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DATE: June 24, 2005

TO: Agency Heads

FROM: Cal R. Ludeman
Commissioner

RE: **Hiring Restriction**

As you know, Governor Pawlenty is working very hard to reach a legislative solution to the current budget problem. In every way, that is the preferred course of action for the Governor, the legislature, and the citizens of Minnesota.

Because the uncertainties of a final resolution cause a unique circumstance relative to employment and hiring practices, Governor Pawlenty has directed me to institute a hiring restriction. Therefore, under my authority as the chief personnel and labor relations officer for the state's Executive Branch, **I am restricting the filling of vacancies in the Executive Branch effective immediately**. This restriction applies to all new hires in every agency, regardless of whether the agency has funding, and would continue for the duration of any partial government shutdown.

During this time, agencies must obtain my written approval prior to extending an offer of employment for any limited or unlimited new hire. Only the filling of critical vacancies will be approved. The definition of "critical" is limited to activities that, if not performed, would create the potential for actual or imminent serious threat to the health or safety of persons or that has resulted or is likely to result in catastrophic loss to property or the environment. It may also include new hires that are absolutely necessary to support those critical functions. Agencies that have extended written offers prior to June 24, 2005, may honor those offers.

If your agency believes it has a vacancy that must be filled, submit written documentation demonstrating the critical nature of the position to me. If the information supports a critical designation, I will grant an exception to the hiring restriction. All approved vacancies will be advertised through the IVR system (Job Information Line) and State Employment website for a minimum of 48 hours.

In the event of a government shutdown, the extended posting time would provide an opportunity for employees on notice of layoff to view and claim approved vacancies in accordance with labor agreements and plans. Some employees may not have a human resource office to assist them with claiming and would contact the hiring agency directly. Those employees would have a copy of their layoff letter to provide documentation of their ability to claim.

I appreciate your continued cooperation.

cc: Deputy Commissioners
Human Resource Directors/Designees
Exclusive Representatives

Equal Opportunity Employer

Minnesota Department of Employee Relations