

A bill for an act
relating to St. Louis County; providing for civil service pilot projects; amending
Minnesota Statutes 2006, section 383C.034.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2006, section 383C.034, is amended to read:

383C.034 DUTIES OF DIRECTOR.

The civil service director as executive head of the county civil service commission shall direct and supervise all of its administrative and technical activities in addition to the duties imposed, elsewhere in sections 383C.03 to 383C.059, and shall:

(a) Attend the regular and special meetings of the county civil service commission, to act as its secretary and to record its official actions.

(b) Appoint, supervise and direct such employees of the civil service department as may be necessary to carry out the provisions of sections 383C.03 to 383C.059. Such employees shall be chosen in accordance with and shall be subject to the provisions of sections 383C.03 to 383C.059.

(c) Prepare and recommend rules and regulations for the administration of sections 383C.03 to 383C.059, which shall become effective after approval by the commission and the board of county commissioners, as provided in sections 383C.03 to 383C.059, to administer such rules and regulations and to propose amendments thereto.

(d) Establish and maintain in card or other suitable form a roster of all officers and employees in the service of the county, which shall show the employment history of each such employee. The director shall have access to all records and papers, the examination of which will aid in the discharge of duties in connection with such roster.

(e) Ascertain and record the duties and responsibilities pertaining to all positions in the classified service and classify such positions in the manner hereinafter provided.

(f) As soon as practicable after the adoption of the classification plan, prepare a schedule of salary or wage rates and ranges for each class, grade or group of positions in the classification. Such salary and wage schedules when approved by the civil service commission after public hearing shall be submitted to the board of county commissioners who may approve or reject such schedules. When approved by the board of county commissioners, they shall be used in connection with all payrolls and accounting records and with all budget estimates for all departments or agencies of the county government. Nothing in this section shall prevent the board of county commissioners from increasing or reducing the salary or wage rates of positions to conform to the terms of a negotiated labor agreement.

(g) Provide for, formulate and hold competitive tests to determine the relative qualifications of persons who seek employment in any class of positions and as a result thereof, establish employment lists for the various classes of positions.

(h) When a vacant position is to be filled, to certify to the appointing authority the names of the three persons highest on the reemployment or promotional list, or the names of the seven persons highest on the employment list for the class, provided, however, that if there are less than three names remaining on the reemployment or the promotional lists, the director shall certify such lesser numbers remaining on said lists, thereby using all names of persons willing to accept appointment before drawing any names from an employment list. When the director determines that there is significant under representation of a protected group with respect to race or sex in the class, and the first seven candidates on the employment list do not include a member of the under represented group, the director shall add the highest ranking available individual on the employment list from that group to the list of the candidates certified. If there are no such lists, the director may authorize provisional appointments pending the establishment of such employment list for such class. Such provisional appointment shall not continue for a period longer than four months, nor shall any person receive more than one provisional appointment or serve more than four months as a provisional appointee in any one fiscal year, nor shall there be more than one provisional appointment to any given position in any 12-month period; except that, after November 3, 1942, and prior to the time that lists of eligibles are available, appointments to offices and employments in the classified service may be made in accordance with existing laws and without regard to the provisions of sections 383C.03 to 383C.059. Persons so appointed shall not be entitled to any of the privileges set forth in sections 383C.03 to 383C.059 except in the case of appointments

made through merit examinations under authority of Laws 1941, chapter 476, section 1, but they shall be permitted to apply for and take any competitive examination for which they may be eligible. Such employees may continue in such employment, notwithstanding any contrary provisions of sections 383C.03 to 383C.059, until 60 days after the director shall have certified that lists of eligibles are available for such office or employment, whereupon the employment of such persons shall automatically terminate and such office or employment shall be filled from such lists of eligibles as provided in sections 383C.03 to 383C.059. In case of an emergency, an appointment may be made of not to exceed ten days duration without regard to the provisions of sections 383C.03 to 383C.059, which appointment shall be immediately reported to the civil service director. Successive emergency appointments shall not be made.

(i) Establish the length of the probation or working test period which shall not be less than six months and not more than 12 months, during which time discharges may be effected without specifying cause or granting a hearing, to enable the appointing authority to determine whether new officers and employees are able and willing to perform their duties satisfactorily; and for the method of removal or transfer of such officers and employees whose work or conduct during such period is unsatisfactory.

(j) Establish record of performance and a system of service ratings to be used in determining increases and decreases in salaries and in promotions.

(k) Keep such record as may be necessary for the proper administration of sections 383C.03 to 383C.059.

(l) Provide a system of checking payrolls, estimates and accounts for payment of salaries or wages to employees in the classified service, as to enable the director upon satisfactory evidence thereof, to certify or cause to be certified that the persons whose names appear thereon have been regularly employed in the performance of the duties indicated at the compensation rates and for the periods for which compensation is claimed or are on authorized leave before payment may be lawfully made to such employees.

(m) Make investigations concerning the administration and effect of sections 383C.03 to 383C.059 and the rules made thereunder, and report the findings and recommendations to the commission.

(n) Make an annual report to the county civil service commission.

(o) Conduct employment-related pilot projects, which are exempt from the provisions of sections 383C.03 to 383C.059, if the projects are approved in advance by the St. Louis County Joint Labor-Management Committee for Civil Service Reform. The St. Louis County Joint Labor-Management Committee for Civil Service Reform shall be comprised of a representative from each bargaining unit and five management

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4.1 representatives. A bargaining unit may approve a pilot project but decline to participate in
4.2 it or may opt out of a project at a later date. Pilot projects must not be implemented until
4.3 March 1, 2009, or later. The pilot project authority expires June 30, 2011.

4.4 **EFFECTIVE DATE.** This section is effective the day after approval by the
4.5 governing body of St. Louis County and compliance with Minnesota Statutes, section
4.6 645.021.