


# Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

Mike

# RULE REVIEW CHECKLIST

File No. 1389
DATE RECEIVED 8/07/87
REVIEW DATE 8/16/87
DUE DATE 8/21/87

APPROVED 8/20/87
DISAPPROVED
WITHDRAWN

Docket No. 05.0009.0859
ADOPTED W/O HEARING X
EMERGENCY RULE

REVISOR APPROVED
REVISOR DISAPPROVED
FIELD W/SEC.STATE
RETURNED TO AGENCY

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✓ Rule as adopted (4 copies)

✓ Notice to Solicit Outside Information/Opinion
3/2/87 Date published in State Register
none Comments

~~Petition for Adoption of a Rule~~

~~Board's Authorizing Resolution~~

✓ Proposed rule
yes Revisor's Certificate

✓ Notice of Intent to Adopt Rule
144.071 / 256.012 Statutory Authority
no / no Small Business Statement
yes / yes Expenditure of public money statement
yes / yes Signature

✓ Statement of Need and Reasonableness
no Small Business Statement
n/a Fees - § 16A.128

✓ Affidavit of Mailing Notice of Intent to Adopt Rule
6/17/87 Date (30)/25 days before adoption

✓ Publication in State Register
6/22/87 Date (30)/25 days before adoption

~~Resolution Adopting~~

✓ Findings of Fact, Conclusions & Order Adopting
7/29/87, 8/3/87 Date

~~Written requests, submissions or comments~~

✓ Declaration of attorney
James Alexander Name of SAAG representing agency

~~Notice of Submission to Attorney General~~

✓ ~~Affidavit of Mailing Notice to Attorney General~~ Certificate

SF-00006-05 (4/86)

STATE OF MINNESOTA

# Office Memorandum

DEPARTMENT : ATTORNEY GENERAL

DATE : August 21, 1987

TO : RALPH M. COREY
Minnesota Merit System

FROM : MIKE MILES
Assistant Attorney General

PHONE : 6-6555

SUBJECT : In the Matter of the Adopted Rules Relating to Merit System

The above-referenced rule has been approved as to its legality by the Attorney General on August 20, 1987.

Enclosed is the agency's copy of the approved rule. This office has already filed two copies with the Secretary of State, who will forward one copy to the Revisor of Statutes. The fourth is being retained by this division of the Attorney General's Office for its records.

Also enclosed are any petitions, requests, submission or comments received by the agency and any extra copies of documents which the agency submitted to the Attorney General.

In order for a permanent rule without a hearing to become effective, your agency must publish a notice of adoption in the State Register in accordance with Minn. Stat. § 14.27. An emergency rule becomes effective five working days after approval by the Attorney General; however, the agency must publish a notice in the State Register in accordance with Minn. Stat. § 14.34.

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

JMM:nah

Enclosures

cc: Maryanne Hruby
Executive Director
Legislative Commission to Review
Adminsitrative Rules

Duane Harves
Chief Administrative Law Judge
Office of Administrative Hearings

Department of Health

Adopted Permanent Rules Relating to Merit System

Rules as Adopted

4670.2520 EMERGENCY APPOINTMENT.

Whenever any emergency exists that requires the immediate services of one or more persons and it is not possible to obtain such persons from appropriate registers, the appointing authority may appoint a person or persons without consideration of other provisions of these rules governing appointments, except as provided in part 4670.4150. Such appointments normally shall be limited to no more than 45 working days during any calendar year for the same person; however, such appointment of the same person can be extended to 67 working days with prior approval of the supervisor. Each emergency appointment shall be reported to the supervisor in the manner prescribed by him when the appointment is made.

4670.2630 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 be made at least 15 days before the end 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.

The supervisor's decision on the request shall be given to the agency and the employee at least five 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.

REPEALER. Minnesota Rules, parts 4670.2720 and 4670.2970 are repealed.

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

AUG 21 1987

Joan Anderson Growe
Secretary of State

10:10 AM

APPROVED AS TO FORM AND LEGALITY

8/20 19 87

HUBERT H. HUMPHREY, III
ATTORNEY GENERAL

BY _____
ASSISTANT ATTORNEY GENERAL

Department of Human Services

Adopted Permanent Rules Relating to Merit System

Rules as Adopted

9575.0670 EMERGENCY APPOINTMENT.

Whenever an emergency exists that requires the immediate services of one or more persons and it is not possible to obtain such persons from appropriate registers, the appointing authority may appoint a person or persons without consideration of other provisions of these rules governing appointment, except as provided in parts 9575.1410 to 9575.1450. Such appointments normally shall be limited to no more than 45 working days during any calendar year for the same person; however, such appointment of the same person can be extended to 67 working days with prior approval by the supervisor.

9575.0740 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 merit system supervisor for extension must be made at least 15 days before the end 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.

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

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.

9575.1500 COMPENSATION PLAN; HUMAN SERVICES, 1987.

Subpart 1. **Professional: plan A.** The following minimum and maximum salary steps in monthly salary amounts shall be applicable to the specified classes of positions:

| | Minimum | Maximum |
|---|---|---|
| Accountant | 1597 | 2280 |
| Accounting Supervisor | 1863 | 2785 |
| Administrative Assistant I | 1992 | 2975 |
| Administrative Assistant II | 2132 | 3176 |
| Administrative Assistant III | 2542 | 3641 |
| Adult Day Care Center Supervisor | 1745 | 2602 |
| Assistant Human Services Director | 2785 | 3968 |
| Assistant Welfare Director | 3251 | 4627 |
| Auditor | 1863 | 2785 |
| Center Coordinator | 1671 | 2491 |
| Chemical Dependency Coordinator | 1631 | 2437 |
| Collection Services Supervisor II | 1745 | 2602 |
| Community-Health Services Supervisor | 1945 | 3043 |
| Community-Relations Specialist | 1786 | 2542 |
| Computer Programmer | 1526 | 2186 |
| Day Care Center Teacher | 1460 | 2186 |
| Developmental Achievement Center Director | 1826 | 2602 |
| Developmental Achievement Center Teacher | 1460 | 2186 |
| Director of Business Management I | 2085 | 2975 |
| Director of Business Management II | 2542 | 3641 |
| Director of Financial Assistance | 2542 | 3641 |
| Director of Planning | 2542 | 3641 |
| Director of Public Health Nursing I | 1863 | 2785 |
| Director of Social Services | 2542 | 3641 |
| Employment Guidance Counselor | 1397 | 1992 |
| Family Service Coordinator II | 1560 | 2132 |
| Financial Assistance Supervisor I | 1705 | 2542 |
| Financial Assistance Supervisor II | 1992 | 2975 |
| Fiscal Manager | 2280 | 3251 |
| Fiscal Officer | 1460 | 2186 |
| Fiscal Supervisor I | 1460 | 2186 |
| Fiscal Supervisor II | 1863 | 2785 |
| Gerontology Counselor | 1705 | 2542 |
| Homemaker Supervisor | 1826 | 2602 |
| Human Services Director III | 3043 | 4327 |
| Human Services Supervisor I | 1992 | 2975 |
| Human Services Supervisor II | 2385 | 3406 |
| Jobs and Training Supervisor | 1705 | 2542 |
| Medical Assistance Prepayment Project Manager | 1992 | 2975 |
| Mental Health Program Manager | 2132 | 3176 |
| Mental Health Worker | 1745 | 2602 |
| Methods & Procedures Analyst | 1671 | 2385 |
| Nutrition Project Assistant Director | 1460 | 2186 |
| Nutrition Project Director | 1905 | 2847 |
| Office Services Supervisor II | 1397 | 1992 |
| Personnel Officer | 1460 | 2186 |
| Personnel Director | 2542 | 3641 |
| Planner (Human Services) | 1826 | 2602 |
| Psychologist I | 1705 | 2542 |
| Psychologist II | 1992 | 2847 |
| Psychologist III | 2659 | 3641 |
| Public Health Educator | 1597 | 2280 |
| Public Health Nurse | 1597 | 2280 |
| Public Health Nurse (Team Leader) | 1745 | 2491 |
| Registered Nurse (A.A. Degree, 3 year Diploma, or B.S. Degree) | 1526 | 2186 |
| Resident Activity Coordinator | 1460 | 2186 |
| Sanitarian | 1460 | 2186 |
| Senior Public Health Nurse | 1745 | 2602 |

| | | |
|---|---|---|
| Senior Staff Development Specialist | 1945 | 2785 |
| Social Worker (Licensing Specialist) | 1460 | 2186 |
| Social Worker | 1491 | 2329 |
| Social Worker (Child Protection Specialist) | 1491 | 2329 |
| Social Worker (MSW) | 1705 | 2542 |
| Social Worker (Child Protection Specialist) (MSW) | 1705 | 2542 |
| Social Services Supervisor I | 1992 | 2975 |
| Social Services Supervisor II | 2186 | 3251 |
| Staff Development Specialist | 1631 | 2437 |
| Student Social Worker (Intern) | Rate proposed by appointing authority. | |
| Student Social Worker (SWEP) | Rate proposed by appointing authority. | |
| Systems Programmer Analyst | 1945 | 2659 |
| Telecommunications Analyst | 1863 | 2659 |
| Trainee | Rate proposed by appointing authority and approved by the merit system supervisor and the commissioner of human services. | |
| Volunteer Services Coordinator I | 1460 | 2186 |
| Volunteer Services Coordinator II | 1826 | 2602 |
| Welfare Director I | 2329 | 3481 |
| Welfare Director II | 2602 | 3723 |
| Welfare Director III | 2785 | 3968 |
| Welfare Director IV | 3043 | 4327 |
| Welfare Director V | 4055 | 5762 |
| Work-Experience & Training Specialist | 1745 | 2491 |

Subp. 2. **Professional: plan B.** The following minimum and maximum salary steps in monthly salary amounts shall be applicable to the specified classes of positions:

| | Minimum | Maximum |
|---|---|---|
| Accountant | 1671 | 2385 |
| Accounting Supervisor | 1945 | 2909 |
| Administrative Assistant I | 2085 | 3113 |
| Administrative Assistant II | 2229 | 3330 |
| Administrative Assistant III | 2659 | 3800 |
| Adult Day Care Center Supervisor | 1826 | 2721 |
| Assistant Human Services Director | 2785 | 3968 |
| Assistant Welfare Director | 3251 | 4627 |
| Auditor | 1945 | 2909 |
| Center Coordinator | 1745 | 2602 |
| Chemical Dependency Coordinator | 1705 | 2542 |
| Collections Services Supervisor II | 1826 | 2721 |
| Community-Health Services Supervisor | 2036 | 3176 |
| Community-Relations Specialist | 1863 | 2659 |
| Computer Programmer | 1597 | 2280 |
| Day Care Center Teacher | 1526 | 2280 |
| Developmental Achievement Center Director | 1905 | 2721 |
| Developmental Achievement Center Teacher | 1526 | 2280 |
| Director of Business Management I | 2186 | 3113 |
| Director of Business Management II | 2659 | 3800 |
| Director of Financial Assistance | 2659 | 3800 |
| Director of Planning | 2659 | 3800 |
| Director of Public Health Nursing I | 1945 | 2909 |
| Director of Social Services | 2659 | 3800 |
| Employment Guidance Counselor | 1460 | 2085 |
| Family Service Coordinator II | 1631 | 2229 |
| Financial Assistance Supervisor I | 1786 | 2659 |
| Financial Assistance Supervisor II | 2085 | 3113 |
| Fiscal Manager | 2385 | 3406 |
| Fiscal Officer | 1526 | 2280 |
| Fiscal Supervisor I | 1526 | 2280 |
| Fiscal Supervisor II | 1945 | 2909 |
| Gerontology Counselor | 1786 | 2659 |
| Homemaker Supervisor | 1905 | 2721 |

| | | |
|---|---|---|
| Human Services Director III | 3043 | 4327 |
| Human Services Supervisor I | 2085 | 3113 |
| Human Services Supervisor II | 2491 | 3562 |
| Jobs and Training Supervisor | 1786 | 2659 |
| Medical Assistance Prepayment Project Manager | 2085 | 3113 |
| Mental Health Program Manager | 2229 | 3330 |
| Mental Health Worker | 1826 | 2721 |
| Methods & Procedures Analyst | 1745 | 2491 |
| Nutrition Project Assistant Director | 1526 | 2280 |
| Nutrition Project Director | 1992 | 2975 |
| Office Services Supervisor II | 1460 | 2085 |
| Personnel Officer | 1526 | 2280 |
| Personnel Director | 2659 | 3800 |
| Planner (Human Services) | 1905 | 2721 |
| Psychologist I | 1786 | 2659 |
| Psychologist II | 2085 | 2975 |
| Psychologist III | 2785 | 3800 |
| Public Health Educator | 1671 | 2385 |
| Public Health Nurse | 1671 | 2385 |
| Public Health Nurse (Team Leader) | 1826 | 2602 |
| Registered Nurse (A.A. Degree, 3 year Diploma, or B.S. Degree) | 1597 | 2280 |
| Resident Activity Coordinator | 1526 | 2280 |
| Sanitarian | 1526 | 2280 |
| Senior Public Health Nurse | 1826 | 2721 |
| Senior Staff Development Specialist | 2036 | 2909 |
| Social Worker (Licensing Specialist) | 1526 | 2280 |
| Social Worker | 1560 | 2437 |
| Social Worker (Child Protection Specialist) | 1560 | 2437 |
| Social Worker (MSW) | 1786 | 2659 |
| Social Worker (Child Protection Specialist) (MSW) | 1786 | 2659 |
| Social Services Supervisor I | 2085 | 3113 |
| Social Services Supervisor II | 2280 | 3406 |
| Staff Development Specialist | 1705 | 2542 |
| Student Social Worker (Intern) | Rate proposed by appointing authority. | |
| Student Social Worker (SWEP) | Rate proposed by appointing authority. | |
| Systems Programmer Analyst | 2036 | 2785 |
| Telecommunications Analyst | 1945 | 2785 |
| Trainee | Rate proposed by appointing authority and approved by the merit system supervisor and the commissioner of human services. | |
| Volunteer Services Coordinator I | 1526 | 2280 |
| Volunteer Services Coordinator II | 1905 | 2721 |
| Welfare Director I | 2329 | 3481 |
| Welfare Director II | 2602 | 3723 |
| Welfare Director III | 2785 | 3968 |
| Welfare Director IV | 3043 | 4327 |
| Welfare Director V | 4055 | 5762 |
| Work-Experience & Training Specialist | 1826 | 2602 |

Subp. 3. **Professional: plan C.** The following minimum and maximum salary steps in monthly salary amounts shall be applicable to the specified classes of positions:

| | Minimum | Maximum |
|---|---|---|
| Accountant | 1745 | 2491 |
| Accounting Supervisor | 2036 | 3043 |
| Administrative Assistant I | 2186 | 3251 |
| Administrative Assistant II | 2329 | 3481 |
| Administrative Assistant III | 2785 | 3968 |
| Adult Day Care Center Supervisor | 1905 | 2847 |
| Assistant Human Services Director | 2785 | 3968 |
| Assistant Welfare Director | 3251 | 4627 |

| | | | |
|---|---|---|---|
| Auditor | | 2036 | 3043 |
| Center Coordinator | | 1826 | 2721 |
| Chemical Dependency Coordinator | | 1786 | 2659 |
| Collections Services Supervisor II | | 1905 | 2847 |
| Community-Health Services Supervisor | | 2132 | 3330 |
| Community-Relations Specialist | | 1945 | 2785 |
| Computer Programmer | | 1671 | 2385 |
| Day Care Center Teacher | | 1597 | 2385 |
| Developmental Achievement Center Director | | 1992 | 2847 |
| Developmental Achievement Center Teacher | | 1597 | 2385 |
| Director of Business Management I | | 2280 | 3251 |
| Director of Business Management II | | 2785 | 3968 |
| Director of Financial Assistance | | 2785 | 3968 |
| Director of Planning | | 2785 | 3968 |
| Director of Public Health Nursing I | | 2132 | 3043 |
| Director of Social Services | | 2785 | 3968 |
| Employment Guidance Counselor | | 1526 | 2186 |
| Family Service Coordinator II | | 1705 | 2329 |
| Financial Assistance Supervisor I | | 1863 | 2785 |
| Financial Assistance Supervisor II | | 2186 | 3251 |
| Fiscal Manager | | 2491 | 3562 |
| Fiscal Officer | | 1597 | 2385 |
| Fiscal Supervisor I | | 1597 | 2385 |
| Fiscal Supervisor II | | 2036 | 3043 |
| Gerontology Counselor | | 1863 | 2785 |
| Homemaker Supervisor | | 1992 | 2847 |
| Human Services Director III | | 3043 | 4327 |
| Human Services Supervisor I | | 2186 | 3251 |
| Human Services Supervisor II | | 2602 | 3723 |
| Jobs and Training Supervisor | | 1863 | 2785 |
| Mental Health Program Manager | | 2329 | 3481 |
| Mental Health Worker | | 1905 | 2847 |
| Methods & Procedures Analyst | | 1826 | 2602 |
| Nutrition Project Assistant Director | | 1597 | 2385 |
| Nutrition Project Director | | 2085 | 3113 |
| Office Services Supervisor II | | 1526 | 2186 |
| Personnel Officer | | 1597 | 2385 |
| Personnel Director | | 2785 | 3968 |
| Planner (Human Services) | | 1992 | 2847 |
| Psychologist I | | 1863 | 2785 |
| Psychologist II | | 2186 | 3113 |
| Psychologist III | | 2909 | 3968 |
| Public Health Educator | | 1745 | 2491 |
| Public Health Nurse | | 1826 | 2491 |
| Public Health Nurse (Team Leader) | | 2036 | 2785 |
| Registered Nurse (A.A. Degree, 3 year Diploma, or B.S.Degree) | | 1745 | 2385 |
| Resident Activity Coordinator | | 1597 | 2385 |
| Sanitarian | | 1597 | 2385 |
| Senior Public Health Nurse | | 1992 | 2847 |
| Senior Staff Development Specialist | | 2132 | 3043 |
| Social Worker (Licensing Specialist) | | 1597 | 2385 |
| Social Worker | | 1631 | 2542 |
| Social Worker (Child Protection Specialist) | | 1631 | 2542 |
| Social Worker (MSW) | | 1863 | 2785 |
| Social Worker (Child Protection Specialist) (MSW) | | 1863 | 2785 |
| Social Services Supervisor I | | 2186 | 3251 |
| Social Services Supervisor II | | 2385 | 3562 |
| Staff Development Specialist | | 1786 | 2659 |
| Student Social Worker (Intern) | Rate proposed by appointing authority. | | |
| Student Social Worker (SWEP) | Rate proposed by appointing authority. | | |
| Systems Programmer Analyst | | 2132 | 2909 |
| Telecommunications Analyst | | 2036 | 2909 |
| Trainee | Rate proposed by appointing authority and approved by the merit system supervisor and the commissioner of human services. | | |
| Volunteer Services Coordinator I | | 1597 | 2385 |

| | | |
|---|---|---|
| Volunteer Services Coordinator II | 1992 | 2847 |
| Welfare Director I | 2329 | 3481 |
| Welfare Director II | 2602 | 3723 |
| Welfare Director III | 2785 | 3968 |
| Welfare Director IV | 3043 | 4327 |
| Welfare Director V | 4055 | 5762 |
| Work-Experience & Training Specialist | 1905 | 2721 |

Subp. 4. **Support personnel: plan A.** The following minimum and maximum salary steps in monthly salary amounts shall be applicable to the specified classes of positions:

| | Minimum | Maximum |
|---|---|---|
| Account Clerk | 1044 | 1427 |
| Accounting Technician | 1091 | 1560 |
| Adult Day Care Center Program Coordinator | 1117 | 1671 |
| Case Aide | 1117 | 1671 |
| Chemical Dependency Counselor | 1364 | 1786 |
| Child Health Aide | 933 | 1278 |
| Child Support Officer I | 1278 | 1826 |
| Child Support Officer II | 1460 | 1992 |
| Collections Officer | 1278 | 1826 |
| Collection Services Supervisor I | 1597 | 2186 |
| Community Service Aide | 839 | 1250 |
| Computer Operations Specialist | 1197 | 1560 |
| Coordinator of Aging | 1278 | 1905 |
| Developmental Achievement Center Instructor | 1117 | 1671 |
| Employment Technician | 1117 | 1671 |
| Family Service Aide I | 912 | 1364 |
| Family Service Aide II | 1044 | 1560 |
| Family Service Coordinator I | 1224 | 1671 |
| Family Service/Home Health Aide | 912 | 1364 |
| Financial Assistance Specialist | 1397 | 1992 |
| Financial Worker | 1117 | 1671 |
| Food Stamp Corrective Action Specialist I | 1526 | 2186 |
| Food Stamp Corrective Action Specialist II | 1671 | 2385 |
| Home Health Aide | 912 | 1364 |
| Home Health Aide Coordinator | 1224 | 1671 |
| Housekeeper | Rate proposed by appointing authority and approved by the merit system supervisor and the commissioner of human services. | |
| Housing Coordinator | 1597 | 2280 |
| Housing Rehabilitation Specialist | 1250 | 1786 |
| Licensed Practical Nurse | 1197 | 1631 |
| Methods and Procedures Technician | 1364 | 1786 |
| Office Services Supervisor I | 1224 | 1671 |
| Public Health Aide | 839 | 1250 |
| Senior Citizen's Aide | 912 | 1364 |
| Support Enforcement Aide | 1044 | 1427 |
| Welfare Fraud Investigator | 1597 | 2085 |

Subp. 5. **Support personnel: plan B.** The following minimum and maximum salary steps in monthly salary amounts shall be applicable to the specified classes of positions:

| | Minimum | Maximum |
|---|---|---|
| Account Clerk | 1091 | 1491 |
| Accounting Technician | 1141 | 1631 |
| Adult Day Care Center Program Coordinator | 1168 | 1745 |
| Case Aide | 1168 | 1745 |
| Chemical Dependency Counselor | 1427 | 1863 |
| Child Health Aide | 976 | 1334 |
| Child Support Officer I | 1334 | 1905 |
| Child Support Officer II | 1526 | 2085 |

| | | |
|---|---|---|
| Collections Officer | 1334 | 1905 |
| Collection Services Supervisor I | 1671 | 2280 |
| Community Service Aide | 876 | 1307 |
| Computer Operations Specialist | 1250 | 1631 |
| Coordinator of Aging | 1334 | 1992 |
| Developmental Achievement Center Instructor | 1168 | 1745 |
| Employment Technician | 1168 | 1745 |
| Family Service Aide I | 955 | 1427 |
| Family Service Aide II | 1091 | 1631 |
| Family Service Coordinator I | 1278 | 1745 |
| Family Service/Home Health Aide | 955 | 1427 |
| Financial Assistance Specialist | 1460 | 2085 |
| Financial Worker | 1168 | 1745 |
| Food Stamp Corrective Action Specialist I | 1526 | 2186 |
| Food Stamp Corrective Action Specialist II | 1671 | 2385 |
| Home Health Aide | 955 | 1427 |
| Home Health Aide Coordinator | 1278 | 1745 |
| Housekeeper | Rate proposed by appointing authority and approved by the merit system supervisor and the commissioner of human services. | |
| Housing Coordinator | 1671 | 2385 |
| Housing Rehabilitation Specialist | 1307 | 1863 |
| Licensed Practical Nurse | 1250 | 1705 |
| Methods and Procedures Technician | 1427 | 1863 |
| Office Services Supervisor I | 1278 | 1745 |
| Public Health Aide | 876 | 1307 |
| Senior Citizen's Aide | 955 | 1427 |
| Support Enforcement Aide | 1091 | 1491 |
| Welfare Fraud Investigator | 1671 | 2186 |

Subp. 6. **Support personnel: plan C.** The following minimum and maximum salary steps in monthly salary amounts shall be applicable to the specified classes of positions:

| | Minimum | Maximum |
|---|---|---|
| Account Clerk | 1141 | 1560 |
| Accounting Technician | 1197 | 1705 |
| Adult Day Care Center Program Coordinator | 1224 | 1826 |
| Case Aide | 1224 | 1826 |
| Chemical Dependency Counselor | 1491 | 1945 |
| Child Health Aide | 1069 | 1460 |
| Child Support Officer I | 1397 | 1992 |
| Child Support Officer II | 1597 | 2186 |
| Collections Officer | 1397 | 1992 |
| Collection Services Supervisor I | 1745 | 2385 |
| Community Service Aide | 912 | 1364 |
| Computer Operations Specialist | 1307 | 1705 |
| Coordinator of Aging | 1397 | 2085 |
| Developmental Achievement Center Instructor | 1224 | 1826 |
| Employment Technician | 1224 | 1826 |
| Family Service Aide I | 999 | 1491 |
| Family Service Aide II | 1141 | 1705 |
| Family Service Coordinator I | 1334 | 1826 |
| Family Service/Home Health Aide | 999 | 1491 |
| Financial Assistance Specialist | 1526 | 2186 |
| Financial Worker | 1224 | 1826 |
| Food Stamp Corrective Action Specialist I | 1526 | 2186 |
| Food Stamp Corrective Action Specialist II | 1671 | 2385 |
| Home Health Aide | 999 | 1491 |
| Home Health Aide Coordinator | 1334 | 1826 |
| Housekeeper | Rate proposed by appointing authority and approved by the merit system supervisor and the commissioner of human services. | |
| Housing Coordinator | 1745 | 2491 |
| Housing Rehabilitation Specialist | 1364 | 1945 |
| Licensed Practical Nurse | 1307 | 1786 |
| Methods and Procedures Technician | 1491 | 1945 |
| Office Services Supervisor I | 1334 | 1826 |

| | Minimum | Maximum |
|---|---|---|
| Public Health Aide | 912 | 1364 |
| Senior Citizen's Aide | 999 | 1491 |
| Support Enforcement Aide | 1141 | 1560 |
| Welfare Fraud Investigator | 1745 | 2280 |

Subp. 7. **Clerical: plan A.** The following minimum and maximum salary steps in monthly salary amounts shall be applicable to the specified classes of positions:

| | Minimum | Maximum |
|---|---|---|
| Administrative Secretary | 1078 | 1473 |
| Clerk I | 758 | 1030 |
| Clerk II | 866 | 1234 |
| Clerk III | 1030 | 1410 |
| Clerk-Typist I | 831 | 1128 |
| Clerk-Typist II | 866 | 1234 |
| Clerk-Typist III | 1030 | 1473 |
| Clerk-Steno | 902 | 1234 |
| Data Entry Operator | 831 | 1128 |
| Information Systems Specialist | 902 | 1234 |
| Legal Secretary | 1030 | 1410 |
| Switchboard Operator | 831 | 1128 |

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.

