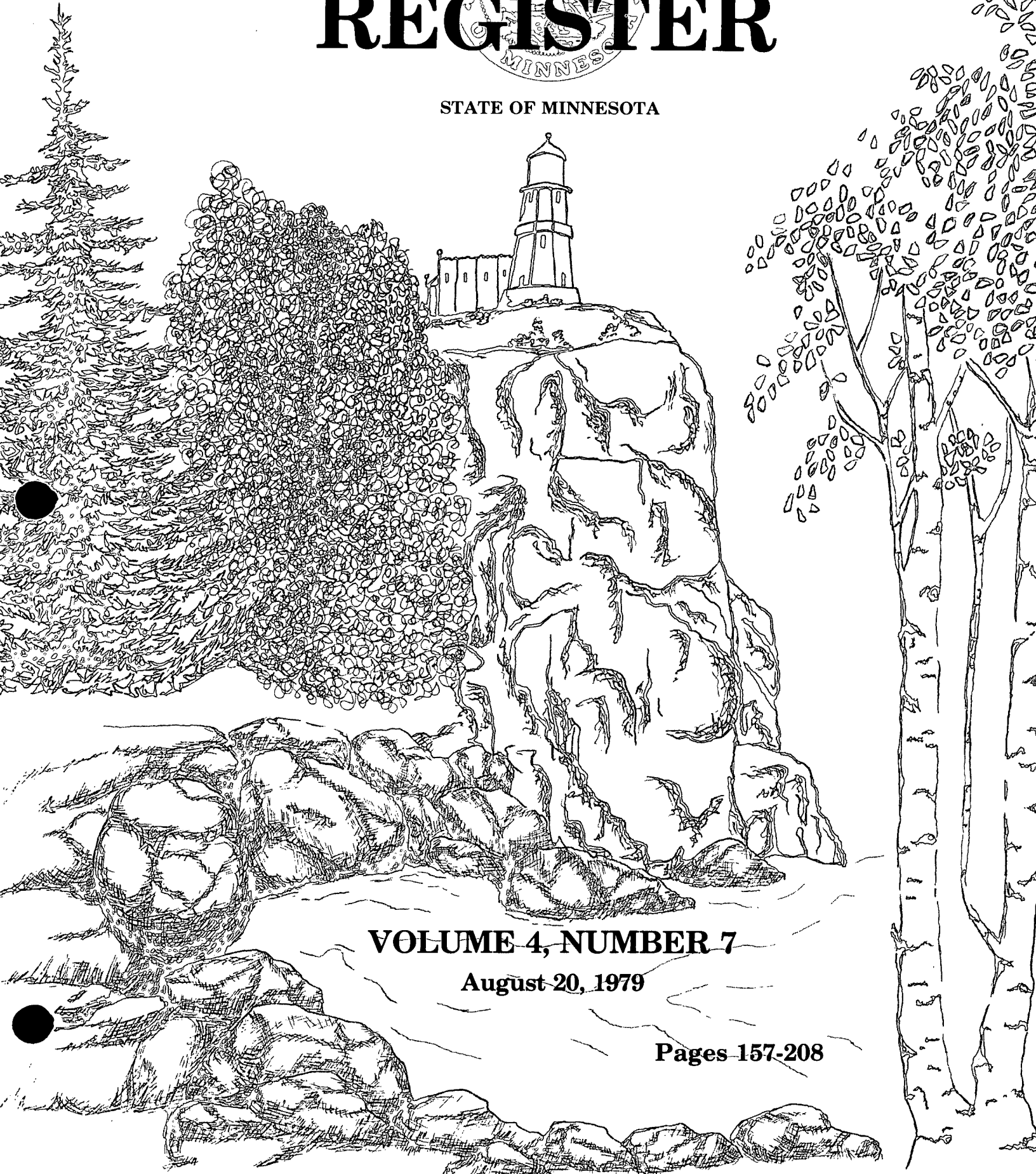




STATE REGISTER

STATE OF MINNESOTA



VOLUME 4, NUMBER 7

August 20, 1979

Pages 157-208

STATE REGISTER

Volume 4 Printing Schedule for Agencies

Issue Number	*Submission deadline for Executive Orders, Adopted Rules and **Proposed Rules	*Submission deadline for State Contract Notices and other **Official Notices.	Issue Date
SCHEDULE FOR VOLUME 4			
8	Monday Aug 13	Monday Aug 20	Monday Aug 27
9	Monday Aug 20	Monday Aug 27	Monday Sept 3
10	Monday Aug 27	Tuesday Sept 4	Monday Sept 10
11	Tuesday Sept 4	Monday Sept 10	Monday Sept 17

*Deadline extensions may be possible at the editor's discretion; however, none will be made beyond the second Wednesday (12 calendar days) preceding the issue date for rules, proposed rules and executive orders, or beyond the Wednesday (5 calendar days) preceding the issue date for official notices. Requests for deadline extensions should be made only in valid emergency situations.

**Notices of Public Hearings on proposed rules are published in the Proposed Rules section and must be submitted two weeks prior to the issue date.

Instructions for submission of documents may be obtained from the Office of the State Register, Suite 415, Hamm Building, 408 St. Peter Street, St. Paul, Minnesota 55102.

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The *State Register* is the official publication of the State of Minnesota, containing executive orders of the governor, proposed and adopted rules of state agencies, and official notices to the public. Judicial notice shall be taken of material published in the *State Register*.

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MCAR AMENDMENTS AND ADDITIONS

The following is a cumulative listing of all proposed and adopted rules published in Volume 4 of the *State Register*. The listing is arranged in the same order as the table of contents of the *Minnesota Code of Agency Rules (MCAR)*. All adopted rules published in the *State Register* and listed below amend the rules contained in the MCAR set. Both proposed

temporary and adopted temporary rules are listed here although they are not printed in the MCAR due to the short term nature of their legal effectiveness. During the term of their legal effectiveness, however, adopted temporary rules do amend the MCAR.

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THE DULUTH INCLINED RAILWAY, built in 1891 at a cost of \$400,000, was 3,000 ft. long and 604 ft. high. Dances and operas were held at the pavilion at the top until it burned down in 1901. The railway's last run was September 1, 1939. (Courtesy of St. Louis County Historical Society)

EXECUTIVE ORDERS

Emergency Executive Order No. 79-34

Amending Emergency Executive Orders Nos. 79-30 and 79-31

I, Albert H. Quie, Governor of the State of Minnesota, by virtue of the authority vested in me by the Constitution of the State of Minnesota and applicable statutes, and specifically by Executive Order No. 12140 of the President of the United States, issued pursuant to the Emergency Petroleum Allocation Act of 1973 (P.L. 93-159), as amended, do hereby issue this Executive Order:

WHEREAS, Emergency Executive Order No. 79-30 was issued on June 28, 1979, establishing a system of end-user allocation for motor gasoline; and,

WHEREAS, Emergency Executive Order No. 79-31 was issued on July 7, 1979, amending and clarifying Emergency Executive Order No. 79-30; and,

WHEREAS, while the State of Minnesota is still experiencing a shortage of motor gasoline available for retail distribution, the tank topping and lines of purchasers which required an emergency response have currently subsided to an extent which allows termination of the minimum purchase requirements; and,

WHEREAS, it is no longer necessary for the protection of the public health, safety and welfare to retain in force all aspects of the system for end-use allocation of motor gasoline;

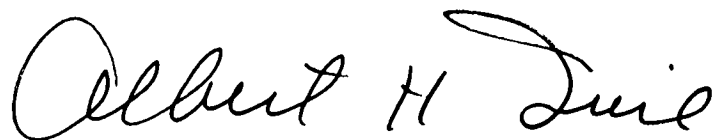
NOW, THEREFORE, I order:

Emergency Executive Orders Nos. 79-30 and 79-31 are hereby amended by the addition of the following paragraph:

14. The following numbered rules regarding minimum and maximum purchases of gasoline (including gasohol) are terminated effective August 1, 1979: 1, 3, 5, 6 (second and third sentences only), 8, 11, and 12. The remaining rules continue to be in force: 2, 4, 6 (first sentence only), 7, 9, 10, and 13.

