

4670.2300 CERTIFICATION METHODS.

Subpart 1. **Competitive register.** For positions to be filled by competitive open examination, the supervisor shall certify the 15 highest available names together with any additional names of persons having an examination rating within five points of the person on the certification with the highest examination rating, and any additional names of persons having the same examination score as that of the 15th person certified, from the open competitive register established for the class of positions. At the option of the appointing authority, the supervisor may refer additional names so that all scores with 90 and above and scores within ten points of the highest score are referred to the appointing authority. Where the number of names to refer would be so large as to preclude equitable, reliable, job-related screening, the appointing authority may request certification of fewer names, but never less than the top 15, plus scores tied to the 15th, and scores within five points of the highest score. Names of available eligibles from the appropriate reemployment and transfer registers, if they exist, shall also be certified as additional names.

Subp. 2. **Promotional register.** The supervisor may also certify the ten highest available names together with any additional names of persons having an examination rating within five points of the person on the certification with the highest examination rating, and any additional names of persons having the same examination score as that of the tenth name certified, from the appropriate promotional register if such register exists and is requested. At the option of the appointing authority, the supervisor may refer additional names so that all scores with 90 and above and scores within ten points of the highest score are referred to the appointing authority. Where the number of names to refer would be so large as to preclude equitable, reliable, job-related screening, the appointing authority may request certification of fewer names, but never less than the top ten, plus scores tied to the tenth, and scores within five points of the highest score. Names of available eligibles from the appropriate reemployment and transfer registers, if they exist, shall also be certified as additional names.

Subp. 3. **Multiple vacancies.** If more than one vacancy exists, the supervisor shall certify at least as many names from the register as there are vacancies to be filled, together with any additional names of persons having an examination rating within five points of the person on the certification with the highest examination rating, and any additional names of persons having the same examination score as that of the last person certified on a competitive certification or as that of the last person certified on a promotional certification. At the option of the appointing authority, the supervisor may refer additional names so that all scores with 90 and above and scores within ten points of the highest score are referred to the appointing authority. Where the number of names to refer would be so large as to preclude equitable, reliable, job-related screening, the appointing authority may request certification of fewer names, but never less than the top 15 scores, plus scores tied to the

15th and scores within five points of the highest score, on a competitive vacancy; or less than the top ten scores, plus scores tied to the tenth score and scores within five points of the highest score, on a promotional vacancy. Supplementary certifications will be issued only in instances in which it is found that there are less than 15 available candidates on the competitive certification or ten available candidates on the promotional certification.

Subp. 4. **Selection for appointment.** The appointing authority may select for appointment anyone among the certified candidates who is eligible for appointment.

Subp. 5. **Inadequate registers.** When the number of different names available for filling any vacancy by original appointment, promotion, or reinstatement is fewer than seven on all competitive and promotional registers combined, the appointing authority may decline certification for that vacancy and may request certification from a register, or registers, that the supervisor deems appropriate.

Subp. 6. **Provisional appointments.** If there is no register that the supervisor deems appropriate, then the vacancy may be filled provisionally as provided for in part 4670.2510, subpart 1.

Subp. 7. **Expanded certification.** When the supervisor determines that a disparity exists between an agency's work force and its approved affirmative action plan, the supervisor shall ensure to the extent possible that available eligibles who are members of the protected group as defined in part 4670.0100, subpart 34a, for which the disparity exists are certified for appointment. When fewer than three protected group eligibles for which a disparity exists would be certified under subparts 1 and 2, the supervisor shall certify additional protected group eligibles for which a disparity exists to bring the number of eligibles certified to a total of three names from each protected group. Eligibles to be certified shall be determined by examination score.

Statutory Authority: *MS s 144.071*

History: *13 SR 1057; 14 SR 1008; 23 SR 2404*

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