

2-4-59
State of Minnesota
Civil Service Department
122 State Office Building
St. Paul 1



January 29, 1959

STATE OF MINNESOTA
DEPARTMENT OF STATE

FILED
FEB 4 1959

- 2:30 P.M.

James E. Anderson
Secretary of State

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

Dear Mr. Lord:

At a public hearing January 28, 1959, 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 2.4, 5.2, 10.3 and 13.7 approved by the Civil Service Board, which are shown in their entirety. The new material is underlined.

Civil Service Rule Changes
Adopted by the Civil Service Board
January 28, 1959

2.4 Duties and Powers of Board

The powers and duties of the civil service board shall be those prescribed by the civil service act and such others as are specifically prescribed by law or these rules.

In any procedures of the Civil Service Board or of the Civil Service Department outlined in succeeding parts of these rules, reference to employees' rights or privileges to appeal any actions specified shall include the employee's right to union representation as is recognized in any grievance procedure established by executive order or to any other representation the employee may select.

5.2 Administration of the Compensation Plan

b. Salary Increases

Salary adjustments within an established range shall not be automatic but shall be dependent upon specific written recommendations by the appointing authority, which shall be based upon standards of performance as indicated by service ratings or other pertinent data. Ordinarily, increases in salaries shall not be more than one step and shall not be

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made more often than once every six months, nor shall salary advancements be given to an employee until he has completed his first six months of service except that an appointing authority may propose salary increases of more than one step or more frequently than once every six months upon detailed written statements to the director specifying the employee's exceptional performance or the unusual employment conditions that make such action necessary. The director shall review each request for an increase of more than one step, giving due consideration to the salary rates paid other employees in the same class and agency, and may deny any request which in his judgment is contrary to the best interest of the service.

Every appointing authority shall at least once in every twelve months review the salary of each employee to determine whether the rate of pay of that employee should be advanced to the next step in the range and shall advise the employee in writing of the reasons for his determination if the salary increase is denied.

10.3 Suspension

An appointing authority may suspend an employee without pay for disciplinary reasons or other cause.

If the suspension is for a period or periods exceeding 30 calendar days in any 12 month period the reasons therefor shall be furnished the employee and the director in writing prior to the effective date of the suspension and the permanent employee concerned may demand a hearing. If the period or periods of suspension in any 12 month period do not exceed a total of 30 calendar days, prompt notice of the suspension shall be given in writing to the director and the employee, ~~and every effort shall be made by the appointing authority to notify the employee~~ but in such case the employee shall not be eligible to a hearing.

No seniority shall be acquired during the period of suspension.

If it is proved to the appointing authority's satisfaction that the employee was unjustifiably suspended, any rights that he would have had if the suspension had not occurred will be returned to him, and any loss of pay resulting from the suspension will be adjusted as provided in rule 13.7.

13.7 Vacation Leave

Each person employed on a monthly basis in a continuing position in the classified service shall earn vacation with pay at the rate of one working day for each full month of service

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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 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'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 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.

In the event it is proved to the appointing authority's satisfaction that an employee was unjustifiably suspended and the employee has lost pay as a result of such suspension, the appointing authority shall, without regard to the 24 day limitation mentioned above, add to the employee's vacation accumulation a number of vacation days equal to the number of working days lost.

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As secretary of the Board, I certify that these rules were duly adopted in accordance with Minnesota Statutes 1957, Section 15.0412.

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

Very truly yours,

John W. Jackson
John W. Jackson
Director

Approved as to form and legality
pursuant to M. S. 1957, Sec. 15.0412,
Feb. 2, 1959.

Henry H. Feikema
Henry H. Feikema
Special Assistant
Attorney General

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Joseph L. Asanman
Secretary of State