This Emergency Executive Order, which is issued for the protection of the citizens of the State, shall be effective immediately and shall remain in force until such date as the shortage of motor gasoline available for retail distribution has ended, or until Emergency Executive Order No. 79-30 is otherwise superceded or terminated.

IN TESTIMONY WHEREOF, I have hereunto set my hand this 1st day of August, 1979.



RULES

The adoption of a rule becomes effective after the requirements of Minn. Stat. § 15.0412, subd. 4, have been met and five working days after the rule is published in the *State Register*, unless a later date is required by statutes or specified in the rule.

If an adopted rule is identical to its proposed form as previously published, a notice of adoption as proposed and a citation to its previous *State Register* publication will be printed.

If an adopted rule differs from its proposed form, language which has

been deleted will be printed with strike outs and new language will be underlined, and the rule's previous *State Register* publication will be cited.

A temporary rule becomes effective upon the approval of the Attorney General as specified in Minn. Stat. § 15.0412, subd. 5. Notice of his decision will be published as soon as practicable, and the adopted temporary rule will be published in the manner provided for adopted rules under subd. 4.

Department of Administration Telecommunications Division

Adopted Rules Governing Minimum Standards and Administration of Minnesota 911 Emergency Telephone Service

The rules 2 MCAR §§ 1.6101-1.6115, which were proposed and published at *State Register*, Volume 3, Number 16, pp. 806-813, October 23, 1978 (3 S.R. 806) are adopted with the following amendments:

Rules as Adopted

2 MCAR § 1.6101 Purpose of rules.

It is the purpose of these rules to give effect to Minn. Stat. ~~ch. 344 (1977)~~, § 403.01 *et seq.* which requires each county within the Twin Cities Metropolitan Area to establish a 911 emergency telephone system on or before December 15, 1982, and each remaining county within the state to establish a 911 system on or before December 15, 1986.

2 MCAR § 1.6102 Definitions.

For the purpose of these rules, the terms defined in this section shall have the meanings given them.

~~A. Automatic Location Identification (ALI) means the process of electronically identifying and displaying on a special viewing screen the address of the calling party's telephone to a 911 answering person as the call is being answered.~~

A. ~~B.~~ "Automatic Number Identification (ANI)" means the process of electronically identifying and displaying on a special viewing screen the telephone number of the calling party's telephone to a 911 answering person as the call is being answered.

B. ~~C.~~ "Dedicated 911 trunk" means a telephone circuit which is used exclusively for the purpose of transmitting 911 calls.

C. ~~D.~~ "Busy hour" ~~is means~~ a one hour period during a 24-hour day where the number of 911 calls to the Public Safety Answering Point is usually a maximum. Similarly, "Busy month" ~~is means~~ the busiest month during a 12 month period.

D. ~~E.~~ "Public agency" means any unit of local government or special purpose district located in whole or part within this state which provides or has authority to provide fire fighting, police, ambulance, medical, or other emergency services.

E. ~~F.~~ "PSAP" or "Public Safety Answering Point" means a communications facility operated on a 24-hour basis which first receives 911 calls from persons in a 911 service area and which may, as appropriate, directly dispatch public safety services or extend, transfer, or relay 911 calls to appropriate public safety agencies.

F. ~~G.~~ "PSAP manager" means the person having day-to-day responsibility for the operation of the public safety answering point.

G. ~~H.~~ "Selective routing" means a process through which a 911 call is routed by means of a special telephone trunking and electronic equipment configuration to a predesignated public safety answering point.

H. ~~I.~~ "Telephone exchange area" means a specific geographic area designated by the Department of Public Service which is served by one or more central offices.

I. ~~J.~~ "Telephone exchange area central office" or simply "Central Office" ~~is a term which refers to~~ means the site of the telephone switching equipment and the switching equipment itself for a specific telephone exchange area.

2 MCAR § 1.6104 Submission of tentative plans.

~~The~~ Each county shall submit a tentative 911 emergency telephone service plan ~~shall be submitted~~ to the Department of Administration and the Department of Public Service before December 15, 1978, and shall include the following information:

2 MCAR § 1.6105 Submission of final plans.

~~The~~ Each county shall submit a final plan ~~shall be submitted~~ to the Department of Administration and the Department of Public Service before December 15, ~~1978~~, 1979, and shall include the following information:

RULES

2 MCAR § 1.6108 Design standards.

D. PSAP answering equipment shall permit answering personnel to place the 911 call on hold ~~unless equipment providing automatic call distribution is utilized.~~

E. Each ~~public safety answering point~~ PSAP and each participating agency shall have at least one published telephone number to call for non-emergency services. One number may be shared by two or more participating agencies provided there is a cooperative agreement for call answering responsibility.

2 MCAR § 1.6111 Waivers from the requirements of Minn. Stat. §§ 403.01-403.08 (~~1977~~).

A. A waiver from the requirements of Minn. Stat. §§ 403.01-403.08 (~~1977~~), may be requested by a county, if federal or state financial assistance is not available to pay necessary costs as specified in 2 MCAR §§ 1.6114-1.6115 of these rules and Minn. Stat. § 403.08 (~~1977~~).

C. The waiver, if granted, shall be conditioned on the continued non-availability of state and/or federal assistance. Once a waiver has been granted, the county shall file an annual statement with the Department of Administration certifying the continued non-availability of federal and/or state assistance. When assistance becomes available, the waiver shall extinguish and the county shall submit, within 6 months, a new implementation schedule and, if necessary, a revised final plan, to the Department of Administration.

2 MCAR § 1.6113 Modification to plan.

A. The PSAP manager, through the ~~responsible unit of local government~~, local unit of government responsible for the operation of the PSAP, shall notify the Department of Administration 30 days in advance of any proposed modification to the 911 system which would modify the plan as certified consistent with the provisions of 2 MCAR § 1.6105.

2 MCAR § 1.6114 Funding eligibility/payment of recurring costs.

B. The following recurring costs shall be paid by the state:
2.b. "B" equals the number of 911 telephone calls per 1,000 population per day in the geographic area of the telephone exchange. If that number is not available, the following method shall be used for estimating that number:

(1) ~~+~~ Three (3) for all cities of the first class (as defined in Minn. Stat. § 410.01), or if the telephone exchange is located within ten air miles of the corporate boundaries of a city of the first class.

(2) ~~±~~ Two (2) for an exchange located within a city containing a population of 25,000 or more, but not a city within ten air miles of a city of the first class; for an exchange

located within five air miles of the corporate boundaries of a city with a population of 25,000 or greater, or for those exchanges located more than ten but less than fifteen air miles from the corporate boundaries of a city of a first class. Determination of population shall be based upon the most current estimates of the State Demographer. If such estimates are not available, population shall be based upon the latest federal or special census.

