

7-7-58

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

17-2

March 27, 1958

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

Dear Mr. Lord:

At a public hearing March 26, 1958, 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 13.7 and 13.8 approved by the Civil Service Board, which are shown in their entirety. The new material is underlined.

4-7-58

Civil Service Rule Changes
Adopted by the Civil Service Board
March 26, 1958

13.7 Vacation Leave

Each ~~employee~~ person employed on a monthly basis in a continuing position in the classified service, ~~except as otherwise provided in rule 5.3,~~ shall earn vacation with pay at the rate of one working day for each full month of service during the first five years of continuous employment by the state and at the rate of one and one-fourth days for each full month of service thereafter. Service shall begin on the date of state employment and time on lay-off, suspension or leave without pay, except as otherwise provided by law or these rules, shall not be counted in determining the date of completion of a full month's or five years of continuous service. Vacation leave shall not be earned by employees on temporary or emergency appointments. Appointing authorities may determine the time and establish schedules governing the use of vacation leave. No vacation leave shall be granted during the first six months of service, but upon satisfactory completion of such period, vacation leave shall accrue to the employee for the time served. Unused vacation leave may be accumulated to a total of 24 working days provided, however, that an employee who is about to lose a day of vacation leave because of the limitation of accrual imposed by this rule, upon advance notice to the appointing authority, may within

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the 30 calendar days following absent himself with or without the consent of his appointing authority to prevent the loss of such day, and action so taken by the employee shall not constitute a basis for disciplinary action or loss of pay.

An employee on military leave as provided in rule 13.11 shall not be limited to 24 days accrual of vacation leave. He may immediately upon his reinstatement from military leave take all vacation leave in excess of 24 days with or without the consent of his appointing authority. In the alternative, he may elect to be credited with the vacation leave in excess of 24 days, but such leave shall be taken at a time determined by the appointing authority within two years of the date of reinstatement.

Any employee who is separated from the state service by layoff, resignation, death or otherwise and any employee who is transferred or who accepts employment under the jurisdiction of a new appointing authority or in the unclassified service of the state shall be paid for the number of working days of unused vacation leave accumulated to his credit.

13.8 Sick Leave

Sick leave shall be earned by each employee-paid person employed on a monthly basis in a continuing position in the classified service at the rate of one working day for each full month of service. Sick leave shall not be earned by employees on temporary or emergency appointments. Service shall begin on the date of state employment and time on layoff, suspension or leave without pay, except as otherwise provided by law or these rules, shall not be counted in determining the date of completion of a full month of service. Unused sick leave may be accumulated to a total of one hundred working days. When the maximum limitation has been accumulated, employees may use one half day a month of sick leave that would have been earned as additional vacation. The other one-half day shall lapse, but shall be recorded by the appointing authority. Any employee who has such lapsed sick leave recorded to his credit may apply to a committee composed of the governor, the commissioner of administration, and the director to have the lapsed sick leave restored in the event of an extended illness. The committee in its discretion may authorize use of all or any part of the lapsed sick leave after thorough investigation including complete medical reports of the illness requiring the continued absence of the employee.

An employee may utilize his allowance of sick leave on the basis of application therefor approved by his appointing authority and reported to the director, for absences necessitated by inability to perform the duties of his position by reason of illness or in-

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jury, by necessity for acute medical or dental care, by exposure to contagious disease under the circumstances in which the health of employees with whom he is associated or members of the public with whom he deals would be endangered by his attendance on duty, or by illness in his immediate family for such periods as his attendance shall be necessary. The term "immediate family" shall be limited to the spouse, and minor children, or parent where the parent has no other person to provide the necessary nursing care, living in the household of the employee. Either the appointing authority or the director may require a medical examination or medical certificate as he deems necessary before approving the utilization of sick leave. Within the discretion of the appointing authority, use of sick leave also may be authorized in cases of death of the spouse and the parents of the spouse and the parents, guardian, children, brothers, sisters or wards of the employee.

All sick leave shall expire on the date of separation from the state service and no employee shall be reimbursed for sick leave outstanding at the time of termination of his state employment.

A former state employee who is reappointed within three years of his separation from the service under the provisions of the act and these rules except as a provisional, temporary or emergency appointee, may have his previously accumulated and unused balance of sick leave revived and placed to his credit upon approval of the new appointing authority.

An employee who is transferred to the jurisdiction of another appointing authority or who accepts employment under the jurisdiction of a new appointing authority without interruption of his services to the state shall be entitled to credit in his new employment for the accumulated unused sick leave earned in his former employment. Accumulated sick leave unused at the time of grant of leave of absence to an employee to accept employment in the unclassified service shall be restored at the time of reinstatement of the employee to his classified service position.

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

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
APR 7 - 1958
10:30 a.m.
James L. Benson
Secretary of State

APPROVED AS TO FORM AND LEGALITY

April 3 19 *58*
MILES LORD, ATTORNEY GENERAL
By *Edward J. Parker*
ASSISTANT ATTORNEY GENERAL