

STATE OF MINNESOTA
DEPARTMENT OF EMPLOYEE RELATIONS

IN THE MATTER OF THE PROPOSED
DELETION OF RULES GOVERNING
THE STATE PERSONNEL SYSTEM

STATEMENT OF NEED
AND REASONABLENESS

Laws of 1981, Chapter 210 repealed the previous civil service law covering state employees, Minn. Stat. ch. 43, and replaced it with a new civil service law, Minn. Stat. ch. 43A (Supp. 1981). Chapter 43A and subsequent amendments to it in Laws of 1982, Chapter 560 greatly altered the need and justification for personnel rules.

Minn. Stat. § 43A.04, Subd. 3 (Supp. 1981) states that "The commissioner shall promulgate rules pursuant to the administrative procedures act to implement the provisions of Chapter 43A which directly affect the rights of or processes available to the general public." Content areas that deal with current state employees or internal management of the state system must be covered in collective bargaining agreements and plans established pursuant to Minn. Stat. § 43A.18 (Supp. 1981) or administrative procedures authorized in Minn. Stat. § 43A.04, Subd. 4 (Supp. 1981). The following rules are being repealed because the content areas are required subjects for collective bargaining agreements, plans and administrative procedures, and do not "directly affect the rights of or processes available to the general public."

2.012	CES
2.016	Adopt Classification Plan
2.017	Amendments of the Class Plan
2.018	Allocation of Positions
2.019	Reclass of Positions
2.021	Delegate Class Authority
2.024	WOOC
2.028	Wage & Salary Plan
2.031	Reallocation Back Pay
2.032	Severance Pay
2.033	Deleg. - Comp. Authority
2.045	Deleg. of Authority - Dev./Conduct exams
2.051	Exams - Returning Veterans
2.057	Deleg. of Authority - Est. Lists
2.058	Layoff Lists
2.059	Agency Promotional Lists
2.060	Statewide Promotional Lists
2.081	Request for New Employees
2.083	Delegation of Authority - Cert.
2.086	Temporary Appointment
2.087	Emergency Appointment
2.097	Duration of Probationary Period
2.098	Probationary Service Ratings
2.099	Demotions During Probation
2.101	Permanent Employment
2.106	Retirement
2.107	Resignation
2.108	Suspension
2.109	Layoff
2.110	Demotion
2.111	Dismissal

2.116 Reinstatement
2.117 Reinstatement from LOA
2.119 Restoration of Seniority
2.129 Hours of Work
2.130 Overtime
2.131 Holidays
2.132 A.W.O.L.
2.133 Workers Compensation
2.134 LOA With Pay
2.135 Vacation Leave
2.136 Sick Leave
2.137 Military LOA With Pay
2.138 Other LOA's With Pay
2.141 Maternity/Paternity LOA's
2.142 Vacation Accrual-Reinst./Reemp.
2.143 Sick Leave Without Pay
2.144 Other LOA's Without Pay
2.145 Cancellation of LOA
2.146 Managerial Benefits
2.150 Performance Appraisal Guidelines
2.151 Performance Appraisals During Probationary Period
2.152 Record of Performance Appraisals
2.153 Performance Appraisal Procedures
2.155 Availability of Performance Appraisal Report
2.160 The Development Policy
2.161 Training Standards
2.162 Department Plans and Reports
2.163 Approval of Management Programs
2.164 Supervisory Training Requirements
2.166 Mandatory Training
2.167 Career Training Programs
2.168 Reimbursement of Training Expenses to the State
2.171 Career Paths
2.172 Certification in Occupational Categories
2.175 Grievance Procedure
2.176 Objectives and Definitions
2.178 Time Limits
2.180 Travel & Reloc. Exp. Authority
2.181 Expense Allowances
2.189 Payroll Certification
2.190 Report Personnel Changes
2.191 Delegation of Authority - DOER
2.193 Political Activity
2.204 Agency Promotional
2.211 Continuous Service
2.213 Day
2.214 Demotion
2.223 Full-time Employee
2.234 Managerial
2.240 Organization Unit
2.242 Overtime
2.243 Part-time Employee
2.244 Original Appointment
2.250 Promotion
2.257 Statewide Promotional List
2.268 Work Assignment
2.269 Working Day

Minn. Stat. ch. 43A (Supp. 1981) and Laws of 1982, Chapter 60 enacted as law the language of certain existing personnel rules. The following rules are no longer needed and are repealed because they now duplicate new statutory language:

- 2.007 Unclassified Service
- 2.008 Classified Service
- 2.009 Labor Service
- 2.047 Veteran's Preference
- 2.048 Order of Names on List
- 2.062 Open Competitive
- 2.063 Use of Lists - Unclassified Serv.
- 2.082 Methods of Filling Vacancy
- 2.139 Military LOA Without Pay
- 2.140 LOA - Unclassified Service
- 2.170 Human Resource Planning
- 2.177 Presentation of Grievances
- 2.192 Access to Personnel Files
- 2.194 Compliance With Law
- 2.195 Violations/Penalties
- 2.196 Coop. With Other Agencies, etc.
- 2.197 Persl. Serv. to Political Subds.
- 2.203 Agency
- 2.206 Allocation
- 2.207 Appointing Authority
- 2.209 Class
- 2.210 Commissioner
- 2.216 Disabled Veteran
- 2.217 Disabled Veteran's Preference
- 2.218 Eligible
- 2.219 Eligible List
- 2.220 Emergency Employee
- 2.221 Exclusive Representative
- 2.226 Intermittent Employee
- 2.232 Layoff List
- 2.235 Military Leave
- 2.238 Open Competitive List
- 2.244 Permanent Employee
- 2.246 Position
- 2.247 Probationary Employee
- 2.248 Probationary Period
- 2.253 Reclassification
- 2.254 Reemployment List
- 2.265 Unlimited Employee
- 2.266 Veteran
- 2.267 Veteran's Preference
- 2.275 Statement of Purpose
- 2.276 Definitions
- 2.277 Acceptance of Gifts or Favors
- 2.278 Use of Confidential Information
- 2.279 Use of State Property
- 2.280 Conflicts of Interest
- 2.281 Disciplinary Action
- 2.282 Copy to Employees