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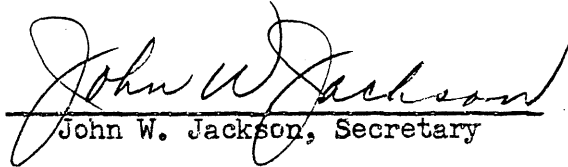
TO DEPARTMENT HEADS AND EMPLOYEES:

The attached proposals to revise State Civil Service Rules 13.1, 13.6, 13.7 and 13.8 will be considered by the Civil Service Board at a public hearing at 11:00 a.m., Wednesday, November 8, 1961, in the offices of the Civil Service Department, 122 State Office Building, St. Paul 1, Minnesota. These proposals are presented in detail before the hearing so that interested persons may have time to study them and to prepare any written material in connection with them that they may wish the Board to consider.

In presenting these proposals, the rule or part of a rule for which revision is proposed has been copied from the present rules. The parts to be deleted are shown by striking the present wording. Proposed new material is underlined.

CIVIL SERVICE BOARD

By

  
John W. Jackson, Secretary

DATE: October 5, 1961

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PROPOSED REVISIONS TO CIVIL SERVICE RULES 13.1, 13.6, 13.7 and 13.8

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.

13.6 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. If the employee is granted additional leave without pay, he will not be credited for a holiday occurring at the end of the period of leave with pay unless and until he returns to work at the expiration of the 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. If the employee is granted additional leave without pay, he will not be credited with vacation or sick leave accruals for the period of leave with pay unless and until he returns to work at the expiration of the leave without pay.

~~Appointing authorities~~ Departments or agencies 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.

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### 13.7 Vacation Leave

Each person employed on a monthly regular full time basis in a continuing position in the classified service shall earn vacation with pay at the rate of four working hours for each full payroll period during the first 130 payroll periods of continuous employment by the state and at the rate of five hours for each full payroll period 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 payroll period or 130 payroll periods of continuous service. If an employee is being paid for less than the full payroll period of 80 hours, his vacation accruals will be prorated for that period. This proration will be in accordance with a schedule established by each agency as approved by the Director. Vacation leave shall not be granted or accrued before satisfactory completion of six months of continuous service. Upon satisfactory completion of such period, vacation leave shall accrue to the employee from the beginning of the period of continuous service. Vacation leave shall not be earned by employees on temporary or emergency appointments. Appointing authorities Departments or agencies 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 192 working hours provided, however, that an employee who is about to lose four hours of vacation leave because of the limitation of accrual imposed by this rule, upon advance notice to the appointing authority, may within the payroll period following absent himself with or without the consent of his appointing authority to prevent the loss of such hours, 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 192 hours accrual of vacation leave. He may immediately upon his reinstatement from military leave take all vacation leave in excess of 192 hours 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 192 hours, 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 hours 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 192 hour limitation mentioned above, add to the employee's vacation accumulation a number of vacation hours equal to the number of working hours lost.

### 13.8 Sick Leave

Sick leave shall be earned by each person employed on a monthly regular full time basis in a continuing position in the classified service at the rate of four working hours for each full payroll period. 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 payroll period of service. If an employee is being paid for less than the full payroll period of 80 hours, his sick leave accruals will be prorated for that period. This proration will be in accordance with a schedule established by each department or agency. Unused sick leave may be accumulated to a total of eight hundred working hours. When the maximum limitation has been accumulated, employees may use two hours a payroll period of sick leave that would have been earned as additional vacation. The other two hours 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 injury, 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, 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 state 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.

STATE OF MINNESOTA  
DEPARTMENT OF STATE

FILED  
NOV 20 1961 - 11:30 a.m.

*Joseph L. Anderson*

APPROVED AS TO FORM  
LEGALITY AND EXECUTION *Nov 20 1961*

WALTER E. MONDALE, ATTORNEY GENERAL

By *Gale M. Cagle*  
Assistant Attorney General

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