(3) ~~±~~ One (1) for exchanges in those areas of the state not falling within the above classification.

2 MCAR § 1.6115 Funding eligibility/payment of central office modification costs.

B. Payment shall be made in accordance with Minn. Stat. § 403.11 (~~1977~~).

Department of Public Welfare Support Services Bureau

Adopted Rule Governing Welfare Per Diem Rates for Nursing Home Providers under the Title XIX Medical Assistance Program

The rule (12 MCAR § 2.049) published and proposed at *State Register*, Volume 3, Number 24, pp. 1299-1310, December 18, 1978 (3 S.R. 1299) is now adopted, with the following amendment:

B. Rate determination.

B.1.b.(2) Per-diem rates for non-proprietary facilities may include an efficiency allowance. If the facility's allowable historical cost per patient per day for the most recently completed fiscal year is less than the allowable welfare rate exclusive of sections B.4.a. & b. and as adjusted for the lack of implementation of known cost changes, an efficiency allowance will be granted equal to the difference between the allowable historical cost and the allowable welfare rate subject to a maximum efficiency allowance of 60 cents per patient per day. For each year after the year in which the non-proprietary facility was originally purchased and there is no transfer of ownership of the facility, the efficiency allowance maximum will be increased one cent per patient per day subject to a maximum of an additional 25 cent per patient per day after 25 years. If a non-proprietary facility is operated on a lease basis, there shall not be recognized as an allowable

KEY: RULES SECTION — Underlining indicates additions to proposed rule language. **Strike outs** indicate deletions from proposed rule language. **PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. **Strike outs** indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material."

RULES

cost for the operator any rental fees in excess of the total amount allowed for depreciation, interest, and pursuant to B.1.b.(2)-, provided however that such a rental fee may be recognized in entirety for the period that it was incurred under a lease entered into before April 13, 1976 and prior to the

subsequent renewal of said lease. This provision of the rule will be effective for rates paid non-proprietary facilities on January 1, 1978 and subsequent ~~provided this provision of the rule is approved by HEW.~~ until such time as it is disapproved by HEW.

PROPOSED RULES

Pursuant to Minn. Stat. § 15.0412, subd. 4, agencies must hold public hearings on proposed new rules and/or proposed amendment of existing rules. Notice of intent to hold a hearing must be published in the *State Register* at least 30 days prior to the date set for the hearing, along with the full text of the proposed new rule or amendment. The agency shall make at least one free copy of a proposed rule available to any person requesting it.

Pursuant to Minn. Stat. § 15.0412, subd. 5, when a statute, federal law or court order to adopt, suspend or repeal a rule does not allow time for the usual rulemaking process, temporary rules may be proposed. Proposed temporary rules are published in the *State Register*, and for at least 20 days thereafter, interested persons may submit data and views in writing to the proposing agency.

Department of Economic Security Office of Economic Opportunity Proposed Temporary Rule Governing Weatherization Assistance for Low-Income People

Request for Public Comment

Notice is hereby given pursuant to Minn. Stat. § 15.0412, subd. 5 (1978), that the Minnesota Department of Economic Security has proposed the following temporary rule governing the administration of grants for the purpose of weatherizing the residences of low-income persons pursuant to Laws of 1979, Ex. Sess., ch. 2, § 37.

All interested may submit written comment or data on these rules to:

Alan L. Chapman, Weatherization Project Director
Office of Economic Opportunity
Minnesota Department of Economic Security
690 American Center Building
160 East Kellogg Boulevard
St. Paul, Minnesota 55101

Written statements submitted for consideration must be received by September 10, 1979. The proposed temporary

rule may be modified if the modifications are supported by the data and views received by the Department. The Department shall submit to the Attorney General the proposed temporary rule as published, with any proposed modifications for review as to form and legality. The temporary rule shall take effect upon approval of the Attorney General.

The Department will publish at *State Register* the Attorney General's decision and the adopted temporary rule upon receipt of the Attorney General's decision.

Rolf Middleton
Commissioner

Temporary Rule as Proposed

8 MCAR § 4.4010 Minnesota weatherization assistance for low-income people.

A. Purpose. The purpose of this rule is to develop and implement a supplementary State weatherization assistance program under authority granted by Laws of 1979, Ex. Sess. ch. 2, § 37 to supplement the "United States Department of Energy Weatherization Assistance for Low-Income Persons" program 42-USC & 6861 to 6872 at prescribed level in the dwellings of low-income persons in order both to aid those persons least able to afford higher utility costs and to conserve needed energy.

B. Administration of costs. Grants awarded under this part shall be administered in accordance with the following:

1. Federal Management Circular 73-2, 34 CFR 251, entitled "Audit on Federal Operations and Programs by Executive Branch Agencies;"

2. Federal Management Circular 74-4, 34 CFR 255, entitled "Cost Principles Applicable to Grants and Contracts with State and Local Governments;"

PROPOSED RULES

3. Federal Management Circular 74-7, 34 CFR 256, entitled "Uniform Administrative Requirements for Grants-in-Aid to State and Local Governments;"

4. Office of Management and Budget Circular A-89 entitled "Catalog of Federal Domestic Assistance;"

5. Office of Management and Budget Circular A-95, entitled "Evaluation, Review and Coordination of Federal and Federally Assisted Programs and Projects;"

6. Office of Management and Budget Circular A-97, entitled "Rules and Regulations Permitting Federal Agencies to Provide Specialized or Technical Services to State and Local Units of Government under Title III of the Intergovernmental Coordination Act of 1968;"

7. Treasury Circular 1082, entitled "Notification to States of Grant-in-Aid Information;"

8. Such procedures applicable to this part as DES/OEO may from time to time prescribe for the administration of grants.

9. Tools and equipment acquired with grant funds provided under this part shall be the property of the grantee.

10. U.S. Treasury Circular 1075.

C. Definitions. As used in this rule:

1. "Act" means the Energy Conservation and Production Act, Pub. L. 94-335, 90 Stat. 1125 *et. seq.*

2. "Administrator" means the Administrator of the U.S. Department of Energy.

3. "CAA" means a Community Action Agency.

4. "CETA" means the Comprehensive Employment and Training Act of 1973, 42 U.S.C. 2731 *et seq.*

5. "Community Action Agency" means a private corporation or public agency established pursuant to the Economic Opportunity Act of 1964, Pub. L. 88-452, which is authorized to administer funds received from Federal, State, local or private funding entities to assess, design, operate, finance and oversee antipoverty programs.

6. "Commissioner" means Administrator of the Department of Economic Security.

7. "Cosmetic items" means items which, when installed, will not reduce energy costs in a cost-effective manner, including, but not limited to finishes, decorative fenestration materials and elevation materials such as aluminum siding, board and bat, clapboard, brick, shakes, or asphalt siding.

8. "DES/OEO" means Department of Economic Security, Office of Economic Opportunity.

9. "DOE" means the United States Department of Energy.

10. "Dwelling unit" means a house, including a stationary mobile home, and apartment, a group of rooms, or a single room occupied as separate living quarters.

11. "Elderly Person" means a person who is 60 years of age or older.

12. "Family Unit" means all persons living together in a dwelling unit.

