 11 MCAR § 1.2116 with 12 MCAR § 2.494, 7 MCAR § 1.239-1.2398 and 11 MCAR § 1.2094.

Amendments proposed to 12 MCAR § 2.494 C., 7 MCAR § 1.2391 and 11 MCAR § 1.2094 C. strike the current language of this section. The process of amending the adopted compensation plan is already provided for by proposed new language elsewhere in these rules. It is not reasonable to require the appointing authority to give the Merit System 30 days advance notice of its intent to amend its compensation plan. What is important is that our office be notified as soon as possible after the change is made so that subsequent payroll abstracts may be appropriately audited. Such language requiring subsequent prompt notice is already proposed as an amendment to these rules.

Amendments to 12 MCAR § 2.494 D., 7 MCAR § 1.2392 and 11 MCAR § 1.2094 D. involve re-numbering and re-lettering this section, strike current language of three sections, and change the designation of the last three paragraphs of the section. The language proposed for repeal is unnecessary language. Since the compensation plan is part of the rules, any change proposed to the plan must include a public hearing regardless of the amount of change in salary rates in the labor market for similar and/or competing employment. In addition, all of the procedural steps to be followed in the public hearing process are clearly outlined in Minnesota Statutes, Chapter 15, and do not require repeating in the

Merit System rules. The new language proposed in 12 MCAR § 2.494 C. 3., 7 MCAR § 1.2392 C. and 11 MCAR § 1.2094 C. 3. is sufficient to describe the procedure to be followed in proposing amendments to the Merit System compensation plan.

An amendment is proposed to 12 MCAR § 2.494 C. 4. (formerly D. 7.), 7 MCAR § 1.2392 D. (formerly 1.239 D. 7.) and 11 MCAR § 1.2094 C. 4. (formerly D. 7.) which changes the maximum percentage increase that can be recommended under the cost-of-living formula contained in these provisions from 8% to 9%. This rule was promulgated subsequent to public hearing held in the fall of 1979. When the rule was proposed, the Merit System reviewed the provisions of several other cost-of-living formulas existing in other public jurisdictions. Of those that placed a limit on the amount of adjustment generated by the formula, 8% was the most often used percentage. It now appears that a limit of 9% on such adjustments is more appropriate, given the percentage amount of general wage adjustments which have occurred in the past year in other jurisdictions to which the Merit System has traditionally compared its salaries and the provisions of current cost-of-living wage formulas.

Minor amendments are proposed to 12 MCAR § 2.494 E. and 11 MCAR § 1.2094 E. changing the alphabetic designations of these sections to D. and to 7 MCAR § 1.239 E. changing the rule designation to 7 MCAR § 1.2393. Other minor amendments are proposed to provide more appropriate terminology for these sections.

Amendments to 12 MCAR § 2.494 F., 7 MCAR § 1.239 F. and 11 MCAR § 1.2094 E. change the alphabetic or numerical designation of these sections and substitute new language for all of the current language of these sections. The new language continues the general policy that appointments are normally to be made at the minimum salary for the class, that appointments above the minimum may be proposed on the basis of exceptional qualifications, that such appointments must be made to an established step in the range, that all candidates with similar exceptional qualifications be offered the same rate of pay and that requests to appoint above minimum be justified in writing to the Supervisor for prior approval. The new language also provides that these provisions would not apply if the matter of hiring salaries were the subject of a collective bargaining agreement provision. If an exclusive representative and an appointing authority wish to negotiate an agreement covering this issue, they have every right to do so

without intervention by the Merit System. For this reason, the first sentence of the new language is worded to exclude such situations. The new language provides that the unavailability of candidates at the minimum rate of pay may provide the basis for a request to appoint above the minimum. This is a situation which, on occasion, is faced by appointing authorities and needs to be legitimately recognized in rule form. The biggest change represented by the new language over the previous language is that the appointing authority is no longer required to raise the salaries of current employees in the same class who are paid less than the new appointee to the same level when such an appointment is justified on other than the basis of exceptional qualifications. There are occasions where it is necessary to offer a salary above minimum to a candidate to avoid offering the candidate a pay cut. The candidate's qualifications may not be "exceptional" when compared to other candidates but, because of relevant experience or labor market salaries, they are earning more than the minimum rate of pay and their value to the agency is greater than other candidates. In these situations, the facts have to be reviewed on an individual basis and requests made on the basis of those facts. In the opinion of the Merit System, the old language mandated too harsh a penalty to the employer wishing to make such an appointment above the minimum. It should be pointed out that the new language also requires appointing authorities to consider the salaries of current employees in the same classification before requesting approval to make an appointment above the minimum rate of pay.

The proposed new language in 12 MCAR § 2.494 F. 1. and F. 2. a. through f., 7 MCAR § 1.2395 B. 1. through 6. and 11 MCAR § 1.2094 F. 1. and F. 2. a. through f. are intended to provide more specific terminology and clarity to those provisions but do not change the intent of the previous language in 12 MCAR § 2.516, 7 MCAR § 1.260, and 11 MCAR § 1.2116 which is to prescribe the effect of recommended Merit System salary adjustments on the salaries of individual employees depending upon their circumstances and the amount of the general adjustment adopted by the various agencies.

Section g. is proposed to 12 MCAR § 2.494 F. 2. and 11 MCAR § 1.2094 F. 2. and Section 7 is proposed to 7 MCAR § 1.2395 B. relating to the effect of adopted general wage adjustments on the salaries of employees who are at the maximum rate of pay for their class. Currently, the amount of general wage adjustment that can be received by an employee at the maximum rate of pay for their class is limited by the Merit System recommended general adjustment even if the agency

adopts a higher percentage adjustment. As an example, if the Merit System adopted general adjustment is 7% and the agency adopted adjustment is 9%, an employee whose salary is at the maximum rate of pay can only receive a 7% adjustment in salary since to grant more than that would place the employee's salary above the maximum rate of pay for their class. The proposed new section addresses this issue while still maintaining the integrity of adopted salary ranges for employees. The language would allow an appointing authority to grant an employee the annual equivalent of the difference between the Merit System adopted adjustment and the agency adopted adjustment in the form of a single lump-sum payment but still requires that the employee's base salary remain within the adopted salary range for their class. Also, the language provides that appointing authorities, if they wish to implement this provision, must do so by resolution prior to implementation. However, this is no different than the present practice of requiring appointing authorities to amend their compensation plan by resolution.

Section h. is proposed to 12 MCAR § 2.494 F. 2. and 11 MCAR § 1.2094 F. 2. and Section 8. is proposed to 7 MCAR § 1.2395 B. which would allow an appointing authority to propose a salary increase for an employee based on unusual employment conditions that prevail in an agency. It is necessary to designate such increases as salary increases to differentiate them from merit increases granted on the basis of job performance or salary adjustments based on cost of living factors, wage rates for similar jobs and/or labor market conditions. The concept is similar to one utilized by the state personnel system that applies to state employees. Although it is not anticipated that this provision will be utilized to any substantial degree, certain personnel actions such as reassignments, temporary assignment of additional duties to an employee or temporary project assignments of a priority nature may create an unusual employment condition situation. The provision is not mandatory but allows for flexibility in salary administration to address the effects of certain personnel actions of an unusual nature which under current language cannot be addressed by appointing authorities. Under the proposed language of this section proposals must be justified in writing and submitted to the Supervisor for prior approval or disapproval. Since any salary increase granted in accordance with the proposed new language of these sections is not related to employee performance or a general salary adjustment, the receipt of such an increase does not affect an employee's eligibility for subsequent merit increases or salary adjustments. Finally, the new language provides that an employee's

salary be reduced to its previous level if the increase granted was for a temporary situation and that situation has ended.