Subp. 8. **Clerical: plan B.** The following minimum and maximum salary steps in monthly salary amounts shall be applicable to the specified classes of positions:

| | Minimum | Maximum |
|---|---|---|
| Administrative Secretary | 1207 | 1648 |
| Clerk I | 866 | 1128 |
| Clerk II | 986 | 1344 |
| Clerk III | 1151 | 1503 |
| Clerk-Typist I | 942 | 1234 |
| Clerk-Typist II | 986 | 1344 |
| Clerk-Typist III | 1151 | 1575 |
| Clerk-Steno | 1030 | 1344 |
| Data Entry Operator | 942 | 1234 |
| Information Systems Specialist | 1030 | 1344 |
| Legal Secretary | 1151 | 1503 |
| Switchboard Operator | 942 | 1234 |

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.

Subp. 9. **Clerical: plan C.** The following minimum and maximum salary steps in monthly salary amounts shall be applicable to the specified classes of positions:

| | Minimum | Maximum |
|---|---|---|
| Administrative Secretary | 1263 | 1721 |
| Clerk I | 942 | 1234 |
| Clerk II | 1088 | 1473 |
| Clerk III | 1207 | 1575 |

| | | |
|---|---|---|
| Clerk-Typist I | 1030 | 1344 |
| Clerk-Typist II | 1088 | 1473 |
| Clerk-Typist III | 1207 | 1648 |
| Clerk-Steno | 1128 | 1473 |
| Data Entry Operator | 1030 | 1344 |
| Information Systems Specialist | 1128 | 1473 |
| Legal Secretary | 1207 | 1575 |
| Switchboard Operator | 1030 | 1344 |

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.

Subp. 10. and 11. [Unchanged.]

REPEALER. Minnesota Rules, parts 9575.0820 and 9575.0970, are repealed.

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

AUG 21 1987

Joan Anderson Growe
Secretary of State

10:10 AM

APPROVED AS TO FORM AND LEGALITY

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HUBERT H. HUMPHREY, III
ATTORNEY GENERAL

BY _____
ASSISTANT ATTORNEY GENERAL

administrative law judge to hear the matter, and notify the commissioner of the hearing date and administrative law judge assigned to the matter. The hearing date must be no less than 60 days nor more than 90 days from the date of receipt of the petition by the chief administrative law judge.

Subd. 2. **NOTICE.** The commissioner of commerce shall publish notice of the hearing in the *State Register* at least 30 days before the hearing date. The notice should be that used for rulemaking under chapter 14. Approval by the administrative law judge of the notice prior to publication is not required.

Subd. 3. **CONTESTED CASE; REPORT.** The hearing and all matters after the hearing are a contested case under chapter 14. Within 45 days from the commencement of the hearing and within 15 days of the completion of the hearing the administrative law judge shall submit a report to the commissioner of commerce. The parties, or the administrative law judge, if the parties cannot agree, shall adjust all time requirements under the contested case procedure to conform with the 45-day requirement.

Subd. 4. **DECISION.** The commissioner shall make a decision within ten days of the receipt of the administrative law judge's report.

Subd. 5. **WAIVER OR MODIFICATION.** If all parties to the proceeding agree, any of the requirements of this section may be waived or modified.

# Department of Finance

## Maximum Interest Rate for Municipal Obligations in March

Pursuant to Minnesota Statutes, Section 475.55, Subdivision 4, Commissioner of Finance, Jay Kiedrowski, announced today that the maximum interest rate for municipal obligations in the month of March would be eight (8) percent per annum. Obligations which are payable wholly or in part from the proceeds of special assessments or which are not secured by General Obligations of the municipality may bear an interest rate of up to nine (9) percent per annum.

Dated: 24 February 1987

Peter Sausen, Assistant Commissioner
Cash and Debt Management
Department of Finance

# Departments of Human Services and Health

## Notice of Intent to Solicit Outside Opinion Concerning Merit System Rules

Notice is hereby given that the Minnesota Department of Human Services and the Minnesota Department of Health are considering proposed amendments to the following rules:

Minnesota Rules parts 9575.0670 and 4670.2520 relating to the length of emergency appointments;

Parts 9575.0740 and 4670.2630 relating to extensions of probationary periods;

Parts 9575.0820 and 4670.2720 relating to promotion by non-competitive examinations;

Parts 9575.0970 and 4670.2970 relating to retirement; and

Part 9575.1500 relating to the addition of new classifications to the compensation plan and the adjustment of the salary range of Administrative Secretary based upon a recent job evaluation rating.

The agency's authority to amend the proposed rules is contained in Minnesota Statutes, sections 256.012 and 144.071.

All interested or affected groups 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
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 will be received until further notice. Any written material received by the Department shall become part of the hearing record.

Minnesota Statutes, Section 144.802, requires in part that the Commissioner of Health publish the notice at the applicant's expense in the *State Register.*

Each municipality, county, community health service agency, or interested person has the opportunity to comment on this application by submitting written comments to the State Health Planning Agency (SHPA), 100 Capitol Square Building, 550 Cedar Street, St. Paul, Minnesota 55101, Attn: Mr. John Dilley. The comments must reach the SHPA on or before May 6, 1987 or be submitted at the public hearing.

After a public hearing has been held, the SHPA shall recommend that the Commissioner of Health grant or deny a license or recommend that a modified license be granted. The SHPA shall make the recommendations and reasons available to any individual requesting them.

Within 30 days of receipt of the recommendation to the Commissioner of Health, the Commissioner shall grant or deny the license to the applicant.

# Departments of Human Services and Health

## End of Solicitation Period for Comments Concerning Merit System Rules

Notice is hereby given that the comment period for the notice of intent to solicit outside opinion concerning Minnesota Merit System rules, published in the *State Register* March 2, 1987 will end on April 20, 1987.

Questions concerning the comment period may be addressed to:

Ralph W. Corey
Minnesota Merit System
Fourth Floor, Centennial Office Building
658 Cedar Street
St. Paul, Minnesota 55155
Phone: (612) 296-3996

# Department of Labor and Industry Labor Standards Division

## Notice of Certified Prevailing Wage Rates for Commercial Construction

On April 1, 1987 the commissioner certified prevailing wage rates for commercial construction projects in the following Minnesota counties: Blue Earth, Brown, Cottonwood, Dodge, Faribault, Fillmore, Freeborn, Goodhue, Houston, Jackson, Lac Qui Parle, LeSueur, Lincoln, Lyon, Martin, Mower, Murray, Nicollet, Nobles, Olmsted, Pipestone, Redwood, Renville, Rice, Rock, Sibley, Steele, Wabasha, Waseca, Watonwan, Winona and Yellow Medicine.

A copy of the determined wage rates for Minnesota counties may be obtained by contacting the State Register and Public Documents Division, 117 University Avenue, St. Paul, Minnesota 55155. The charges for the cost of copying and mailing are $.50 for the first county and $.30 for any subsequent copies of the same or other counties. For all 87 counties the charge is $25.00. A sales tax of 6% must be added to all orders.

A check or money order payable to the State of Minnesota must accompany each request.

Ray Bohn, Commissioner
Department of Labor and Industry

# Teachers Retirement Association

## Meeting Notice

The Board of Trustees, Minnesota Teachers Retirement Association will hold a meeting on Thursday, April 23, 1987 at 9:00 a.m. in Room 302 Capitol Square Building to consider matters which may properly come before the Board.

Department of Health

Proposed Permanent Rules Relating to Merit System

Rules as Proposed

4670.2520 EMERGENCY APPOINTMENT.

Whenever any emergency exists that requires the immediate services of one or more persons and it is not possible to obtain such persons from appropriate registers, the appointing authority may appoint a person or persons without consideration of other provisions of these rules governing appointments, except as provided in part 4670.4150. Such appointments normally shall be limited to no more than 45 working days during any calendar year for the same person; however, such appointment of the same person can be extended to ~~70~~ 67 working days with prior approval of the supervisor. Each emergency appointment shall be reported to the supervisor in the manner prescribed by him when the appointment is made.

4670.2630 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~~ be made at least 15 days before the end 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.

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

Each formal request for extension of the probationary



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period and the decision on the request shall be reported to the council at its next meeting.

REPEALER. Minnesota Rules, parts 4670.2720 and 4670.2970 are repealed.



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# Office of the Revisor of Statutes

## Administrative Rules

**TITLE:** Proposed Permanent Rules Relating to Merit System

**AGENCY:** Department of Health

**MINNESOTA RULES:** Chapter 4670

The attached rules are approved for publication
in the State Register

Susan E. Quayle
Assistant Revisor

Department of Human Services

Proposed Permanent Rules Relating to Merit System

Rules as Proposed

9575.0670 EMERGENCY APPOINTMENT.

Whenever an emergency exists that requires the immediate services of one or more persons and it is not possible to obtain such persons from appropriate registers, the appointing authority may appoint a person or persons without consideration of other provisions of these rules governing appointment, except as provided in parts 9575.1410 to 9575.1450. Such appointments normally shall be limited to no more than 45 working days during any calendar year for the same person; however, such appointment of the same person can be extended to ~~70~~ 67 working days with prior approval by the supervisor.

9575.0740 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 merit system supervisor for extension must ~~occur on or before the beginning of the sixth month of the probationary period~~ be made at least 15 days before the end 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.

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

Each formal request for extension of the probationary period and the decision on the request shall be reported to the



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merit system council at its next meeting.

9575.1500 COMPENSATION PLAN; HUMAN SERVICES, 1987.

Subpart 1. **Professional: plan A.** The following minimum and maximum salary steps in monthly salary amounts shall be applicable to the specified classes of positions:

| | Minimum | Maximum |
|---|---|---|
| Accountant | 1597 | 2280 |
| Accounting Supervisor | 1863 | 2785 |
| Administrative Assistant I | 1992 | 2975 |
| Administrative Assistant II | 2132 | 3176 |
| Administrative Assistant III | 2542 | 3641 |
| Adult Day Care Center Supervisor | 1745 | 2602 |
| Assistant Human Services Director | 2785 | 3968 |
| Assistant Welfare Director | 3251 | 4627 |
| Auditor | 1863 | 2785 |
| Center Coordinator | 1671 | 2491 |
| Chemical Dependency Coordinator | 1631 | 2437 |
| Collection Services Supervisor II | 1745 | 2602 |
| Community-Health Services Supervisor | 1945 | 3043 |
| Community-Relations Specialist | 1786 | 2542 |
| Computer Programmer | 1526 | 2186 |
| Day Care Center Teacher | 1460 | 2186 |
| Developmental Achievement Center Director | 1826 | 2602 |
| Developmental Achievement Center Teacher | 1460 | 2186 |
| Director of Business Management I | 2085 | 2975 |
| Director of Business Management II | 2542 | 3641 |
| Director of Financial Assistance | 2542 | 3641 |
| Director of Planning | 2542 | 3641 |
| Director of Public Health Nursing I | 1863 | 2785 |
| Director of Social Services | 2542 | 3641 |
| ~~Education-Supervisor~~ | ~~1826~~ | ~~2602~~ |
| Employment Guidance Counselor | 1397 | 1992 |
| Family Service Coordinator II | 1560 | 2132 |
| Financial Assistance Supervisor I | 1705 | 2542 |
| Financial Assistance Supervisor II | 1992 | 2975 |
| Fiscal Manager | 2280 | 3251 |
| Fiscal Officer | 1460 | 2186 |
| Fiscal Supervisor I | 1460 | 2186 |
| Fiscal Supervisor II | 1863 | 2785 |
| Gerontology Counselor | 1705 | 2542 |
| Homemaker Supervisor | 1826 | 2602 |
| Human Services Director III | 3043 | 4327 |
| Human Services Supervisor I | 1992 | 2975 |
| Human Services Supervisor II | 2385 | 3406 |
| Jobs and Training Supervisor | 1705 | 2542 |
| Medical Assistance Prepayment Project Manager | 1992 | 2975 |
| Mental Health Program Manager | 2132 | 3176 |
| Mental Health Worker | 1745 | 2602 |
| Methods & Procedures Analyst | 1671 | 2385 |
| Nutrition Project Assistant Director | 1460 | 2186 |
| Nutrition Project Director | 1905 | 2847 |
| ~~Office-Manager~~ | ~~1364~~ | ~~1945~~ |
| Office Services Supervisor II | 1397 | 1992 |
| Personnel Officer | 1460 | 2186 |
| Personnel Director | 2542 | 3641 |
| Planner (Human Services) | 1826 | 2602 |
| Psychologist I | 1705 | 2542 |
| Psychologist II | 1992 | 2847 |
| Psychologist III | 2659 | 3641 |
| Public Health Educator | 1597 | 2280 |
| Public Health Nurse | 1597 | 2280 |
| Public Health Nurse (Team Leader) | 1745 | 2491 |
| Registered Nurse (A.A. Degree, | | |



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| | | |
|---|---|---|
| 3 year Diploma, or B.S. Degree) | 1526 | 2186 |
| Resident Activity Coordinator | 1460 | 2186 |
| Sanitarian | 1460 | 2186 |
| Senior Public Health Nurse | 1745 | 2602 |
| Senior Staff Development Specialist | 1945 | 2785 |
| Social Worker (Licensing Specialist) | 1460 | 2186 |
| Social Worker | 1491 | 2329 |
| Social Worker (Child Protection Specialist) | 1491 | 2329 |
| Social Worker (MSW) | 1705 | 2542 |
| Social Worker (Child Protection Specialist) (MSW) | 1705 | 2542 |
| Social Services Supervisor I | 1992 | 2975 |
| Social Services Supervisor II | 2186 | 3251 |
| Staff Development Specialist | 1631 | 2437 |
| ~~Staff-Training-Supervisor~~ | ~~1945~~ | ~~2785~~ |
| Student Social Worker (Intern) | Rate proposed by appointing authority. | |
| Student Social Worker (SWEP) | Rate proposed by appointing authority. | |
| Systems Programmer Analyst | 1945 | 2659 |
| Telecommunications Analyst | 1863 | 2659 |
| Trainee | Rate proposed by appointing authority and approved by the merit system supervisor and the commissioner of human services. | |
| Volunteer Services Coordinator I | 1460 | 2186 |
| Volunteer Services Coordinator II | 1826 | 2602 |
| Welfare Director I | 2329 | 3481 |
| Welfare Director II | 2602 | 3723 |
| Welfare Director III | 2785 | 3968 |
| Welfare Director IV | 3043 | 4327 |
| Welfare Director V | 4055 | 5762 |
| Work-Experience & Training Specialist | 1745 | 2491 |

Subp. 2. **Professional: plan B.** The following minimum and maximum salary steps in monthly salary amounts shall be applicable to the specified classes of positions:

| | Minimum | Maximum |
|---|---|---|
| Accountant | 1671 | 2385 |
| Accounting Supervisor | 1945 | 2909 |
| Administrative Assistant I | 2085 | 3113 |
| Administrative Assistant II | 2229 | 3330 |
| Administrative Assistant III | 2659 | 3800 |
| Adult Day Care Center Supervisor | 1826 | 2721 |
| Assistant Human Services Director | 2785 | 3968 |
| Assistant Welfare Director | 3251 | 4627 |
| Auditor | 1945 | 2909 |
| Center Coordinator | 1745 | 2602 |
| Chemical Dependency Coordinator | 1705 | 2542 |
| Collections Services Supervisor II | 1826 | 2721 |
| Community-Health Services Supervisor | 2036 | 3176 |
| Community-Relations Specialist | 1863 | 2659 |
| Computer Programmer | 1597 | 2280 |
| Day Care Center Teacher | 1526 | 2280 |
| Developmental Achievement Center Director | 1905 | 2721 |
| Developmental Achievement Center Teacher | 1526 | 2280 |
| Director of Business Management I | 2186 | 3113 |
| Director of Business Management II | 2659 | 3800 |
| Director of Financial Assistance | 2659 | 3800 |
| Director of Planning | 2659 | 3800 |
| Director of Public Health Nursing I | 1945 | 2909 |
| Director of Social Services | 2659 | 3800 |
| ~~Education-Supervisor~~ | ~~1905~~ | ~~2721~~ |
| Employment Guidance Counselor | 1460 | 2085 |
| Family Service Coordinator II | 1631 | 2229 |
| Financial Assistance Supervisor I | 1786 | 2659 |
| Financial Assistance Supervisor II | 2085 | 3113 |



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| | | |
|---|---|---|
| Fiscal Manager | 2385 | 3406 |
| Fiscal Officer | 1526 | 2280 |
| Fiscal Supervisor I | 1526 | 2280 |
| Fiscal Supervisor II | 1945 | 2909 |
| Gerontology Counselor | 1786 | 2659 |
| Homemaker Supervisor | 1905 | 2721 |
| Human Services Director III | 3043 | 4327 |
| Human Services Supervisor I | 2085 | 3113 |
| Human Services Supervisor II | 2491 | 3562 |
| Jobs and Training Supervisor | 1786 | 2659 |
| Medical Assistance Prepayment Project Manager | 2085 | 3113 |
| Mental Health Program Manager | 2229 | 3330 |
| Mental Health Worker | 1826 | 2721 |
| Methods & Procedures Analyst | 1745 | 2491 |
| Nutrition Project Assistant Director | 1526 | 2280 |
| Nutrition Project Director | 1992 | 2975 |
| ~~Office Manager~~ | ~~1427~~ | ~~2036~~ |
| Office Services Supervisor II | 1460 | 2085 |
| Personnel Officer | 1526 | 2280 |
| Personnel Director | 2659 | 3800 |
| Planner (Human Services) | 1905 | 2721 |
| Psychologist I | 1786 | 2659 |
| Psychologist II | 2085 | 2975 |
| Psychologist III | 2785 | 3800 |
| Public Health Educator | 1671 | 2385 |
| Public Health Nurse | 1671 | 2385 |
| Public Health Nurse (Team Leader) | 1826 | 2602 |
| Registered Nurse (A.A. Degree, 3 year Diploma, or B.S. Degree) | 1597 | 2280 |
| Resident Activity Coordinator | 1526 | 2280 |
| Sanitarian | 1526 | 2280 |
| Senior Public Health Nurse | 1826 | 2721 |
| Senior Staff Development Specialist | 2036 | 2909 |
| Social Worker (Licensing Specialist) | 1526 | 2280 |
| Social Worker | 1560 | 2437 |
| Social Worker (Child Protection Specialist) | 1560 | 2437 |
| Social Worker (MSW) | 1786 | 2659 |
| Social Worker (Child Protection Specialist) (MSW) | 1786 | 2659 |
| Social Services Supervisor I | 2085 | 3113 |
| Social Services Supervisor II | 2280 | 3406 |
| Staff Development Specialist | 1705 | 2542 |
| ~~Staff Training Supervisor~~ | ~~2036~~ | ~~2909~~ |
| Student Social Worker (Intern) | Rate proposed by appointing authority. | |
| Student Social Worker (SWEP) | Rate proposed by appointing authority. | |
| Systems Programmer Analyst | 2036 | 2785 |
| Telecommunications Analyst | 1945 | 2785 |
| Trainee | Rate proposed by appointing authority and approved by the merit system supervisor and the commissioner of human services. | |
| Volunteer Services Coordinator I | 1526 | 2280 |
| Volunteer Services Coordinator II | 1905 | 2721 |
| Welfare Director I | 2329 | 3481 |
| Welfare Director II | 2602 | 3723 |
| Welfare Director III | 2785 | 3968 |
| Welfare Director IV | 3043 | 4327 |
| Welfare Director V | 4055 | 5762 |
| Work-Experience & Training Specialist | 1826 | 2602 |

Subp. 3. **Professional: plan C.** The following minimum and maximum salary steps in monthly salary amounts shall be applicable to the specified classes of positions:

| | Minimum | Maximum |
|---|---|---|



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| | | | |
|---|---|---|---|
| Accountant | 1745 | 2491 |
| Accounting Supervisor | 2036 | 3043 |
| Administrative Assistant I | 2186 | 3251 |
| Administrative Assistant II | 2329 | 3481 |
| Administrative Assistant III | 2785 | 3968 |
| Adult Day Care Center Supervisor | 1905 | 2847 |
| Assistant Human Services Director | 2785 | 3968 |
| Assistant Welfare Director | 3251 | 4627 |
| Auditor | 2036 | 3043 |
| Center Coordinator | 1826 | 2721 |
| Chemical Dependency Coordinator | 1786 | 2659 |
| Collections Services Supervisor II | 1905 | 2847 |
| Community-Health Services Supervisor | 2132 | 3330 |
| Community-Relations Specialist | 1945 | 2785 |
| Computer Programmer | 1671 | 2385 |
| Day Care Center Teacher | 1597 | 2385 |
| Developmental Achievement Center Director | 1992 | 2847 |
| Developmental Achievement Center Teacher | 1597 | 2385 |
| Director of Business Management I | 2280 | 3251 |
| Director of Business Management II | 2785 | 3968 |
| Director of Financial Assistance | 2785 | 3968 |
| Director of Planning | 2785 | 3968 |
| Director of Public Health Nursing I | 2132 | 3043 |
| Director of Social Services | 2785 | 3968 |
| ~~Education-Supervisor~~ | ~~1992~~ | ~~2847~~ |
| Employment Guidance Counselor | 1526 | 2186 |
| Family Service Coordinator II | 1705 | 2329 |
| Financial Assistance Supervisor I | 1863 | 2785 |
| Financial Assistance Supervisor II | 2186 | 3251 |
| Fiscal Manager | 2491 | 3562 |
| Fiscal Officer | 1597 | 2385 |
| Fiscal Supervisor I | 1597 | 2385 |
| Fiscal Supervisor II | 2036 | 3043 |
| Gerontology Counselor | 1863 | 2785 |
| Homemaker Supervisor | 1992 | 2847 |
| Human Services Director III | 3043 | 4327 |
| Human Services Supervisor I | 2186 | 3251 |
| Human Services Supervisor II | 2602 | 3723 |
| Jobs and Training Supervisor | 1863 | 2785 |
| Mental Health Program Manager | 2329 | 3481 |
| Mental Health Worker | 1905 | 2847 |
| Methods & Procedures Analyst | 1826 | 2602 |
| Nutrition Project Assistant Director | 1597 | 2385 |
| Nutrition Project Director | 2085 | 3113 |
| ~~Office-Manager~~ | ~~1491~~ | ~~2132~~ |
| Office Services Supervisor II | 1526 | 2186 |
| Personnel Officer | 1597 | 2385 |
| Personnel Director | 2785 | 3968 |
| Planner (Human Services) | 1992 | 2847 |
| Psychologist I | 1863 | 2785 |
| Psychologist II | 2186 | 3113 |
| Psychologist III | 2909 | 3968 |
| Public Health Educator | 1745 | 2491 |
| Public Health Nurse | 1826 | 2491 |
| Public Health Nurse (Team Leader) | 2036 | 2785 |
| Registered Nurse (A.A. Degree, 3 year Diploma, or B.S.Degree) | 1745 | 2385 |
| Resident Activity Coordinator | 1597 | 2385 |
| Sanitarian | 1597 | 2385 |
| Senior Public Health Nurse | 1992 | 2847 |
| Senior Staff Development Specialist | 2132 | 3043 |
| Social Worker (Licensing Specialist) | 1597 | 2385 |
| Social Worker | 1631 | 2542 |
| Social Worker (Child Protection Specialist) | 1631 | 2542 |
| Social Worker (MSW) | 1863 | 2785 |
| Social Worker (Child Protection Specialist) (MSW) | 1863 | 2785 |
| Social Services Supervisor I | 2186 | 3251 |
| Social Services Supervisor II | 2385 | 3562 |
| Staff Development Specialist | 1786 | 2659 |



