

3920.0300 IMPLEMENTATION REPORTS.

Subpart 1. **Report required.** Each jurisdiction must submit a pay equity implementation report as provided by Minnesota Statutes, section 471.9981, subdivision 5a. The report must be submitted to the department by January 31, 1992. The report must be based on the jurisdiction's payroll as of December 31, 1991, except as otherwise provided in subpart 5, and it must include all of the information listed in subparts 3 to 8.

Subp. 2. **Report form.** The report must be submitted on a form provided by the department. In addition to the form, jurisdictions may submit all or part of the information on a computer diskette, in a format specified by the department.

Subp. 3. **Notice to employees.** The report must include a statement signed by the chief elected official verifying that employees have been notified, as provided in this subpart, that the report is public data under the Minnesota Government Data Practices Act, Minnesota Statutes, chapter 13. If there is no chief elected official, the statement must be signed by the chief appointed official of the jurisdiction.

The jurisdiction must send the notice to each exclusive representative, if any, for the jurisdiction. In addition, the jurisdiction must post the notice in a prominent location accessible to all employees, and make a copy available in the public library. The notices must be sent and posted before the report is submitted to the department. Posted notices must remain posted for at least 90 days after the report is submitted to the department.

The written and posted notices must include the following information:

A. a statement that the jurisdiction has submitted its implementation report to the department as required by the Local Government Pay Equity Act; and

B. a statement that the report is public information available to anyone requesting this information.

Subp. 4. **Verifications.** The report must include a statement signed by the chief elected official or, if none, the chief appointed official of the jurisdiction verifying that:

A. all information in the report is accurate and complete to the best of the jurisdiction's knowledge;

B. the governing body of the jurisdiction has reviewed and approved the report;

C. the job evaluation system used by the jurisdiction meets the criteria in subitems (1) and (2):

(1) the job evaluation system is based on the skill, effort, responsibility, and working conditions normally required in the performance of the work; and

(2) the same job evaluation system is used for determining comparable work value for all classes of employees in the jurisdiction; and

D. the report includes all classes of employees over which the jurisdiction has final budgetary approval authority.

Subp. 5. **Job class information.** The jurisdiction must submit the information listed in items A to H for each job class which had employees at any time in calendar year 1991, unless the class was abolished on or before December 31, 1991.

The information provided must be as of December 31, 1991, except that for classes which were vacant on that date the information must be as of the most recent date when the class was occupied, as specified in items B, C, D, and F.

A. Class title. If the jurisdiction has a two-tier pay system, and there were employees in both tiers on December 31, 1991, the jurisdiction must report each tier as a separate class. The information in items B to H must be reported separately for each tier.

"Two-tier pay system" means a pay practice in which two classes with the same duties, responsibilities, and general qualifications have different pay range minimums or maximums, or in which more recently-hired employees progress through the pay range at a different rate than less recently-hired employees.

B. Male employees. For classes which were vacant on December 31, 1991, the jurisdiction must report the number of male employees as of the most recent date when the class was occupied.

C. Female employees. For classes which were vacant on December 31, 1991, the jurisdiction must report the number of female employees as of the most recent date when the class was occupied.

D. Class type. The jurisdiction must identify the class type (male-dominated, female-dominated, or balanced) as defined by Minnesota Statutes, section 471.991. For classes which were vacant on December 31, 1991, the class type must be as of the most recent date when the class was occupied.

E. Comparable work value. The jurisdiction must report the job evaluation rating (comparable work value) of the class as determined by the job evaluation system.

F. Salary. The jurisdiction must report the minimum and maximum monthly salary, as determined by subitems (1) to (4). If there is no salary range for the class, the jurisdiction must note that information in the space provided on the form.

(1) For classes with an established hourly wage, jurisdictions must multiply the minimum and maximum hourly wages by 173.3 to determine the minimum and maximum monthly wage. When there is no established hourly wage, and there is only an annual wage, jurisdictions must divide the minimum and maximum annual wages by the number of months worked to determine the minimum and maximum monthly wages.

If the wage is for a class in which all employees work less than full-time equivalents, the minimum and maximum monthly wages must be adjusted to represent the full-time equivalent wage. The jurisdiction must make the adjustment by determining the minimum and maximum hourly wage and multiplying that amount by 173.3.

(2) If any employee in the class is paid less than the minimum of the wage range, or if no wage range exists, the jurisdiction must list the lowest wage actually paid any employee in the class as the minimum monthly salary. For classes which were vacant on December 31, 1991, and for which no wage range exists, the jurisdiction must list the lowest wage actually paid any employee in the class as of the most recent date when the class was occupied.

(3) If any employee in the class is paid more than the maximum of the wage range, or if no wage range exists, the jurisdiction must list the highest wage actually paid any employee in the class as the maximum. For classes which were vacant on December 31, 1991, and for which no wage range exists, the jurisdiction must list the highest wage actually paid any employee in the class as of the most recent date when the class was occupied.

(4) If any class received additional cash compensation at any time from July 1, 1991 through December 31, 1991, and if that payment resulted in pay above the wage range maximum, that payment must be prorated to determine a monthly equivalent. The prorated amount must be added to the wage range maximum in calculating the maximum monthly salary.

G. Years to maximum. The jurisdiction must report the number of years required to qualify for the maximum monthly salary. If no salary range exists, the jurisdiction must report the number of years of service in the class for the employee with the highest actual monthly salary.

H. Exceptional service pay. The jurisdiction must report the type of exceptional service pay received, if any employee in the class was receiving longevity or performance payments which resulted in pay above the salary range maximum.

Subp. 6. **Benefits.** The jurisdiction must report whether or not eligibility for benefits, or the jurisdiction's contribution limit for benefits, is different for any male-dominated and female-dominated classes of comparable work value. Classes are of comparable work value for purposes of this subpart if their job evaluation ratings are within a range of ratings equal to ten percent of the total range of evaluation ratings in the jurisdiction.

The total range of evaluation ratings is determined by subtracting the lowest rating assigned to any class in the jurisdiction from the highest rating assigned to any class in the jurisdiction. The rating corresponding to ten percent of that amount is determined by dividing the total range of evaluation ratings by ten.

To determine whether differences exist, jurisdictions must compare benefits eligibility and contribution limits for each female-dominated class to benefits eligibility and contribution limits for each male-dominated class within an evaluation range extending from ten percent of the total range of evaluation ratings below the female-dominated class to ten percent of the total range of evaluation ratings above the female-dominated class.

If differences exist, and if the differences represent a lower contribution limit or more limited eligibility for any female-dominated class, the jurisdiction must report the following information for all classes:

- A. eligibility or lack of eligibility for each benefit program; and
- B. the amount of the employer's contribution limit for each benefit program, prorated to determine monthly value.

Subp. 7. **Performance differences.** If a jurisdiction without salary ranges for any of its classes wants the department to consider documented performance differences which may explain compensation differences between male-dominated and female-dominated classes, as explained in part 3920.0600, subpart 7, the jurisdiction's report must so indicate. In addition, the report must include a statement that documentation about performance differences is available at the department's request.

Subp. 8. **Total payroll.** The jurisdiction must state the amount of its total actual annual payroll for the year ending December 31, 1991.

Statutory Authority: *MS s 43A.04*

History: *17 SR 712*

Published Electronically: *August 7, 2009*