The language in 12 MCAR § 2.494 F. 3., 7 MCAR § 1.2395 C. and 11 MCAR § 1.2094 F. 3. provides for a recommended 8% general salary adjustment for employees on the various salary schedules. This is necessary to provide for competitive salary adjustments in 1982 for employees covered by the Merit System. The adjustments being recommended are to be effective in January of 1982. The rationale for the proposed 8% general adjustment is based on 1982 salary adjustments in other public personnel jurisdictions to which the Merit System has traditionally compared its salaries as well as other measures of general wage increases in the economy and the escalation in the cost of living. Hennepin County has agreed to grant a 9% general salary adjustment to its organized employees effective January 1, 1982. St. Louis County has agreed to grant both its Civil Service and Merit System employees an 8.5% general salary adjustment effective January 1, 1981. The City of Minneapolis granted its Fire and Police personnel as well as employees in other bargaining units an 8.5% general adjustment effective July 1, 1981. Both the City of St. Paul and Ramsey County are currently engaged in salary negotiations for 1982 and information is not available relative to possible settlements in those jurisdictions. The federal government has agreed to a general salary adjustment of 4.8% effective in October, 1981. The state of Minnesota recently negotiated a settlement with some 18,000 employees which provided for general salary adjustments of 8% or 58 cents per hour, whichever was greater, effective August 11, 1981. In addition, the state granted general wage adjustments of 8% or 51 cents per hour, whichever was greater, to its confidential employees effective July 1, 1981. Two other Midwest states which have settled in 1981 on general wage agreements for their employees of 8% include Illinois and Iowa. The Employment Cost Index computed quarterly by the Bureau of Labor Statistics which measures increases in wages and salaries on a nationwide basis increased by 9.3% during the period June, 1980, to June, 1981. The Twin City Cost of Living index rose by 11.4% for the period June, 1980, to June, 1981. According to the Bureau of Labor Statistics, pay rates for office clerical workers in the Twin City area rose, during calendar year 1980, an average of 11.6%. Given the size of adjustments agreed to by other public jurisdictions and other measures of economic activity, it is reasonable to recommend that the salaries of Merit System employees be increased by 8% effective January 1, 1982, or on the beginning date of the first payroll period following January 1, 1982, for agencies on a biweekly or four-week payroll period.

It should be emphasized that the recommended adjustment does not apply to employees covered by the provisions of a collective bargaining agreement where compensation matters are the product of negotiation. Additionally, in those agencies that do not have a collective bargaining agreement, appointing authorities are free to adopt a general wage adjustment for all employees that differs from that recommended by the Merit System. If these recommendations are adopted, the only requirement for agencies would be that employees must at least be at the new minimum salary rate for their class on the particular salary schedule adopted by their agency.

In general, the language proposed in 12 MCAR § 2.494 G.-I., 7 MCAR § 1.2396-1.2398 and 11 MCAR § 1.2094 G.-I. does not significantly differ from that which was previously in 12 MCAR § 2.516, 7 MCAR § 1.260 and 11 MCAR § 1.2116. However, some major differences are mentioned below.

The proposed language in 12 MCAR § 2.494 G. 2., 3., 4., 5. and 6., 7 MCAR § 1.2396 A.-F. and 11 MCAR § 1.2094 G. 2., 3., 4., 5. and 6. include the phrase "In those agencies that have adopted a merit increase policy." The reason for the proposed language is that the Merit System rules do not require that all agencies have a merit increase policy even though it is considered good personnel management practice to do so. Several appointing authorities have, by resolution, abolished merit increase policies in their respective agencies. Therefore, it is necessary that the Merit System rules relating to increases reflect current practice.

The proposed language in 12 MCAR § 2.494 G. 5., 7 MCAR § 1.2396 E. and 11 MCAR § 1.2094 G. 5. allows appointing authorities to grant extraordinary merit increases to employees for completion of relevant additional coursework without the approval of the Merit System Supervisor.

Language proposed in 12 MCAR § 2.494 G. 6., 7 MCAR § 1.2396 F. and 11 MCAR § 1.2094 G. 6. allows an appointing authority to grant a merit increase to an employee whose salary is either at or above the maximum rate of pay for their class. Without such language, an employee whose salary meets or exceeds the maximum salary for their class would continue to be ineligible for merit increases based on performance. An employee's level of performance is not necessarily related to their position in the salary range for their class and their salary should not restrict such employee from an opportunity of being

rewarded for meritorious performance. The new language addresses this issue and yet preserves, to the extent possible, the salary range adopted for the employee's class. Merit increases granted under this proposed new section would be in the form of lump-sum payments with the employee's base salary remaining at the level reached immediately prior to the merit increase. This is similar to language proposed relative to salary adjustments in 12 MCAR § 2.494 F. 2. g., 7 MCAR § 1.2395 B. 7. and 11 MCAR § 1.2094 F. 2. g. The new language also requires that appointing authorities formally establish such a policy prior to the period during which the increases are to be effective and is necessary to avoid their being deemed as "gifts" for which no consideration was given in return. There is precedent for a provision of this kind inasmuch as the state of Minnesota provides for the granting of achievement awards based on performance to state employees who are at or above the maximum rate of pay for their class.

Section I. is proposed to 12 MCAR § 2.494 and 11 MCAR § 1.2094 and 7 MCAR § 1.2398 is proposed relating to work out of class situations. Quite often, due to leaves of absence, a position becomes temporarily unoccupied. Rather than hiring a temporary employee to fill the position, appointing authorities will sometimes assign the duties of the position to an employee in a lower classification. If the salary of the employee so assigned is below the minimum rate of pay for the higher class, the new language requires that the employee's salary be raised to the minimum of the higher class. If the employee's salary is within the range for the higher class, the new language provides appointing authorities with the opportunity to grant a salary increase to employees assigned to work out of class. The rationale for the new section is to either require or allow for the rewarding of employees who are assigned the responsibilities of a higher level position by their employer. Other provisions of the new language preserve the current salary of an employee temporarily assigned to a lower level class, limit such assignments to less than six months, require approval of such assignments by the Supervisor and provide that the employee's salary shall revert to its previous level upon conclusion of the temporary assignment. Again, there is precedent for such a provision as the state of Minnesota also provides for salary increases in instances where work out of class assignments are made.

F. EXAMINATIONS

1. 12 MCAR § 2.496 and 7 MCAR § 1.242 (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.) Proposed amendments throughout these rules provides titles for numbered sections, correct grammatical errors and eliminate superfluous language, where appropriate. Additionally, the Revisor's office has split the examination rule for Health (7 MCAR § 1.242) into several separately numbered rules (7 MCAR §§ 1.242-1.2427).

The first proposed amendment is to 12 MCAR § 2.496 A. 1. and substitutes "Public Welfare and Public Safety Merit Systems" for "county welfare service" and is necessary to provide a correct reference to those systems requiring entrance examinations.

A second amendment proposed to 12 MCAR § 2.496 A. 1. and 7 MCAR § 1.242 A. strikes the word "open" from the first sentence of these sections referring to open-competitive examinations. Competitive examinations imply open competition so the term "open" is superfluous.

Another proposed amendment to 12 MCAR § 2.496 A. 1. and 7 MCAR § 1.242 A. strikes all current language of this section after the second sentence and substitutes the following language: "The Supervisor shall determine the content of all examination processes which may include, but are not limited to, performance tests, written examinations, ratings of experience and training, promotional ratings and oral examinations." Current language in these sections is too specific to provide the flexibility needed in determining the appropriate examination process to be used for different positions and is also inaccurate in terms of current practice. For instance, ratings of experience and training are not part of the examination process for all professional positions. It is reasonable to allow for flexibility in rules relating to the determining of examination procedures and to provide that flexibility to those responsible for having the technical competence to administer the examination program which is the Merit System staff.

Minor amendments to 12 MCAR § 2.496 A. 3. and 7 MCAR § 1.242 C. strike the words "structured technical" and "practical" when referring to oral and written examinations, respectively. These terms are superfluous in that all oral examinations are structured and related to the position being examined for and written examinations are practical in that they relate to knowledges, skills and abilities necessary to successfully perform the job for which the examination is given.

Several amendments are proposed to 12 MCAR § 2.496 B. and 7 MCAR § 1.2421. The first proposed amendment substitutes the word "announce" for "give public announcement of" and is proposed merely for grammatical reasons. The next proposed amendment to B. substitutes "two" weeks for "three" weeks as the minimum amount of time that the Merit System must keep an examination open for application. This is necessary since three weeks has often proven to be too long a period of time. County agencies frequently have a need to fill vacancies quickly. Keeping the application period open for three weeks often delays the establishment of the eligible register. Again, this is merely the minimum amount of time. If it is felt by a particular agency that the examination application period should be longer than two weeks, the rule still provides that the Merit System may keep it open for a longer period. A minor amendment to 12 MCAR § 2.496 B. strikes the phrase "county welfare service" and substitutes "Public Welfare and Public Safety Merit Systems" in its place. The new language is more definitive and provides a correct reference to those systems for which examination notices are announced. Additionally, positions covered by the Public Welfare Merit System rules fall under the jurisdiction of county boards and human services boards as well as county welfare boards. Another minor amendment to this section is to strike the reference to the masculine gender when referring to the Merit System Supervisor.