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| | | | |
|---|---|---|---|
| ~~Staff-Training-Supervisor~~ | | ~~2132~~ | ~~3043~~ |
| Student Social Worker (Intern) | Rate proposed by appointing authority. | | |
| Student Social Worker (SWEP) | Rate proposed by appointing authority. | | |
| Systems Programmer | Analyst | 2132 | 2909 |
| Telecommunications | Analyst | 2036 | 2909 |
| Trainee | Rate proposed by appointing authority and approved by the merit system supervisor and the commissioner of human services. | | |
| Volunteer Services | Coordinator I | 1597 | 2385 |
| Volunteer Services | Coordinator II | 1992 | 2847 |
| Welfare Director I | | 2329 | 3481 |
| Welfare Director II | | 2602 | 3723 |
| Welfare Director III | | 2785 | 3968 |
| Welfare Director IV | | 3043 | 4327 |
| Welfare Director V | | 4055 | 5762 |
| Work-Experience & Training | Specialist | 1905 | 2721 |

Subp. 4. **Support personnel: plan A.** The following minimum and maximum salary steps in monthly salary amounts shall be applicable to the specified classes of positions:

| | Minimum | Maximum |
|---|---|---|
| Account Clerk | 1044 | 1427 |
| Accounting Technician | 1091 | 1560 |
| Adult Day Care Center Program Coordinator | 1117 | 1671 |
| Case Aide | 1117 | 1671 |
| Chemical Dependency Counselor | 1364 | 1786 |
| Child Health Aide | 933 | 1278 |
| Child Support Officer I | 1278 | 1826 |
| Child Support Officer II | 1460 | 1992 |
| Collections Officer | 1278 | 1826 |
| Collection Services Supervisor I | 1597 | 2186 |
| Community Service Aide | 839 | 1250 |
| Computer Operations Specialist | 1197 | 1560 |
| Coordinator of Aging | 1278 | 1905 |
| Developmental Achievement Center Instructor | 1117 | 1671 |
| Employment Technician | 1117 | 1671 |
| Family Service Aide I | 912 | 1364 |
| Family Service Aide II | 1044 | 1560 |
| Family Service Coordinator I | 1224 | 1671 |
| Family Service/Home Health Aide | 912 | 1364 |
| Financial Assistance Specialist | 1397 | 1992 |
| Financial Worker | 1117 | 1671 |
| Food Stamp Corrective Action Specialist I | ~~1397~~ 1526 | ~~1992~~ 2186 |
| Food Stamp Corrective Action Specialist II | 1671 | 2385 |
| Home Health Aide | 912 | 1364 |
| Home Health Aide Coordinator | 1224 | 1671 |
| Housekeeper | Rate proposed by appointing authority and approved by the merit system supervisor and the commissioner of human services. | |
| Housing Coordinator | 1597 | 2280 |
| Housing Rehabilitation Specialist | 1250 | 1786 |
| Licensed Practical Nurse | 1197 | 1631 |
| Methods and Procedures Technician | 1364 | 1786 |
| Office Services Supervisor I | 1224 | 1671 |
| ~~Personnel Aide~~ | ~~1141~~ | ~~1560~~ |
| Public Health Aide | 839 | 1250 |
| Senior Citizen's Aide | 912 | 1364 |
| Support Enforcement Aide | 1044 | 1427 |
| Welfare Fraud Investigator | 1597 | 2085 |

Subp. 5. **Support personnel: plan B.** The following minimum and maximum salary steps in monthly salary amounts shall



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be applicable to the specified classes of positions:

| | Minimum | Maximum |
|---|---|---|
| Account Clerk | 1091 | 1491 |
| Accounting Technician | 1141 | 1631 |
| Adult Day Care Center Program Coordinator | 1168 | 1745 |
| Case Aide | 1168 | 1745 |
| Chemical Dependency Counselor | 1427 | 1863 |
| Child Health Aide | 976 | 1334 |
| Child Support Officer I | 1334 | 1905 |
| Child Support Officer II | 1526 | 2085 |
| Collections Officer | 1334 | 1905 |
| Collection Services Supervisor I | 1671 | 2280 |
| Community Service Aide | 876 | 1307 |
| Computer Operations Specialist | 1250 | 1631 |
| Coordinator of Aging | 1334 | 1992 |
| Developmental Achievement Center Instructor | 1168 | 1745 |
| Employment Technician | 1168 | 1745 |
| Family Service Aide I | 955 | 1427 |
| Family Service Aide II | 1091 | 1631 |
| Family Service Coordinator I | 1278 | 1745 |
| Family Service/Home Health Aide | 955 | 1427 |
| Financial Assistance Specialist | 1460 | 2085 |
| Financial Worker | 1168 | 1745 |
| Food Stamp Corrective Action Specialist I | ~~1460~~ 1526 | ~~2085~~ 2186 |
| Food Stamp Corrective Action Specialist II | 1671 | 2385 |
| Home Health Aide | 955 | 1427 |
| Home Health Aide Coordinator | 1278 | 1745 |
| Housekeeper | Rate proposed by appointing authority and approved by the merit system supervisor and the commissioner of human services. | |
| Housing Coordinator | 1671 | 2385 |
| Housing Rehabilitation Specialist | 1307 | 1863 |
| Licensed Practical Nurse | 1250 | 1705 |
| Methods and Procedures Technician | 1427 | 1863 |
| Office Services Supervisor I | 1278 | 1745 |
| ~~Personnel Aide~~ | ~~1197~~ | ~~1631~~ |
| Public Health Aide | 876 | 1307 |
| Senior Citizen's Aide | 955 | 1427 |
| Support Enforcement Aide | 1091 | 1491 |
| Welfare Fraud Investigator | 1671 | 2186 |

Subp. 6. **Support personnel: plan C.** The following minimum and maximum salary steps in monthly salary amounts shall be applicable to the specified classes of positions:

| | Minimum | Maximum |
|---|---|---|
| Account Clerk | 1141 | 1560 |
| Accounting Technician | 1197 | 1705 |
| Adult Day Care Center Program Coordinator | 1224 | 1826 |
| Case Aide | 1224 | 1826 |
| Chemical Dependency Counselor | 1491 | 1945 |
| Child Health Aide | 1069 | 1460 |
| Child Support Officer I | 1397 | 1992 |
| Child Support Officer II | 1597 | 2186 |
| Collections Officer | 1397 | 1992 |
| Collection Services Supervisor I | 1745 | 2385 |
| Community Service Aide | 912 | 1364 |
| Computer Operations Specialist | 1307 | 1705 |
| Coordinator of Aging | 1397 | 2085 |
| Developmental Achievement Center Instructor | 1224 | 1826 |
| Employment Technician | 1224 | 1826 |
| Family Service Aide I | 999 | 1491 |
| Family Service Aide II | 1141 | 1705 |
| Family Service Coordinator I | 1334 | 1826 |
| Family Service/Home Health Aide | 999 | 1491 |
| Financial Assistance Specialist | 1526 | 2186 |



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|---|---|---|
| Financial Worker | 1224 | 1826 |
| Food Stamp Corrective Action Specialist I | 1526 | 2186 |
| Food Stamp Corrective Action Specialist II | 1671 | 2385 |
| Home Health Aide | 999 | 1491 |
| Home Health Aide Coordinator | 1334 | 1826 |
| Housekeeper | Rate proposed by appointing authority and approved by the merit system supervisor and the commissioner of human services. | |
| Housing Coordinator | 1745 | 2491 |
| Housing Rehabilitation Specialist | 1364 | 1945 |
| Licensed Practical Nurse | 1307 | 1786 |
| Methods and Procedures Technician | 1491 | 1945 |
| Office Services Supervisor I | 1334 | 1826 |
| ~~Personnel Aide~~ | ~~1250~~ | ~~1705~~ |
| Public Health Aide | 912 | 1364 |
| Senior Citizen's Aide | 999 | 1491 |
| Support Enforcement Aide | 1141 | 1560 |
| Welfare Fraud Investigator | 1745 | 2280 |

Subp. 7. **Clerical: plan A.** The following minimum and maximum salary steps in monthly salary amounts shall be applicable to the specified classes of positions:

| | Minimum | | Maximum | |
|---|---|---|---|---|
| Administrative Secretary | ~~1030~~ | 1078 | ~~1410~~ | 1473 |
| Clerk I | 758 | | 1030 | |
| Clerk II | 866 | | 1234 | |
| Clerk III | 1030 | | 1410 | |
| Clerk-Typist I | 831 | | 1128 | |
| Clerk-Typist II | 866 | | 1234 | |
| Clerk-Typist III | 1030 | | 1473 | |
| Clerk-Steno | 902 | | 1234 | |
| Data Entry Operator | 831 | | 1128 | |
| Information Systems Specialist | 902 | | 1234 | |
| Legal Secretary | 1030 | | 1410 | |
| Switchboard Operator | 831 | | 1128 | |

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.

Subp. 8. **Clerical: plan B.** The following minimum and maximum salary steps in monthly salary amounts shall be applicable to the specified classes of positions:

| | Minimum | | Maximum | |
|---|---|---|---|---|
| Administrative Secretary | ~~1151~~ | 1207 | ~~1503~~ | 1648 |
| Clerk I | 866 | | 1128 | |
| Clerk II | 986 | | 1344 | |
| Clerk III | 1151 | | 1503 | |
| Clerk-Typist I | 942 | | 1234 | |
| Clerk-Typist II | 986 | | 1344 | |
| Clerk-Typist III | 1151 | | 1575 | |
| Clerk-Steno | 1030 | | 1344 | |
| Data Entry Operator | 942 | | 1234 | |
| Information Systems Specialist | 1030 | | 1344 | |
| Legal Secretary | 1151 | | 1503 | |
| Switchboard Operator | 942 | | 1234 | |

Employees in the class of Clerk-Typist I who are assigned on a full-time basis to transcribing machine operation may be



Approved by Revisor _____

paid within the county range for Clerk-Stenographer.

Subp. 9. **Clerical: plan C.** The following minimum and maximum salary steps in monthly salary amounts shall be applicable to the specified classes of positions:

| | Minimum | Maximum |
|---|---|---|
| Administrative Secretary | 1263 | ~~1648~~ 1721 |
| Clerk I | 942 | 1234 |
| Clerk II | 1088 | 1473 |
| Clerk III | 1207 | 1575 |
| Clerk-Typist I | 1030 | 1344 |
| Clerk-Typist II | 1088 | 1473 |
| Clerk-Typist III | 1207 | 1648 |
| Clerk-Steno | 1128 | 1473 |
| Data Entry Operator | 1030 | 1344 |
| Information Systems Specialist | 1128 | 1473 |
| Legal Secretary | 1207 | 1575 |
| Switchboard Operator | 1030 | 1344 |

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.

Subp. 10. and 11. [Unchanged.]

REPEALER. Minnesota Rules, parts 9575.0820 and 9575.0970, are repealed.



Approved
by Revisor _____

# Office of the Revisor of Statutes

## Administrative Rules

**TITLE:** Proposed Permanent Rules Relating to Merit System

**AGENCY:** Department of Human Services

**MINNESOTA RULES:** Chapter 9575

The attached rules are approved for publication
in the State Register

Susan E. Quayle
Assistant Revisor

STATE OF MINNESOTA

DEPARTMENT OF HEALTH

In the Matter of the Proposed Adoption of Rules of the State Department of Health Governing Emergency Appointments; Extensions of Probationary Periods; Promotion by Noncompetitive Examination; and Retirement; (Minnesota Rules parts 4670.2520, 4670.2630, 4670.2720 and 4670.2970).

NOTICE OF INTENT TO ADOPT A RULE WITHOUT A PUBLIC HEARING AND NOTICE OF INTENT TO ADOPT A RULE WITH A PUBLIC HEARING IF TWENTY-FIVE OR MORE PERSONS REQUEST A HEARING

Notice is hereby given that the State Department of Health proposes to adopt the above-entitled rule without a public hearing following the procedures set forth in Minnesota Statutes, section 14.22 to 14.28. The specific statutory authority to adopt the rule is Minnesota Statutes, section 144.071.

Persons interested in this rule shall have 30 days in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule and comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rule within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the agency will proceed pursuant to Minnesota Statutes, section 14.131 to 14.20. PLEASE NOTE THAT IF TWENTY-FIVE OR MORE PERSONS SUBMIT WRITTEN REQUESTS FOR A PUBLIC HEARING WITHIN THE 30-DAY COMMENT PERIOD, A HEARING WILL BE HELD ON JULY 31, 1987, IN CONFERENCE ROOM D, VETERANS SERVICE BUILDING, 20 WEST 12TH STREET AND COLUMBUS AVENUE, ST. PAUL, MINNESOTA 55155, UNLESS A SUFFICIENT NUMBER WITHDRAW THEIR REQUEST, IN ACCORDANCE WITH THE NOTICE OF PUBLIC HEARING ON THESE SAME RULES PUBLISHED IN THIS STATE REGISTER AND MAILED TO PERSONS REGISTERED WITH THE DEPARTMENT OF HEALTH. To verify whether a hearing will be held, please call the Minnesota Merit System between July 23, 1987 and July 30, 1987 at (612) 296-3996.

Persons who wish to submit comments or a written request for a public hearing must submit such comments or requests to:

Ralph W. Corey
Minnesota Merit System
4th Floor, Centennial Office Building
658 Cedar Street
St. Paul, MN 55155

Comments or requests for a public hearing must be received by the Department by 4:30 p.m. on July 22, 1987.

The proposed rule may be modified if the modifications are supported by data and views and do not result in a substantial change in the proposed rule as noticed.

A free copy of this rule is available upon request for your review from: Ralph W. Corey, Minnesota Merit System, 4th Floor, Centennial Office Building, 658 Cedar Street, St. Paul, MN 55155, telephone (612) 296-3996.

The Minnesota Merit System rules provide for a system of personnel administration for local and county health and human services agencies. The rules apply to all positions funded in whole or in part by federal grants-in-aid requiring a merit system of personnel administration. The rules cover such areas as classification of positions, compensation, recruitment and examination, certification and appointment, leaves of absence, separation, tenure and reinstatement, and, in general, provide standards for agencies to follow so as to ensure compliance with the Federal Standards for a Merit System of Personnel Administration (5 CFR Part 900).

If adopted, amendments to part 4670.2520 would change the maximum duration of an emergency appointment from 70 to 67 working days, making the Merit System rule language in this section consistent with the exclusion in the Public Employment Labor Relations Act (Minnesota Statutes, Chapter 179A) from the definition of employee.

Amendments to part 4670.2630 would change the current requirement that a request to extend a probationary period be received by the Merit System office at the beginning of the sixth month of the probationary period to fifteen days before the end of the probationary period, giving appointing authorities increased flexibility.

Amendments to parts 4670.2720 and 4670.2970 would delete the language in these parts entirely.

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available from Ralph W. Corey upon request.

Adoption of these rules will not result in additional spending by local public bodies in the excess of $100,000 per year for the first two years following adoption under the requirements of Minnesota Statutes, section 14.11.

If no hearing is required upon adoption of the rule, the rule and the required supporting documents will be delivered to the Attorney General for review as to legality and form to the extent the form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the adopted rule, must submit the written request to Ralph W. Corey.

State of Minnesota

SMMAshton

SISTER MARY MADONNA ASHTON
Commissioner

Dated: 5-8-87

STATE OF MINNESOTA

DEPARTMENT OF HEALTH

In the Matter of the Proposed Adoption of Department of Health Rules Governing Emergency Appointments; Extensions of Probationary Periods; Promotion by Noncompetitive Examination; and Retirement; (Minnesota Rules, parts 4670.2520, 4670.2630, 4670.2720, and 4670.2970).

NOTICE OF HEARING AND NOTICE OF INTENT TO CANCEL HEARING IF FEWER THAN TWENTY-FIVE PERSONS REQUEST A HEARING IN RESPONSE TO NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing on the above-entitled matter will be held in Conference Room D, Veterans Service Building, 20 West 12th Street and Columbus Avenue, St. Paul, MN 55155 on July 31, 1987 commencing at 9:00 a.m. and continuing until all interested or affected persons have an opportunity to participate. The proposed rules may be modified as a result of the hearing process. Therefore, if you are affected in any manner by the proposed rules, you are urged to participate in the rule hearing process.

PLEASE NOTE, HOWEVER, THAT THE HEARING WILL BE CANCELLED IF FEWER THAN TWENTY-FIVE PERSONS REQUEST A HEARING IN RESPONSE TO THE NOTICE OF INTENT TO ADOPT THESE SAME RULES WITHOUT A PUBLIC HEARING PUBLISHED IN THIS STATE REGISTER AND MAILED TO PERSONS REGISTERED WITH THE DEPARTMENT OF HEALTH. To verify whether a hearing will be held, please call the Minnesota Merit System between July 23, 1987 and July 30, 1987 at (612) 296-3996.

Following the agency's presentation at the hearing, all interested or affected persons will have an opportunity to participate. Such persons may present their views either orally at the hearing or in writing at any time prior to the close of the hearing record. All evidence presented should be pertinent to the matter at hand. Written material not submitted at the time of the hearing which is to be included in the hearing record may be mailed to Howard L. Kaibel, Administrative Law Judge, Office of Administrative Hearings, 400 Summit Bank Building, 310 Fourth Avenue South, Minneapolis, Minnesota 55415; telephone (612) 341-7608, either before the hearing or within five working days after the public hearing ends. The Administrative Law Judge may at the hearing, order the record be kept open for a longer period not to exceed 20 calendar days. The comments received during the comment period shall be available for review at the Office of Administrative Hearings. Following the close of the comment period the agency and all interested persons have three business days to respond in writing to any new information submitted during the comment period. During the three-day period, the agency may indicate in writing whether there are amendments suggested by other persons which the agency is willing to adopt. No additional evidence may be submitted during the three-day period. The written responses shall be added to the rulemaking record. Upon the close of the record the Administrative Law

Judge will write a report as provided for in Minnesota Statutes, sections 14.15 and 14.50. The rule hearing is governed by Minnesota Statutes, section 14.14 to 14.20 and by Minnesota Rules, parts 1400.0200 to 1400.1200. Questions about procedure may be directed to the Administrative Law Judge.

The Minnesota Merit System rules provide for a system of personnel administration for local and county health and human services agencies. The rules apply to all positions funded in whole or in part by federal grants-in-aid requiring a merit system of personnel administration. The rules cover such areas as classification of positions, compensation, recruitment and examination, certification and appointment, leaves of absence, separation, tenure and reinstatement, and, in general, provide standards for agencies to follow so as to ensure compliance with the Federal Standards for a Merit System of Personnel Administration (5 CFR Part 900).

If adopted, amendments to part 4670.2520 would change the maximum duration of an emergency appointment from 70 to 67 working days, making the Merit System rule language in this section consistent with the exclusion in the Public Employment Labor Relations Act (Minnesota Statutes, Chapter 179A) from the definition of employee.

Amendments to part 4670.2630 would change the current requirement that a request to extend a probationary period be received by the Merit System office at the beginning of the sixth month of the probationary period to fifteen days before the end of the probationary period, giving appointing authorities increased flexibility.

Amendments to parts 4670.2720 and 4670.2970 would delete the language in these parts entirely.

The agency's authority to adopt the proposed rules is contained in Minnesota Statutes, section 144.071. Adoption of these rules will not result in additional spending by local public bodies in excess of $100,000 per year for the first two years following adoption under the requirements of Minnesota Statutes, section 14.11.

Copies of the proposed rules are now available and at least one free copy may be obtained by writing to Ralph W. Corey, Minnesota Merit System, 4th floor, Centennial Office Building, 658 Cedar Street, St. Paul, MN 55155.

Additional copies will be available at the hearing. If you have any questions on the content of the rule contact Ralph W. Corey.

NOTICE: Any person may request notification of the date on which the Administrative Law Judge'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. If you desire to be notified, you may so indicate at the hearing. After the hearing, you may request notification by sending a written request to the Administrative Law Judge. Any person may request notification of the date on which the rules were adopted and filed with the Secretary of State. The notice must be mailed on the same day the rules are filed. If you want to be so notified you may so indicate at the hearing or send a request in writing to the agency at any time prior to the filing of the rules with the Secretary of State.

NOTICE IS HEREBY GIVEN that a Statement of Need and Reasonableness is now available for review at the agency and at the Office of Administrative Hearings. The Statement of Need and Reasonableness includes a summary of all the evidence and argument which the agency anticipates presenting at the hearing justifying both the need for and reasonableness of the proposed rules. Copies of the Statement of Need and Reasonableness may be reviewed at the agency or the Office of Administrative Hearings and copies may be obtained from the Office of Administrative Hearings at the cost of reproduction.

Minnesota Statutes, chapter 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 Minnesota Statutes, section 10A.01, subdivision 11, as any individual:

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

(b) who spends more than $250, not including 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, 625 North Robert Street, St. Paul, Minnesota 55101, telephone (612) 296-5148.

SMMAshton

SISTER MARY MADONNA ASHTON
Commissioner

Dated: 5-8-87

STATE OF MINNESOTA

DEPARTMENT OF HUMAN SERVICES

| | |
|---|---|
| In the Matter of the Proposed Adoption of Rules of the State Department of Human Services Governing Emergency Appointments; Extensions of Probationary Periods; Promotion by Noncompetitive Examination; Retirement; and the Compensation Plan; (Minnesota Rules parts 9575.0670, 9575.0740, 9575.0820, 9575.0970, and 9575.1500). | NOTICE OF INTENT TO ADOPT A RULE WITHOUT A PUBLIC HEARING AND NOTICE OF INTENT TO ADOPT A RULE WITH A PUBLIC HEARING IF TWENTY-FIVE OR MORE PERSONS REQUEST A HEARING |

Notice is hereby given that the State Department of Human Services proposes to adopt the above-entitled rule without a public hearing following the procedures set forth in Minnesota Statutes, section 14.22 to 14.28. The specific statutory authority to adopt the rule is Minnesota Statutes, section 256.012.

Persons interested in this rule shall have 30 days in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule and comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rule within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the agency will proceed pursuant to Minnesota Statutes, section 14.131 to 14.20. PLEASE NOTE THAT IF TWENTY-FIVE OR MORE PERSONS SUBMIT WRITTEN REQUESTS FOR A PUBLIC HEARING WITHIN THE 30-DAY COMMENT PERIOD, A HEARING WILL BE HELD ON JULY 31, 1987, IN CONFERENCE ROOM D, VETERANS SERVICE BUILDING, 20 WEST 12TH STREET AND COLUMBUS AVENUE, ST. PAUL, MINNESOTA 55155, UNLESS A SUFFICIENT NUMBER WITHDRAW THEIR REQUEST, IN ACCORDANCE WITH THE NOTICE OF PUBLIC HEARING ON THESE SAME RULES PUBLISHED IN THIS STATE REGISTER AND MAILED TO PERSONS REGISTERED WITH THE DEPARTMENT OF HUMAN SERVICES. To verify whether a hearing will be held, please call the Department of Human Services between July 23, 1987 and July 30, 1987 at (612) 296-3996.

