

12-27-57

State of Minnesota
Civil Service Department
122 State Office Building
St. Paul 1

9797-11

December 24, 1957

Honorable Miles Lord
Attorney General
State Capitol
St. Paul 1, Minnesota

STATE OF MINNESOTA
DEPARTMENT OF STATE

RECEIVED
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Joseph L. Bennett
Secretary of State

Dear Mr. Lord:

At a public hearing December 23, 1957, of which thirty days prior public notice was given, the Civil Service Board considered proposed revisions to the Civil Service Rules.

We are submitting this letter in quadruplicate showing revised rules 5.3 and 5.4 approved by the Civil Service Board, which are shown in their entirety. The new material is underlined.

12-24-57

Civil Service Rule Changes
Adopted by the Civil Service Board
December 23, 1957

5.3 Hourly, Daily and Weekly Rates

Monthly rates of pay shall be paid except that on certification by an appointing authority that payment of monthly rates for certain classes within his jurisdiction is not feasible because of the temporary or intermittent nature of the work, the civil service director may authorize the payment of daily or hourly rates for the classes concerned. Such daily or hourly rates shall be computed from the monthly rates established in the compensation plan and in no case shall exceed the maximum of the established range for the class of positions involved except that for employment on a strictly temporary or project basis, the director may authorize a rate of pay which may exceed the maximum of the range provided, by not more than 70 per cent. In each case where payment above the maximum rate for the class is authorized because of the temporary or project nature of the work, the employee so paid shall not be entitled to vacation or sick leave. Temporary or project basis employment for the purposes of this rule ordinarily will be restricted to a planned work program which is to be completed within a specified limited period of time and which is not of a seasonal or regularly recurring nature.

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Hon. Miles Lord

In adjusting monthly rates to hourly, daily, or weekly rates, the number of hours, days, or weeks in the work month as established in the schedule provided for in rule 13.1, shall be divided into the monthly rate and shall be determined by the following formulae:

$$\begin{aligned} \text{Hourly rate} &= \frac{\text{Monthly rate} \times 12}{\text{No. of hours per work week} \times 52} \\ \text{Daily rate} &= \frac{\text{Monthly rate}}{4 \frac{1}{3} \times \text{No. of days in the work week}} \\ \text{Weekly rate} &= \text{Monthly rate} \div 4 \frac{1}{3} \end{aligned}$$

All computations of hourly, daily and weekly rates shall be made on the basis of the adjusted monthly rates established in the compensation plan.

If a mechanical payroll system is installed with 26 pay periods each year, the following provisions shall apply: Each year shall be divided into 26 pay periods, 25 of which shall consist of 80 working hours inclusive of holidays. The remaining pay period shall consist of 88 hours. An annual adjustment is to be made in salary payments to assure payment to each full time regular employee of 12 times his statutory monthly salary. In case of separation an appropriate adjustment likewise will be made. All salaries will be converted for purposes of payroll computation to hourly rates regardless of employment conditions. In adjusting monthly rates to hourly rates for payroll computation, the following formula shall be used:

$$\frac{\text{Monthly rate} \times 12}{80 (\text{No. hours in normal pay period}) \times 26}$$

All computations of hourly rates shall be made on the basis of the adjusted monthly rates established in the compensation plan.

5.4 Computation of Payments for Less than a Full Payroll Period.

Payments for less than a full payroll period to employees paid on a monthly salary basis shall be determined by multiplying the salary for the payroll period by the number of calendar days for which payment is to be made and dividing the result by the number of calendar days in the particular payroll period involved with the following exception:

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When computing a deduction for an employee on leave of absence without pay for a period not exceeding the number of calendar days in the work week of the agency by which he is employed the deduction shall be determined by multiplying the salary for the payroll period by the number of work days the employee was absent and dividing the result by the number of calendar days in the particular payroll period involved.

The following number of calendar days shall constitute the semi-monthly payroll periods for the months indicated:

28 day month - 14 days
29 day month - 14½ days
30 day month - 15 days
31 day month - 15½ days

If a 26 pay period mechanical payroll system is installed, payments for less than a full payroll period shall be determined by multiplying the hourly equivalent computed from the monthly salary by the formula in rule 5.3 by the number of working hours for which the employee is to be paid.

As secretary of the Board, I certify that these rules were duly adopted in accordance with Laws 1957, Chapter 806.

We will appreciate your consideration and approval of these rules as to form and legality as provided by law.

Sincerely,

John W. Jackson
John W. Jackson
Director

APPROVED AS TO FORM AND LEGALITY
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MILES LORD, ATTORNEY GENERAL

APPROVED AS TO FORM
AND EXECUTION 12/24 1957
By *John W. Jackson*
ASSISTANT ATTORNEY GENERAL

MILES LORD, ATTORNEY GENERAL

By *John W. Jackson*
Assistant Attorney General

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DEPARTMENT OF STATE
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Joseph L. Henneman
Secretary of State