Another amendment to 12 MCAR § 2.496 B. and 7 MCAR § 1.2421 substitutes "appointing authority" for "welfare director and county welfare boards" and for "local Public Health Offices and Boards of County Commissioners." The definition of appointing authority now includes county boards and human services boards in addition to county welfare boards and is therefore a more appropriate and correct term to use in this context. Additionally, this amendment, along with others of a similar nature, is being proposed to change all specific rule references relative to an employer to the more generic term of appointing authority.

The last amendment to 12 MCAR § 2.496 B. and 7 MCAR § 1.2421 proposes to strike the language that requires an applicant to pass each part of the examination process. While this is, and will continue to be, the primary scoring method used by the Merit System, there may be instances where compensatory scoring is justified. By compensatory scoring is meant allowing a passing score in one part of the examination to compensate for a below passing score in another part of the examination to the extent that, when scores are averaged, the final score attained by the applicant is passing.

An amendment to 12 MCAR § 2.496 C. and 7 MCAR § 1.2422 strikes all of the current language in paragraph 2 of these sections and substitutes new language. Current language is obsolete and out-dated. The first and third sentences are incorrect inasmuch as applicants do complete an identification sheet containing their name and address at the time of the examination which is information essential to the examination scoring process. The second sentence, while correct, is not sufficiently significant for inclusion in rule form. The last sentence is already provided for in 12 MCAR § 2.495 C. 2. and 7 MCAR § 1.241 B. 2. of the rules. The new language is designed to cover instances of cheating by applicants in an examination. While it is not a significant problem, instances have occurred in the past which need to be addressed in the rules. While there is some reason to believe that current language also attempts to address this same issue, the language is awkward and obtuse.

A proposed amendment to 12 MCAR § 2.496 D. 1. and 7 MCAR § 1.2423 A. would strike language requiring an applicant to pass each portion of the examination to continue in the examination process. Again, the current language prohibits the use of compensatory scores where appropriate and the proposed change is necessary to allow for such flexibility.

Proposed amendments to 12 MCAR § 2.496 D. 2. and 7 MCAR § 1.2423 B. eliminates the Merit System Council from being involved in the examination scoring process and recognizes the current practice of having examination passing points established by the Supervisor. The Merit System Council does not involve itself now in the examination scoring process. It would be impractical and a disservice to the county agencies to have the scoring of examinations delayed so that the Council could assist in the process. These changes are necessary to recognize both practicality and present practice.

Proposed amendments to 12 MCAR § 2.496 E. and 7 MCAR § 1.2424 strike all current language contained in paragraph 2 of these sections. In practice, the Merit System does not routinely verify applicant training and experience. In view of the number of applications received and the constraints of time and staff, it would be impractical to do so. If there appears to be a compelling reason to do it in individual situations, the Merit System does pursue verification. The purpose of these proposed amendments is to bring the rules into conformity with current practice.

Proposed amendments to 12 MCAR § 2.496 F. and 7 MCAR § 1.2425 substitute "examination" for "interview or oral test;" substitutes "select" for "appointment;" and provides for the plural of "board." The use of oral examination is a more precise term in this context since an oral interview is not necessarily a part of the formal examination process. Select is a preferable term to appoint since it does not have the connotation of an employer-employee relationship.

A final amendment to 12 MCAR § 2.496 F. and 7 MCAR § 1.2425 provides needed flexibility to allow an oral examination board member to rate an applicant even though personally acquainted with the applicant. Current language requires the board member to decline to rate an applicant known to the board member. If objectivity can be maintained in spite of this and no objection is raised by either party, the opportunity to rate the applicant should be offered the board member.

A proposed amendment to 12 MCAR § 2.496 and 7 MCAR § 1.2426 would strike the entire section entitled "H. Special Written Tests." Elsewhere in the Public Welfare and Public Health Merit System rules, provision is made for applicants to appeal their examination ratings to the Merit System Council. The Council may allow the applicant to repeat the original examination if it was found that a substantial error occurred in the original administration of the examination. In light of those provisions there is no justification for continuing this provision as well in the rules.

Proposed amendments to 12 MCAR § 2.496 I. include redesignating this section to H. in light of the proposed amendment to strike the current section H. from the rules and creating a new rule (7 MCAR § 1.2427) relating to examination records; adding the word "examination" to further define the kind of records to be maintained and striking the phrase "pertinent to the county welfare examination programs" and "pertinent to the Public Health Merit System examinations" since the examination program of the Merit System extends to employees of human services boards and county boards and use of the terminology "county welfare examination program" or "Public Health Merit System examinations" could imply to the reader that the examination program only extends to employees of county welfare boards or public health systems.

G. CERTIFICATION OF ELIGIBLES

1. 12 MCAR § 2.498 and 7 MCAR § 1.244 (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.)

Minor amendments to these two rules involve provisions of titles to those numbered sections, correct grammatical errors and eliminate superfluous language, where appropriate. Again, the Revisor's office has split the certification rule for Health (7 MCAR § 1.244) into several separately numbered rules (7 MCAR §§ 1.244-1.2443).

Amendments are proposed to 12 MCAR § 2.498 B. and 7 MCAR § 1.2441 that substitute "an appointing authority" for "a county welfare or human service board," strike the word "promotion" from the first sentence and add the word "a" to the first sentence. These changes are necessary since a county board is also an appointing authority as defined by the rules and a requisition is needed when a position is to be filled by promotion. The third amendment is proposed merely for grammatical purposes.

Other proposed amendments to 12 MCAR § 2.498 B. and 7 MCAR § 1.2441 remove the Council from the approval process relative to requests for certification of eligibles with special qualifications and provides for the reporting of requests approved by the Supervisor to the Council. These amendments are proposed so that the rules conform to current practice. When such requests are received now, the Supervisor reviews them and either approves or disapproves them after consulting, as necessary, with the appointing authority. Those that

are approved are then reported to the Council at their next meeting. To require approval of such requests by the Council would unduly slow the process of acting on the requests in a timely manner.

Amendments proposed to 12 MCAR § 2.498 C. 1. and 7 MCAR § 1.2442 A. add new language providing for the certification of names from the appropriate reemployment register to appointing authorities for their consideration. Again, the purposes of the latter amendment is to bring rule language into conformance with current practice which is to certify such names if available.

Proposed amendments to 12 MCAR § 2.498 C. 2. and 7 MCAR § 1.2442 B. changes the reference to a promotional register from plural to singular, strikes "and reemployment register" and provides new language similar to the previous amendment calling for the certification of names from the appropriate reemployment register to appointing authorities for their consideration. As in the case of the previous proposed amendment, the latter amendment to these sections is designed to bring rule language into conformance with current practice.

A proposed amendment to 12 MCAR § 2.498 C. 3. substitutes the word "fewer" for "less", and a similar amendment to 7 MCAR § 1.2442 C. is being proposed.

A proposed amendment to 12 MCAR § 2.498 C. 4. and 7 MCAR § 1.2442 D. adds the language "who are eligible for appointment" to the sections. In many cases, the Merit System certifies the names of additional eligibles from the register who, because of lower examination scores, do not rank within the group of eligibles referred to in 12 MCAR § 2.498 C. 1. and 2. and 7 MCAR § 1.2442 A. and B. The reason for this is that, in many instances, one or more of the eligibles in the top group decline the vacant position for various reasons. By providing the extra names, the appointing authority may continue to interview eligibles when this situation occurs without having to return the requisition to the Merit System for the certification of additional names. However, these additional eligibles may not be considered for appointment unless and until one or more of the top group of eligibles declines the position. If this occurs, the additional eligibles may be offered the position in rank order according to their position on the eligible list. In other words, if one of the top seven eligibles on a competitive certification

declines the position, it can be offered to the eighth ranked eligible on the list; if two of the top seven eligibles decline the position it can be offered to the ninth ranked person on the list, and so forth. The current language of these two sections implies that all certified candidates are eligible for appointment which is incorrect in light of the above facts. The proposed amendment is necessary to correct that implication and to bring rule language into conformance with current practice.