Persons who wish to submit comments or a written request for a public hearing must submit such comments or requests to:

Ralph W. Corey
Minnesota Merit System
4th Floor, Centennial Office Building
658 Cedar Street
St. Paul, MN 55155

Comments or requests for a public hearing must be received by the Department by 4:30 p.m. on July 22, 1987.

The proposed rule may be modified if the modifications are supported by data and views and do not result in a substantial change in the proposed rule as noticed.

A free copy of this rule is available upon request for your review from: Ralph W. Corey, Minnesota Merit System, 4th Floor, Centennial Office Building, 658 Cedar Street, St. Paul, MN 55155, telephone (612) 296-3996.

A copy of the proposed rule may be viewed at any of the county welfare or human service agencies in the State of Minnesota.

The Minnesota Merit System rules provide for a system of personnel administration for 75 county welfare and human services agencies. The rules apply to all positions and employees engaged in the administration of community social services or income maintenance programs funded in whole or in part by federal grants-in-aid requiring a merit system of personnel administration. The rules cover such areas as classification of positions, compensation, recruitment and examination, certification and appointment, leaves of absence, separation, tenure and reinstatement, and, in general, provide standards for agencies to follow so as to ensure compliance with the Federal Standards for a Merit System of Personnel Administration (5 CFR Part 900).

If adopted, amendments to part 9575.0670 would change the maximum duration of an emergency appointment from 70 to 67 working days, making the Merit System rule language in this section consistent with the exclusion in the Public Employment Labor Relations Act (Minnesota Statutes, Chapter 179A) from the definition of employee.

Amendments to part 9575.0740 would change the current requirement that a request to extend a probationary period be received by the Merit System office at the beginning of the sixth month of the probationary period to fifteen days before the end of the probationary period, giving appointing authorities increased flexibility.

Amendments to parts 9575.0820 and 9575.0970 would delete the language in these parts entirely.

Amendents are also proposed to part 9575.1500 providing class titles and minimum and maximum salaries for newly established classes, deleting class titles and minimum and maximum salaries for abolished classes, and adjusting the minimum and maximum salaries of two established classes.

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available from Ralph W. Corey upon request.

Adoption of these rules will not result in additional spending by local public bodies in the excess of $100,000 per year for the first two years following adoption under the requirements of Minnesota Statutes, section 14.11.

If no hearing is required upon adoption of the rule, the rule and the required supporting documents will be delivered to the Attorney General for review as to legality and form to the extent the form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the adopted rule, must submit the written request to Ralph W. Corey.

State of Minnesota

Sandra Gardebring

SANDRA S. GARDEBRING
Commissioner

Dated: 5-8-87

STATE OF MINNESOTA

DEPARTMENT OF HUMAN SERVICES

| | |
|---|---|
| In the Matter of the Proposed Adoption of Department of Human Services Rules Governing Emergency Appointments; Extensions of Probationary Periods; Promotion by Noncompetitive Examination; Retirement; and the Compensation Plan; (Minnesota Rules, parts 9575.0670, 9575.0740, 9575.0820, 9575.0970, and 9575.1500). | NOTICE OF HEARING AND NOTICE OF INTENT TO CANCEL HEARING IF FEWER THAN TWENTY-FIVE PERSONS REQUEST A HEARING IN RESPONSE TO NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING |

NOTICE IS HEREBY GIVEN that a public hearing on the above-entitled matter will be held in Conference Room D, Veterans Service Building, 20 West 12th Street and Columbus Avenue, St. Paul, MN 55155 on July 31, 1987 commencing at 9:00 a.m. and continuing until all interested or affected persons have an opportunity to participate. The proposed rules may be modified as a result of the hearing process. Therefore, if you are affected in any manner by the proposed rules, you are urged to participate in the rule hearing process.

PLEASE NOTE, HOWEVER, THAT THE HEARING WILL BE CANCELLED IF FEWER THAN TWENTY-FIVE PERSONS REQUEST A HEARING IN RESPONSE TO THE NOTICE OF INTENT TO ADOPT THESE SAME RULES WITHOUT A PUBLIC HEARING PUBLISHED IN THIS STATE REGISTER AND MAILED TO PERSONS REGISTERED WITH THE DEPARTMENT OF HUMAN SERVICES. To verify whether a hearing will be held, please call the Department of Human Services between July 23, 1987 and July 30, 1987, at (612) 296-3996.

Following the agency's presentation at the hearing, all interested or affected persons will have an opportunity to participate. Such persons may present their views either orally at the hearing or in writing at any time prior to the close of the hearing record. All evidence presented should be pertinent to the matter at hand. Written material not submitted at the time of the hearing which is to be included in the hearing record may be mailed to Howard L. Kaibel, Administrative Law Judge, Office of Administrative Hearings, 400 Summit Bank Building, 310 Fourth Avenue South, Minneapolis, Minnesota 55415; telephone (612) 341-7608, either before the hearing or within five working days after the public hearing ends. The Administrative Law Judge may at the hearing, order the record be kept open for a longer period not to exceed 20 calendar days. The comments received during the comment period shall be available for review at the Office of Administrative Hearings. Following the close of the comment period the agency and all interested persons have three business days to respond in writing to any new information submitted during the comment period. During the three-day period, the agency may indicate in writing whether there are amendments suggested by other persons which the agency is willing to adopt. No additional evidence may be submitted during the three-day period. The written responses shall be added to the rulemaking record. Upon the close of the record the Administrative Law

Judge will write a report as provided for in Minnesota Statutes, sections 14.15 and 14.50. The rule hearing is governed by Minnesota Statutes, section 14.14 to 14.20 and by Minnesota Rules, parts 1400.0200 to 1400.1200. Questions about procedure may be directed to the Administrative Law Judge.

The Minnesota Merit System rules provide for a system of personnel administration for 75 county welfare and human services agencies. The rules apply to all positions and employees engaged in the administration of community social services or income maintenance programs funded in whole or in part by federal grants-in-aid requiring a merit system of personnel administration. The rules cover such areas as classification of positions, compensation, recruitment and examination, certification and appointment, leaves of absence, separation, tenure and reinstatement, and, in general, provide standards for agencies to follow so as to ensure compliance with the Federal Standards for a Merit System of Personnel Administration (5 CFR Part 900).

If adopted, amendments to part 9575.0670 would change the maximum duration of an emergency appointment from 70 to 67 working days, making the Merit System rule language in this section consistent with the exclusion in the Public Employment Labor Relations Act (Minnesota Statutes, Chapter 179A) from the definition of employee.

Amendments to part 9575.0740 would change the current requirement that a request to extend a probationary period be received by the Merit System office at the beginning of the sixth month of the probationary period to fifteen days before the end of the probationary period, giving appointing authorities increased flexibility.

Amendments to parts 9575.0820 and 9575.0970 would delete the language in these parts entirely.

Amendments are also proposed to part 9575.1500 providing class titles and minimum and maximum salaries for newly established classes, deleting class titles and minimum and maximum salaries for abolished classes, and adjusting the minimum and maximum salaries of two established classes.

The agency's authority to adopt the proposed rules is contained in Minnesota Statutes, section 256.012. Adoption of these rules will not result in additional spending by local public bodies in excess of $100,000 per year for the first two years following adoption under the requirements of Minnesota Statutes, section 14.11.

Copies of the proposed rules are now available and at least one free copy may be obtained by writing to Ralph W. Corey, Department of Human Services, 4th floor, Centennial Office Building, 658 Cedar Street, St. Paul, MN 55155. This rule is also available for viewing at each of the county welfare or human service agencies in the State of Minnesota.

Additional copies will be available at the hearing. If you have any questions on the content of the rule contact Ralph W. Corey.

NOTICE: Any person may request notification of the date on which the Administrative Law Judge'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. If you desire to be notified, you may so indicate at the hearing. After the hearing, you may request notification by sending a written request to the Administrative Law Judge. Any person may request notification of the date on which the rules were adopted and filed with the Secretary of State. The notice must be mailed on the same day the rules are filed. If you want to be so notified you may so indicate at the hearing or send a request in writing to the agency at any time prior to the filing of the rules with the Secretary of State.

NOTICE IS HEREBY GIVEN that a Statement of Need and Reasonableness is now available for review at the agency and at the Office of Administrative Hearings. The Statement of Need and Reasonableness includes a summary of all the evidence and argument which the agency anticipates presenting at the hearing justifying both the need for and reasonableness of the proposed rules. Copies of the Statement of Need and Reasonableness may be reviewed at the agency or the Office of Administrative Hearings and copies may be obtained from the Office of Administrative Hearings at the cost of reproduction.

Minnesota Statutes, chapter 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 Minnesota Statutes, section 10A.01, subdivision 11, as any individual:

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

(b) who spends more than $250, not including 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, 625 North Robert Street, St. Paul, Minnesota 55101, telephone (612) 296-5148.

Sandra Gardebring

SANDRA S. GARDEBRING
Commissioner

Dated: 5-8-87

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE SANDRA S. GARDEBRING
COMMISSIONER OF HUMAN SERVICES

BEFORE SISTER MARY MADONNA ASHTON
COMMISSIONER OF HEALTH

IN THE MATTER OF THE PROPOSED ADOPTION OF AMENDMENTS TO RULES OF THE MINNESOTA MERIT SYSTEM GOVERNING EMERGENCY APPOINTMENT; EXTENSION OF PROBATIONARY PERIOD; PROMOTION BY NONCOMPETITIVE EXAMINATION; RETIREMENT; AND THE COMPENSATION PLAN.

STATEMENT OF NEED AND REASONABLENESS

I. The following considerations constitute the 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 grant-in-aid funds for its various human services, 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/

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

Aid to Families With Dependent Children - "AFDC" [42 USC sec. 602 (a) (5)]
Food Stamps [7 USC sec. 2020 (e) (B) ]
Medical Assistance - "MA" [42 USC sec. 1396 (a) (4) (A)]
Aid to the Blind [42 USC sec. 1202 (a) (5) (A)]
Aid to the Permanently and Totally Disabled [42 USC sec. 1352 (a) (5) (A)]
Aid to the Aged, Blind or Disabled [42 USC sec. 1382 (a) (5) (A)]
State and Community Programs on Aging [42 USC sec. 3027 (a) (4)]
Adoption Assistance and Foster Care [42 USC 671 (a) (5)]
Old-Age Assistance [42 USC 302 (a) (5) (A)]
National Health Planning and Resources Development, Public Health, Service Act [42 USC 300m-1 (b) (4) (B)]
Child Welfare Services [45 CFR 1392.49 (c)]
Emergency Management Assistance [44 CFR 302.5]

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 48 Fed. Reg. 9209-9212 (March 4, 1983), codified at 5 CFR Part 900, Subpart F, 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 programs 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, current classification and compensation plans, training, retention on the basis of performance, and fair nondiscriminatory treatment of applicants and employees with due regard to their privacy and constitutional rights (48 Fed. Reg. 9211 (March 4, 1983), codified at 5 CFR sec. 900.603).

4. In conformance with 5 CFR Part 900, Subpart F, the Minnesota Legislature enacted Minn Stat. sec. 12.22 Subd. 3, sec. 144.071 and sec. 256.012[2/], which respectively authorize the governor, the commissioner of health, and the commissioner of human services to adopt necessary methods of personnel administration for implementing merit systems within their individual agencies. Collectively, the resulting programs are referred to as the "Minnesota Merit System".

5. Pursuant to such statutory authority those state agencies have adopted comprehensive administrative rules which regulate administration of the Minnesota Merit System. 3/

6. The Minnesota Supreme Court has upheld the Authority of the Commissioner of Human Services and by implication that of the Commissioner of Health and the governor to promulgate personnel rules and regulations. The Court quashed a writ of mandamus brought by the Hennepin County Welfare Board against the county auditor in attempting to force payment of salaries in excess of the maximum rates established by the Director of Social Welfare. 4/ State ex rel. Hennepin County Welfare Board and another v. Robert F. Fitzsimmons, et. al., 239 Minn. 407, 420, 58 N.A. 2d 882, (1953). The court stated:

> .....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 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.

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2/ See also Minn. Stat. secs. 393.07 (5), 256.01 (4), 393.07 (3) and 256.011.

3/ Minnesota Rules parts 9575.0010 - 9575.1580, parts 7520.0100 - 7520.1200, and parts 4670.0100 - 4670.4300.

4/ "Director of Social Welfare" was the former title of the Commissioner of Human Services.

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 Employment Labor Relations Act (Minn. Stat. secs. 179.61 - 179.77).

A. Emergency Appointment

Minnesota Rules, part 9575.0670 and 4670.2520

An amendment is proposed to these parts changing the maximum duration of an emergency appointment from 70 to 67 working days. Current language provides for initial emergency appointments for up to 45 working days which can be subsequently extended to a maximum of 70 working days in a calendar year. The Public Employment Labor Relations Act (PELRA) includes in its definition of an "employee" any employee whose position is temporary or seasonal in nature and who is employed for more than 67 working days in any calendar year. What this means is that, in an organized Merit System agency with a collective bargaining agreement, an emergency employee who works more than 67 days in a classification that is included in the bargaining unit becomes an employee of the agency and governed by the terms and conditions of the collective bargaining agreement.

In most cases, Merit System agencies hire an emergency employee for a short period of time to fill in during the absence of a regular employee who has been granted a leave of absence. The employment conditions are explained to the employee prior to hire and, when the regular employee returns to the position, the emergency employee terminates from the position. In such cases, it is the intent of the agency that the emergency employee not become an "employee" of the agency as defined by PELRA and, therefore, included in the agency bargaining unit. However, if an emergency employee continued for the 70 days currently allowable, that person would become an "employee" for purposes of PELRA. Such a result would be unintended by the employing agency. Given those circumstances, we believe it is reasonable that

Merit System rule language regarding the duration of emergency appointments be consistent with the exclusion in PELRA from the definition of employee for temporary or seasonal employees who do not work more than 67 working days in a calendar year.

B. Extension of Probationary Period

Minnesota Rules, part 9575.0740 and 4670.2630

An amendment is proposed to these parts to delete the current requirement that a request to extend the probationary period of an employee must be initiated on or before the beginning of the sixth month of the probationary period.

Under Merit System rules, a person employed by an appointing authority by appointment from an eligible register other than a layoff register must serve a six month probationary period before attaining permanent status. Agencies are requested to formally review the performance of a probationary employee twice during the probationary period, once at the end of three months (halfway through the probationary period) and again at the end of the fifth month of employment. Normally, it is after the second performance review that the decision is made to grant permanent status to the employee, terminate the employee or, in some cases, request an extension of the probationary period for the purpose of further evaluation. Given the above recommended scheduling of performance reviews, it is not possible, at times, for appointing authorities to meet the requirement for submission of a request for extension of the probationary period on or before the beginning of the sixth month of the probationary period.

Under current rule language, the only alternative available to the appointing authority in these situations is to either terminate the employee or grant permanent status to the employee at the end of the initial six month probationary period. While it is not commonplace, there are occasions when it is difficult for

an appointing authority to arrive at a thorough and fair determination of an employee's ability to satisfactorily perform all of the functions of his/her position at the end of the fifth month of the probationary period. An extension of the probationary period allows the appointing authority additional time to closely observe the employee's work in relation to appropriate performance standards and also allows the employee more time to address the area or areas of work that need improvement in order for the employee's overall performance to be determined to be fully satisfactory and permanent status granted. To accommodate use of this alternative and give the appointing authority adequate time to complete a five month evaluation, the proposed amendment would push back the deadline by about two weeks. The amendment would give the appointing authority until fifteen days prior to the end of the probationary period.

The rule will still require that the employee be provided with a copy of his/her performance review as well as a copy of the appointing authority's request to extend the probationary period. It will also still contain the requirement that the supervisor's decision on the request be provided to the agency and the employee prior to the end of the initial probationary period. However, that period will be changed from ten days to five days. The five day period is the same as that required when a probationary employee is to be removed. See Minn. Rules pt. 9575.0780, subp. 1. This will guarantee that the employee will still receive advance notice of the appointing authority's intent to extend the employee's probationary period. By deleting the requirement to initiate such a request on or before the sixth month of the probationary period, the appointing authority would be provided with some additional time subsequent to the second employee performance review in which to decide whether to request an extension of the probationary period without being in violation of the current time requirement in these rules. We believe it not only reasonable to allow appointing authorities the increased flexibility in submitting requests for the extension of an employee's

probationary period but also necessary to eliminate problems of compliance with current rule language based on the timeliness of such requests.

C. Promotion by Noncompetitive Examination

Minnesota Rules, part 9575.0820 and 4670.2720

An amendment is proposed to delete these two parts in their entirety from the Merit System rules. These provisions have not been used since at least 1978, the tenure of the current merit system supervisor, and their origin is unclear. They allow, by agreement between the appointing authority and the merit system supervisor, the promotion of an employee to a vacant position in an agency without providing for competition from up to two similarly qualified employees of the same agency. While the employee proposed for promotion must meet the minimum qualifications for the higher position and pass a noncompetitive promotional examination in order to be appointed, other employees in the agency who also meet the minimum qualifications for the higher position are not granted the same opportunity to take a noncompetitive promotional examination.

One of the objectives of the Merit System, as stated in rule language, is "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." The key phrase in this language is "all qualified persons." It is apparent that, in certain instances, parts 9575.0820 and 4670.2720 provide less than equal opportunity for all qualified persons to compete for promotion.

Additionally, there are other rule parts which address the matter of promotion within an agency and which also provide for open competition to all qualified employees in the final examination process. These parts are 9575.0660 and 4670.2510 relating to provisional appointments. They provide a mechanism for provisionally promoting an employee in situations where there is an urgent need to

fill a vacant position and there is no promotional register of qualified persons from which to refer names to the agency. In these situations, a person meeting the minimum qualifications of education and experience for the vacant position may be provisionally promoted to the position pending the establishment of a promotional register of qualified employees. Provisional appointments are limited in duration to six months, which allows time for the appropriate examination to be announced, qualified applicants to be recruited, the examination administered and scored, an eligible register established and names referred to the agency to fill the position. All employees meeting the minimum qualifications of education and experience for the vacant position, including the provisional appointee, have an opportunity to compete in the examination given to fill the vacancy. While both sets of rules referred to address the matter of promotional appointments, the provisional appointment rules allow for equal opportunity for all qualified persons to compete for promotion in such situations whereas the parts proposed for deletion do not provide for the same level of equal opportunity in all situations.

Given the fact that the existing provisional appointment rule language is far more consistent with the overall Merit System objective of providing equal opportunity for qualified persons to compete for promotions than that provided by 9575.0820 and 4670.2720, and also that the rules affected have been dormant for at least 10 years, we believe it not only reasonable but highly desirable to delete the latter parts from the Merit System rules.

D. Retirement

Minnesota Rules, part 9575.0970 and 4670.2970

An amendment is proposed to delete these two rule parts in light of recently passed federal legislation relating to mandatory retirement. Current rule language provides that an appointing authority may retire an employee in the merit system

who attains the age of 70. In October, 1986, Congress passed HR 4154, known as the Age Discrimination in Employment Amendments of 1986, Pub. L. No. 99-592. The amendments were signed by President Reagan on October 31, 1986, and became effective on January 1, 1987. This legislation prohibits mandatory retirement at an age certain, except for public safety officers and tenured faculty members. There are no public safety officers or faculty positions covered by the Minnesota Merit System rules. Since an employee can no longer be mandatorily retired due to age alone, it is not only reasonable but also necessary to delete these rule parts to avoid conflict with federal law.

E. Compensation Plan

Minnesota Rules, part 9575.1500

Amendments are proposed to part 9575.1500 providing class titles and minimum and maximum salaries for three newly established classes entitled Food Stamp Corrective Action Specialist II, Support Enforcement Aide and Methods and Procedures Technician. These amendments are necessary in order to maintain a current compensation plan with class titles and minimum and maximum salaries that are reflective of the various functions actually being performed by Merit System employees. In accordance with Merit System rules, the proposed new positions were evaluated using a formal job evaluation system to determine their comparable work value. The proposed minimum and maximum salaries for these classes are based principally on their comparable work value as determined by these evaluations. Also, in accordance with Merit System rules, the proposed new classes and salary ranges were presented to the Merit System Council for consideration. The Council recommended adoption of the new classes and salary ranges as proposed.

Two amendments are proposed to part 9575.1500. The first proposal is to change the title of the class Food Stamp Corrective Action Specialist to more clearly distinguish it from the higher level proposed new class of Food Stamp Corrective

Action Specialist II. Having two positions designated as "I" and "II" will accomplish that goal. We also propose to change the title of the class Staff Training Supervisor to more appropriately identify the primary thrust of the position, which is not supervisory. The new title will be Senior Staff Development Specialist. While persons in this position may have some supervisory responsibilities, their chief function would be directly with staff development. These proposed title changes have also been reviewed by the Merit System Council which recommended their adoption as proposed.

An amendment is proposed to part 9575.1500 adjusting the minimum and maximum salaries for the class Administrative Secretary as the result of a recent job evaluation rating of this class establishing its comparable work value. Minn. Stat. Sections 471.991-471.999 requires the Merit System to establish equitable compensation relationships between classes of positions based on their comparable work value as determined by a job evaluation system. Classes of positions with similar comparable work values are to be compensated in a similar manner. The comparable work value for the class Administrative Secretary compared to similar comparable work values for other classes clearly justifies the proposed adjustment to the minimum and maximum salaries for this class. The amendment is necessary both to comply with the statutory mandate to establish equitable compensation relationships between classes of positions and to recognize the comparable work value of the class by providing appropriate minimum and maximum salary rates for the class. The Merit System Council has recommended adoption of the adjustment as proposed.

Amendments are proposed to part 9575.1500 deleting the class titles and minimum and maximum salaries for Education Supervisor, Office Manager and Personnel Aide.

There are no incumbents in these classes and no plans by any agency to establish any such positions in the foreseeable future. The amendments are necessary and reasonable to ensure that Merit System compensation plans provide for class titles that are reflective of functions actually being performed by current Merit System employees. Again, as with other proposed amendments to the compensation plan rule, the Merit System Council has recommended abolishment of these classes as proposed.

Some background information is desirable regarding amendments proposing a single salary range for the Food Stamp Corrective Action Specialist I class and the proposed new class of Food Stamp Corrective Action Specialist II. The state Department of Human Services administers a statewide Food Stamp Quality Control program, a function mandated by federal regulation. The federal government places a low tolerance level on errors occurring in the state's food stamp program and applies fiscal sanctions to states whose error rates exceed that level. Consequence of error is significant considering that Minnesota's average statewide monthly food stamp issuance exceeds nine million dollars. The Department of Human Services has entered into contracts with two "host counties," Redwood and Crow Wing, which employ persons in these two classifications to carry out the functions of food stamp program review and corrective action in all 87 counties of the state. While these persons are employees of the two host counties for payroll purposes, they serve as field representatives for the Department of Human Services and receive program direction from the department. Each host county is responsible for carrying out the Food Stamp Quality Control program in approximately half of the state's counties with a combined staff in the two counties of 22 Corrective Action Specialists engaged in the program. These 22 employees actually live and work throughout the state, which is a unique situation from other Merit System employees who live and work within the county of employment or adjacent county.

They work with considerable independence out of their own homes in both metropolitan and non-metropolitan locations and with both large and small county social service agencies in urban as well as rural areas of the state. The Merit System has an obligation to provide compensation schedules for classes that allow agencies to attract well-qualified job applicants to fill their vacant positions. In the case of these two classes, it means providing compensation schedules for them that will enable the two host counties to recruit qualified applicants in both urban metropolitan areas and in rural Minnesota. Given the statewide nature of the department's Food Stamp Quality Control program which requires statewide individual work stations for these employees charged with the responsibility for carrying out the function, it is both necessary and reasonable to provide the two host county agencies with a single statewide salary range for these two classes. The proposed single range will better enable these agencies to attract quality applicants on a statewide basis for these positions and retain current employees already performing this important function, and avoid having employees vying for certain locations only because of higher pay.

Finally, it is anticipated that there will be no expert witnesses to be called to testify on behalf of the agency.

