

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

November 14, 1966



Honorable Robert Mattson
Attorney General
State Capitol
St. Paul, Minnesota

Dear Mr. Mattson:

At its September 21, 1966 meeting, the Civil Service Board held a public hearing on proposed revisions in Civil Service Rules 5.5 and 13.2. Prior notice of hearing was given on August 11, 1966, in accordance with provisions of Minnesota Statutes 1965, Section 15.0412, Subdivision 4. The proposed revisions were discussed at the hearing and at subsequent Board meetings, all of which were open to the public, and changes were adopted by the Board on November 10, 1966. The Board action reported in this letter and the attached copies of the notice of hearing in this matter are hereby submitted in quadruplicate for your consideration as to the form and legality of the revisions as adopted by the Board.

The repeal of Civil Service Rule 5.5 and the amendment of Civil Service Rule 13.2 were adopted to take effect July 1, 1967. For your information, new material is underlined and deletions are stricken in the approved changes shown below and in the enclosures.

Changes in Civil Service Rules 5.5 and 13.2
as approved by the Civil Service Board November 10, 1966

5.5 Overtime, is repealed effective July 1, 1967.

13.2 Overtime

Each appointing authority requiring or permitting ~~work beyond the normal forty-hour work-week~~ overtime work 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 the time an employee is separated from service.
- c. ~~Conditions under which neither compensatory time off nor overtime payment in cash will be allowed.~~

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- c. For all employees in the classified service assigned to ranges below 8A or 11B in the salary plan the regulations shall require compensation for overtime work paid at one and one-half times the regular rate of pay provided in the salary plan or compensatory time off based on one and one-half times the overtime hours worked.
- d. For all employees except those described in c. hereof, the conditions under which compensatory time off or overtime payment in cash will be allowed and will not be allowed and the rates for cash payment or compensatory time off when allowed.

The term "overtime" means hours worked in excess of forty hours per week, except in state hospitals or institutions the term "overtime" means hours worked in excess of eighty hours per two weeks.

Anything to the contrary herein notwithstanding, an appointing authority may, with the approval of the director, provide that an employee in a position requiring him regularly to remain at, or within the confines of his station during longer than ordinary periods of duty, a substantial part of which consists of remaining in a standby status or sleeping and eating rather than performing work shall not be compensated in accordance with c. above but shall be covered under d. above.

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.

Please advise us of the date these changes are filed with the Secretary of State.

Very truly yours,



John W. Jackson
Director

Enclosures