Finally, additional proposed amendments to the Health rules involve provision of titles for sections with alphabetical or numerical designations, the re-numbering of 7 MCAR § 1.244 D. to 7 MCAR § 1.2443, and substituting the word "receiving" for the phrase "receipt of."

H. PROBATIONARY PERIOD

1. 12 MCAR § 2.500 and 7 MCAR § 1.246 (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.)

Amendments to 7 MCAR § 1.246 were made by the Revisor's office which changed the numerical or alphabetical designations of various sections.

The first proposed amendment to 12 MCAR § 2.500 B. 1. and 7 MCAR § 1.246 B. 1. substitutes "an appointing authority" for "a county welfare department" and "a local Public Health agency" and is being proposed for the same reasons as stated elsewhere in this statement for similar changes. Some minor changes are also made to punctuation in this section to make it easier to understand. Minor amendments are proposed to 12 MCAR § 2.500 B. 1. c. and 7 MCAR § 1.246 B. 3. removing parenthesis and improving the section grammatically.

An amendment to 12 MCAR § 2.500 C. and 7 MCAR § 1.246 D. substitutes the phrase "equivalent of the first six full months of compensated service" for "first six full months of actual service" in determining the duration of the probationary period. It has been the practice of the Merit System to extend an employee's probationary period by however much time the employee is away from work during the probationary period. A recent question over the duration of the probationary period was presented to the Merit System Council and the Council requested that a more specific definition of the duration of the probationary period be developed. The proposed amendment is the result of that

requested change and provides that compensated leave taken during probation does not extend the probationary period but uncompensated leave taken during probation does extend the period.

The next amendment proposed to 12 MCAR § 2.500 C. and 7 MCAR § 1.246 D. adds new language which provides for one exception to the previous amendment relating to short unpaid absences during the probationary period that total fewer than 10 working days. Such absences do not impede the ability of the appointing authority to evaluate the employee's capability of performing the job so that a decision can be made to grant or not grant permanent status upon completion of the probationary period. This language is similar to language contained in the Minnesota Department of Employee Relations personnel rules.

A proposed amendment to 12 MCAR § 2.500 D. 1. and 7 MCAR § 1.246 E. allows appointing authorities to propose the extension of a probationary period for up to three months. Some agencies have expressed a desire for that flexibility and, since current language only allows for a full three month extension, we are proposing this amendment to the rules to accommodate the requested flexibility. A minor amendment proposed to 12 MCAR § 2.500 D. 1. and 7 MCAR § 1.246 E. substitutes "necessary" for "required in this instance" and is made for strictly grammatical purposes.

Amendments to 12 MCAR § 2.500 D. 2. and 7 MCAR § 1.246 E. eliminate the requirement that the Supervisor investigate all requests for the extension of a probationary period since, in practice, the Supervisor does not routinely investigate all such requests. The Supervisor is simply not in a position to appropriately judge the job performance of a probationary employee and this amendment is proposed to conform to present practice. A second amendment is proposed to these sections substituting "initial" for "six months" since not all original probationary periods are exactly six months in length.

A minor amendment to 12 MCAR § 2.500 D. 3. and 7 MCAR § 1.246 E. substitute "decision" for "determination" and is made for grammatical reasons.

An amendment to 12 MCAR § 2.500 E. 1. and 7 MCAR § 1.246 F. strikes the language "provided that his name is certified in accordance with these rules from an eligible register established as a result of a competitive examination process." This change is necessary due to the proposed amendment to 12 MCAR § 2.493 D., 7 MCAR § 1.238 D. and 11 MCAR § 1.2093 D. which provide that incumbents of positions that are reallocated may be promoted without examination and therefore without the necessity of being on an eligible list.

An amendment to 12 MCAR § 2.500 E. 2. and 7 MCAR § 1.246 F. makes it mandatory that a probationary employee who is promoted continues to complete his/her probationary period in the lower class by service in the higher class. This represents current practice in the Merit System as well as other public personnel jurisdictions and the change is necessary to reflect current practice.

An amendment to 12 MCAR § 2.500 F. and 7 MCAR § 1.246 G. substitutes "under" for "in" and "appointing authority" for "county welfare board" and "local Public Health agency" so that consistent and accurate language is utilized throughout the Public Welfare and Health Merit System rules relating to the employer.

A minor amendment to 12 MCAR § 2.500 F. and 7 MCAR § 1.246 G. strikes the language "or area sub-register of the state-wide" which is redundant since that is what a county register is.

A minor amendment to 12 MCAR § 2.500 G. and 7 MCAR § 1.246 H. substitutes the word "new" for "complete." Since an employee who demotes begins service in a different class, the term "new" is more appropriate.

An amendment to 12 MCAR § 2.500 H. 1. and 7 MCAR § 1.246 I. requires the appointing authority to notify a probationary employee of the reasons for dismissal as well as to provide a copy of those reasons to the Supervisor. Although this has been the general practice in such instances, it has never been clarified in rule language.

A minor amendment to 12 MCAR § 2.500 I. 2. substitutes "12 MCAR § 2.500" for "these rules" and provides a more correct reference for Section 1.

An amendment to 12 MCAR § 2.500 I. 3. strikes the language "Commissioner of Public Welfare and the" since current practice is that these instances are reported to the Council and printed in the Council minutes but are not reported separately to the Commissioner of Public Welfare inasmuch as no action is required of him under the rules. Another minor amendment corrects the reference to Section 2. Other amendments to 12 MCAR § 2.500 I. and 7 MCAR § 1.246 J.-L. are designed to correct grammar, eliminate references to the masculine gender and, in general, provide consistency of language between the Public Welfare and Health rules.

I. SEPARATION, TENURE AND REINSTATEMENT

1. 12 MCAR § 2.503 and 7 MCAR § 1.249 (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.)
Minor amendments are proposed to 12 MCAR § 2.503 B. 2. and 7 MCAR § 1.249 B. 2. which correct certain rule references made necessary by other proposed amendments to 12 MCAR § 2.508 (renumbered to 12 MCAR § 2.5081) and 7 MCAR § 1.254 (renumbered to 7 MCAR § 1.2541) and which strike the current reference to the dismissal procedure for veterans which is already contained in 12 MCAR § 2.5081 and 7 MCAR § 1.2541.

The first proposed amendment to 12 MCAR § 2.503 C. and 7 MCAR § 1.249 C. substitutes the words "just cause" for "delinquency or misconduct" in describing the basis for suspension of an employee. Suspensions are based on issues other than just delinquency or misconduct and the use of "just cause" brings the language of this section into conformance with rule language concerning dismissals which also uses the term "just cause."

A second amendment to 12 MCAR § 2.503 C. and 7 MCAR § 1.249 C. provides that suspensions of five or less consecutive working days or ten or less working days in a calendar year are not appealable to the Council. New language being proposed to 12 MCAR § 2.5081 and 7 MCAR § 1.2541 will provide that suspensions

of greater than five consecutive working days or ten working days in a calendar year are appealable to the Council. Current language of 12 MCAR § 2.503 C. and 7 MCAR § 1.249 C. appear to imply that suspensions of less than 30 days are not appealable to the Council and have so been interpreted in the past. We believe this to be an unduly severe restriction on the right of an employee to have his or her case heard by the Council. Admittedly, although the choosing of five and ten days in the proposed amendment is somewhat arbitrary, it is a significant improvement over the interpretation placed on current language and guarantees the right of an employee to appeal the more severe disciplinary actions taken by appointing authorities.

Amendments proposed to 12 MCAR § 2.503 F. and 7 MCAR § 1.249 F. are primarily of a housekeeping nature. They provide a more clear heading for the section, eliminate superfluous language, clarify the fact that eligibility for reinstatement depends upon resigning in good standing and eliminates language providing for a qualifying examination in order to be eligible for reinstatement which is not current practice in the Merit System.

Similarly, proposed amendments to 12 MCAR § 2.503 G. and 7 MCAR § 1.249 G. are housekeeping in nature and provide for a clearer heading for the section and the elimination of superfluous language.

J. LEAVES OF ABSENCE

1. 12 MCAR § 2.504 and 7 MCAR § 1.250 (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.)

