

city council, with respect to Minneapolis upon approval by the Minneapolis city council, and with respect to St. Paul upon approval by the St. Paul city council, and upon compliance with Minnesota Statutes, Section 645.021.

Approved May 19, 1977.

CHAPTER 165—S.F.No.1382

[Not Coded]

An act relating to the city of St. Paul; providing that the employees of the housing and redevelopment authority of the city of St. Paul may remain employees of the authority or become employees of the city as the governing body of the city may determine; amending Laws 1976, Chapter 234, Section 4, Subdivision 4, and by adding a subdivision.

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

Section 1. Laws 1976, Chapter 234, Section 4, Subdivision 4, is amended to read:

Subd. 4. **ST. PAUL, CITY OF; HOUSING AND REDEVELOPMENT.** Except as specifically provided herein, the establishment of the St. Paul city council as the commissioners of the St. Paul housing and redevelopment authority or placement of any employees under the direction, supervision or control of the mayor or any department of the city, shall not affect rights of any employees of the housing and redevelopment authority, including but not limited to any rights pursuant to an existing collective bargaining agreement or fringe benefit plan, nor shall such action affect any collective bargaining right or contract provision of present city employees. The employees ~~shall~~ may remain as employees of the housing and redevelopment authority ~~and shall not be, or any successor agency thereof, or may become~~ employees of the city of St. Paul by resolution of the governing body of the city and by concurrent approval of the respective housing and redevelopment authority bargaining units affected. Such approval will be determined by majority vote of those employees in each unit who are actually affected by such council action. All employees of the housing and redevelopment authority who are affected by such council action, and who are not members of a specific bargaining unit, for the purpose of this provision shall be considered as one unit. Any employee who becomes an employee of the city of St. Paul by such action shall become a member of the proper city bargaining unit, if one exists, and shall be governed by the bargaining agreement of that city unit beginning July 1, 1978, and until that date such employees shall remain in any bargaining units that they were in at the effective date of this act and shall be governed by the collective bargaining agreements of those units.

Sec. 2. Laws 1976, Chapter 234, Section 4, is amended by adding a subdivision to read:

Subd. 4a. **TRANSFER OF EMPLOYEES.** All employees of the housing and redevelopment authority who become employees of the city of St. Paul in accordance with the provisions of subdivision 4, hereinafter called transfer employees, shall be employees

Changes or additions indicated by underline deletions by strikeout

of the city of St. Paul notwithstanding any contrary provision of this law, the St. Paul city charter or other statute or ordinance, and shall be governed by applicable provisions of the city civil service laws and city charter, except as modified in clauses (1), (2) and (3).

(1) Transfer employees shall maintain city seniority from the effective date of this act; however, for the purposes of determining their wages and fringe benefits, except pension benefits, their seniority shall be computed from the date that they were originally employed by the housing and redevelopment authority.

(2) Transfer employees shall have promotion rights providing that they qualify for such rights under the city civil service laws, and such rights shall be determined by their combined total length of service with the housing and redevelopment authority and the city.

(3) Any employee, whether a regular city employee or a transfer employee, if assigned to the department of planning and economic development, shall have equal promotional rights with any other such employee. Any regular city employee assigned to the department of planning and economic development and any transfer employee shall have promotional preference for positions in the division of renewal and the division of economic development over regular city employees not assigned to the department of planning and economic development. All regular city employees, whether assigned to the department of planning and economic development or any other position in the classified service, shall have promotional rights over all transfer employees for any position in the classified service which is not in the department of planning and economic development. All city employees, whether assigned to the department of planning and economic development or any other position in the classified service, shall have equal promotional rights with all transfer employees for promotions to positions in the division of planning and the division of community development. The term "employee" as used in clause (3) means professional, supervisory, and confidential employees only. All promotion preferences established by this clause shall expire two years after the effective date of this act.

No city employee holding a regular appointment to a position in the classified service at the time this act takes effect shall be laid off because of the effects of this act.

Notwithstanding any contrary provision of law, the pension plan available to the employees of the housing and redevelopment authority at the effective date of this act shall continue in operation until changed in accordance with law, and all such housing and redevelopment authority employees who shall become employees of the city shall have the individual option to remain in the present pension and retirement plan provided to employees of the housing and redevelopment authority with the city assuming the employer's obligations under said pension plan or to become covered as coordinated members of the public employees retirement association upon election, by making such election within one year from the effective date of this act.

Sec. 3. This act shall become effective only after its approval by the governing body of the city of St. Paul and upon compliance with the provisions of Minnesota Statutes, Section 645.021.

Approved May 19, 1977.

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