13. "Grantee" means an entity named in the Notification of Grant Award as the recipient.

14. "Handicapped person" means any individual (a) who is a handicapped individual as defined in section 7(6) of the Rehabilitation Act of 1973, (b) who is under a disability as defined in section 1614(a)(3)(A) or 223(d)(1) of the Social Security Act or in section 102(7) of the Developmental Disabilities Services and Facilities Construction Act, or (c) who is receiving benefits under chapter 11 or 15 of Title 38, United States Code.

15. "Heating degree days" means a seasonal average of the climatological heating degree days for each weather station within a State, as determined by FEA.

16. "Heating or cooling source" means a device the operation of which can raise or lower temperatures within a dwelling unit as part of the permanent heating, ventilating and air conditioning system installed in the dwelling unit, including but not limited to furnaces, heat pumps, stoves, boilers, heaters, fireplaces, air conditioners, fans, and solar devices.

17. "Household" means the same as dwelling units.

18. "Indian tribe" means any tribe, band, nation or other organized group or community of Native Americans, including any Alaska native village, or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act, Pub. L. 92203; 85 Stat. 688, which (a) is recognized as eligible for the special programs and services provided by the United States to Native Americans because of their status as Native Americans; or (b) is located on, or in proximity to a Federal or State reservation or rancheria.

19. "Law" means Minnesota Laws 1979, Ex. Sess. ch. 2, § 37.

20. "Local applicant" means a CAA or unit of general purpose local government.

21. "Low income" means that income in relation to family size which —

a. Is at or below 125 percent of the poverty level determined in accordance with criteria established by the Director of the Office of Management and Budget.

b. Is the basis on which cash assistance payments

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PROPOSED RULES

have been paid during the preceding 12 month period under Title IV and XVI of the Social Security Act or applicable State or local law.

22. "Mechanical equipment" means a control device or apparatus which is primarily designed to improve the heating or cooling efficiency of a dwelling unit, and which will be permanently affixed to an existing heating or cooling source, including but not limited to a flue damper, clock thermostat, filter, or replacement limit switches.

23. "Multi-family dwelling unit" means a dwelling unit which is located in a structure containing more than one dwelling unit.

24. "American-Indian" means a person who is a member of an Indian tribe.

25. "Number of low-income, owner-occupied dwelling units in the county" means the number of such dwelling units in a county, as determined by DES/OEO.

26. "Number of low-income, renter-occupied dwelling units in the county" means the number of such dwelling units in a county, as determined by DES/OEO.

27. "OEO Director" means the Director of Office of Economic Opportunity/Department of Economic Security (OEO/DES).

28. "One perm" means a unit of permeance which will allow one grain of water vapor to pass per square foot per hour per inch of mercury vapor pressure difference, through a barrier.

29. "Rental dwelling unit" means a dwelling unit occupied by a person who pays rent for the use of the dwelling unit.

30. "Separate living quarters" are those in which the occupants do not live and eat with any other persons in the structure and which have either (a) direct access from the outside of the building or through a common hall, or (b) complete kitchen facilities for the exclusive use of the occupants. The occupants may be a single family, one person living alone, two or more families living together, or any other group of related or unrelated persons who share living arrangements.

31. "Single-family dwelling unit" means a structure containing no more than one dwelling unit.

32. "State" means the State of Minnesota.

33. "Repair materials" means items necessary for the effective performance or preservation of weatherization materials. Repair materials include, but are not limited to, lumber used to frame or repair windows and doors which could not otherwise be caulked or weatherstripped, and protective materials, such as paint, used to seal materials installed under this program.

34. "Sub-grantee" means a weatherization project which receives a grant of funds awarded under this Rule from a grantee.

35. "Tribal organization" means the recognized gov-

erning body of any Indian tribe, or any legally established organization of Native Americans which is controlled, sanctioned, or chartered by such governing body.

36. "Unit of general purpose local government" means any city, county, town, parish, village, or other general purpose political subdivision of a state.

37. "Vapor barriers" means membranes used to retard vapor movement.

38. "Weatherization crew" means a group of weatherization crew labors with a weatherization supervisor.

39. "Weatherization crew laborer" means a person that performs weatherization improvements and minor repairs on households eligible for assistance under this rule.

40. "Weatherization materials" means —

a. Caulking and weatherstripping of doors and windows;

b. Furnace efficiency modifications limited to —

(1) Replacement burners designed to substantially increase the energy efficiency of the heating system;

(2) Devices for modifying fuel openings which will increase the energy efficiency of the heating system; and

(3) Electrical or mechanical furnace ignition systems which replace standing gas pilot lights;

c. Clock thermostats;

d. Ceiling, attic, wall, floor, and duct insulation;

e. Water heater insulation;

f. Storm windows and doors, multiglazed windows and doors, heat-absorbing or heat-reflective window and door materials; and

g. The following insulating or energy conserving devices or technologies —

(1) Skirting;

(2) Items to improve attic ventilation;

(3) Vapor barriers; and

(4) Materials used as a patch to reduce infiltration through the building.

41. "Weatherization project" means a project conducted in a single geographical area which undertakes to weatherize dwelling units that are thermally inefficient.

42. "Weatherization supervisor" means a person who inspects, analyzes, evaluates, and performs complicated weatherization and repair activities and is responsible for crew laborer's conduct, performance and weatherization crew laborer evaluations.

43. "Weatherization supervisor crew ratio" means one weatherization supervisor for each weatherization crew.

D. Allocation of funds.

1. The Department of Economic Security/Division of

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Economic Opportunity shall provide financial assistance to Community Action Agencies or other eligible agencies upon submission and acceptance by DES/OEO of a work plan. The funds are available through June 30, 1980.

2. The DES/OEO shall determine the allocation for each county in accordance with the following formula:

a.
$$\frac{X + 2Y + Z}{4} = \text{county's allocation}$$

Where: X = the county's percent of State fuel type used (weighted average).

Y = The county's percent of State households with incomes less than \$5,000.

Z = the county's percent of total State degree days.

The formula weights:

X — 25%

Y — 50%

Z — 25%

b. The weighted average fuel-use factor was determined using this formula:

$$\frac{10a + 9B + 8c}{3}$$

Where: a = number of households in county using natural gas.

b = number of households in county using propane.

c = number of households in county using fuel oil.

The number of households in each county using each type of fuel for space heating shall be based on data from the 1970 Census of Housing, Volume I, Part 25.

c. The low income factor for the formula shall be derived from the 1970 Census.

d. Degree day data shall be based upon data from the National Oceanic Atmospheric Administration; where more than one reading was available for a county, the readings shall be averaged; where no readings are available for a county an average of degree days for all surrounding counties shall be used.

E. American Indian Reservation Allocations. Counties with American Indian reservations shall proportion a ratio of their allocation to the reservations based on the number of American Indians in the reservations in that county as a percent of the total population in that county. This allocation shall be based on data from the 1970 Census.

F. Reallocation of funds. In the event there are unexpended State grant funds from this law at a local deliverer at June 30, 1980 such unexpended funds shall be reallocated to all local deliverers using the allocation formula.

G. Eligible Applicants.

1. The Commissioner shall insure that funds received under this law shall be allocated to a CAA or to other appropriate and qualified entities in the geographical area so that:

a. Funds are allocated to a geographical area served by a CAA delivering the DOE Weatherization Program, and

b. Priority in the allocation of funds will be given to a CAA in the geographical area the CAA does not normally serve.