Minor amendments are proposed to 12 MCAR § 2.504 A. and 7 MCAR § 1.250 A. striking "this subdivision" and "subdivision" and substituting the words "appointing authority" for "board" and are being proposed for the same reason as stated elsewhere in this statement for similar changes.

Minor amendments are proposed to 12 MCAR § 2.504 B. 1. and 7 MCAR § 1.250 B. 1. which include eliminating certain language to make the meaning clearer and adding the word "agency" which is necessary since not all county employees are covered by these rules and also to make the sentence consistent with the definition of county agency in these rules.

Other amendments to 12 MCAR § 2.504 B. 1. and 2. and 7 MCAR § 1.250 C. 1. and 2. are of a housekeeping or grammatical nature.

The first two amendments to 12 MCAR § 2.504 B. 3. a. and 7 MCAR § 1.250 D. 1. are necessary to identify those categories of employees who accrue vacation leave since not all categories of employees are eligible to accrue such leave.

The next amendment to 12 MCAR § 2.504 B. 3. a. and 7 MCAR § 1.250 D. 1. adds new language clarifying that limited term and provisional employees who work six months or less do not accrue vacation leave and that provisional employees who work longer than six months do accrue vacation leave. Limited term appointments are limited by the rules to a duration of six months and employees so appointed are not hired with the intent of becoming permanent employees in the agency. Occasionally a limited term employee works exactly six months before being terminated and the rule change is necessary to clearly provide that such employees do not accrue vacation leave and therefore are not entitled to vacation leave payments upon separation. Normally, provisional employees are examined and appointed from an eligible list prior to completion of six months as a provisional employee. However, to accommodate those situations where the employee serves longer than six months on a provisional appointment before being appointed, the proposed amendment is necessary to provide the employee with vacation leave accrual.

Another amendment proposed to 12 MCAR § 2.504 B. 3. a. and 7 MCAR § 1.250 D. 1. adds new language providing that employees may not use vacation leave until it has been earned and requiring appointing authorities to develop a schedule of vacation leave accrual rates for part-time employees. Although logic would dictate that a benefit cannot be utilized before it has been earned, several agencies have raised this question with the Merit System office. In view of those questions, it appears reasonable and necessary to outline this requirement

in rule language. Likewise, although all agencies grant vacation leave to part-time employees, they do not all have schedules which clearly explain their policy for the benefit of employees. Again, this amendment is reasonable and necessary to clarify in rule form that such a schedule is necessary and to properly inform part-time employees of their vacation accrual rates.

A minor amendment to 12 MCAR § 2.504 B. 3. b. and 7 MCAR § 1.250 D. 2. substitutes "accrue" for "accumulate" since accrue is the more commonly used and understood term in the context of employee benefits.

An amendment to 12 MCAR § 2.504 B. 3. c. and 7 MCAR § 1.250 D. 3. allows appointing authorities and employees flexibility in negotiating the transfer of all or a part of accrued but unused vacation leave on transfer. Current rule language prohibits such flexibility which we believe to be both desirable and reasonable. The new language does not mandate negotiations on this issue but allows it as an alternative to payment for all accrued but unused vacation leave by the agency from which the employee is transferring.

An amendment to 12 MCAR § 2.504 B. 3. d. and 7 MCAR § 1.250 D. 4. is necessary to again identify those categories of employees eligible for vacation payment upon separation and to bring the language into conformance with the proposed language in previous sections of the two rules.

A minor amendment to 12 MCAR § 2.504 B. 3. d. and 7 MCAR § 1.250 D. 4. substitutes "accrued" for "accumulated" and is proposed for the same reasons as the amendment to 12 MCAR § 2.504 B. 3. c. and 7 MCAR § 1.250 D. 3. Similar amendments which are of a housekeeping or grammatical nature are proposed to 12 MCAR § 2.504 B. 4. and 7 MCAR § 1.250 E.

An amendment to 12 MCAR § 2.504 B. 4. g. and 7 MCAR § 1.250 E. 8. provides that former Merit System employees who are either reinstated or reemployed may have their previously accrued but unused sick leave balance credited to them by their appointing authority. A similar provision is available to persons employed in state service and it has been the practice to allow such consideration to Merit System employees as well. The proposed amendment is necessary to bring the Merit System rules into conformance with practice.

Proposed new amendments to 12 MCAR § 2.504 B. 4. h. and 7 MCAR § 1.250 E. 9. allows for the transfer of all or a portion of an employee's accrued but unused sick leave on transfer or promotion between Merit System agencies. Current practice varies widely with some agencies unwilling to accept any previously accrued but unused sick leave and others willing to accept all or a portion of such accrued sick leave. The issue needs to be addressed in rule language and the intent of the new language is to continue to allow the new appointing authority discretion as to accepting any or all previously accrued sick leave for an employee transferring to or being promoted to a new appointing authority.

Proposed new amendments to 12 MCAR § 2.504 B. 2. i. and 7 MCAR § 1.250 E. 10. relate to sick leave usage and accrual of sick leave by part-time employees. The new language is similar to that proposed for 12 MCAR § 2.504 B. 3. a. and 7 MCAR § 1.250 D. 1. relating to vacation leave and is proposed for the same reasons.

Minor amendments are proposed to 12 MCAR § 2.504 B. 5. and 6 and 7 MCAR § 1.250 F. and G. to correct the reference to a state law and unnecessary alphabetical designations of sections.

A minor amendment is proposed to 12 MCAR § 2.504 B. 7. a. and 7 MCAR § 1.250 H. 1. merely to clarify that this provision applies only to full-time employees.

Three proposed amendments to 12 MCAR § 2.504 B. 7. and 7 MCAR § 1.250 H. 4., 5. and 6. involve the establishment of three new provisions relating to holiday pay. The first one merely provides that when a holiday occurs during an employee's paid vacation or sick leave period, the employee shall not be charged for the holiday. While this may seem obvious, the Merit System office has received several calls in the past from agencies requesting how to proceed in this kind of situation. In view of this, it is reasonable to establish our official position in rule language. The second proposed section defines the eligibility of all employees for holiday pay. As with the previous proposed provision, questions are directed with some regularity to the Merit System office regarding eligibility for holiday pay and the proposed new language is both necessary and reasonable to establish the policy regarding this matter in rule language. The third proposed section provides for part-time and/or intermittent employees to be granted holiday compensation on a

pro-rated basis. This provides a different base for holiday compensation than current language contained in 12 MCAR § 2.504 B. 7. a. and 7 MCAR § 1.250 H. 1. which limits holiday compensation to the number of hours an employee would have worked on that day had it not been a holiday. The current language is basically unfair to less than full-time or intermittent employees who might not be scheduled to work on a holiday but who, nevertheless, work a considerable number of hours during the payroll period in which the holiday occurs. The new language will require counties to establish a method of compensating all employees for holidays, regardless of their employment conditions. Therefore, it is proposed to abolish the current language relating to holiday compensation contained in 12 MCAR § 2.504 B. 7. a. and 7 MCAR § 1.250 H. 1. in addition to adding the new language of 12 MCAR § 2.504 B. 7. e. and 7 MCAR § 1.250 H. 6.

Amendments are proposed to 12 MCAR § 2.504 C. 4. a. and 7 MCAR § 1.250 I. 4. substituting the word "merit" for "incentive" and "salary" to correctly identify such increases and avoid confusion with the definition "salary increase" and correcting the rule reference contained in these sections made necessary by the abolishment of 12 MCAR § 2.516 and 7 MCAR § 1.260 and inclusion of their provisions in 12 MCAR § 2.494 and 7 MCAR § 1.239-1.2398.

Finally, amendments to 7 MCAR § 1.250 I. eliminate superfluous language and reference to the masculine gender.

K. APPEALS AND HEARINGS

1. 12 MCAR § 2.5081 and 7 MCAR § 1.2541 These are new numbers assigned by the Revisor's office. (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.)

Due to the rather extensive changes being proposed to the format and organizational structure of these two rules, it was felt the most appropriate approach to accomplishing the desired changes was to abolish the current language of the rules in its entirety and rewrite the rules. It is significant and should be stressed that all personnel actions that are appealable under the current language are still appealable under provisions of the proposed new language. These include appeals from examination rejection, review of examination ratings,

removal from a register, allocation decisions, denial of a merit increase and appeals from dismissal, suspension or demotion. The current provision relating to investigations and appeals of matters concerning administration of the rules is also contained in the proposed new language.