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

Ralph W. Corey

Ralph W. Corey

Merit System Supervisor

Dated: 5-1-87

STATE OF MINNESOTA

DEPARTMENT OF HEALTH

IN THE MATTER OF THE PROPOSED AMENDMNTS TO EXISTING RULES GOVERNING EMERGENCY APPOINTMENTS; EXTENSION OF PROBATIONARY PERIODS; PROMOTION BY NONCOMPETITIVE EXAMINATION AND RETIREMENT (MINNESOTA RULES, PARTS 4670.2520, 4670.2630, 4670.2720 AND 4670.2970)

AFFIDAVIT OF MAILING

Rose Ann Bauer, being first duly sworn, deposes and says:

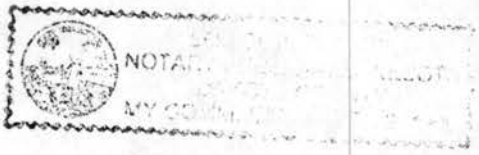
That on the 17th day of June, 1987, at the City of St. Paul, County of Ramsey, State of Minnesota, I mailed the attached Notices by depositing in the State of Minnesota Central Mail System for first class mailing, a copy thereof, properly enveloped, with postage prepaid, to all persons and associations who have requested that their names be placed on file with the Department of Health for the purpose of receiving notice of hearing by this Department.

Rose Ann Bauer

Subscribed and sworn to before me

this 17 day of June, 1987

Louise J. Bredel



STATE OF MINNESOTA

DEPARTMENT OF HEALTH

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|---|---|
| In the Matter of the Proposed Adoption of Rules of the State Department of Health Governing Emergency Appointments; Extensions of Probationary Periods; Promotion by Noncompetitive Examination; and Retirement; (Minnesota Rules parts 4670.2520, 4670.2630, 4670.2720 and 4670.2970). | NOTICE OF INTENT TO ADOPT A RULE WITHOUT A PUBLIC HEARING AND NOTICE OF INTENT TO ADOPT A RULE WITH A PUBLIC HEARING IF TWENTY-FIVE OR MORE PERSONS REQUEST A HEARING |

Notice is hereby given that the State Department of Health proposes to adopt the above-entitled rule without a public hearing following the procedures set forth in Minnesota Statutes, section 14.22 to 14.28. The specific statutory authority to adopt the rule is Minnesota Statutes, section 144.071.

Persons interested in this rule shall have 30 days in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule and comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rule within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the agency will proceed pursuant to Minnesota Statutes, section 14.131 to 14.20. PLEASE NOTE THAT IF TWENTY-FIVE OR MORE PERSONS SUBMIT WRITTEN REQUESTS FOR A PUBLIC HEARING WITHIN THE 30-DAY COMMENT PERIOD, A HEARING WILL BE HELD ON JULY 31, 1987, IN CONFERENCE ROOM D, VETERANS SERVICE BUILDING, 20 WEST 12TH STREET AND COLUMBUS AVENUE, ST. PAUL, MINNESOTA 55155, UNLESS A SUFFICIENT NUMBER WITHDRAW THEIR REQUEST, IN ACCORDANCE WITH THE NOTICE OF PUBLIC HEARING ON THESE SAME RULES PUBLISHED IN THIS STATE REGISTER AND MAILED TO PERSONS REGISTERED WITH THE DEPARTMENT OF HEALTH. To verify whether a hearing will be held, please call the Minnesota Merit System between July 23, 1987 and July 30, 1987 at (612) 296-3996.

Persons who wish to submit comments or a written request for a public hearing must submit such comments or requests to:

Ralph W. Corey
Minnesota Merit System
4th Floor, Centennial Office Building
658 Cedar Street
St. Paul, MN 55155

Comments or requests for a public hearing must be received by the Department by 4:30 p.m. on July 22, 1987.

The proposed rule may be modified if the modifications are supported by data and views and do not result in a substantial change in the proposed rule as noticed.

A free copy of this rule is available upon request for your review from: Ralph W. Corey, Minnesota Merit System, 4th Floor, Centennial Office Building, 658 Cedar Street, St. Paul, MN 55155, telephone (612) 296-3996.

The Minnesota Merit System rules provide for a system of personnel administration for local and county health and human services agencies. The rules apply to all positions funded in whole or in part by federal grants-in-aid requiring a merit system of personnel administration. The rules cover such areas as classification of positions, compensation, recruitment and examination, certification and appointment, leaves of absence, separation, tenure and reinstatement, and, in general, provide standards for agencies to follow so as to ensure compliance with the Federal Standards for a Merit System of Personnel Administration (5 CFR Part 900).

If adopted, amendments to part 4670.2520 would change the maximum duration of an emergency appointment from 70 to 67 working days, making the Merit System rule language in this section consistent with the exclusion in the Public Employment Labor Relations Act (Minnesota Statutes, Chapter 179A) from the definition of employee.

Amendments to part 4670.2630 would change the current requirement that a request to extend a probationary period be received by the Merit System office at the beginning of the sixth month of the probationary period to fifteen days before the end of the probationary period, giving appointing authorities increased flexibility.

Amendments to parts 4670.2720 and 4670.2970 would delete the language in these parts entirely.

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available from Ralph W. Corey upon request.

Adoption of these rules will not result in additional spending by local public bodies in the excess of $100,000 per year for the first two years following adoption under the requirements of Minnesota Statutes, section 14.11.

If no hearing is required upon adoption of the rule, the rule and the required supporting documents will be delivered to the Attorney General for review as to legality and form to the extent the form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the adopted rule, must submit the written request to Ralph W. Corey.

State of Minnesota

SMMAshton

SISTER MARY MADONNA ASHTON
Commissioner

Dated: 5-5-87

STATE OF MINNESOTA

DEPARTMENT OF HEALTH

In the Matter of the Proposed Adoption of Department of Health Rules Governing Emergency Appointments; Extensions of Probationary Periods; Promotion by Noncompetitive Examination; and Retirement; (Minnesota Rules, parts 4670.2520, 4670.2630, 4670.2720, and 4670.2970).

NOTICE OF HEARING AND NOTICE OF INTENT TO CANCEL HEARING IF FEWER THAN TWENTY-FIVE PERSONS REQUEST A HEARING IN RESPONSE TO NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing on the above-entitled matter will be held in Conference Room D, Veterans Service Building, 20 West 12th Street and Columbus Avenue, St. Paul, MN 55155 on July 31, 1987 commencing at 9:00 a.m. and continuing until all interested or affected persons have an opportunity to participate. The proposed rules may be modified as a result of the hearing process. Therefore, if you are affected in any manner by the proposed rules, you are urged to participate in the rule hearing process.

PLEASE NOTE, HOWEVER, THAT THE HEARING WILL BE CANCELLED IF FEWER THAN TWENTY-FIVE PERSONS REQUEST A HEARING IN RESPONSE TO THE NOTICE OF INTENT TO ADOPT THESE SAME RULES WITHOUT A PUBLIC HEARING PUBLISHED IN THIS STATE REGISTER AND MAILED TO PERSONS REGISTERED WITH THE DEPARTMENT OF HEALTH. To verify whether a hearing will be held, please call the Minnesota Merit System between July 23, 1987 and July 30, 1987 at (612) 296-3996.

Following the agency's presentation at the hearing, all interested or affected persons will have an opportunity to participate. Such persons may present their views either orally at the hearing or in writing at any time prior to the close of the hearing record. All evidence presented should be pertinent to the matter at hand. Written material not submitted at the time of the hearing which is to be included in the hearing record may be mailed to Howard L. Kaibel, Administrative Law Judge, Office of Administrative Hearings, 400 Summit Bank Building, 310 Fourth Avenue South, Minneapolis, Minnesota 55415; telephone (612) 341-7608, either before the hearing or within five working days after the public hearing ends. The Administrative Law Judge may at the hearing, order the record be kept open for a longer period not to exceed 20 calendar days. The comments received during the comment period shall be available for review at the Office of Administrative Hearings. Following the close of the comment period the agency and all interested persons have three business days to respond in writing to any new information submitted during the comment period. During the three-day period, the agency may indicate in writing whether there are amendments suggested by other persons which the agency is willing to adopt. No additional evidence may be submitted during the three-day period. The written responses shall be added to the rulemaking record. Upon the close of the record the Administrative Law

Judge will write a report as provided for in Minnesota Statutes, sections 14.15 and 14.50. The rule hearing is governed by Minnesota Statutes, section 14.14 to 14.20 and by Minnesota Rules, parts 1400.0200 to 1400.1200. Questions about procedure may be directed to the Administrative Law Judge.

The Minnesota Merit System rules provide for a system of personnel administration for local and county health and human services agencies. The rules apply to all positions funded in whole or in part by federal grants-in-aid requiring a merit system of personnel administration. The rules cover such areas as classification of positions, compensation, recruitment and examination, certification and appointment, leaves of absence, separation, tenure and reinstatement, and, in general, provide standards for agencies to follow so as to ensure compliance with the Federal Standards for a Merit System of Personnel Administration (5 CFR Part 900).

If adopted, amendments to part 4670.2520 would change the maximum duration of an emergency appointment from 70 to 67 working days, making the Merit System rule language in this section consistent with the exclusion in the Public Employment Labor Relations Act (Minnesota Statutes, Chapter 179A) from the definition of employee.

Amendments to part 4670.2630 would change the current requirement that a request to extend a probationary period be received by the Merit System office at the beginning of the sixth month of the probationary period to fifteen days before the end of the probationary period, giving appointing authorities increased flexibility.

Amendments to parts 4670.2720 and 4670.2970 would delete the language in these parts entirely.

The agency's authority to adopt the proposed rules is contained in Minnesota Statutes, section 144.071. Adoption of these rules will not result in additional spending by local public bodies in excess of $100,000 per year for the first two years following adoption under the requirements of Minnesota Statutes, section 14.11.

Copies of the proposed rules are now available and at least one free copy may be obtained by writing to Ralph W. Corey, Minnesota Merit System, 4th floor, Centennial Office Building, 658 Cedar Street, St. Paul, MN 55155.

Additional copies will be available at the hearing. If you have any questions on the content of the rule contact Ralph W. Corey.

NOTICE: Any person may request notification of the date on which the Administrative Law Judge'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. If you desire to be notified, you may so indicate at the hearing. After the hearing, you may request notification by sending a written request to the Administrative Law Judge. Any person may request notification of the date on which the rules were adopted and filed with the Secretary of State. The notice must be mailed on the same day the rules are filed. If you want to be so notified you may so indicate at the hearing or send a request in writing to the agency at any time prior to the filing of the rules with the Secretary of State.

NOTICE IS HEREBY GIVEN that a Statement of Need and Reasonableness is now available for review at the agency and at the Office of Administrative Hearings. The Statement of Need and Reasonableness includes a summary of all the evidence and argument which the agency anticipates presenting at the hearing justifying both the need for and reasonableness of the proposed rules. Copies of the Statement of Need and Reasonableness may be reviewed at the agency or the Office of Administrative Hearings and copies may be obtained from the Office of Administrative Hearings at the cost of reproduction.

Minnesota Statutes, chapter 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 Minnesota Statutes, section 10A.01, subdivision 11, as any individual:

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

(b) who spends more than $250, not including 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, 625 North Robert Street, St. Paul, Minnesota 55101, telephone (612) 296-5148.

SMMAshton

SISTER MARY MADONNA ASHTON
Commissioner

Dated: 5-8-87

STATE OF MINNESOTA

DEPARTMENT OF HEALTH

IN THE MATTER OF THE PROPOSED AMENDMENTS TO EXISTING RULES GOVERNING EMERGENCY APPOINTMENTS; EXTENSION OF PROBATIONARY PERIODS; PROMOTION BY NONCOMPETITIVE EXAMINATION; AND RETIREMENT (MINNESOTA RULES, PARTS 4670.2520, 4670.2630, 4670.2720 AND 4670.2970)

**AFFIDAVIT OF ADDITIONAL MAILING**

Rose Ann Bauer, being first duly sworn, deposes and says:

That on the 17th day of June, 1987, at the City of St. Paul, County of Ramsey, State of Minnesota, I mailed the attached Notices, 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 parties:

Sister Mary Madonna Ashton, Commissioner
Jack McKasy, Director, Personnel Services
Mary Jean Anderson, Affirmative Action Director
Minnesota Merit System Council

Rose Ann Bauer

Subscribed and sworn to before me

this 17 day of June 1987

Louise J. Briedl



STATE OF MINNESOTA

DEPARTMENT OF HEALTH

In the Matter of the Proposed Adoption of Rules of the State Department of Health Governing Emergency Appointments; Extensions of Probationary Periods; Promotion by Noncompetitive Examination; and Retirement; (Minnesota Rules parts 4670.2520, 4670.2630, 4670.2720 and 4670.2970).

NOTICE OF INTENT TO ADOPT A RULE WITHOUT A PUBLIC HEARING AND NOTICE OF INTENT TO ADOPT A RULE WITH A PUBLIC HEARING IF TWENTY-FIVE OR MORE PERSONS REQUEST A HEARING

Notice is hereby given that the State Department of Health proposes to adopt the above-entitled rule without a public hearing following the procedures set forth in Minnesota Statutes, section 14.22 to 14.28. The specific statutory authority to adopt the rule is Minnesota Statutes, section 144.071.

Persons interested in this rule shall have 30 days in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule and comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rule within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the agency will proceed pursuant to Minnesota Statutes, section 14.131 to 14.20. PLEASE NOTE THAT IF TWENTY-FIVE OR MORE PERSONS SUBMIT WRITTEN REQUESTS FOR A PUBLIC HEARING WITHIN THE 30-DAY COMMENT PERIOD, A HEARING WILL BE HELD ON JULY 31, 1987, IN CONFERENCE ROOM D, VETERANS SERVICE BUILDING, 20 WEST 12TH STREET AND COLUMBUS AVENUE, ST. PAUL, MINNESOTA 55155, UNLESS A SUFFICIENT NUMBER WITHDRAW THEIR REQUEST, IN ACCORDANCE WITH THE NOTICE OF PUBLIC HEARING ON THESE SAME RULES PUBLISHED IN THIS STATE REGISTER AND MAILED TO PERSONS REGISTERED WITH THE DEPARTMENT OF HEALTH. To verify whether a hearing will be held, please call the Minnesota Merit System between July 23, 1987 and July 30, 1987 at (612) 296-3996.

Persons who wish to submit comments or a written request for a public hearing must submit such comments or requests to:

Ralph W. Corey
Minnesota Merit System
4th Floor, Centennial Office Building
658 Cedar Street
St. Paul, MN 55155

Comments or requests for a public hearing must be received by the Department by 4:30 p.m. on July 22, 1987.

The proposed rule may be modified if the modifications are supported by data and views and do not result in a substantial change in the proposed rule as noticed.

A free copy of this rule is available upon request for your review from: Ralph W. Corey, Minnesota Merit System, 4th Floor, Centennial Office Building, 658 Cedar Street, St. Paul, MN 55155, telephone (612) 296-3996.

The Minnesota Merit System rules provide for a system of personnel administration for local and county health and human services agencies. The rules apply to all positions funded in whole or in part by federal grants-in-aid requiring a merit system of personnel administration. The rules cover such areas as classification of positions, compensation, recruitment and examination, certification and appointment, leaves of absence, separation, tenure and reinstatement, and, in general, provide standards for agencies to follow so as to ensure compliance with the Federal Standards for a Merit System of Personnel Administration (5 CFR Part 900).

If adopted, amendments to part 4670.2520 would change the maximum duration of an emergency appointment from 70 to 67 working days, making the Merit System rule language in this section consistent with the exclusion in the Public Employment Labor Relations Act (Minnesota Statutes, Chapter 179A) from the definition of employee.

Amendments to part 4670.2630 would change the current requirement that a request to extend a probationary period be received by the Merit System office at the beginning of the sixth month of the probationary period to fifteen days before the end of the probationary period, giving appointing authorities increased flexibility.

Amendments to parts 4670.2720 and 4670.2970 would delete the language in these parts entirely.

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available from Ralph W. Corey upon request.

Adoption of these rules will not result in additional spending by local public bodies in the excess of $100,000 per year for the first two years following adoption under the requirements of Minnesota Statutes, section 14.11.

If no hearing is required upon adoption of the rule, the rule and the required supporting documents will be delivered to the Attorney General for review as to legality and form to the extent the form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the adopted rule, must submit the written request to Ralph W. Corey.

State of Minnesota

SMMAshton

SISTER MARY MADONNA ASHTON
Commissioner

Dated: 5-8-87

STATE OF MINNESOTA

DEPARTMENT OF HEALTH

In the Matter of the Proposed Adoption of Department of Health Rules Governing Emergency Appointments; Extensions of Probationary Periods; Promotion by Noncompetitive Examination; and Retirement; (Minnesota Rules, parts 4670.2520, 4670.2630, 4670.2720, and 4670.2970).

NOTICE OF HEARING AND NOTICE OF INTENT TO CANCEL HEARING IF FEWER THAN TWENTY-FIVE PERSONS REQUEST A HEARING IN RESPONSE TO NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing on the above-entitled matter will be held in Conference Room D, Veterans Service Building, 20 West 12th Street and Columbus Avenue, St. Paul, MN 55155 on July 31, 1987 commencing at 9:00 a.m. and continuing until all interested or affected persons have an opportunity to participate. The proposed rules may be modified as a result of the hearing process. Therefore, if you are affected in any manner by the proposed rules, you are urged to participate in the rule hearing process.

PLEASE NOTE, HOWEVER, THAT THE HEARING WILL BE CANCELLED IF FEWER THAN TWENTY-FIVE PERSONS REQUEST A HEARING IN RESPONSE TO THE NOTICE OF INTENT TO ADOPT THESE SAME RULES WITHOUT A PUBLIC HEARING PUBLISHED IN THIS STATE REGISTER AND MAILED TO PERSONS REGISTERED WITH THE DEPARTMENT OF HEALTH. To verify whether a hearing will be held, please call the Minnesota Merit System between July 23, 1987 and July 30, 1987 at (612) 296-3996.

Following the agency's presentation at the hearing, all interested or affected persons will have an opportunity to participate. Such persons may present their views either orally at the hearing or in writing at any time prior to the close of the hearing record. All evidence presented should be pertinent to the matter at hand. Written material not submitted at the time of the hearing which is to be included in the hearing record may be mailed to Howard L. Kaibel, Administrative Law Judge, Office of Administrative Hearings, 400 Summit Bank Building, 310 Fourth Avenue South, Minneapolis, Minnesota 55415; telephone (612) 341-7608, either before the hearing or within five working days after the public hearing ends. The Administrative Law Judge may at the hearing, order the record be kept open for a longer period not to exceed 20 calendar days. The comments received during the comment period shall be available for review at the Office of Administrative Hearings. Following the close of the comment period the agency and all interested persons have three business days to respond in writing to any new information submitted during the comment period. During the three-day period, the agency may indicate in writing whether there are amendments suggested by other persons which the agency is willing to adopt. No additional evidence may be submitted during the three-day period. The written responses shall be added to the rulemaking record. Upon the close of the record the Administrative Law

Judge will write a report as provided for in Minnesota Statutes, sections 14.15 and 14.50. The rule hearing is governed by Minnesota Statutes, section 14.14 to 14.20 and by Minnesota Rules, parts 1400.0200 to 1400.1200. Questions about procedure may be directed to the Administrative Law Judge.

The Minnesota Merit System rules provide for a system of personnel administration for local and county health and human services agencies. The rules apply to all positions funded in whole or in part by federal grants-in-aid requiring a merit system of personnel administration. The rules cover such areas as classification of positions, compensation, recruitment and examination, certification and appointment, leaves of absence, separation, tenure and reinstatement, and, in general, provide standards for agencies to follow so as to ensure compliance with the Federal Standards for a Merit System of Personnel Administration (5 CFR Part 900).

If adopted, amendments to part 4670.2520 would change the maximum duration of an emergency appointment from 70 to 67 working days, making the Merit System rule language in this section consistent with the exclusion in the Public Employment Labor Relations Act (Minnesota Statutes, Chapter 179A) from the definition of employee.

Amendments to part 4670.2630 would change the current requirement that a request to extend a probationary period be received by the Merit System office at the beginning of the sixth month of the probationary period to fifteen days before the end of the probationary period, giving appointing authorities increased flexibility.

Amendments to parts 4670.2720 and 4670.2970 would delete the language in these parts entirely.

The agency's authority to adopt the proposed rules is contained in Minnesota Statutes, section 144.071. Adoption of these rules will not result in additional spending by local public bodies in excess of $100,000 per year for the first two years following adoption under the requirements of Minnesota Statutes, section 14.11.

Copies of the proposed rules are now available and at least one free copy may be obtained by writing to Ralph W. Corey, Minnesota Merit System, 4th floor, Centennial Office Building, 658 Cedar Street, St. Paul, MN 55155.

Additional copies will be available at the hearing. If you have any questions on the content of the rule contact Ralph W. Corey.

NOTICE: Any person may request notification of the date on which the Administrative Law Judge'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. If you desire to be notified, you may so indicate at the hearing. After the hearing, you may request notification by sending a written request to the Administrative Law Judge. Any person may request notification of the date on which the rules were adopted and filed with the Secretary of State. The notice must be mailed on the same day the rules are filed. If you want to be so notified you may so indicate at the hearing or send a request in writing to the agency at any time prior to the filing of the rules with the Secretary of State.

NOTICE IS HEREBY GIVEN that a Statement of Need and Reasonableness is now available for review at the agency and at the Office of Administrative Hearings. The Statement of Need and Reasonableness includes a summary of all the evidence and argument which the agency anticipates presenting at the hearing justifying both the need for and reasonableness of the proposed rules. Copies of the Statement of Need and Reasonableness may be reviewed at the agency or the Office of Administrative Hearings and copies may be obtained from the Office of Administrative Hearings at the cost of reproduction.

Minnesota Statutes, chapter 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 Minnesota Statutes, section 10A.01, subdivision 11, as any individual:

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

(b) who spends more than $250, not including 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, 625 North Robert Street, St. Paul, Minnesota 55101, telephone (612) 296-5148.

SMMAshton

SISTER MARY MADONNA ASHTON
Commissioner

Dated: 5-8-87

STATE OF MINNESOTA

DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF THE PROPOSED ADOPTION OF DEPARTMENT OF HUMAN SERVICES RULES GOVERNING EMERGENCY APPOINTMENTS; EXTENSIONS OF PROBATIONARY PERIODS; PROMOTION BY NONCOMPETITIVE EXAMINATION; RETIREMENT; AND THE COMPENSATION PLAN; MINNESOTA RULES, PARTS 9575.0670, 9575.0740, 9575.0820, 9575.0970, AND 9575.1500

AFFIDAVIT OF MAILING

Nancy Storelee, being first duly sworn, deposes and says:

That on the 17th day of June, 1987, at the City of St. Paul, County of Ramsey, State of Minnesota, I mailed the attached Notices by depositing in the State of Minnesota Central Mail System for first class mailing, a copy thereof, properly enveloped, with postage prepaid, to all persons and associations who have requested that their names be placed on file with the Department of Human Services for the purpose of receiving notice of hearing by this Department.

Nancy Storelee

Subscribed and sworn to before me

this 22nd day of June, 1987.

Louise J. Brisdel

LOUISE J. BRISDEL
NOTARY PUBLIC—MINNESOTA
DAKOTA COUNTY
MY COMM. EXP. SEPT. 30, 1990

STATE OF MINNESOTA

DEPARTMENT OF HUMAN SERVICES

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| In the Matter of the Proposed Adoption of Rules of the State Department of Human Services Governing Emergency Appointments; Extensions of Probationary Periods; Promotion by Noncompetitive Examination; Retirement; and the Compensation Plan; (Minnesota Rules parts 9575.0670, 9575.0740, 9575.0820, 9575.0970, and 9575.1500). | NOTICE OF INTENT TO ADOPT A RULE WITHOUT A PUBLIC HEARING AND NOTICE OF INTENT TO ADOPT A RULE WITH A PUBLIC HEARING IF TWENTY-FIVE OR MORE PERSONS REQUEST A HEARING |

Notice is hereby given that the State Department of Human Services proposes to adopt the above-entitled rule without a public hearing following the procedures set forth in Minnesota Statutes, section 14.22 to 14.28. The specific statutory authority to adopt the rule is Minnesota Statutes, section 256.012.

