

3900.5200 ON-THE-JOB DEMONSTRATION PROCESS AND APPOINTMENT.

Subpart 1. **Criteria for offering.** The commissioner may offer applicants whose disabilities are so severe that they cannot be accommodated in the selection process an opportunity to participate in an on-the-job demonstration process according to Minnesota Statutes, section 43A.15, subdivision 14. The on-the-job demonstration process shall consist of an on-the-job trial work experience of up to 700 hours. The commissioner shall approve an on-the-job demonstration process if the commissioner determines that not all of the standard selection requirements need to be met for some positions in the class and whether the job duties or procedures can be altered so that the applicant could perform the essential duties of a position in the class.

Subp. 2. **Placement.** An applicant admitted for an on-the-job demonstration process must be given a list of agencies having positions in the class and written authorization by the commissioner to seek a vacant position in the class. The applicant, with the help of a placement and referral specialist in a rehabilitation program recognized by the state, may contact the agencies to develop a suitable placement. The commissioner in accordance with Minnesota Statutes, section 43A.15, subdivision 14, shall authorize an on-the-job demonstration process for any position determined suitable by the applicant, counselor, and appointing authority.

Subp. 3. **Completion or termination of process.** An on-the-job demonstration process may be successfully completed at any time during the 700 hours of work experience if the appointing authority notifies the commissioner that the applicant can satisfactorily perform the essential duties of the position and is eligible for probationary appointment according to Minnesota Statutes, section 43A.15, subdivision 14. An on-the-job demonstration process may be terminated at any point during the 700 hours of work experience, except for the first 30 scheduled work days from the date of the start of the process, if the appointing authority notifies the commissioner that the applicant cannot satisfactorily perform the essential duties of the position. An applicant terminated from an on-the-job demonstration process shall be authorized to seek placement in other positions in the class if the commissioner decides that the applicant's inability to perform was limited to duties essential to the specific position in which the applicant was placed but which are not essential for other positions in the class.

Statutory Authority: *MS s 43A.04*

History: *17 SR 1279; 30 SR 807*

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