A change in the provision regarding appeals from suspensions allows for appeal to the Council from suspensions of more than five consecutive working days or ten working days in a calendar year. This language is consistent with that proposed for 12 MCAR § 2.503 C. and 7 MCAR § 1.249 C. governing suspensions.

A new general provision (A) governing the processing of appeals under these rules is being proposed. New language requires that the reason or reasons for the appeal must be included with the written appeal notice and that certain actions appealed under the provisions of a collective bargaining agreement may not also be appealed to the Council. While most collective bargaining agreements have similar language in their provisions, some are silent on this matter and such reciprocal language is needed in the rules to prohibit more than one avenue of appeal from the same personnel action. New language in this section allows the Supervisor an opportunity to propose a resolution to the appeal before placing it on the agenda for a hearing by the Council. On occasion, appeals are filed because of misinformation or a lack of knowledge on the part of the appellant as to the effect of the rules. The new language would provide for the possible resolving of such appeals short of a Council hearing on the matter but would still allow for the matter to be heard by the Council in the event any kind of resolution proposed by the Supervisor is not acceptable to either party.

L. SALARY ADJUSTMENTS AND INCREASES

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

The current language contained in these three rules is proposed to be deleted in its entirety. However, the intent of the various provisions of these rules is maintained in new language being proposed to 12 MCAR § 2.494, 7 MCAR § 1.239-1.2398 and 11 MCAR § 1.2094. It is both logical and reasonable to have all provisions relating to compensation together. Since salary adjustments and increases are an integral part of the compensation plan, it is appropriate that language relating to such provisions be included as part of the compensation plan rules.

M. SALARY COMPUTATION PROVISIONS FOR FULL AND PART-TIME EMPLOYMENT, VACATION AND SICK LEAVE PAY UPON TERMINATION, PARTIAL PAY PERIODS, OVERTIME PAY AND PART PAYMENT FROM ANOTHER SOURCE

1. 12 MCAR § 2.517, 7 MCAR § 1.261 and 11 MCAR § 1.2117

Minor amendments are proposed to 12 MCAR § 2.517 B. 1. and 2., 7 MCAR § 1.261 B. 1. and 2. and 11 MCAR § 1.2117 B. 1. and 2. correcting current references in those rules and are made necessary by inclusion of the provisions of 12 MCAR § 2.516, 7 MCAR § 1.260 and 11 MCAR § 1.2116 with 12 MCAR § 2.494, 7 MCAR § 1.239-1.2398 and 11 MCAR § 1.2094.

A similar proposed amendment is being made to 12 MCAR § 2.517 C., 7 MCAR § 1.261 and 11 MCAR § 1.2117 C. for the same reason.

An amendment is proposed to 12 MCAR § 2.517 E. 1., 7 MCAR § 1.261 E. 1. and 11 MCAR § 1.2116 E. 1. to correct references and is made necessary by the re-numbering of certain sections of 12 MCAR § 2.504 and 7 MCAR § 1.250 due to previous amendments.

Other minor amendments are corrections of a housekeeping nature and involve deletion of unnecessary numerical designations of some sections.

N. APPOINTMENT, PROMOTIONS, DEMOTIONS, TRANSFERS AND REINSTATEMENTS

1. 12 MCAR § 2.518, 7 MCAR § 1.262 and 11 MCAR § 1.2118

The amendments proposed to 12 MCAR § 2.518 A., 7 MCAR § 1.262 A. and 11 MCAR § 1.2118 A. are merely to clarify current language but do not change the meaning of the section.

Minor amendments are proposed to 12 MCAR § 2.518 B. 1., 7 MCAR § 1.262 B. 1. and 11 MCAR § 1.2118 B. 1. to eliminate reference to the masculine gender only and to clarify current language.

A minor amendment to 12 MCAR § 2.518 B. 2., 7 MCAR § 1.262 B. 2. and 11 MCAR § 1.2118 B. 2. is proposed, again, merely to clarify current language but does not change the meaning of the section.

Amendments to 12 MCAR § 2.518 C., 7 MCAR § 1.262 C. and 11 MCAR § 1.2118 C. repeal current language and propose new language to clarify the fact that the first sentence of the current language refers to employees whose salaries are above the maximum salary for the class to which they are demoted and to generally clarify other language without changing the intent of the section.

An amendment to 12 MCAR § 2.518 D., 7 MCAR § 1.262 D. and 11 MCAR § 1.2118 D. limits the amount of increase an employee can receive when transferring to the amount required to place the employee on an adopted salary step in the range for the class to which they are transferring. This has been current practice and the amendment is necessary so that the rule reflects that practice and is clarified.

Amendments proposed to 12 MCAR § 2.518 E., 7 MCAR § 1.262 E. and 11 MCAR § 1.2118 E. allow reemployed employees the same opportunity to be reappointed at their previous salary rate as former employees who are reinstated and substitutes the word "next" for "nearest" which is a more appropriate term. In the state personnel system, both reemployed and reinstated employees may be reappointed at their former salary and this change would bring the Merit System into conformance with state practice. In addition, there appears to be no justification for treating the eligibility of reemployed persons differently from those eligible for reinstatement given that the circumstances of their leaving are identical.

O. COMPENSATION PLAN

1. 12 MCAR § 2.840, 7 MCAR § 1.314 and 11 MCAR § 1.2140

These rules contain the compensation plan for all classes of positions covered by the Public Welfare, Health and Public Safety Merit System rules. Amendments to these rules are necessary in order to provide Merit System agencies with salary ranges for all classes in 1982 that are competitive in terms of salary rates being offered for comparable work found elsewhere in the public and private sector.

Merit System rules 12 MCAR § 2.494 C. 2. and 3., 7 MCAR § 1.2392 B. and 11 MCAR § 1.2094 C. 2. and 3. require that, in every odd-numbered year, the Supervisor conduct a review of changes in the level of salary rates in the labor market since the preceding adjustment of the compensation plan. The review should utilize data and findings of other labor market surveys and, to the extent possible, be based upon similar surveys and data used in previous reviews. The review must be completed and the findings reported to the Commissioner of Public Welfare, Health and Public Safety before July 31 of each odd-numbered year.

The 1981 salary survey conducted by the Merit System utilized data and findings of other labor market surveys and was based, to the extent possible and practicable, on the same sources of data and surveys in past studies to measure changes in salary rates for comparable kinds of employment. The primary basis for the proposed amendments to 12 MCAR § 2.840, 7 MCAR § 1.314 and 11 MCAR § 1.2140 are minimum and maximum salaries being paid by business and government for comparable jobs as determined by the 1981 Merit System salary survey.

The proposed amendments to 12 MCAR § 2.840 A., B., C. and D.; 7 MCAR § 1.314 A., B., C. and D and 11 MCAR § 1.2140 A. and B. are the result of salary comparisons made by the Merit System of Merit System salaries to salaries paid by other competing public and private employers for similar kinds of positions, a review of salary surveys covering similar kinds of positions and a review of other general economic indicators.

Current compensation plans from other jurisdictions included those from Hennepin, Ramsey and St. Louis counties; the city of Minneapolis; the city of St. Paul; the state of Minnesota and the federal government. Salary surveys utilized to obtain salary data used in making salary range recommendations included the Stanton survey, the state Department of Economic Security survey, the Endicott Report, the College Placement Council report, the International Personnel Management Association survey, the Bureau of Labor Statistics area wage survey, the Child Welfare League survey, United Way survey, Veterans Administration hospital salaries, the Minnesota Licensed Practical Nursing Association and Minnesota Nurses Association salary rates and two Minnesota Merit System salary surveys of other county clerical employees and public health nurses employed in county public health agencies. Economic indicators considered in making compensation plan recommendations included changes in the Twin City Consumer Price Index, changes in the Employment Cost Index as measured by the Bureau of Labor Statistics and general wage adjustments agreed to for 1982 by other public jurisdictions with similar positions. Those jurisdictions that are committed to providing a general wage adjustment in January 1982 will also adjust most of their salary ranges by the same percentage amount. The only exceptions to this are those classes where a greater or lesser percentage adjustment is called for in order to maintain a competitive salary for that kind of employment.

