

3900.4700 EXPLANATION AND APPEALS OF QUALIFICATIONS DETERMINATION.

Subpart 1. **Procedures.** Upon request, the appointing authority shall give an applicant or an authorized representative an explanation of the methods used to assess whether the applicant met the minimum/preferred qualifications for a vacant position to which the applicant expressed interest. An applicant may appeal to the appointing authority in writing for reconsideration of the applicant's qualifications. The appeal must be received in the agency within 30 calendar days of the date on the notice of the original determination and shall state the grounds for the appeal. The appointing authority shall grant a review on the grounds of error, irregularity, or fraud in the conduct or scoring of any assessments or upon submission of additional information affecting the original determination.

Subp. 2. **Review of other applicants' status.** If a review discloses errors, fraud, or irregularities affecting the assessment of other applicants, the review may be extended to the assessment of those applicants.

Subp. 3. **Determination change required.** The appointing authority must change the final determination of an applicant's ability to meet minimum/preferred qualifications if additional information affecting the original determination is submitted or if an error was made in the original determination, or must order a new assessment or a revision to the assessment for the applicant or for all applicants if an error or irregularity occurred in the conduct or scoring of the assessment.

Subp. 4. **Effect of determination change.** A change made in the determination of an applicant's ability to meet the minimum/preferred qualifications of a position as the result of an appeal will not affect an appointment already made in good faith as the result of original determinations.

Statutory Authority: *MS s 43A.04*

History: *30 SR 807*

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