Persons interested in this rule shall have 30 days in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule and comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rule within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the agency will proceed pursuant to Minnesota Statutes, section 14.131 to 14.20. PLEASE NOTE THAT IF TWENTY-FIVE OR MORE PERSONS SUBMIT WRITTEN REQUESTS FOR A PUBLIC HEARING WITHIN THE 30-DAY COMMENT PERIOD, A HEARING WILL BE HELD ON JULY 31, 1987, IN CONFERENCE ROOM D, VETERANS SERVICE BUILDING, 20 WEST 12TH STREET AND COLUMBUS AVENUE, ST. PAUL, MINNESOTA 55155, UNLESS A SUFFICIENT NUMBER WITHDRAW THEIR REQUEST, IN ACCORDANCE WITH THE NOTICE OF PUBLIC HEARING ON THESE SAME RULES PUBLISHED IN THIS STATE REGISTER AND MAILED TO PERSONS REGISTERED WITH THE DEPARTMENT OF HUMAN SERVICES. To verify whether a hearing will be held, please call the Department of Human Services between July 23, 1987 and July 30, 1987 at (612) 296-3996.

Persons who wish to submit comments or a written request for a public hearing must submit such comments or requests to:

Ralph W. Corey
Minnesota Merit System
4th Floor, Centennial Office Building
658 Cedar Street
St. Paul, MN 55155

Comments or requests for a public hearing must be received by the Department by 4:30 p.m. on July 22, 1987.

The proposed rule may be modified if the modifications are supported by data and views and do not result in a substantial change in the proposed rule as noticed.

A free copy of this rule is available upon request for your review from: Ralph W. Corey, Minnesota Merit System, 4th Floor, Centennial Office Building, 658 Cedar Street, St. Paul, MN 55155, telephone (612) 296-3996.

A copy of the proposed rule may be viewed at any of the county welfare or human service agencies in the State of Minnesota.

The Minnesota Merit System rules provide for a system of personnel administration for 75 county welfare and human services agencies. The rules apply to all positions and employees engaged in the administration of community social services or income maintenance programs funded in whole or in part by federal grants-in-aid requiring a merit system of personnel administration. The rules cover such areas as classification of positions, compensation, recruitment and examination, certification and appointment, leaves of absence, separation, tenure and reinstatement, and, in general, provide standards for agencies to follow so as to ensure compliance with the Federal Standards for a Merit System of Personnel Administration (5 CFR Part 900).

If adopted, amendments to part 9575.0670 would change the maximum duration of an emergency appointment from 70 to 67 working days, making the Merit System rule language in this section consistent with the exclusion in the Public Employment Labor Relations Act (Minnesota Statutes, Chapter 179A) from the definition of employee.

Amendments to part 9575.0740 would change the current requirement that a request to extend a probationary period be received by the Merit System office at the beginning of the sixth month of the probationary period to fifteen days before the end of the probationary period, giving appointing authorities increased flexibility.

Amendments to parts 9575.0820 and 9575.0970 would delete the language in these parts entirely.

Amendents are also proposed to part 9575.1500 providing class titles and minimum and maximum salaries for newly established classes, deleting class titles and minimum and maximum salaries for abolished classes, and adjusting the minimum and maximum salaries of two established classes.

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available from Ralph W. Corey upon request.

Adoption of these rules will not result in additional spending by local public bodies in the excess of $100,000 per year for the first two years following adoption under the requirements of Minnesota Statutes, section 14.11.

If no hearing is required upon adoption of the rule, the rule and the required supporting documents will be delivered to the Attorney General for review as to legality and form to the extent the form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the adopted rule, must submit the written request to Ralph W. Corey.

State of Minnesota

SANDRA S. GARDEBRING
Commissioner

Dated: 5-8-87

STATE OF MINNESOTA

DEPARTMENT OF HUMAN SERVICES

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| In the Matter of the Proposed Adoption of Department of Human Services Rules Governing Emergency Appointments; Extensions of Probationary Periods; Promotion by Noncompetitive Examination; Retirement; and the Compensation Plan; (Minnesota Rules, parts 9575.0670, 9575.0740, 9575.0820, 9575.0970, and 9575.1500). | NOTICE OF HEARING AND NOTICE OF INTENT TO CANCEL HEARING IF FEWER THAN TWENTY-FIVE PERSONS REQUEST A HEARING IN RESPONSE TO NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING |

NOTICE IS HEREBY GIVEN that a public hearing on the above-entitled matter will be held in Conference Room D, Veterans Service Building, 20 West 12th Street and Columbus Avenue, St. Paul, MN 55155 on July 31, 1987 commencing at 9:00 a.m. and continuing until all interested or affected persons have an opportunity to participate. The proposed rules may be modified as a result of the hearing process. Therefore, if you are affected in any manner by the proposed rules, you are urged to participate in the rule hearing process.

PLEASE NOTE, HOWEVER, THAT THE HEARING WILL BE CANCELLED IF FEWER THAN TWENTY-FIVE PERSONS REQUEST A HEARING IN RESPONSE TO THE NOTICE OF INTENT TO ADOPT THESE SAME RULES WITHOUT A PUBLIC HEARING PUBLISHED IN THIS STATE REGISTER AND MAILED TO PERSONS REGISTERED WITH THE DEPARTMENT OF HUMAN SERVICES. To verify whether a hearing will be held, please call the Department of Human Services between July 23, 1987 and July 30, 1987, at (612) 296-3996.

Following the agency's presentation at the hearing, all interested or affected persons will have an opportunity to participate. Such persons may present their views either orally at the hearing or in writing at any time prior to the close of the hearing record. All evidence presented should be pertinent to the matter at hand. Written material not submitted at the time of the hearing which is to be included in the hearing record may be mailed to Howard L. Kaibel, Administrative Law Judge, Office of Administrative Hearings, 400 Summit Bank Building, 310 Fourth Avenue South, Minneapolis, Minnesota 55415; telephone (612) 341-7608, either before the hearing or within five working days after the public hearing ends. The Administrative Law Judge may at the hearing, order the record be kept open for a longer period not to exceed 20 calendar days. The comments received during the comment period shall be available for review at the Office of Administrative Hearings. Following the close of the comment period the agency and all interested persons have three business days to respond in writing to any new information submitted during the comment period. During the three-day period, the agency may indicate in writing whether there are amendments suggested by other persons which the agency is willing to adopt. No additional evidence may be submitted during the three-day period. The written responses shall be added to the rulemaking record. Upon the close of the record the Administrative Law

Judge will write a report as provided for in Minnesota Statutes, sections 14.15 and 14.50. The rule hearing is governed by Minnesota Statutes, section 14.14 to 14.20 and by Minnesota Rules, parts 1400.0200 to 1400.1200. Questions about procedure may be directed to the Administrative Law Judge.

The Minnesota Merit System rules provide for a system of personnel administration for 75 county welfare and human services agencies. The rules apply to all positions and employees engaged in the administration of community social services or income maintenance programs funded in whole or in part by federal grants-in-aid requiring a merit system of personnel administration. The rules cover such areas as classification of positions, compensation, recruitment and examination, certification and appointment, leaves of absence, separation, tenure and reinstatement, and, in general, provide standards for agencies to follow so as to ensure compliance with the Federal Standards for a Merit System of Personnel Administration (5 CFR Part 900).

If adopted, amendments to part 9575.0670 would change the maximum duration of an emergency appointment from 70 to 67 working days, making the Merit System rule language in this section consistent with the exclusion in the Public Employment Labor Relations Act (Minnesota Statutes, Chapter 179A) from the definition of employee.

Amendments to part 9575.0740 would change the current requirement that a request to extend a probationary period be received by the Merit System office at the beginning of the sixth month of the probationary period to fifteen days before the end of the probationary period, giving appointing authorities increased flexibility.

Amendments to parts 9575.0820 and 9575.0970 would delete the language in these parts entirely.

Amendments are also proposed to part 9575.1500 providing class titles and minimum and maximum salaries for newly established classes, deleting class titles and minimum and maximum salaries for abolished classes, and adjusting the minimum and maximum salaries of two established classes.

The agency's authority to adopt the proposed rules is contained in Minnesota Statutes, section 256.012. Adoption of these rules will not result in additional spending by local public bodies in excess of $100,000 per year for the first two years following adoption under the requirements of Minnesota Statutes, section 14.11.

Copies of the proposed rules are now available and at least one free copy may be obtained by writing to Ralph W. Corey, Department of Human Services, 4th floor, Centennial Office Building, 658 Cedar Street, St. Paul, MN 55155. This rule is also available for viewing at each of the county welfare or human service agencies in the State of Minnesota.

Additional copies will be available at the hearing. If you have any questions on the content of the rule contact Ralph W. Corey.

NOTICE: Any person may request notification of the date on which the Administrative Law Judge'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. If you desire to be notified, you may so indicate at the hearing. After the hearing, you may request notification by sending a written request to the Administrative Law Judge. Any person may request notification of the date on which the rules were adopted and filed with the Secretary of State. The notice must be mailed on the same day the rules are filed. If you want to be so notified you may so indicate at the hearing or send a request in writing to the agency at any time prior to the filing of the rules with the Secretary of State.

NOTICE IS HEREBY GIVEN that a Statement of Need and Reasonableness is now available for review at the agency and at the Office of Administrative Hearings. The Statement of Need and Reasonableness includes a summary of all the evidence and argument which the agency anticipates presenting at the hearing justifying both the need for and reasonableness of the proposed rules. Copies of the Statement of Need and Reasonableness may be reviewed at the agency or the Office of Administrative Hearings and copies may be obtained from the Office of Administrative Hearings at the cost of reproduction.

Minnesota Statutes, chapter 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 Minnesota Statutes, section 10A.01, subdivision 11, as any individual:

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

(b) who spends more than $250, not including 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, 625 North Robert Street, St. Paul, Minnesota 55101, telephone (612) 296-5148.

Sandra Gardebring

SANDRA S. GARDEBRING
Commissioner

Dated: 5-8-87

STATE OF MINNESOTA

DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF THE PROPOSED ADOPTION OF DEPARTMENT OF HUMAN SERVICES RULES GOVERNING EMERGENCY APPOINTMENTS; EXTENSIONS OF PROBATIONARY PERIODS; PROMOTION BY NONCOMPETITIVE EXAMINATION; RETIREMENT; AND THE COMPENSATION PLAN; MINNESOTA RULES, PARTS 9575.0670, 9575.0740, 9575.0820, 9575.0970, AND 9575.1500

AFFIDAVIT OF ADDITIONAL MAILING

Nancy Storelee, being first duly sworn, deposes and says:

That on the 17th day of June, 1987, at the City of St. Paul, County of Ramsey, State of Minnesota, I mailed the attached Notices 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 parties:

.See attached list

.The 87 Minnesota County Human Services Agencies

Nancy Storelee

Subscribed and sworn to before me

this 22 day of June, 1987

Louise J. Breidel

LOUISE J. BREIDEL
NOTARY PUBLIC—MINNESOTA
DAKOTA COUNTY
MY COMM. EXP. SEPT. 22, 1990

STATE OF MINNESOTA

DEPARTMENT OF HUMAN SERVICES

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| In the Matter of the Proposed Adoption of Rules of the State Department of Human Services Governing Emergency Appointments; Extensions of Probationary Periods; Promotion by Noncompetitive Examination; Retirement; and the Compensation Plan; (Minnesota Rules parts 9575.0670, 9575.0740, 9575.0820, 9575.0970, and 9575.1500). | NOTICE OF INTENT TO ADOPT A RULE WITHOUT A PUBLIC HEARING AND NOTICE OF INTENT TO ADOPT A RULE WITH A PUBLIC HEARING IF TWENTY-FIVE OR MORE PERSONS REQUEST A HEARING |

Notice is hereby given that the State Department of Human Services proposes to adopt the above-entitled rule without a public hearing following the procedures set forth in Minnesota Statutes, section 14.22 to 14.28. The specific statutory authority to adopt the rule is Minnesota Statutes, section 256.012.

Persons interested in this rule shall have 30 days in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule and comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rule within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the agency will proceed pursuant to Minnesota Statutes, section 14.131 to 14.20. PLEASE NOTE THAT IF TWENTY-FIVE OR MORE PERSONS SUBMIT WRITTEN REQUESTS FOR A PUBLIC HEARING WITHIN THE 30-DAY COMMENT PERIOD, A HEARING WILL BE HELD ON JULY 31, 1987, IN CONFERENCE ROOM D, VETERANS SERVICE BUILDING, 20 WEST 12TH STREET AND COLUMBUS AVENUE, ST. PAUL, MINNESOTA 55155, UNLESS A SUFFICIENT NUMBER WITHDRAW THEIR REQUEST, IN ACCORDANCE WITH THE NOTICE OF PUBLIC HEARING ON THESE SAME RULES PUBLISHED IN THIS STATE REGISTER AND MAILED TO PERSONS REGISTERED WITH THE DEPARTMENT OF HUMAN SERVICES. To verify whether a hearing will be held, please call the Department of Human Services between July 23, 1987 and July 30, 1987 at (612) 296-3996.

Persons who wish to submit comments or a written request for a public hearing must submit such comments or requests to:

Ralph W. Corey
Minnesota Merit System
4th Floor, Centennial Office Building
658 Cedar Street
St. Paul, MN 55155

Comments or requests for a public hearing must be received by the Department by 4:30 p.m. on July 22, 1987.

The proposed rule may be modified if the modifications are supported by data and views and do not result in a substantial change in the proposed rule as noticed.

A free copy of this rule is available upon request for your review from: Ralph W. Corey, Minnesota Merit System, 4th Floor, Centennial Office Building, 658 Cedar Street, St. Paul, MN 55155, telephone (612) 296-3996.

A copy of the proposed rule may be viewed at any of the county welfare or human service agencies in the State of Minnesota.

The Minnesota Merit System rules provide for a system of personnel administration for 75 county welfare and human services agencies. The rules apply to all positions and employees engaged in the administration of community social services or income maintenance programs funded in whole or in part by federal grants-in-aid requiring a merit system of personnel administration. The rules cover such areas as classification of positions, compensation, recruitment and examination, certification and appointment, leaves of absence, separation, tenure and reinstatement, and, in general, provide standards for agencies to follow so as to ensure compliance with the Federal Standards for a Merit System of Personnel Administration (5 CFR Part 900).

If adopted, amendments to part 9575.0670 would change the maximum duration of an emergency appointment from 70 to 67 working days, making the Merit System rule language in this section consistent with the exclusion in the Public Employment Labor Relations Act (Minnesota Statutes, Chapter 179A) from the definition of employee.

Amendments to part 9575.0740 would change the current requirement that a request to extend a probationary period be received by the Merit System office at the beginning of the sixth month of the probationary period to fifteen days before the end of the probationary period, giving appointing authorities increased flexibility.

Amendments to parts 9575.0820 and 9575.0970 would delete the language in these parts entirely.

Amendents are also proposed to part 9575.1500 providing class titles and minimum and maximum salaries for newly established classes, deleting class titles and minimum and maximum salaries for abolished classes, and adjusting the minimum and maximum salaries of two established classes.

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available from Ralph W. Corey upon request.

Adoption of these rules will not result in additional spending by local public bodies in the excess of $100,000 per year for the first two years following adoption under the requirements of Minnesota Statutes, section 14.11.

If no hearing is required upon adoption of the rule, the rule and the required supporting documents will be delivered to the Attorney General for review as to legality and form to the extent the form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the adopted rule, must submit the written request to Ralph W. Corey.

State of Minnesota

SANDRA S. GARDEBRING
Commissioner

Dated: 5-5-87

STATE OF MINNESOTA

DEPARTMENT OF HUMAN SERVICES

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| In the Matter of the Proposed Adoption of Department of Human Services Rules Governing Emergency Appointments; Extensions of Probationary Periods; Promotion by Noncompetitive Examination; Retirement; and the Compensation Plan; (Minnesota Rules, parts 9575.0670, 9575.0740, 9575.0820, 9575.0970, and 9575.1500). | NOTICE OF HEARING AND NOTICE OF INTENT TO CANCEL HEARING IF FEWER THAN TWENTY-FIVE PERSONS REQUEST A HEARING IN RESPONSE TO NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING |

NOTICE IS HEREBY GIVEN that a public hearing on the above-entitled matter will be held in Conference Room D, Veterans Service Building, 20 West 12th Street and Columbus Avenue, St. Paul, MN 55155 on July 31, 1987 commencing at 9:00 a.m. and continuing until all interested or affected persons have an opportunity to participate. The proposed rules may be modified as a result of the hearing process. Therefore, if you are affected in any manner by the proposed rules, you are urged to participate in the rule hearing process.

PLEASE NOTE, HOWEVER, THAT THE HEARING WILL BE CANCELLED IF FEWER THAN TWENTY-FIVE PERSONS REQUEST A HEARING IN RESPONSE TO THE NOTICE OF INTENT TO ADOPT THESE SAME RULES WITHOUT A PUBLIC HEARING PUBLISHED IN THIS STATE REGISTER AND MAILED TO PERSONS REGISTERED WITH THE DEPARTMENT OF HUMAN SERVICES. To verify whether a hearing will be held, please call the Department of Human Services between July 23, 1987 and July 30, 1987, at (612) 296-3996.

Following the agency's presentation at the hearing, all interested or affected persons will have an opportunity to participate. Such persons may present their views either orally at the hearing or in writing at any time prior to the close of the hearing record. All evidence presented should be pertinent to the matter at hand. Written material not submitted at the time of the hearing which is to be included in the hearing record may be mailed to Howard L. Kaibel, Administrative Law Judge, Office of Administrative Hearings, 400 Summit Bank Building, 310 Fourth Avenue South, Minneapolis, Minnesota 55415; telephone (612) 341-7608, either before the hearing or within five working days after the public hearing ends. The Administrative Law Judge may at the hearing, order the record be kept open for a longer period not to exceed 20 calendar days. The comments received during the comment period shall be available for review at the Office of Administrative Hearings. Following the close of the comment period the agency and all interested persons have three business days to respond in writing to any new information submitted during the comment period. During the three-day period, the agency may indicate in writing whether there are amendments suggested by other persons which the agency is willing to adopt. No additional evidence may be submitted during the three-day period. The written responses shall be added to the rulemaking record. Upon the close of the record the Administrative Law

Judge will write a report as provided for in Minnesota Statutes, sections 14.15 and 14.50. The rule hearing is governed by Minnesota Statutes, section 14.14 to 14.20 and by Minnesota Rules, parts 1400.0200 to 1400.1200. Questions about procedure may be directed to the Administrative Law Judge.

The Minnesota Merit System rules provide for a system of personnel administration for 75 county welfare and human services agencies. The rules apply to all positions and employees engaged in the administration of community social services or income maintenance programs funded in whole or in part by federal grants-in-aid requiring a merit system of personnel administration. The rules cover such areas as classification of positions, compensation, recruitment and examination, certification and appointment, leaves of absence, separation, tenure and reinstatement, and, in general, provide standards for agencies to follow so as to ensure compliance with the Federal Standards for a Merit System of Personnel Administration (5 CFR Part 900).

If adopted, amendments to part 9575.0670 would change the maximum duration of an emergency appointment from 70 to 67 working days, making the Merit System rule language in this section consistent with the exclusion in the Public Employment Labor Relations Act (Minnesota Statutes, Chapter 179A) from the definition of employee.

Amendments to part 9575.0740 would change the current requirement that a request to extend a probationary period be received by the Merit System office at the beginning of the sixth month of the probationary period to fifteen days before the end of the probationary period, giving appointing authorities increased flexibility.

Amendments to parts 9575.0820 and 9575.0970 would delete the language in these parts entirely.

Amendments are also proposed to part 9575.1500 providing class titles and minimum and maximum salaries for newly established classes, deleting class titles and minimum and maximum salaries for abolished classes, and adjusting the minimum and maximum salaries of two established classes.

The agency's authority to adopt the proposed rules is contained in Minnesota Statutes, section 256.012. Adoption of these rules will not result in additional spending by local public bodies in excess of $100,000 per year for the first two years following adoption under the requirements of Minnesota Statutes, section 14.11.

Copies of the proposed rules are now available and at least one free copy may be obtained by writing to Ralph W. Corey, Department of Human Services, 4th floor, Centennial Office Building, 658 Cedar Street, St. Paul, MN 55155. This rule is also available for viewing at each of the county welfare or human service agencies in the State of Minnesota.

Additional copies will be available at the hearing. If you have any questions on the content of the rule contact Ralph W. Corey.

NOTICE: Any person may request notification of the date on which the Administrative Law Judge'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. If you desire to be notified, you may so indicate at the hearing. After the hearing, you may request notification by sending a written request to the Administrative Law Judge. Any person may request notification of the date on which the rules were adopted and filed with the Secretary of State. The notice must be mailed on the same day the rules are filed. If you want to be so notified you may so indicate at the hearing or send a request in writing to the agency at any time prior to the filing of the rules with the Secretary of State.

NOTICE IS HEREBY GIVEN that a Statement of Need and Reasonableness is now available for review at the agency and at the Office of Administrative Hearings. The Statement of Need and Reasonableness includes a summary of all the evidence and argument which the agency anticipates presenting at the hearing justifying both the need for and reasonableness of the proposed rules. Copies of the Statement of Need and Reasonableness may be reviewed at the agency or the Office of Administrative Hearings and copies may be obtained from the Office of Administrative Hearings at the cost of reproduction.

Minnesota Statutes, chapter 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 Minnesota Statutes, section 10A.01, subdivision 11, as any individual:

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

(b) who spends more than $250, not including 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, 625 North Robert Street, St. Paul, Minnesota 55101, telephone (612) 296-5148.

SANDRA S. GARDEBRING
Commissioner

Dated: 5-8-87

ADDITIONAL MAILING LIST

15 county agency personnel directors and administrative staff

3 Merit System Council members

14 unions

21 emergency services agencies

Department of Human Services Affirmative Action Director

76 Chairpersons of the county boards under the Merit System

Department of Health Personnel Director

Mail 17th

# PROPOSED RULES

Pursuant to Minn. Stat. of 1984, §§ 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing, as long as the agency determines that the rules will be noncontroversial in nature. The agency must first publish a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. The notice must advise the public:

1. that they have 30 days in which to submit comment on the proposed rules;
2. that no public hearing will be held unless 25 or more persons make a written request for a hearing within the 30-day comment period;
3. of the manner in which persons shall request a hearing on the proposed rules; and
4. that the rule may be modified if the modifications are supported by the data and views submitted.

If, during the 30-day comment period, 25 or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of §§ 14.14-14.20, which state that if an agency decides to hold a public hearing, it must publish a notice of intent in the *State Register*.

Pursuant to Minn. Stat. §§ 14.29 and 14.30, agencies may propose emergency rules under certain circumstances. Proposed emergency rules are published in the *State Register* and, for at least 25 days thereafter, interested persons may submit data and views in writing to the proposing agency.

## Department of Health

### Proposed Permanent Rules Relating to Merit System

#### Notice of Intent to Adopt a Rule without a Public Hearing and Notice of Intent to Adopt a Rule with a Public Hearing if Twenty-Five or More Persons Request a Hearing

Notice is hereby given that the State Department of Health proposes to adopt the above-entitled rule without a public hearing following the procedures set forth in Minnesota Statutes, section 14.22 to 14.28. The specific statutory authority to adopt the rule is Minnesota Statutes, section 144.071.

Persons interested in this rule shall have 30 days in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule and comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rule within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the agency will proceed pursuant to Minnesota Statutes, section 14.131 to 14.20. PLEASE NOTE THAT IF TWENTY-FIVE OR MORE PERSONS SUBMIT WRITTEN REQUESTS FOR A PUBLIC HEARING WITHIN THE 30-DAY COMMENT PERIOD, A HEARING WILL BE HELD ON JULY 31, 1987, IN CONFERENCE ROOM D, VETERANS SERVICE BUILDING, 20 WEST 12TH STREET AND COLUMBUS AVENUE, ST. PAUL, MINNESOTA 55155, UNLESS A SUFFICIENT NUMBER WITHDRAW THEIR REQUEST, IN ACCORDANCE WITH THE NOTICE OF PUBLIC HEARING ON THESE SAME RULES PUBLISHED IN THIS *STATE REGISTER* AND MAILED TO PERSONS REGISTERED WITH THE DEPARTMENT OF HEALTH. To verify whether a hearing will be held, please call the Minnesota Merit System between July 23, 1987 and July 30, 1987 at (612) 296-3996.