General wage adjustments agreed to by other jurisdictions for 1982 include a 9% increase in Hennepin County, an 8.5% increase in St. Louis County and an 8.5% increase for Fire and Police personnel as well as other bargaining unit personnel in the city of Minneapolis. In 1981, the state of Minnesota negotiated an agreement covering some 18,000 clerical and technical employees which provided for general salary increases of 8% or 58 cents per hour, whichever is greater. The state also provided for general salary increases of 8% or 51 cents per hour, whichever is greater, for confidential employees. The federal government provided a general salary adjustment for its employees of 4.8% in October of this year.

Revisions to 12 MCAR § 2.840 A., B., C. and D.; 7 MCAR § 1.314 A., B., C. and D. and 11 MCAR § 1.2140 A. and B. are needed to implement recommended salary adjustments in the Merit System compensation plan for positions in the county welfare, human services, public health and emergency services agencies. Proposed amendments to 12 MCAR § 2.840, 7 MCAR § 1.314 and 11 MCAR § 1.2140 adjust the minimum and maximum and intervening steps for all classes on all salary schedules by 8% effective January 1, 1982, with the following exceptions:

a. Welfare classes of Welfare Director I and II, Registered Nurse, Fiscal Supervisor III (formerly Accountant I), Financial Assistance Supervisor I and II; Fiscal Officer, Fiscal Supervisor I and II (formerly Accounting Officer I, II and III); Family Service Aide II and Public Health classes of Registered Nurse and Laboratory Technician minimum and maximum salaries adjusted approximately 13%.

b. Welfare classes of Family Service/Home Health Aide; Family Service Aide I and Welfare and Public Health class of Home Health Aide minimum salaries adjusted approximately 13% and maximum salaries adjusted 8%.

c. Welfare class of Mental Health Worker minimum salary adjusted 8% and maximum salary adjusted approximately 13%.

d. Welfare and Public Health class of Licensed Practical Nurse minimum and maximum salary adjusted approximately 15%.

e. Welfare, Public Health and Public Safety clerical classification minimum salaries adjusted an average of approximately 15% and maximum salaries adjusted an average of approximately 14%.

The differing adjustments proposed for the above listed classifications deserve additional comment. The adjustments proposed for Welfare Director I and II are primarily based on recruitment difficulties and the traditional salary relationship which has existed between the Social Service Supervisor I classificatic and these two classes. While supervisory personnel would be logical applicants for consideration in filling vacancies at the Welfare Director I and II levels,

overlapping salary ranges have made it less than attractive for well-qualified supervisors to seek appointment to administrative positions thereby hindering recruiting efforts. The proposed adjustment for these two classes is needed to alleviate recruiting problems that have been experienced and to increase the number of qualified applicants interested in such positions.

The proposed adjustment to Registered Nurse is based on data from the 1981 salary survey. Specific salary data from the Minnesota Nurses Association, and the Twin City Hospital Association, showed Merit System minimum and maximum salaries to be low.

The adjustment proposed for Fiscal Supervisor III (formerly Accountant I) reduces the current salary differential between this classification and the class Fiscal Supervisor IV (formerly Accountant II) from four steps to three steps. The basis for this change is simply that the difference in responsibility between these two classes is not sufficient to warrant the size of the current differential. The basic duties and responsibilities are similar for both classes with size of the agency being the main difference.

The proposed adjustments for Financial Assistance Supervisor I and II are based on a rationale similar to that for proposed amendments to the Welfare Director I and II class. Difficulties in recruiting qualified applicants for these two supervisory classes have occurred due to salary differentials existing between them and the Financial Assistance Specialist class as well as experienced financial workers at the Financial Worker II class level where little incentive exists for incumbents to apply for vacant supervisor positions. Hopefully, this adjustment will serve to alleviate some of these recruiting problems.

The proposed adjustments for Fiscal Officer, Fiscal Supervisor I and Fiscal Supervisor II (formerly Accounting Officer I, II and III) are based on data obtained from other jurisdictions which showed Merit System salaries low in comparison to comparable positions in other jurisdictions.

The proposed adjustment for the class Family Service Aide II is based on salary relationships. There has been a large differential between the salary range for this class and the salary range for the class Family Service Coordinator I which is the next higher classification in the same occupational series. Since there are some elements of coordination in the position of Family Service Aide II, a reduction in the salary differential between these two classes is both warranted and reasonable.

Data obtained during the course of the 1981 Merit System salary survey showed Merit System salaries for Laboratory Technician to be low and the proposed adjustment for this class is necessary to provide a competitive salary range for this class.

Proposed adjustments for the classes Family Service/Home Health Aide, Family Service Aide I and Home Health Aide are made necessary by salary survey data showing Merit System minimum salaries for these classes to be low.

The rationale for the proposed adjustment for the class Mental Health Worker is to equate the salary range for this class to the salary range for the class Social Worker III. Qualifications for entry into the two classes are similar and, indeed, many of the job responsibilities in both classes require similar knowledge, skills and abilities. Therefore, it is reasonable to provide similar salary ranges for these two classes.

The proposed adjustment to the class Licensed Practical Nurse is based on data from the 1981 salary survey. Salary data from other jurisdictions, particularly from Hennepin County and the state of Minnesota and consideration of the state's recent settlement with the exclusive representative of employees in this class has shown that Merit System minimum and maximum salaries for this class are low.

The proposed adjustments in the salary ranges for clerical classifications are the result of several factors. First of all, we are proposing that the number of Merit System compensation plans for clerical employees be reduced from six to three plans. Secondly, the interval between salary steps in the salary ranges for clerical classes is being lengthened to approximately the same interval that exists between salary steps in the ranges for professional and support classes. Thirdly, the interval between minimum salaries and maximum salaries for the same class on the different alphabetically-designated compensation plans has also been broadened to approximate the differential which exists between the minimum and maximum salaries for the same class on the different alphabetically-designated compensation plans for professional and support classes. Lastly, the salary data for clerical classes obtained during the 1981 Merit System salary survey showed these kinds of adjustments as being necessary in order to maintain competitive salary ranges for these classifications.

P. PROVISIONS FOR COMPUTING MONTHLY, HOURLY, LESS-THAN-FULL-TIME, BI-WEEKLY, AND FOUR WEEK SALARY RATES

1. 12 MCAR § 2.841, 7 MCAR § 1.315 and 11 MCAR § 1.2141

Minor amendments are proposed to 12 MCAR & 2.841, 7 MCAR § 1.315 and 11 MCAR § 1.2141 merely to correct rule references contained in the present language of these rules.

Q. CLASSIFICATION PLAN

1. 12 MCAR §§ 2.578, 2.579, 2.590, 2.591, 2.623, 2.720, 2.721, 2.722, 2.723, 2.724, 2.729

Proposed amendments to the above rules are necessary to revise the class specifications for ten existing classifications and to establish one new class specification. If the proposed amendment to 12 MCAR § 2.493 A. 1. removing the classification plan from the rules is adopted, these amended rules will be published in the Public Welfare Merit System manual.

a. 12 MCAR §§ 2.578, 2.579, 2.590, 2.591 and 2.623 (Financial Assistance Supervisor I, II, III and IV; Financial Assistance Specialist)

All of the proposed amendments to these five class specifications are being proposed to the minimum qualifications of education and experience sections of the specifications.

The major change in the minimum qualifications for Financial Assistance Specialist involves decreasing the number of years of financial worker experience required from three years to two years with no college; from 30 months to 18 months with two years of college; and from two years to one year with a bachelor's degree. The current minimum qualifications are viewed as excessive in view of the knowledges, skills and abilities required to perform the job and many county agencies have experienced difficulty recruiting for these positions.

The proposed changes in the minimum qualifications for Financial Assistance Supervisor I and II involve lowering the level and number of years of experience required. Again, the current minimum qualifications for these two classes are excessive in light of the knowledges, skills and abilities required to perform the job and many county agencies have experienced difficulty recruiting for these positions.

The proposed amendments to the minimum qualifications of education and experience for Financial Assistance Supervisor III involve changing the required experience from three years as a Financial Assistance Supervisor I to five years as a financial worker (three years at the senior level). This proposed change was requested by the St. Louis County Social Service Department. The St. Louis County income maintenance supervisor positions are classified as Financial Assistance Supervisor III's. Under the current minimum qualifications, individuals classified at the financial worker level in St. Louis county can not qualify for the examination for these positions. The proposed change is necessary so that individuals with a number of years of experience at the financial worker level can qualify for the Financial Assistance Supervisor III examination.