2. Paragraph (1)(a) of this section shall not apply if the Commissioner, or the OEO Director on behalf of the Commissioner, determines on the basis of a public hearing, that the plan carried out by the CAA has been ineffective in meeting the purpose of the statute. Notice of the public hearing shall be made 10 days prior to the hearing in two (2) local newspapers in the deliverers service area.

3. In making a determination pursuant to paragraph G.2. of this rule, the Commissioner, or OEO Director, acting on behalf of the Commissioner, shall evaluate the performance of the CAA and shall consider:

a. The extent to which the weatherization project achieves the goals of the law in a timely fashion.

b. The adherence to the plan developed by the CAA.

c. The quality of work performed.

d. The number, qualifications, and experience of staff members.

e. The ability to secure volunteers, training participants and public service employment workers, pursuant to CETA.

H. Local Applications.

1. To be eligible for financial assistance under this rule, a local applicant shall submit an application or plan, combining Federal DOE funds, State funds, and any other funds used to support the plan to the Commissioner not later than September 30 of each year. The Commissioner shall review each timely application and if the submission otherwise complies with the applicable provisions of this rule, approve a final budget and issue a notice of grant award.

2. Each application shall include:

a. The name and address of the local agency or office responsible for administering the program.

b. A detailed description of the manner in which the minimum program requirements will be met which shall include the manner in which each such local agency or office shall develop and implement procedures to insure that:

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(1) Financial assistance provided under this rule will be used to supplement and not supplant Federal DOE funds.

(2) No dwelling unit may be weatherized without documentation that the dwelling unit is an eligible dwelling unit as provided in this rule.

(3) Priority through a documented needs assessment is given to identifying and providing weatherization assistance with first priority given to fuel oil users, elderly and handicapped low-income persons. The documented needs assessment shall include the identifiable potential number of households which should be provided such assistance by county broken down into segmented categories: elderly, handicapped, minorities, single family dwelling units, rental units, and types of fuel used.

c. The total number of dwelling units proposed to be weatherized with grant funds in total and by county served, from all sources during the budget period for which assistance is to be provided. First priority shall be to homes heated with fuel oil. The total number of dwelling units completed shall include no less than 25% elderly, 10% handicapped and 10% rental units.

d. The description of the outreach process used to obtain applications.

e. A schedule for implementation which shall indicate the number of dwelling units which are expected to be weatherized by month and a crew scheduling process used to efficiently complete the dwelling units.

f. A separate budget for Federal, State and other funds shall include a justification and explanation of any amounts requested for expenditures for materials, equipment, or tools. The budget categories shall be identified as Federal, State, and local.

g. An estimate by number and dollar amount of manpower from all sources to be used in implementing the weatherization plan.

(1) If the plan involves hiring weatherization crew labor, there must be a detailed explanation as to why CETA labor is not available or how crew labor supplements CETA labor already available and why it is needed. It must include how much labor is needed, the number of job slots program funds will support, a job analysis for each labor slot and the size of the crews under which these slots shall be utilized.

(2) If the plan includes hiring weatherization crew supervision, it must include a comparable wage survey for similar job positions, a job analysis for the position. The number of such positions, the total cost or amount of the State funds that will be supporting the wage of the supervisor and what size crews the position will supervise. The weatherization supervisory ratio shall apply to all crews.

h. There shall be mechanisms detailing the processes whereby the agency governing board of directors re-

views and signs off on a quarterly assessment of the local project effectiveness before an application can be accepted.

i. The plan shall be submitted for Regional Clearinghouse review.

I. Plan amendment. If the grantee determines that it cannot fulfill its obligations under the plan in whole or part, the grantee may request an amendment or revision of the existing approved plan and resubmit a new plan or amendments within 30 days after written notice of request for reconsideration. The request from the grantee must be in writing detailing its specific views with supporting data and arguments.

J. Allowable expenditures.

1. To the maximum extent practical, the grant funds provided under this part shall be used for Administration, the purchase of labor, supervision, materials, equipment, and/or tools and/or related matter. Allowable expenditures shall be limited to:

a. The cost of purchase, delivery and storage of weatherization materials. The cost, determined by a local deliverer which shall not exceed an average dollar value per dwelling unit established by that grantee in that grantee's plan, of,

(1) Transportation of weatherization materials, tools, equipment and work crews to a storage site and to the site of the weatherization work.

(2) Maintenance, operation and insurance of vehicles used to transport weatherization materials.

(3) Maintenance of tools and equipment.

(4) Purchase or lease of tools, equipment and vehicles except that any purchase over established amount referred to in Federal Management and Budgets (OMB) and Federal Management Circulars (FMC) 73-4, FMC 74-4, and FMC 74-7 must have prior approval in every instance;

(5) The cost of employment of supervisory personnel;

(6) The cost of employment of weatherization crew labor;

(7) The cost not to exceed \$100 per dwelling unit, of incidental repairs, including repair materials and repairs to the heating source necessary to make the installation of weatherization materials effective.

(8) Building permits where applicable.

b. The cost of liability insurance for weatherization projects for personal injury and property damage;

c. Allowable administrative expenses include those as spelled out in the grantee's approved plan.

d. Grant funds awarded under this part shall not be used for any of these purposes:

(1) To weatherize a dwelling unit which has been weatherized previously with grant funds from DOE or state assistance under the law or this rule unless such dwell

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ing unit has been damaged by fire, flood, or an act of God and repair of the damage to weatherization materials is not paid for by insurance.

(2) To weatherize a dwelling unit which is vacant or designated for acquisition or clearance by a Federal, State, or local government program within twelve months from the date weatherization of the dwelling unit would be scheduled to be completed; or

(3) To purchase cosmetic items or a heating or cooling source. No dwelling unit can be exclusively weatherized with only State funds. State funds must be spent in coordination with DOE funds.

K. Oversight responsibility.

1. The Commissioner, or the OEO Director on behalf of the Commissioner, shall monitor and evaluate the operation of projects carried out by the grantees receiving financial assistance under this part through on-site inspections, or through other means, in order to insure the effective provision of weatherization assistance for the dwelling units of low-income persons.

2. The DES/OEO shall also carry out periodic evaluations of weatherization programs carried out by the grantee.

3. The Commissioner, the OEO Director or appropriate DES/OEO duly authorized representatives shall have access, for the purpose of audit and examination, to any books, documents, papers, information, and records of any weatherization project receiving financial assistance under this act.

4. The Commissioner shall conduct, on an annual basis, an audit of the pertinent records of any grantee receiving financial assistance under this part.

L. Record keeping. Each grantee receiving State financial assistance under this part shall keep such records as the Commissioner shall require, including records which fully disclose the amount and disposition by each grantee of funds received under this rule, the total cost of the weatherization project to implement the grantee plan for which such assistance was given or used, including all sources and amounts of funds for such project or program, and such other records as the Commissioner deems necessary for an effective audit and performance evaluation. Such record keeping shall be in accordance with Federal Management Circular 74-4 and any further requirements of this Rule or such requirements as the Commissioner may otherwise establish under the terms and conditions of the contracts awarding grants under the rule.