Persons who wish to submit comments or a written request for a public hearing must submit such comments or requests to:

Ralph W. Corey
Minnesota Merit System
4th Floor, Centennial Office Building
658 Cedar Street
St. Paul, MN 55155

Comments or requests for a public hearing must be received by the Department by 4:30 p.m. on July 22, 1987.

The proposed rule may be modified if the modifications are supported by data and views and do not result in a substantial change in the proposed rule as noticed.

A free copy of this rule is available upon request for your review from: Ralph W. Corey, Minnesota Merit System, 4th Floor, Centennial Office Building, 658 Cedar Street, St. Paul, MN 55155, telephone (612) 296-3996.

The Minnesota Merit System rules provide for a system of personnel administration for local and county health and human services agencies. The rules apply to all positions funded in whole or in part by federal grants-in-aid requiring a merit system of personnel administration. The rules cover such areas as classification of positions, compensation, recruitment and examination, certification and appointment, leaves of absence, separation, tenure and reinstatement, and, in general, provide standards for agencies to follow

so as to ensure compliance with the Federal Standards for a Merit System of Personnel Administration (5 CFR Part 900).

If adopted, amendments to part 4670.2520 would change the maximum duration of an emergency appointment from 70 to 67 working days, making the Merit System rule language in this section consistent with the exclusion in the Public Employment Labor Relations Act (Minnesota Statutes, Chapter 179A) from the definition of employee.

Amendments to part 4670.2630 would change the current requirement that a request to extend a probationary period be received by the Merit System office at the beginning of the sixth month of the probationary period to fifteen days before the end of the probationary period, giving appointing authorities increased flexibility.

Amendments to parts 4670.2720 and 4670.2970 would delete the language in these parts entirely.

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available from Ralph W. Corey upon request.

Adoption of these rules will not result in additional spending by local public bodies in the excess of $100,000 per year for the first two years following adoption under the requirements of Minnesota Statutes, section 14.11.

If no hearing is required upon adoption of the rule, the rule and the required supporting documents will be delivered to the Attorney General for review as to legality and form to the extent the form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the adopted rule, must submit the written request to Ralph W. Corey.

Dated: 8 May 1987

Sister Mary Madonna Ashton, Commissioner

## Notice of Hearing and Notice of Intent to Cancel Hearing if Fewer Than Twenty-Five Persons Request a Hearing in Response to Notice of Intent to Adopt Rules without a Public Hearing

NOTICE IS HEREBY GIVEN that a public hearing on the above-entitled matter will be held in Conference Room D, Veterans Service Building, 20 West 12th Street and Columbus Avenue, St. Paul, MN 55155 on July 31, 1987 commencing at 9:00 a.m. and continuing until all interested or affected persons have an opportunity to participate. The proposed rules may be modified as a result of the hearing process. Therefore, if you are affected in any manner by the proposed rules, you are urged to participate in the rule hearing process.

PLEASE NOTE, HOWEVER, THAT THE HEARING WILL BE CANCELLED IF FEWER THAN TWENTY-FIVE PERSONS REQUEST A HEARING IN RESPONSE TO THE NOTICE OF INTENT TO ADOPT THESE SAME RULES WITHOUT A PUBLIC HEARING PUBLISHED IN THIS *STATE REGISTER* AND MAILED TO PERSONS REGISTERED WITH THE DEPARTMENT OF HEALTH. To verify whether a hearing will be held, please call the Minnesota Merit System between July 23, 1987 and July 30, 1987 at (612) 296-3996.

Following the agency's presentation at the hearing, all interested or affected persons will have an opportunity to participate. Such persons may present their views either orally at the hearing or in writing at any time prior to the close of the hearing record. All evidence presented should be pertinent to the matter at hand. Written material not submitted at the time of the hearing which is to be included in the hearing record may be mailed to Howard L. Kaibel, Administrative Law Judge, Office of Administrative Hearings, 400 Summit Bank Building, 310 Fourth Avenue South, Minneapolis, Minnesota 55415; telephone (612) 341-7608, either before the hearing or within five working days after the public hearing ends. The Administrative Law Judge may at the hearing, order the record be kept open for a longer period not to exceed 20 calendar days. The comments received during the comment period shall be available for review at the Office of Administrative Hearings. Following the close of the comment period the agency and all interested persons have three business days to respond in writing to any new information submitted during the comment period. During the three-day period, the agency may indicate in writing whether there are amendments suggested by other persons which the agency is willing to adopt. No additional evidence may be submitted during the three-day period. The written responses shall be added to the rule-making record. Upon the close of the record the Administrative Law Judge will write a report as provided for in Minnesota Statutes, sections 14.15 and 14.50. The rule hearing is governed by Minnesota Statutes, section 14.14 to 14.20 and by Minnesota Rules, parts 1400.0200 to 1400.1200. Questions about procedure may be directed to the Administrative Law Judge.

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.

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Amendments to part 4670.2630 would change the current requirement that a request to extend a probationary period be received by the Merit System office at the beginning of the sixth month of the probationary period to fifteen days before the end of the probationary period, giving appointing authorities increased flexibility.

Amendments to parts 4670.2720 and 4670.2970 would delete the language in these parts entirely.

The agency's authority to adopt the proposed rules is contained in Minnesota Statutes, section 144.071. Adoption of these rules will not result in additional spending by local public bodies in excess of $100,000 per year for the first two years following adoption under the requirements of Minnesota Statutes, section 14.11.

Copies of the proposed rules are now available and at least one free copy may be obtained by writing to Ralph W. Corey, Minnesota Merit System, 4th floor, Centennial Office Building, 658 Cedar Street, St. Paul, MN 55155.

Additional copies will be available at the hearing. If you have any questions on the content of the rule contact Ralph W. Corey.

NOTICE: Any person may request notification of the date on which the Administrative Law Judge'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. If you desire to be notified, you may so indicate at the hearing. After the hearing, you may request notification by sending a written request to the Administrative Law Judge. Any person may request notification of the date on which the rules were adopted and filed with the Secretary of State. The notice must be mailed on the same day the rules are filed. If you want to be so notified you may so indicate at the hearing or send a request in writing to the agency at any time prior to the filing of the rules with the Secretary of State.

NOTICE IS HEREBY GIVEN that a Statement of Need and Reasonableness is now available for review at the agency and at the Office of Administrative Hearings. The Statement of Need and Reasonableness includes a summary of all the evidence and argument which the agency anticipates presenting at the hearing justifying both the need for and reasonableness of the proposed rules. Copies of the Statement of Need and Reasonableness may be reviewed at the agency or the Office of Administrative Hearings and copies may be obtained from the Office of Administrative Hearings at the cost of reproduction.

Minnesota Statutes, chapter 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 Minnesota Statutes, section 10A.01, subdivision 11, as any individual:

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

(b) who spends more than $250, not including 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, 625 North Robert Street, St. Paul, Minnesota 55101, telephone (612) 296-5148.

Dated: 8 May 1987

Sister Mary Madonna Ashton, Commissioner

## Rules as Proposed

### 4670.2520 EMERGENCY APPOINTMENT.

Whenever any emergency exists that requires the immediate services of one or more persons and it is not possible to obtain such persons from appropriate registers, the appointing authority may appoint a person or persons without consideration of other provisions of these rules governing appointments, except as provided in part 4670.4150. Such appointments normally shall be limited to no more than 45 working days during any calendar year for the same person; however, such appointment of the same person can be extended to ~~70~~ 67 working days with prior approval of the supervisor. Each emergency appointment shall be reported to the supervisor in the manner prescribed by him when the appointment is made.

**4670.2630 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~~ be made at least 15 days before the end 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.

The supervisor's decision on the request shall be given to the agency and the employee at least ~~ten~~ five 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.

**REPEALER.** Minnesota Rules, parts 4670.2720 and 4670.2970 are repealed.

# Department of Human Services

## Proposed Permanent Rules Relating to Merit System

### Notice of Intent to Adopt a Rule without a Public Hearing and Notice of Intent to Adopt a Rule with a Public Hearing if Twenty-Five or More Persons Request a Hearing

Notice is hereby given that the State Department of Human Services proposes to adopt the above-entitled rule without a public hearing following the procedures set forth in Minnesota Statutes, section 14.22 to 14.28. The specific statutory authority to adopt the rule is Minnesota Statutes, section 256.012.

Persons interested in this rule shall have 30 days in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule and comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rule within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the agency will proceed pursuant to Minnesota Statutes, section 14.131 to 14.20. PLEASE NOTE THAT IF TWENTY-FIVE OR MORE PERSONS SUBMIT WRITTEN REQUESTS FOR A PUBLIC HEARING WITHIN THE 30-DAY COMMENT PERIOD, A HEARING WILL BE HELD ON JULY 31, 1987, IN CONFERENCE ROOM D, VETERANS SERVICE BUILDING, 20 WEST 12TH STREET AND COLUMBUS AVENUE, ST. PAUL, MINNESOTA 55155, UNLESS A SUFFICIENT NUMBER WITHDRAW THEIR REQUEST, IN ACCORDANCE WITH THE NOTICE OF PUBLIC HEARING ON THESE SAME RULES PUBLISHED IN THIS *STATE REGISTER* AND MAILED TO PERSONS REGISTERED WITH THE DEPARTMENT OF HUMAN SERVICES. To verify whether a hearing will be held, please call the Department of Human Services between July 23, 1987 and July 30, 1987 at (612) 296-3996.

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Ralph W. Corey
Minnesota Merit System
4th Floor, Centennial Office Building
658 Cedar Street
St. Paul, MN 55155

Comments or requests for a public hearing must be received by the Department by 4:30 p.m. on July 22, 1987.

The proposed rule may be modified if the modifications are supported by data and views and do not result in a substantial change in the proposed rule as noticed.

A free copy of this rule is available upon request for your review from: Ralph W. Corey, Minnesota Merit System, 4th Floor, Centennial Office Building, 658 Cedar Street, St. Paul, MN 55155, telephone (612) 296-3996.

A copy of the proposed rule may be viewed at any of the county welfare or human service agencies in the State of Minnesota.

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If adopted, amendments to part 9575.0670 would change the maximum duration of an emergency appointment from 70 to 67 working days, making the Merit System rule language in this section consistent with the exclusion in the Public Employment Labor Relations Act (Minnesota Statutes, Chapter 179A) from the definition of employee.

Amendments to part 9575.0740 would change the current requirement that a request to extend a probationary period be received by the Merit System office at the beginning of the sixth month of the probationary period to fifteen days before the end of the probationary period, giving appointing authorities increased flexibility.

Amendments to parts 9575.0820 and 9575.0970 would delete the language in these parts entirely.

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A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available from Ralph W. Corey upon request.

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Dated: 8 May 1987

Sandra S. Gardebring, Commissioner

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Amendments are also proposed to part 9575.1500 providing class titles and minimum and maximum salaries for newly established classes, deleting class titles and minimum and maximum salaries for abolished classes, and adjusting the minimum and maximum salaries of two established classes.

The agency's authority to adopt the proposed rules is contained in Minnesota Statutes, section 256.012. Adoption of these rules will not result in additional spending by local public bodies in excess of $100,000 per year for the first two years following adoption under the requirements of Minnesota Statutes, section 14.11.

Copies of the proposed rules are now available and at least one free copy may be obtained by writing to Ralph W. Corey, Department of Human Services, 4th floor, Centennial Office Building, 658 Cedar Street, St. Paul, MN 55155. This rule is also available for viewing at each of the county welfare or human service agencies in the State of Minnesota.

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NOTICE: Any person may request notification of the date on which the Administrative Law Judge'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. If you desire to be notified, you may so indicate at the hearing. After the hearing, you may request notification by sending a written request to the Administrative Law Judge. Any person may request notification of the date on which the rules were adopted and filed with the Secretary of State. The notice must be mailed on the same day the rules are filed. If you want to be so notified you may so indicate at the hearing or

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send a request in writing to the agency at any time prior to the filing of the rules with the Secretary of State.

NOTICE IS HEREBY GIVEN that a Statement of Need and Reasonableness is now available for review at the agency and at the Office of Administrative Hearings. The Statement of Need and Reasonableness includes a summary of all the evidence and argument which the agency anticipates presenting at the hearing justifying both the need for and reasonableness of the proposed rules. Copies of the Statement of Need and Reasonableness may be reviewed at the agency or the Office of Administrative Hearings and copies may be obtained from the Office of Administrative Hearings at the cost of reproduction.

Minnesota Statutes, chapter 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 Minnesota Statutes, section 10A.01, subdivision 11, as any individual:

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

(b) who spends more than $250, not including 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, 625 North Robert Street, St. Paul, Minnesota 55101, telephone (612) 296-5148.

Dated: 8 May 1987

Sandra S. Gardebring, Commissioner

## Rules as Proposed

### 9575.0670 EMERGENCY APPOINTMENT.

Whenever an emergency exists that requires the immediate services of one or more persons and it is not possible to obtain such persons from appropriate registers, the appointing authority may appoint a person or persons without consideration of other provisions of these rules governing appointment, except as provided in parts 9575.1410 to 9575.1450. Such appointments normally shall be limited to no more than 45 working days during any calendar year for the same person; however, such appointment of the same person can be extended to ~~70~~ 67 working days with prior approval by the supervisor.

### 9575.0740 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 merit system supervisor for extension must ~~occur on or before the beginning of the sixth month of the probationary period~~ be made at least 15 days before the end 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.

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

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.

### 9575.1500 COMPENSATION PLAN; HUMAN SERVICES, 1987.

Subpart 1. **Professional: plan A.** The following minimum and maximum salary steps in monthly salary amounts shall be applicable to the specified classes of positions:

| | Minimum | Maximum |
|---|---|---|
| Accountant | 1597 | 2280 |
| Accounting Supervisor | 1863 | 2785 |
| Administrative Assistant I | 1992 | 2975 |
| Administrative Assistant II | 2132 | 3176 |
| Administrative Assistant III | 2542 | 3641 |
| Adult Day Care Center Supervisor | 1745 | 2602 |
| Assistant Human Services Director | 2785 | 3968 |
| Assistant Welfare Director | 3251 | 4627 |
| Auditor | 1863 | 2785 |

| | Minimum | Maximum |
|---|---|---|
| Center Coordinator | 1671 | 2491 |
| Chemical Dependency Coordinator | 1631 | 2437 |
| Collection Services Supervisor II | 1745 | 2602 |
| Community-Health Services Supervisor | 1945 | 3043 |
| Community-Relations Specialist | 1786 | 2542 |
| Computer Programmer | 1526 | 2186 |
| Day Care Center Teacher | 1460 | 2186 |
| Developmental Achievement Center Director | 1826 | 2602 |
| Developmental Achievement Center Teacher | 1460 | 2186 |
| Director of Business Management I | 2085 | 2975 |
| Director of Business Management II | 2542 | 3641 |
| Director of Financial Assistance | 2542 | 3641 |
| Director of Planning | 2542 | 3641 |
| Director of Public Health Nursing I | 1863 | 2785 |
| Director of Social Services | 2542 | 3641 |
| ~~Education Supervisor~~ | ~~1826~~ | ~~2602~~ |
| Employment Guidance Counselor | 1397 | 1992 |
| Family Service Coordinator II | 1560 | 2132 |
| Financial Assistance Supervisor I | 1705 | 2542 |
| Financial Assistance Supervisor II | 1992 | 2975 |
| Fiscal Manager | 2280 | 3251 |
| Fiscal Officer | 1460 | 2186 |
| Fiscal Supervisor I | 1460 | 2186 |
| Fiscal Supervisor II | 1863 | 2785 |
| Gerontology Counselor | 1705 | 2542 |
| Homemaker Supervisor | 1826 | 2602 |
| Human Services Director III | 3043 | 4327 |
| Human Services Supervisor I | 1992 | 2975 |
| Human Services Supervisor II | 2385 | 3406 |
| Jobs and Training Supervisor | 1705 | 2542 |
| Medical Assistance Prepayment Project Manager | 1992 | 2975 |
| Mental Health Program Manager | 2132 | 3176 |
| Mental Health Worker | 1745 | 2602 |
| Methods & Procedures Analyst | 1671 | 2385 |
| Nutrition Project Assistant Director | 1460 | 2186 |
| Nutrition Project Director | 1905 | 2847 |
| ~~Office Manager~~ | ~~1364~~ | ~~1945~~ |
| Office Services Supervisor II | 1397 | 1992 |
| Personnel Officer | 1460 | 2186 |
| Personnel Director | 2542 | 3641 |
| Planner (Human Services) | 1826 | 2602 |
| Psychologist I | 1705 | 2542 |
| Psychologist II | 1992 | 2847 |
| Psychologist III | 2659 | 3641 |
| Public Health Educator | 1597 | 2280 |
| Public Health Nurse | 1597 | 2280 |
| Public Health Nurse (Team Leader) | 1745 | 2491 |
| Registered Nurse (A.A. Degree, 3 year Diploma, or B.S. Degree) | 1526 | 2186 |
| Resident Activity Coordinator | 1460 | 2186 |
| Sanitarian | 1460 | 2186 |

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| | Minimum | Maximum |
|---|---|---|
| Senior Public Health Nurse | 1745 | 2602 |
| Senior Staff Development Specialist | 1945 | 2785 |
| Social Worker (Licensing Specialist) | 1460 | 2186 |
| Social Worker | 1491 | 2329 |
| Social Worker (Child Protection Specialist) | 1491 | 2329 |
| Social Worker (MSW) | 1705 | 2542 |
| Social Worker (Child Protection Specialist) (MSW) | 1705 | 2542 |
| Social Services Supervisor I | 1992 | 2975 |
| Social Services Supervisor II | 2186 | 3251 |
| Staff Development Specialist | 1631 | 2437 |
| ~~Staff Training Supervisor~~ | ~~1945~~ | ~~2785~~ |
| Student Social Worker (Intern) | Rate proposed by appointing authority. | |
| Student Social Worker (SWEP) | Rate proposed by appointing authority. | |
| Systems Programmer Analyst | 1945 | 2659 |
| Telecommunications Analyst | 1863 | 2659 |
| Trainee | Rate proposed by appointing authority and approved by the merit system supervisor and the commissioner of human services. | |
| Volunteer Services Coordinator I | 1460 | 2186 |
| Volunteer Services Coordinator II | 1826 | 2602 |
| Welfare Director I | 2329 | 3481 |
| Welfare Director II | 2602 | 3723 |
| Welfare Director III | 2785 | 3968 |
| Welfare Director IV | 3043 | 4327 |
| Welfare Director V | 4055 | 5762 |
| Work-Experience & Training Specialist | 1745 | 2491 |

Subp. 2. **Professional: plan B.** The following minimum and maximum salary steps in monthly salary amounts shall be applicable to the specified classes of positions:

| | | |
|---|---|---|
| Accountant | 1671 | 2385 |
| Accounting Supervisor | 1945 | 2909 |
| Administrative Assistant I | 2085 | 3113 |
| Administrative Assistant II | 2229 | 3330 |
| Administrative Assistant III | 2659 | 3800 |
| Adult Day Care Center Supervisor | 1826 | 2721 |
| Assistant Human Services Director | 2785 | 3968 |
| Assistant Welfare Director | 3251 | 4627 |
| Auditor | 1945 | 2909 |
| Center Coordinator | 1745 | 2602 |
| Chemical Dependency Coordinator | 1705 | 2542 |
| Collections Services Supervisor II | 1826 | 2721 |
| Community-Health Services Supervisor | 2036 | 3176 |
| Community-Relations Specialist | 1863 | 2659 |
| Computer Programmer | 1597 | 2280 |
| Day Care Center Teacher | 1526 | 2280 |
| Developmental Achievement Center Director | 1905 | 2721 |
| Developmental Achievement Center Teacher | 1526 | 2280 |
| Director of Business Management I | 2186 | 3113 |
| Director of Business Management II | 2659 | 3800 |
| Director of Financial Assistance | 2659 | 3800 |
| Director of Planning | 2659 | 3800 |
| Director of Public Health Nursing I | 1945 | 2909 |
| Director of Social Services | 2659 | 3800 |
| ~~Education Supervisor~~ | ~~1905~~ | ~~2721~~ |
| Employment Guidance Counselor | 1460 | 2085 |
| Family Service Coordinator II | 1631 | 2229 |

| | Minimum | Maximum |
|---|---|---|
| Financial Assistance Supervisor I | 1786 | 2659 |
| Financial Assistance Supervisor II | 2085 | 3113 |
| Fiscal Manager | 2385 | 3406 |
| Fiscal Officer | 1526 | 2280 |
| Fiscal Supervisor I | 1526 | 2280 |
| Fiscal Supervisor II | 1945 | 2909 |
| Gerontology Counselor | 1786 | 2659 |
| Homemaker Supervisor | 1905 | 2721 |
| Human Services Director III | 3043 | 4327 |
| Human Services Supervisor I | 2085 | 3113 |
| Human Services Supervisor II | 2491 | 3562 |
| Jobs and Training Supervisor | 1786 | 2659 |
| Medical Assistance Prepayment Project Manager | 2085 | 3113 |
| Mental Health Program Manager | 2229 | 3330 |
| Mental Health Worker | 1826 | 2721 |
| Methods & Procedures Analyst | 1745 | 2491 |
| Nutrition Project Assistant Director | 1526 | 2280 |
| Nutrition Project Director | 1992 | 2975 |
| ~~Office Manager~~ | ~~1427~~ | ~~2036~~ |
| Office Services Supervisor II | 1460 | 2085 |
| Personnel Officer | 1526 | 2280 |
| Personnel Director | 2659 | 3800 |
| Planner (Human Services) | 1905 | 2721 |
| Psychologist I | 1786 | 2659 |
| Psychologist II | 2085 | 2975 |
| Psychologist III | 2785 | 3800 |
| Public Health Educator | 1671 | 2385 |
| Public Health Nurse | 1671 | 2385 |
| Public Health Nurse (Team Leader) | 1826 | 2602 |
| Registered Nurse (A.A. Degree, 3 year Diploma, or B.S. Degree) | 1597 | 2280 |
| Resident Activity Coordinator | 1526 | 2280 |
| Sanitarian | 1526 | 2280 |
| Senior Public Health Nurse | 1826 | 2721 |
| Senior Staff Development Specialist | 2036 | 2909 |
| Social Worker (Licensing Specialist) | 1526 | 2280 |
| Social Worker | 1560 | 2437 |
| Social Worker (Child Protection Specialist) | 1560 | 2437 |
| Social Worker (MSW) | 1786 | 2659 |
| Social Worker (Child Protection Specialist) (MSW) | 1786 | 2659 |
| Social Services Supervisor I | 2085 | 3113 |
| Social Services Supervisor II | 2280 | 3406 |
| Staff Development Specialist | 1705 | 2542 |
| ~~Staff Training Supervisor~~ | ~~2036~~ | ~~2909~~ |
| Student Social Worker (Intern) | Rate proposed by appointing authority. | |
| Student Social Worker (SWEP) | Rate proposed by appointing authority. | |
| Systems Programmer Analyst | 2036 | 2785 |
| Telecommunications Analyst | 1945 | 2785 |
| Trainee | Rate proposed by appointing authority and approved by the merit system supervisor and the commissioner of human services. | |

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| | Minimum | Maximum |
|---|---|---|
| Volunteer Services Coordinator I | 1526 | 2280 |
| Volunteer Services Coordinator II | 1905 | 2721 |
| Welfare Director I | 2329 | 3481 |
| Welfare Director II | 2602 | 3723 |
| Welfare Director III | 2785 | 3968 |
| Welfare Director IV | 3043 | 4327 |
| Welfare Director V | 4055 | 5762 |
| Work-Experience & Training Specialist | 1826 | 2602 |