The amendments to the minimum qualifications section for Financial Assistance Supervisor IV increase the number of years of Financial Assistance Supervisor III experience required from one to three and delete Financial Assistance Supervisor II level experience from that which is credited as qualifying experience. This is being proposed since the current number of years required is not sufficient in view of the level of responsibilities of the Financial Assistance Supervisor IV positions.

b. 12 MCAR §§ 2.720, 2.721, 2.722, 2.723 and 2.724 (Fiscal Officer, Fiscal Supervisor I, II, III and IV)

The proposed amendments to the class specifications for these five classes are the result of an extensive classification study of accounting officer/accountant positions in Merit System agencies performed by Merit System staff with significant input from a committee of employees representing the Association of Minnesota Social Service Accountants, employed in such capacity in several of the agencies. The changes in class title are in recognition of the fact that most of the incumbents of these classes do have supervisory responsibilities. The change from "accounting" to "fiscal" in the class titles was a specific request of the committee which felt it was a broader and more accurate title reflecting the breadth of activity of the positions in the five classifications. Other changes proposed in the various sections of the class specifications are designed to emphasize the responsibility for analyzing, interpreting and preparing fiscal reports of

varying complexity; designing and implementing procedures to increase employee efficiency and effectiveness of fiscal operations; speaking and writing clearly and effectively; interpreting laws and policies to ensure the legality of fiscal transactions; supervising the purchasing functions of an agency, and where appropriate, planning and directing a computerized fiscal system for the agency. Changes to the minimum qualifications of education and experience serve to clarify the type of experience required to the class specifications for Accounting Officer I, II and III. Lastly, a statement is proposed to each of these class specifications indicating that the classification of positions to one of these classifications will be determined by the results of a classification study conducted by the Merit System on a biennial basis. This change merely places in writing on the class specifications whas has been, and will continue to be, current practice.

c. 12 MCAR § 2.729 (Accounting Technician)

The proposed new classification is the result of an extensive classification study of account clerk/accounting officer positions in Merit System agencies, with extensive input from a committee of employees representing the Association of Minnesota Social Service Accountants. The results of this classification study revealed the need for a new classification for those individuals who were acting as "lead workers" to other accounting staff. These individuals are, specifically, performing the following duties: assigning and reviewing the work of other accounting staff, having significant input into performance evaluations of accounting unit staff, and acting as a resource person for accounting staff. This new classification is necessary to adequately describe those positions and to ensure that that such individuals performing these responsibilities are properly classified. The illustrative examples of work, knowledges and abilities required, and minimum qualifications are reasonable in light of the duties and responsibilities assigned to this classification.

In view of the amendments being proposed to 12 MCAR § 2.493, 7 MCAR § 1.238 and 11 MCAR § 1.2093 which remove the classification plan from the rules, it is proposed to repeal 12 MCAR §§ 2.530-2.804, 7 MCAR §§ 1.269-1.313 and 11 MCAR §§ 1.2125, 1.2126, 1.2127, 1.2129 and 1.2130 consisting of the class specifications for all Public Welfare, Health and Public Safety Merit System classes.

It should be noted that, except for proposed amendments to 12 MCAR § 2.840, 7 MCAR § 1.314 and 11 MCAR § 1.2140 (the compensation plan) and amendments to 12 MCAR § 2.494 F. 3., 7 MCAR § 1.2395 C. and 11 MCAR § 1.2094 F. 3. relating to a recommended general salary adjustment for 1982, all amendments to the Minnesota Merit System rules being proposed at the public hearing were presented to the Merit System Council at an open meeting on July 17, 1981. All Merit System agencies were sent copies of the agenda including the complete text of all proposed rule amendments. In addition, all individuals and groups on the Merit System mailing list to receive copies of the Merit System Council agendas were sent the same material. The Council reviewed, considered, and discussed all of the proposed amendments, allowing for comment from interested and affected parties in attendance.

Subsequent to the Council meeting, proposed amendments to the compensation plan and for a general salary adjustment for 1982 were finalized and presented to the Council. Again, Merit System agencies and individuals and groups on the mailing list were advised of those proposed amendments and time was allowed for comment. The proposed amendments presented at the public hearing are in the form recommended for adoption by the Council to the governor and the commissioners of public welfare and health.

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: Nov. 4, 1981

STATE OF MINNESOTA

DEPARTMENT OF PUBLIC WELFARE

DEPARTMENT OF HEALTH

DEPARTMENT OF PUBLIC SAFETY

In the Matter of the Proposed Adoption of the Rules of the State Departments of Public Welfare, Health, and Public Safety Governing the Minnesota Merit System

STATEMENT OF COMPLIANCE WITH RULE-MAKING PROCEDURES

I, John M. Burman, do hereby declare that I have examined the rules and all related documents and that, based on my examination and my personal familiarity with the applicable procedures, the Administrative Procedures Act, the rules of the Office of Administrative Hearings, and the rules of the Attorney General have been followed. Any exceptions are noted below.

Special Assistant - Attorney General

Dated: April 6, 1982

In the Matter of Proposed Adoption of a New Rule and Amendments of Existing Rules of the Minnesota Merit System Governing Definitions; Statement of Policy and Means of Effecting Policy; Organization; Classification Plan; Compensation Plan; Examinations; Certification of Eligibles; Probationary Period; Separation, Tenure and Reinstatement; Leaves of Absence; Appeals and Hearings; Salary Adjustments and Increases; Salary Computation Provisions for Full and Part-Time Employment; Appointments, Demotions, Transfers and Reinstatements; and Provisions for Computing Monthly, Hourly, Less-Than-Full-Time, Bi-Weekly, and Four-Week Salary Rates.

AFFIDAVIT OF MAILING
NOTICE OF SUBMISSION TO
THE ATTORNEY GENERAL

STATE OF MINNESOTA)
)ss.
COUNTY OF RAMSEY)

Beverly Brose , being first duly sworn, deposes and says:

That on the 6th day of April , 19 82 , in the City of St. Paul, County of Ramsey, State of Minnesota, she served the attached Notice of Submission to the Attorney General by depositing in the State of Minnesota Central Mail System for United States mailing at said City of St. Paul, a copy thereof, properly enveloped, with postage prepaid, on all persons and associations who requested notice that the rules in the above-entitled matter have been submitted to the Attorney General.

Beverly Brose

Subscribed and sworn to before me
this 6 day of April , 1982.

Margaret Holt

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

In the Matter of Proposed Adoption of a New Rule and Amendments of Existing Rules of the Minnesota Merit System Governing Definitions; Statement of Policy and Means of Effecting Policy; Organization; Classification Plan; Compensation Plan; Examinations; Certification of Eligibles; Probationary Period; Separation, Tenure and Reinstatement; Leaves of Absence; Appeals and Hearings; Salary Adjustments and Increases; Salary Computation Provisions for Full and Part-Time Employment; Appointments, Demotions, Transfers and Reinstatements; and Provisions for Computing Monthly, Hourly, Less-Than-Full-Time, Bi-Weekly, and Four-Week Salary Rates.

NOTICE OF SUBMISSION TO THE ATTORNEY GENERAL

Pursuant to your request and in accordance with Minnesota Statutes, section 15.0412:

PLEASE TAKE NOTICE that the above-captioned rules have been submitted to the Office of the Attorney General on this date, April 6, 1982, for review as to form and legality. Pursuant to 1 MCAR § 1.206B., the Attorney General will not approve the rules for at least 10 calendar days after receipt to allow any person or association time to comment on the legality of the rules, after which that Office will complete its review. If you desire to comment on the legality of the above-captioned rules, you should direct your comments to the Office of the Attorney General, G-25 State Administration Building, 50 Sherburne Avenue, Saint Paul, Minnesota 55155, telephone (612) 296-7030. Please note that the above-cited rule of the Attorney General also provides that a copy of any written comments submitted to the Attorney General must be submitted simultaneously to this agency.

If you are interested in determining what changes, if any, were made in the proposed rules after the hearing/publication in the State Register and before submission to the Attorney General, you may contact Ralph Corey, Department of Public Welfare, Centennial Office Building, St. Paul, Minnesota 55155, telephone (612) 296-3996.