M. Monthly reports. Each grantee receiving financial assistance under this part shall submit a monthly program performance report and a monthly financial report to the Commissioner. The program performance report shall describe by stated priority: (a) The number of dwelling units

weatherized, (b) The average cost per dwelling unit in State dollars under this rule, (c) The average cost per dwelling in Federal DOE funds, (d) The average cost per dwelling with all funds (State, DOE, and local), (e) Outreach efforts, (f) Any other information the Commissioner feels relevant, including information routinely submitted to the federal government in order to effectively monitor the progress of the grantee.

N. Energy consumption report. Each grantee shall develop and maintain a reporting system that will provide for the detection of any change in energy consumption in dwelling units which are weatherized by financial assistance from this part. The information and supporting data must be annualized and submitted to the OEO Director in a report no later than February 1, 1980.

O. Standards and techniques for weatherization. Only weatherization materials which meet or exceed the following standards shall be purchased with funds provided under this rule. The standards shall be:

Insulation-Mineral Fiber	
Blanket/Batt	Conformance to F.S. ² -HH-I-521E and ASTM C 665-70
Board	Conformance to F.S. HH-I-526C and ASTM C612-70 or C726-72
Duct Material	Conformance to F.S. HH-I-558B
Loose-fill	Conformance to F.S. HH-I-1030A and ASTM C764-73
Insulation-Mineral Cellular	
Aggregate Board	Conformance to F.S. HH-I-529B
Cellular Glass	Conformance to F.S. HH-I-551E and ASTM C552-73
Pelite	Conformance to F.S. HH-I-574A and ASTM C549-73
Vermiculite	Conformance to F.S. HH-I-585B and ASTM C516-67
Insulation-Organic Fiber	
Cellulose — Type I	Conformance to F.S. HH-I-515C and ASTM C739-73 (Loose-fill)
Cellulose — Type II	Conformance to ASTM C739-73 (Loose fill) and fire safety requirements ³
Vegetable	Conformance to F.S. HH-I-528B and fire safety requirements
Board and Block	Conformance to F.S. LLL-I-535A and ASTM C208-72 and fire safety requirements
Insulation-Organic Cellular	
Polystyrene Board	Conformance to F.S. HH-I-524B and ASTM C578-69 and fire safety requirements
Urethane Board	Conformance to F.S. HH-I-530A and ASTM C591-69 and fire safety requirements
Flexible Unicellular	Conformance to F.S. HH-I-573B and ASTM C534-70 and fire safety requirements

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Insulation-Air Spaces	
Reflective	Conformance to F.S. HH-I-1252A
Storm Windows	
Aluminum Frame	Conformance to ANSI A134.3-1972
Wood Frame	Conformance to Section 3 of NWMA Industry Standard I.S.2-73
Rigid Vinyl Frame	Conformance to NBS Product Standard PS26-70 and performance guarantee
Frameless Plastic Glazing	Required Minimum Thickness, 6 mil (0.006 in)
Storm Doors	
Aluminum	Equivalent to ANSI A134.4-1972
Wood	
Pine	Conformance to Section 3 of NWMA I.S.5-73
Fir, Hemlock, Spruce	Conformance to Section 3 of FHDA/5-75
Hardwood veneered	Conformance to Section 3 of NWMA I.S.1-73
Rigid Vinyl	Conformance to NBS Product Standard PS26-70 and performance guarantee
Caulks and Sealants	Commercial Availability
Weatherstripping	Commercial Availability
Vapor Barriers	Conformance to ASTM c755-73
Materials used as a patch to reduce infiltration through the building.	Commercial Availability
Clock Thermostats	Commercial Availability
Skirting	Commercial Availability

²F.S. — federal specification

³For fire safety requirements, see Section 2.1.3.1.

2. A weatherization project shall apply the approaches to weatherization contained in Project Retro-Tech, DOE Conservation Paper No. 28, including the energy conservation techniques therein.

3. Attics shall have ventilation added so there is at least 1 square foot of free air space for every 150 square feet of attic.

4. A vapor barrier of 1 perm or more shall exist on all surfaces to be insulated except when there is existing insulation.

P. Eligible dwellings. No dwelling unit shall be eligible for weatherization assistance under this part unless it is occupied by a family unit:

1. Whose income is at or below 125 percent of the poverty level determined in accordance with criteria established by the Director of the Office of Management and Budget; or

2. Which contains a member who has received cash assistance payments under Title IV or XVI of the Social Security Act or applicable State or local law during the 12 month period preceding the determination of eligibility for weatherization assistance.

Q. Granting process. Once the application for grant has been approved the Commissioner shall notify the grantee of

such approval and any conditions shall be thereto. A grant contract shall be signed by the Commissioner or OEO Director and the authorized local agency representative. The grant contract shall indicate report requirements and other grant requirements shall be met prior to any obligation of funds. Payments on grant contracts shall be made by the Department of Economic Opportunity on the basis of grantee activity in the program. Cash on hand in excess of 30 days program requirements shall not be allowed.

Payments to grantees shall be reviewed in comparison to expenditures to determine cash needs. Expenditures shall be reported monthly on forms to be supplied by DES/OEO. Grantees shall be required to project next month's cash needs on the previous month's expenditure report.

R. Fiscal responsibility. No funds shall be released to a grantee receiving financial assistance under this rule until it has submitted to the OEO Director a statement certifying that the assisted grantee has an established accounting system with internal controls adequate to safeguard their assets, has an operating efficiency and reliable account data, does promote operating efficiency and encourage compliance with prescribed management policies and such additional fiscal responsibility and accounting requirements as the OEO Director may establish. The statement may be furnished by a Certified Public Accountant, a duly licensed public accountant, or in the case of a public agency, the appropriate public financial officer who accepts responsibility for providing required financial services to that agency. If the grantee does not have such a statement certifying its financial responsibility, it may receive funds under this rule until October 1, 1979, and must by October 1, 1979, submit to the OEO Director such a statement or not be eligible for further assistance until such certifying statement is submitted to the OEO Director.

S. Severability. The provisions of this rule shall be severable and if any phrase, clause, sentence or provision is declared illegal or of no effect, the validity of the remainder of this rule and the applicability thereof to any person or circumstances shall not be affected thereby.

Department of Health

Proposed Amendments to Existing Rules of the Minnesota Merit System Governing the Classification Plan, Separation, Tenure and Reinstatement; and Leaves of Absence

Notice of Hearing

Notice is hereby given that a public hearing in the above-entitled matter will be held pursuant to Minn. Stat. § 15.0412, subd. 4, in the Administration Building, Room 116, 50 Sherburne Avenue (between Cedar and Capitol Boule-

PROPOSED RULES

vard), St. Paul, Minnesota, on September 21, 1979, commencing at 9:30 a.m.

All interested or affected persons will have an opportunity to participate concerning the rules captioned above. Statements may be made orally and written material may be submitted. In addition, whether or not an appearance is made at the hearing, written statements or material may be submitted to Harry Seymore Crump, Hearing Examiner, Office of Hearing Examiners, 1745 University Ave., St. Paul, Minnesota 55104 (612) 296-8111, either before the hearing or within five (5) working days after the close of the hearing. The hearing examiner may keep the record open for a longer period not to exceed 20 calendar days. All such statements will be entered into and become part of the record.

Proposed revisions to 7 MCAR § 1.238 A.1. and D. change the authority for adopting a classification plan from the State Board of Health to the Commissioner of Health, authorize the Commissioner of Health to reallocate positions to certain designated classes under certain circumstances, provide for the administration of non-competitive promotional examinations in such situations, the certification of only the name of the eligible incumbent and elimination of the need for the employee promoted under this provision to serve a new probationary period in the higher classification.