Subp. 3. **Professional: plan C.** The following minimum and maximum salary steps in monthly salary amounts shall be applicable to the specified classes of positions:

| | | |
|---|---|---|
| Accountant | 1745 | 2491 |
| Accounting Supervisor | 2036 | 3043 |
| Administrative Assistant I | 2186 | 3251 |
| Administrative Assistant II | 2329 | 3481 |
| Administrative Assistant III | 2785 | 3968 |
| Adult Day Care Center Supervisor | 1905 | 2847 |
| Assistant Human Services Director | 2785 | 3968 |
| Assistant Welfare Director | 3251 | 4627 |
| Auditor | 2036 | 3043 |
| Center Coordinator | 1826 | 2721 |
| Chemical Dependency Coordinator | 1786 | 2659 |
| Collections Services Supervisor II | 1905 | 2847 |
| Community-Health Services Supervisor | 2132 | 3330 |
| Community-Relations Specialist | 1945 | 2785 |
| Computer Programmer | 1671 | 2385 |
| Day Care Center Teacher | 1597 | 2385 |
| Developmental Achievement Center Director | 1992 | 2847 |
| Developmental Achievement Center Teacher | 1597 | 2385 |
| Director of Business Management I | 2280 | 3251 |
| Director of Business Management II | 2785 | 3968 |
| Director of Financial Assistance | 2785 | 3968 |
| Director of Planning | 2785 | 3968 |
| Director of Public Health Nursing I | 2132 | 3043 |
| Director of Social Services | 2785 | 3968 |
| ~~Education Supervisor~~ | ~~1992~~ | ~~2847~~ |
| Employment Guidance Counselor | 1526 | 2186 |
| Family Service Coordinator II | 1705 | 2329 |
| Financial Assistance Supervisor I | 1863 | 2785 |
| Financial Assistance Supervisor II | 2186 | 3251 |
| Fiscal Manager | 2491 | 3562 |
| Fiscal Officer | 1597 | 2385 |
| Fiscal Supervisor I | 1597 | 2385 |
| Fiscal Supervisor II | 2036 | 3043 |
| Gerontology Counselor | 1863 | 2785 |
| Homemaker Supervisor | 1992 | 2847 |
| Human Services Director III | 3043 | 4327 |
| Human Services Supervisor I | 2186 | 3251 |
| Human Services Supervisor II | 2602 | 3723 |
| Jobs and Training Supervisor | 1863 | 2785 |
| Mental Health Program Manager | 2329 | 3481 |
| Mental Health Worker | 1905 | 2847 |
| Methods & Procedures Analyst | 1826 | 2602 |
| Nutrition Project Assistant Director | 1597 | 2385 |
| Nutrition Project Director | 2085 | 3113 |

| | | Minimum | Maximum |
|---|---|---|---|
| ~~Office Manager~~ | | ~~1491~~ | ~~2132~~ |
| Office Services Supervisor II | | 1526 | 2186 |
| Personnel Officer | | 1597 | 2385 |
| Personnel Director | | 2785 | 3968 |
| Planner (Human Services) | | 1992 | 2847 |
| Psychologist I | | 1863 | 2785 |
| Psychologist II | | 2186 | 3113 |
| Psychologist III | | 2909 | 3968 |
| Public Health Educator | | 1745 | 2491 |
| Public Health Nurse | | 1826 | 2491 |
| Public Health Nurse (Team Leader) | | 2036 | 2785 |
| Registered Nurse (A.A. Degree, 3 year Diploma, or B.S.Degree) | | 1745 | 2385 |
| Resident Activity Coordinator | | 1597 | 2385 |
| Sanitarian | | 1597 | 2385 |
| Senior Public Health Nurse | | 1992 | 2847 |
| Senior Staff Development Specialist | | 2132 | 3043 |
| Social Worker (Licensing Specialist) | | 1597 | 2385 |
| Social Worker | | 1631 | 2542 |
| Social Worker (Child Protection Specialist) | | 1631 | 2542 |
| Social Worker (MSW) | | 1863 | 2785 |
| Social Worker (Child Protection Specialist) (MSW) | | 1863 | 2785 |
| Social Services Supervisor I | | 2186 | 3251 |
| Social Services Supervisor II | | 2385 | 3562 |
| Staff Development Specialist | | 1786 | 2659 |
| ~~Staff Training Supervisor~~ | | ~~2132~~ | ~~3043~~ |
| Student Social Worker (Intern) | Rate proposed by appointing authority. | | |
| Student Social Worker (SWEP) | Rate proposed by appointing authority. | | |
| Systems Programmer Analyst | | 2132 | 2909 |
| Telecommunications Analyst | | 2036 | 2909 |
| Trainee | Rate proposed by appointing authority and approved by the merit system supervisor and the commissioner of human services. | | |
| Volunteer Services Coordinator I | | 1597 | 2385 |
| Volunteer Services Coordinator II | | 1992 | 2847 |
| Welfare Director I | | 2329 | 3481 |
| Welfare Director II | | 2602 | 3723 |
| Welfare Director III | | 2785 | 3968 |
| Welfare Director IV | | 3043 | 4327 |
| Welfare Director V | | 4055 | 5762 |
| Work-Experience & Training Specialist | | 1905 | 2721 |

Subp. 4. **Support personnel: plan A.** The following minimum and maximum salary steps in monthly salary amounts shall be applicable to the specified classes of positions:

| | | |
|---|---|---|
| Account Clerk | 1044 | 1427 |
| Accounting Technician | 1091 | 1560 |
| Adult Day Care Center Program Coordinator | 1117 | 1671 |
| Case Aide | 1117 | 1671 |
| Chemical Dependency Counselor | 1364 | 1786 |
| Child Health Aide | 933 | 1278 |
| Child Support Officer I | 1278 | 1826 |
| Child Support Officer II | 1460 | 1992 |

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| | Minimum | Maximum |
|---|---|---|
| Collections Officer | 1278 | 1826 |
| Collection Services Supervisor I | 1597 | 2186 |
| Community Service Aide | 839 | 1250 |
| Computer Operations Specialist | 1197 | 1560 |
| Coordinator of Aging | 1278 | 1905 |
| Developmental Achievement Center Instructor | 1117 | 1671 |
| Employment Technician | 1117 | 1671 |
| Family Service Aide I | 912 | 1364 |
| Family Service Aide II | 1044 | 1560 |
| Family Service Coordinator I | 1224 | 1671 |
| Family Service/Home Health Aide | 912 | 1364 |
| Financial Assistance Specialist | 1397 | 1992 |
| Financial Worker | 1117 | 1671 |
| Food Stamp Corrective Action Specialist ~~I~~ | ~~1397~~ 1526 | ~~1992~~ 2186 |
| Food Stamp Corrective Action Specialist II | 1671 | 2385 |
| Home Health Aide | 912 | 1364 |
| Home Health Aide Coordinator | 1224 | 1671 |
| Housekeeper | Rate proposed by appointing authority and approved by the merit system supervisor and the commissioner of human services. | |
| Housing Coordinator | 1597 | 2280 |
| Housing Rehabilitation Specialist | 1250 | 1786 |
| Licensed Practical Nurse | 1197 | 1631 |
| Methods and Procedures Technician | 1364 | 1786 |
| Office Services Supervisor I | 1224 | 1671 |
| ~~Personnel Aide~~ | ~~1141~~ | ~~1560~~ |
| Public Health Aide | 839 | 1250 |
| Senior Citizen's Aide | 912 | 1364 |
| Support Enforcement Aide | 1044 | 1427 |
| Welfare Fraud Investigator | 1597 | 2085 |

Subp. 5. **Support personnel: plan B.** The following minimum and maximum salary steps in monthly salary amounts shall be applicable to the specified classes of positions:

| | Minimum | Maximum |
|---|---|---|
| Account Clerk | 1091 | 1491 |
| Accounting Technician | 1141 | 1631 |
| Adult Day Care Center Program Coordinator | 1168 | 1745 |
| Case Aide | 1168 | 1745 |
| Chemical Dependency Counselor | 1427 | 1863 |
| Child Health Aide | 976 | 1334 |
| Child Support Officer I | 1334 | 1905 |
| Child Support Officer II | 1526 | 2085 |
| Collections Officer | 1334 | 1905 |
| Collection Services Supervisor I | 1671 | 2280 |
| Community Service Aide | 876 | 1307 |
| Computer Operations Specialist | 1250 | 1631 |
| Coordinator of Aging | 1334 | 1992 |
| Developmental Achievement Center Instructor | 1168 | 1745 |
| Employment Technician | 1168 | 1745 |
| Family Service Aide I | 955 | 1427 |
| Family Service Aide II | 1091 | 1631 |
| Family Service Coordinator I | 1278 | 1745 |
| Family Service/Home Health Aide | 955 | 1427 |
| Financial Assistance Specialist | 1460 | 2085 |
| Financial Worker | 1168 | 1745 |
| Food Stamp Corrective Action Specialist ~~I~~ | ~~1460~~ 1526 | ~~2085~~ 2186 |
| Food Stamp Corrective Action Specialist II | 1671 | 2385 |
| Home Health Aide | 955 | 1427 |

| | Minimum | Maximum |
|---|---|---|
| Home Health Aide Coordinator | 1278 | 1745 |
| Housekeeper | Rate proposed by appointing authority and approved by the merit system supervisor and the commissioner of human services. | |
| Housing Coordinator | 1671 | 2385 |
| Housing Rehabilitation Specialist | 1307 | 1863 |
| Licensed Practical Nurse | 1250 | 1705 |
| Methods and Procedures Technician | 1427 | 1863 |
| Office Services Supervisor I | 1278 | 1745 |
| ~~Personnel Aide~~ | ~~1197~~ | ~~1631~~ |
| Public Health Aide | 876 | 1307 |
| Senior Citizen's Aide | 955 | 1427 |
| Support Enforcement Aide | 1091 | 1491 |
| Welfare Fraud Investigator | 1671 | 2186 |

Subp. 6. **Support personnel: plan C.** The following minimum and maximum salary steps in monthly salary amounts shall be applicable to the specified classes of positions:

| | | |
|---|---|---|
| Account Clerk | 1141 | 1560 |
| Accounting Technician | 1197 | 1705 |
| Adult Day Care Center Program Coordinator | 1224 | 1826 |
| Case Aide | 1224 | 1826 |
| Chemical Dependency Counselor | 1491 | 1945 |
| Child Health Aide | 1069 | 1460 |
| Child Support Officer I | 1397 | 1992 |
| Child Support Officer II | 1597 | 2186 |
| Collections Officer | 1397 | 1992 |
| Collection Services Supervisor I | 1745 | 2385 |
| Community Service Aide | 912 | 1364 |
| Computer Operations Specialist | 1307 | 1705 |
| Coordinator of Aging | 1397 | 2085 |
| Developmental Achievement Center Instructor | 1224 | 1826 |
| Employment Technician | 1224 | 1826 |
| Family Service Aide I | 999 | 1491 |
| Family Service Aide II | 1141 | 1705 |
| Family Service Coordinator I | 1334 | 1826 |
| Family Service/Home Health Aide | 999 | 1491 |
| Financial Assistance Specialist | 1526 | 2186 |
| Financial Worker | 1224 | 1826 |
| Food Stamp Corrective Action Specialist I | 1526 | 2186 |
| Food Stamp Corrective Action Specialist II | 1671 | 2385 |
| Home Health Aide | 999 | 1491 |
| Home Health Aide Coordinator | 1334 | 1826 |
| Housekeeper | Rate proposed by appointing authority and approved by the merit system supervisor and the commissioner of human services. | |
| Housing Coordinator | 1745 | 2491 |
| Housing Rehabilitation Specialist | 1364 | 1945 |
| Licensed Practical Nurse | 1307 | 1786 |
| Methods and Procedures Technician | 1491 | 1945 |
| Office Services Supervisor I | 1334 | 1826 |
| ~~Personnel Aide~~ | ~~1250~~ | ~~1705~~ |
| Public Health Aide | 912 | 1364 |

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| | Minimum | Maximum |
|---|---|---|
| Senior Citizen's Aide | 999 | 1491 |
| Support Enforcement Aide | 1141 | 1560 |
| Welfare Fraud Investigator | 1745 | 2280 |

Subp. 7. **Clerical: plan A.** The following minimum and maximum salary steps in monthly salary amounts shall be applicable to the specified classes of positions:

| | ~~1030~~ | 1078 | ~~1410~~ | 1473 |
|---|---|---|---|---|
| Administrative Secretary | 758 | | 1030 | |
| Clerk I | 866 | | 1234 | |
| Clerk II | 1030 | | 1410 | |
| Clerk III | 831 | | 1128 | |
| Clerk-Typist I | 866 | | 1234 | |
| Clerk-Typist II | 1030 | | 1473 | |
| Clerk-Typist III | 902 | | 1234 | |
| Clerk-Steno | 831 | | 1128 | |
| Data Entry Operator | 902 | | 1234 | |
| Information Systems Specialist | 1030 | | 1410 | |
| Legal Secretary | 831 | | 1128 | |
| Switchboard Operator | | | | |

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.

Subp. 8. **Clerical: plan B.** The following minimum and maximum salary steps in monthly salary amounts shall be applicable to the specified classes of positions:

| | Minimum | | Maximum | |
|---|---|---|---|---|
| | ~~1151~~ | 1207 | ~~1503~~ | 1648 |
| Administrative Secretary | 866 | | 1128 | |
| Clerk I | 986 | | 1344 | |
| Clerk II | 1151 | | 1503 | |
| Clerk III | 942 | | 1234 | |
| Clerk-Typist I | 986 | | 1344 | |
| Clerk-Typist II | 1151 | | 1575 | |
| Clerk-Typist III | 1030 | | 1344 | |
| Clerk-Steno | 942 | | 1234 | |
| Data Entry Operator | 1030 | | 1344 | |
| Information Systems Specialist | 1151 | | 1503 | |
| Legal Secretary | 942 | | 1234 | |
| Switchboard Operator | | | | |

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.

Subp. 9. **Clerical: plan C.** The following minimum and maximum salary steps in monthly salary amounts shall be applicable to the specified classes of positions:

| | Minimum | Maximum | |
|---|---|---|---|
| | 1263 | ~~1648~~ | 1721 |
| Administrative Secretary | 942 | 1234 | |
| Clerk I | 1088 | 1473 | |
| Clerk II | 1207 | 1575 | |
| Clerk III | 1030 | 1344 | |
| Clerk-Typist I | 1088 | 1473 | |
| Clerk-Typist II | 1207 | 1648 | |
| Clerk-Typist III | 1128 | 1473 | |
| Clerk-Steno | 1030 | 1344 | |
| Data Entry Operator | 1128 | 1473 | |
| Information Systems Specialist | 1207 | 1575 | |
| Legal Secretary | 1030 | 1344 | |
| Switchboard Operator | | | |

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.

Subp. 10. and 11. [Unchanged.]

**REPEALER.** Minnesota Rules, parts 9575.0820 and 9575.0970, are repealed.

# Department of Labor and Industry
# Code Enforcement Division

## Withdrawal of Proposed Permanent Rules Relating to Occupations and Professions, Boiler Operators, High Pressure Pipefitters, Boiler Operations, High Pressure Piping Operations, Fees

Notice is hereby given that the above-captioned rules as proposed and published in the *State Register* on April 20, 1987, (11 S.R. 1913-1918), are hereby withdrawn pursuant to Minn. Stat. § 14.05, subd. 3 (1986).

Dated: 15 June 1987

Ray Bohn, Commissioner
Department of Labor and Industry

# ADOPTED RULES

The adoption of a rule becomes effective after the requirements of Minn. Stat. § 14.14-14.28 have been met and five working days after the rule is published in *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 strikeouts and new language will be underlined. The rule's previous *State Register* publication will be cited.

An emergency rule becomes effective five working days after the approval of the Attorney General as specified in Minn. Stat. § 14.33 and upon the approval of the Revisor of Statutes as specified in § 14.36. Notice of approval by the Attorney General will be published as soon as practicable, and the adopted emergency rule will be published in the manner provided for adopted rules under § 14.18.

# Department of Health

## Adopted Rules Relating to Vital Records Fees

The rules proposed and published at *State Register*, Volume 11, Number 45, pages 2075-2076, May 11, 1987 (11 S.R. 2075) are adopted as proposed.

# Peace Officers Standards and Training Board

## Adopted Rules Relating to Licensing

The rules proposed and published at *State Register*, Volume 11, Number 34, pages 1499-1504, February 23, 1987 (11 S.R. 1499) are adopted as proposed.

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**
**DEPARTMENT OF HEALTH**

In the Matter of the Proposed Adoption of the Rule of the State Department of Health Governing Emergency Appointments; Extensions of Probationary Periods; Promotion by Noncompetitive Examination; and Retirement; (Minnesota Rules, parts 4670.2520, 4670.2630, 4670.2720 and 4670.2970).

FINDINGS OF FACT, CONCLUSIONS, AND ORDER ADOPTING RULE WITHOUT PUBLIC HEARING

Notice of the Commissioner's intent to adopt the above-entitled rule was published in the State Register on June 22, 1987 and was sent by United States mail to all persons on the list maintained by the agency pursuant to Minnesota Statutes, sections 14.14, subdivision 1a and 14.22, on June 17, 1987. The statement of need and reasonableness was prepared before the notice of intent to adopt a rule without a public hearing was mailed to all persons on the rulemaking mailing list and published in the State Register and was available to the public.

All persons were given the opportunity to submit comment on the rule for 30 days after notice of proposed rulemaking. No requests for a public hearing on the rule were received by the agency.

No submissions or comments on the rule were received by the agency. No requests for notice of submission to the Attorney General were received by the agency.

Based on the comments and evidence in the record before the agency, I find the following:

The above-captioned rule is needed and reasonable.

NOW, THEREFORE, IT IS ORDERED that the rule identified as Minnesota Rules, parts 4670.2520, 4670.2630, 4670.2720, and 4670.2970 (as modified) is adopted this 3rd day of August, 1987, pursuant to authority vested in me by Minnesota Statutes, section 144.071.

Sr. Mary Madonna Ashton

SISTER MARY MADONNA ASHTON
Commissioner

**STATE OF MINNESOTA**
**DEPARTMENT OF HUMAN SERVICES**

In the Matter of the Proposed Adoption of the Rule of the State Department of Human Services Governing Emergency Appointments; Extensions of Probationary Periods; Promotion by Noncompetitive Examination; Retirement; and the Compensation Plan; (Minnesota Rules, parts 9575.0670, 9575.0740, 9575.0820, 9575.0970, and 9575.1500).

FINDINGS OF FACT, CONCLUSIONS, AND ORDER ADOPTING RULE WITHOUT PUBLIC HEARING

Notice of the Commissioner's intent to adopt the above-entitled rule was published in the State Register on June 22, 1987 and was sent by United States mail to all persons on the list maintained by the agency pursuant to Minnesota Statutes, sections 14.14, subdivision 1a and 14.22, on June 17, 1987. The statement of need and reasonableness was prepared before the notice of intent to adopt a rule without a public hearing was mailed to all persons on the rulemaking mailing list and published in the State Register and was available to the public.

All persons were given the opportunity to submit comment on the rule for 30 days after notice of proposed rulemaking. No requests for a public hearing on the rule were received by the agency.

No submissions or comments on the rule were received by the agency. No requests for notice of submission to the Attorney General were received by the agency.

Based on the comments and evidence in the record before the agency, I find the following:

The above-captioned rule is needed and reasonable.

NOW, THEREFORE, IT IS ORDERED that the rule identified as Minnesota Rules, parts 9575.0670, 9575.0740, 9575.0820, 9575.0970, and 9575.1500 (as modified) is adopted this 29th day of July, 1987, pursuant to authority vested in me by Minnesota Statutes, section 256.012.

/s SANDRA S. GARDEBRING
Commissioner

In the Matter of the Adoption
of the Rule of the State Departments
of Human Services and Health Governing
Emergency Appointments; Extensions of
Probationary Period; Promotion by Noncompetitive
Examination; Retirement; and the Compensation
Plan (Minnesota Rules, parts 9575.0670, 9575.0740,
9575.0820, 9575.0970, 9575.1500, 4670.2520, 4670.2630,
4670.2720, and 4670.2970).

DECLARATION OF
COUNSEL

I, James Alexander, Special Assistant Attorney General, do hereby declare that I have examined the above-captioned rule, and the supporting rulemaking record, and that, based on my examination, the Administrative Procedure Act and Minnesota Rules, chapter 2010 have been followed. Any exceptions are listed below. For Attorney General billing purposes, the four-digit docket client code is 0859.

James Alexander
Special Assistant Attorney
General

Dated: 8-6-87

STATE OF MINNESOTA

DEPARTMENT OF HEALTH

IN THE MATTER OF THE PROPOSED AMENDMENTS TO EXISTING RULES CONCERNING EMERGENCY APPOINTMENTS; EXTENSION OF PROBATIONARY PERIODS; PROMOTION BY NONCOMPETITIVE EXAMINATION AND RETIREMENT; (MINNESOTA RULES, PARTS 4670.2520, 4670.2630, 4670.2720 AND 4670.2970)

CERTIFICATE

I hereby certify that the list of persons, associations and interested groups who have requested, pursuant to Minnesota Statutes, section 14.14, subdivision 1a, and 14.22 or 14.30, that their names be placed on the State Department of Health rulemaking mailing list is accurate, complete, and current as of this 15th day of June, 1987.

Dee Woodard

6/15/87

STATE OF MINNESOTA

DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF THE PROPOSED ADOPTION OF DEPARTMENT OF HUMAN SERVICES RULES GOVERNING EMERGENCY APPOINTMENTS; PROMOTION BY NONCOMPETITIVE EXAMINATION; RETIREMENT; AND THE COMPENSATION PLAN; MINNESOTA RULES, PARTS 9575.0670, 9575.0740, 9575.0820, 9575.0970, AND 9575.1500

CERTIFICATE

I hereby certify that the list of persons, associations and other interested groups who have requested, pursuant to Minnesota Statutes, section 14.14, subdivision 1a, and 14.22 or 14.30, that their names be placed on the State Department of Human Services rulemaking mailing list is accurate, complete, and current as of this 17th day of June, 1987.

Nancy Storlie

# MINNESOTA MERIT SYSTEM

FOR: COUNTY WELFARE
HUMAN SERVICE BOARDS
COUNTY AND LOCAL EMERGENCY SERVICES
COUNTY AND LOCAL PUBLIC HEALTH

OFFICE OF THE SUPERVISOR
FOURTH FLOOR, CENTENNIAL OFFICE BLDG.
ST. PAUL, MINNESOTA 55155
612/296-3996

DATE: August 7, 1987

TO: Rita Desmond
Legal Assistant
Attorney General's Office, Administrative Division

RECEIVED
ATTORNEY GENERAL'S OFFICE

AUG 0 7 1987

204 ADMINISTRATION BLDG.
50 SHERBURNE AVENUE
ST. PAUL, MN 55155

FROM: Ralph W. Corey
Merit System Supervisor

SUBJECT: Review of a Rule Adopted Without a Public Hearing; Rules Relating the Merit System, Minnesota Rules, parts 9575.0670, 9575.0740, 9575.0820, 9575.0970, 9575.1500, 4670.2520, 4670.2630, 4670.2720, and 4670.2970.

Enclosed are the documents required to be submitted under Minnesota Rules, part 2010.0300 for your review of a rule adopted without a public hearing for the above entitled matter.

Official documents in this submitted material include:

1. A copy or photocopy of the notice of solicitation of outside information or opinions as published in the State Register.

2. A copy of the proposed rule with a certificate of approval as to form by the revisor of statutes attached.

3. The notice of intent to adopt a rule without a public hearing as mailed.

4. The statement of need and reasonableness in support of the proposed rule complying with part 2010.0700.

5. The affidavit of mailing the notice of intent to adopt a rule without a public hearing. The affidavits state that the mailing list maintained by the agency pursuant to Minnesota Statutes, sections 14.22 and 14.14, subdivision 1a is accurate, complete, and current and that the notice of intent to adopt the rule without a public hearing was mailed to all persons and groups whose names appear on the list.

6. A copy or photocopy of the notice of intent to adopt the rule without a public hearing as published in the State Register.

*An Equal Opportunity Employer*

7. Four copies of the rule as adopted. Any modification made to the proposed rule is reflected on the rule as adopted and is approved as to form by the revisor of statutes.

8. The findings of fact, conclusions, and order adopting the rule.

9. All written requests, submissions, or comments on the rule received by the agency except requests solely for copies of the rule or of the statement of need and reasonableness. (No written requests, submissions or comments on the rule were received by the agency.)

10. The declaration of the attorney in the attorney general's office who represents the agency.

11. No requests to be notified of submittal of the rule to the Attorney General.

If you have any questions on this submitted material, please call me at 296-3996.

Two Rules in file for review.
All documents are present for both.

See Proposed Rule
Not all new material.

Notice of Intent OK

Authority
Health 144.071 OK
Human Svcs 256.012 OK

Rule
OK