

CHAPTER 365—H.F.No. 1488

An act relating to St. Louis County; providing authority to negotiate public employees wages; amending Laws 1941, Chapter 423, Section 5, as amended.

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

Section 1. Laws 1941, Chapter 423, Section 5, as amended by Laws 1943, Chapter 608, Laws 1951, Chapter 425, Section 1, and Laws 1961, Chapter 416, Section 1, is amended to read:

Sec. 5. **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 upon him, elsewhere in this act, and it shall be his duty to:

(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 this act. Such employees shall be chosen in accordance with and shall be subject to the provisions of this act.

(c) Prepare and recommend rules and regulations for the administration of this act, which shall become effective after approval by the commission and the board of county commissioners, as provided in this act, 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 his 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 herein-after 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 all positions in an entire grade or group uniformly, but it shall not increase the rate of pay of any class of positions beyond the rate in the

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~~next higher grade or group, nor reduce the pay of any grade or group below the rate of pay fixed for the next lower grade or group in the same service 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 re-employment, promotional, or employment list for the class, provided, however, that if there are less than three names remaining on the re-employment 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. If there are no such lists, he 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 months 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 this act. Persons so appointed shall not be entitled to any of the privileges set forth in this act 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 this act, 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 this act. In case of an emergency, an appointment may be made of not to exceed ten days duration without regard to the provisions of this act, 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 this act.

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(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 this act and the rules made thereunder, and report his findings and recommendations to the commission.

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

Approved March 24, 1980

CHAPTER 366—S.F.No. 1755

An act relating to towns; permitting compensation and providing for mileage of deputy clerks; amending Minnesota Statutes 1978, Section 367.05, Subdivision 2.

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

Section 1. Minnesota Statutes 1978, Section 367.05, Subdivision 2, is amended to read:

Subd. 2. **OFFICERS.** At the annual town meeting the electors of any town shall by majority vote establish such compensation for supervisors as the electors deem proper, any other law notwithstanding. The town board of any town shall establish compensation for the clerk and deputy clerk, if one is employed, as the town board deems proper, any other law notwithstanding.

In addition to such compensation as shall be provided pursuant to this subdivision, supervisors ~~and~~ clerks and deputy clerks shall be entitled to mileage at a rate not to exceed ~~45 cents per mile~~ that amount provided by section 471.665, subdivision 1 for each mile necessarily traveled on official business within or without the town as established by a town meeting.

The voters at any town meeting, after reading and disposing of the annual report, may, by resolution fix the scale of wages and hours of employment of the road overseer and of any other person employed by any town on any town road.

Sec. 2. **EFFECTIVE DATE.** This act is effective on the day following its final enactment.

Approved March 24, 1980