

CIVIL SERVICE RULES

8.3, 9.2, 13.1, 13.2, and 13.6

REVISED BY THE CIVIL SERVICE BOARD JUNE 7, 1950

TO READ AS FOLLOWS

8.3 Certification of Eligibles

a. Order of Certification

The one name highest on the layoff list shall be certified for one vacancy. In the case of all other eligible lists the three highest names shall be certified for one vacancy.

Eligibles shall be certified in strict order of standing, without regard to sex or special qualifications, except that where a limitation to one sex or a requirement of special qualifications is specified by the appointing authority in his written request and the director is satisfied that the facts and reasons specified warrant such action, certification may be limited to the sex specified or to eligibles possessing the special qualifications.

b. Multiple Vacancies

If more than one vacancy is to be filled the name of one additional eligible for each additional vacancy shall be certified.

c. Concurrent Certifications

Groups of eligibles shall be certified to vacancies in order of receipt of requisitions for employees, with due regard for the rights of eligibles standing highest on the list; provided, however, that this section shall not require simultaneous certification of the same name on different certifications made concurrently.

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d. Less than Required Number of Eligibles

Whenever there are not sufficient names on an eligible list to make a complete certification, the director may augment those names by a sufficient number of names from other appropriate lists to make a complete certification.

e. Incomplete Certification

When the number of names available for filling any vacancy is fewer than three except in case of certification from a layoff list, the appointing authority may decline certification for that vacancy and proceed to fill the vacancy in any other manner provided.

f. Certification from Related Lists

The director may in his discretion certify from eligible lists for higher classes to vacancies occurring in lower classes or from eligible lists for one class to vacancies in another class where he determines the examination reasonably measures the ability of the eligible to perform the duties in the class to which certification is made.

g. Non-Appointment of a Veteran When Certified

In the event of the rejection by the appointing officer of an eligible entitled to veterans preference under Minnesota Statutes, Section 43.30, when certified for promotion or to fill a vacancy or a new position, the appointing officer shall forthwith file in writing with the director the reasons for such rejection and shall furnish to the rejected veteran a copy thereof. (Refer to Minnesota Statutes, Section 43.30.)

h. Withdrawal of Certifications

In event appointment is not reported within ten days of the date of certification the director may withdraw such certification and shall certify the names of eligibles included in such certification on the next requisition received for the appropriate class of employment.

i. Certification of Married Couples

Upon the written request of an appointing authority the director may certify only the names of married couples from the eligible lists for the classes of the positions to be filled. If the director approves the request, he will combine the scores of married couples on the appropriate eligible lists and certify the three couples ranking highest on the basis of their combined scores.

## 9.2 Duration of Probationary Period

All original and all promotional appointments shall be tentative and subject to a probationary period of six months of actual service. Any interruption of service during the probationary period shall not be counted as a part of the six months' total service.

An employee who is promoted prior to the completion of his probationary period to a higher position in the same occupational field shall complete his probationary period in the lower position by service in the higher position and the appointing authority shall certify him for permanent status in the lower position at the end of the six months' period following his original appointment to that position if the employee is to be continued in the state service.

When a probationary employee is granted a leave of absence to accept a position in the unclassified service, the unfulfilled portion of the probationary period in the classified service may be completed by service in the unclassified service position, subject to a positive recommendation of the appointing authority and approval of the director provided that the work in the unclassified position is within the same general occupational field and is at least equivalent in difficulty and responsibility to the work of the position in the classified service.

Former employees appointed from eligible lists other than the layoff list shall be subject to the probationary period beginning the date of new appointment.

Employees transferred from the jurisdiction of one appointing authority to that of another appointing authority may be subject to a probationary period as provided in rule 8.10.

Time served on emergency, provisional or temporary employment shall not be counted as part of the probationary period.

### 13.1 Hours of Work

Eight hours of work shall constitute a normal work day and forty hours a normal work week. Whenever necessary, informational and other essential services shall be rendered on Saturday morning and overtime so worked shall be compensated for by time off or cash payment. When an appointing authority determines that operating conditions make overtime work necessary, he shall establish an overtime plan in accordance with rule 13.2. No state department shall operate on less than a forty hour work week except under provisions of rule 13.3 which allows for specific holidays and group recreational activity within the work week.

The director and the commissioner of administration shall prescribe by joint regulation the actual hours of employment for any or all employees in the state service whenever such action in their opinion is in the best interests of the state service. Appeal from such action may be made in writing to the civil service board and the action of the board thereon shall be final.

### 13.2 Overtime

Each appointing authority requiring or permitting work beyond the normal forty hour work week shall prepare written regulations governing such overtime which shall include the following:

- a. Conditions under which cash payment for overtime is authorized. Rates for cash payment shall be in accordance with rule 5.5.
- b. Conditions under which compensatory time off may be accrued, used or cancelled including the policies to be followed at time an employee is separated from service.
- c. Conditions under which neither compensatory time off nor overtime payment in cash will be allowed.

Such regulations governing overtime shall be effective when approved by the commissioner of administration and the director and shall remain in effect until cancelled in writing by the appointing authority, the director, or the commissioner of administration.

The appointing authority shall post or distribute copies of regulations so approved in order to inform affected employees.

No compensatory time off or cash payment for overtime work ordered by the appointing authority or voluntarily performed by the employee shall be allowed unless regulations are effective as above provided.

13.6 General Regulations Governing Leaves of Absence With Pay

So far as practicable, grants of leave shall be made prior to the beginning of the periods of absence and no payment for any absence shall be made until the leave is properly approved.

Deductions from leave accumulations for an employee on leave with pay shall be made on a working-day basis and no charge shall be made from leave accumulations for holidays, non-work days or non-work part days occurring at the beginning or during a period of leave with pay. No charge will be made for holidays or non-work days occurring at the end of a period of leave with pay if the employee returns to work on the first day thereafter or is granted additional leave without pay.

Accrual of vacation leave and sick leave during the period of leave of absence with pay shall occur only if the employee returns to his employment on the first working day following the expiration of such leave with pay or is granted additional leave without pay.

Appointing authorities shall maintain records of vacation and sick leave and overtime accrued and used by each of their employees. Such records shall be maintained in the form and manner prescribed by the director and shall be subject to audit by the civil service department. In case of dispute of the accuracy of the records the decision of the director shall be final.

1:30 P.M.  
STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED  
JUL 24 1950  
*Mark Holm*  
Secretary of State