Proposed revisions to 7 MCAR § 1.249 D. establish a new procedure to be followed in the event of a layoff in the classified service including a definition of seniority for purposes of layoff, order of layoff, method of breaking ties in cases of equal seniority, a bumping provision, notification requirement, placement of names of laid off employees on the layoff list and the reemployment list, return from layoff to a subsequent vacancy and an exclusion of the provisions of the rule if they are otherwise provided in a collective bargaining agreement.

Proposed revisions to 7 MCAR § 1.249 create a reemployment list(s) containing names of former permanent or probationary Merit System employees who voluntarily separate in good standing with a satisfactory or better separation rating.

Proposed revisions to 7 MCAR § 1.250 A., B. and C. clarify present language relative to leaves of absence, separate minimum leave policies and optional leave policies and place them in separate sections of the rule and provide for an optional policy of granting educational leave with or without pay to employees.

None of these proposed rule changes will result in increased expenditures for the appointing authority. The authority for the proposed rule amendments is contained in Minn. Stat. § 144.071.

Copies of the proposed rule are now available and at least

one free copy may be obtained by writing to Ralph Corey, Merit System, Department of Public Welfare, Centennial Building, St. Paul, Minnesota 55155, telephone (612) 296-3996. Additional copies will be available at the door on the date of the hearing.

Notice is hereby given that 25 days prior to the hearing a Statement of Need and Reasonableness will be available for review at the agency and at the Office of Hearing Examiners. This Statement of Need and Reasonableness will include a summary of all of the evidence which will be presented by the agency at the hearing justifying both the need for and the reasonableness of the proposed and amended rules. Copies of the Statement of Need and Reasonableness may be obtained from the Office of Hearing Examiners at a minimal charge.

Any person may request notification of the date on which the hearing examiner's report will be available, after which date the commissioner may not take any final action on the rules for a period of five (5) working days. Any person may request notification of the date on which the hearing record has been submitted to the Attorney General by the agency. If you desire to be so notified, you may so indicate at the hearing. After the hearing, you may request notification by sending a written request to the hearing examiner, in the case of the hearing examiner's report, or to the agency, in the case of the agency's submission or resubmission to the Attorney General.

In addition, please be advised that Minn. Stat. ch. 10A requires each lobbyist to register with the State Ethical Practices Board within five (5) days after he commences lobbying. A lobbyist is defined in Minn. Stat. Sect. 10A.01, Subd. 11 as any individual:

(a) Engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than \$250, not including *his own* travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or

(b) Who spends more than \$250, not including *his own* traveling expenses and membership dues, in any year for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials.

The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, St. Paul, Minnesota 55155, telephone (612) 296-5615.

August 2, 1979

George R. Pettersen, M.D.
Commissioner of Health

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PROPOSED RULES

Amendments as Proposed

7 MCAR § 1.238 Classification plan.

A. Presentation and adoption.

1. The ~~State Board~~ Commissioner of Health shall formally adopt a comprehensive classification plan for all positions covered by these rules. The plan shall be based on investigation and analysis of the duties and responsibilities of positions and shall be so developed and maintained that all positions that are substantially similar in the kind, difficulty, and responsibility of work are included in the same class. Class titles established by the classification plan shall be used in all personnel and financial records of the Minnesota Department of Health and the local Public Health agencies; as well as in all examination procedures.

2. Any subsequent amendment shall be submitted to the Council for review and recommendation in relation to the merit system program of recruitment and examination.

B. Allocation of positions.

1. Every position under the Public Health Merit System as provided in Rule 7 MCAR § 1.236 E. shall be allocated by the Supervisor to one of the appropriate classes established in the classification plan. No person shall be appointed or promoted to any position until it has been properly classified as herein provided. As additional classes are established or existing classes are abolished or changed, such necessary allocation or reallocation shall be made by the Supervisor to new or existing classes as is necessitated thereby.

C. Reallocation of positions.

1. Whenever a position appears to be improperly allocated, the Supervisor shall, upon his own initiative, or upon the request of an appointing authority or a permanent employee, investigate the duties of the position. Following the investigation the Supervisor shall allocate the position to its proper class and notify the affected parties.

D. Incumbents of reallocated positions.

1. When a position in one class is reallocated to a different class, the incumbent shall not be deemed eligible to continue in this position unless he is eligible for original appointment, promotion, transfer, or demotion to the new class of positions. If he is ineligible to continue in such a position, he may be transferred, promoted, or demoted, by appropriate action of the appointing authority in accordance with such provisions of these rules as may be deemed to be applicable. If ineligibility of a permanent or probationary incumbent of a reallocated position arises from the existence of an eligible register established from an examination that the incumbent did not take, he may be permitted to take the same or equivalent examination from which the existing register was established, provided that his name is not on the existing register; he did not take and fail the examination from which the existing register was established; and he was eligible to take that examination at the time it was given. The names of successful candidates examined under this rule shall be

placed on the existing register in accordance with the score attained. In any case in which the incumbent is ineligible to continue in the position and he is not transferred, promoted, or demoted, the provisions of these rules about layoff shall apply.

2. The Commissioner of Health may authorize the reallocation of a position from one classification to a higher designated classification when the duties to be performed in the higher class are not significantly different from those performed in the lower class and where both classifications are in the same occupational grouping. Incumbents of positions so reallocated must meet the specified minimum qualifications for the higher designated class and promotions shall be made following a non-competitive promotional examination which shall include an evaluation by the appointing authority of the incumbents' ability to perform in the higher class.

If the incumbent examined in accordance with the above procedure successfully completes the examination process, notwithstanding the provisions of 7 MCAR § 1.244 C.2., the Supervisor may certify only the name of the eligible incumbent to the appointing authority. Notwithstanding the provisions of 7 MCAR § 1.246 B. 1.a., an employee appointed under the provisions of this rule will not be required to serve a new probationary period in the higher classification.

7 MCAR § 1.249 Separation, tenure and reinstatement.

D. ~~Reduction of force.~~ Layoff.

~~1. The appointing authority may separate any employee without prejudice because of lack of funds or curtailment of work. No permanent employee, however, shall be separated from a local public health agency while there are emergency, provisional, limited term, or probationary employees serving in the same class of positions in the local public health agency. The order of separation due to reduction of force shall be based upon seniority, except in instances where seniority is less than one month (30 calendar days), in which case order of separation shall be based upon service ratings and seniority, under a formula established by the Supervisor.~~

~~2. The names of permanent employees who have been laid off shall be entered on a re-employment register for their class of positions.~~

~~3. The name of any permanent employee whose position has been abolished while on leave shall be entered on a re-employment register for his class of positions upon request of the employee, provided that such request is made within 45 days after the expiration of his leave. Entry on the re-employment register shall be in the order of the receipt of the request.~~

~~4. The name of any probationary employee who has been separated from the service without prejudice shall be entered upon a re-employment register for his class of positions for a period of one year, in accordance with accrued probationary service, provided, however, that upon appointment from the re-employment register, such an employee~~

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shall be required to serve a full six months probationary period as when appointed from an original entrance register.

1. An appointing authority may lay off an employee in the classified service by reason of abolishment of the position, lack of funds, shortage of work or other reason outside the control of the employee. No permanent employee, however, shall be laid off while any emergency, provisional, limited-term or probationary employee is continued in a position of the same class in the agency. Layoff shall be made in inverse order of seniority by employment conditions in the class of work in the agency. Seniority for purposes of layoff shall be the length of service in the class from which layoff occurs in the agency.

2. If two or more persons in the class in which layoff occurs have equal seniority, the order of layoff shall be in inverse order of the date of acquisition of permanent status in the class. If a tie still remains, the order of layoff shall be determined by the average of the last two service ratings, if available, or the last service rating if only one is available and the employee with the lowest such average or rating shall be laid off first. If no service ratings are available, the order of layoff shall be determined by the appointing authority in such a way as to retain in the agency the employee(s) considered most valuable.

3. Any permanent or probationary employee about to be laid off shall be demoted to replace the employee with the least seniority in the next lower class in which that employee previously served, unless the employee elects to be laid off.

4. The appointing authority shall notify in writing the employee and the Supervisor at least 10 working days before the effective date of the layoff and shall state the reason for the layoff. If the appointing authority fails to certify before the effective date thereof that the layoff was for reasons not reflecting discredit on the employee, it shall be deemed a dismissal and shall be subject to the rules regarding dismissal.

5. The names of permanent or probationary employees laid off or demoted in lieu of layoff shall be placed in order of seniority on the layoff list for the class and the agency from which the layoff took place. The affected employees shall have their names placed also on the reemployment list for the class from which the layoff took place and any other class in which they have permanent or probationary status prior to layoff.

6. Names of laid off employees will remain on the layoff list for a minimum of one year and eligibility shall be extended to a period of time equal to the employee's previous service in the Merit System not to exceed five years.

7. Whenever an appointing authority submits a requisition to fill a vacancy or a new position in the agency and a

layoff list exists for that agency for the class in which the position to be filled is classified, the one name highest on the layoff list shall be certified to the agency for appointment.

8. The provisions of this rule shall apply to all layoffs, except where otherwise provided in written contract between an agency and an exclusive bargaining representative.

E. Tenure of office.

1. The tenure of office of every permanent employee shall be during good behavior and the satisfactory performance of his duties as recorded by his service ratings. This provision, however, shall not be interpreted to prevent the separation of an employee for cause or the separation of an employee because of lack of funds or curtailment of work or by retirement of the employee, when made in accordance with those rules.

F. Reinstatement to previous class of positions.

1. Upon written request of an appointing authority to and with the approval of the Supervisor, an employee who has successfully passed a merit examination and has acquired permanent status in a class under these rules may be reinstated to a position in the same class in the Public Health Merit System at any time within two years after the date of his resignation. Under the same conditions a reinstatement may be made within a period of time, not to exceed five years, equivalent to the continuous period of the employee's service since January 1, 1971 in a local public health agency. Reinstatement shall be without benefit of previously acquired seniority. Upon approval of the Supervisor, reinstatement may be made directly by an appointing authority, provided that there is a vacancy on the local public health agency staff.

G. Reinstatement of probationer.

1. Upon written request of an appointing authority and with the approval of the Merit System Supervisor, a probationary employee who has resigned in good standing may be reinstated as a probationary employee to a position in the same class previously held in the Public Health Merit System at any time within a year after the date on which his resignation became effective.

H. Retirement.

1. Any employee in the Public Health Merit System who attains the age of 70 may be retired at the option of the appointing authority. For the purpose of these rules, the age of the employee shall be the age attained on his last birthday and shall be subject to verification.

I. Reemployment of former permanent or probationary employees.

1. Former permanent or probationary Merit System employees who voluntarily separate in good standing with a

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satisfactory or better separation rating may, upon request, have their names placed on a reemployment list for their last class of employment and for any other classes in which they possessed permanent status prior to separation. Requests must include which classes, locations and employment conditions the former employee is willing to consider and must be submitted to the Merit System within one year of separation. A person may remain on the reemployment list(s) for up to three years and must return to the Merit System within four years of separation. Former employees reemployed under the provisions of this rule must serve a new probationary period upon appointment.

7 MCAR § 1.250 Leaves of absence.

A. In general.

1. Leave policies stated in this ~~rule~~ subdivision B. are minimum standards and shall apply to all ~~employees local public health agency personnel~~ except when ~~raised by adoption of an optional vacation and sick leave policy by the appointing authority or unless~~ otherwise negotiated by the appointing authority with an exclusive representative. At the discretion of the board, such negotiated benefits may be applied to all employees of the agency. ~~Any such amended policy shall be submitted to the Supervisor.~~

2. Beyond the minimum standards listed in subdivision B. the appointing authority may adopt an optional leave of absence policy to the extent allowed in subdivision C.

3. Agencies without an exclusive representative that adopt an optional leave policy beyond the minimum standards listed in subdivision B. shall file a copy with the Supervisor.

B. Minimum policy.

1. Jury or witness duty.

a. ~~2-~~ After notice to the appointing authority, any employee under the Merit System shall be granted leave with pay for:

~~a-~~ Service upon a jury or

~~b-~~ Appearance before a court, legislative committee, or other judicial or quasi-judicial body as a witness in action involving the Federal Government, State of Minnesota, or a political subdivision thereof, in response to a subpoena or other direction by proper authority.

b. ~~3-~~ At the option of the appointing authority the employee may be required to turn over to the agency any per diem payment received as a result of serving on a jury or as a witness in the above-listed actions. Monies received as expenses shall be kept by the employee.

c. ~~4-~~ Any absence, whether voluntary or in a response to a legal order to appear and testify in private litigation, not as an employee of the county but as an individual, shall be taken as annual leave, as leave of absence without pay, or as a deduction from authorized accumulated overtime.

2. ~~B-~~ Leaves of absence without pay.

a. ~~4-~~ Any person holding a permanent or probationary position in the classified service of the ~~Public Health Minnesota~~ Merit System shall be granted a leave of absence without pay on the grounds of sickness or disability and may be granted a leave of absence without pay for other good or sufficient reasons, provided that no such leave shall exceed one year. Disabilities caused or contributed to by pregnancy, miscarriage, abortion, childbirth, and recovery therefrom are, for all job-related purposes, temporary disabilities and the women so affected shall be treated the same as other persons who are not so affected, but who are similar in their ability or inability to work. The appointing authority shall establish the proof required of the existence of sickness or disability and the continuance thereof during said one-year period. The appointing authority may require that the employee produce medical certification from a registered practicing physician that he/she is fit for work before returning the employee to the job. Any employee who is granted a leave of absence without pay shall be accorded thereby an unqualified right to be reinstated to the same position if such leave is for 60 calendar days or less. An employee who is granted a leave of absence without pay shall be accorded thereby an unqualified right to be reinstated to a position in the same class at the expiration of leave, except that when all the positions in the class previously held by such employee have been abolished, the name of the employee shall be restored to the appropriate reemployment register provided for in 7 MCAR § 1.249 ~~F-~~ D.5. If all the positions in the class are filled, the least senior employee in the class shall vacate his/her position subject to any eligibility for layoff, transfer, or demotion that he/she may have acquired under these rules. An employee on leave of absence, with the approval of the appointing authority and the Supervisor, may be reinstated to his/her class before the expiration of the leave in the same manner. Upon certification by the registered practicing physician, the employee who is physically or mentally capable of returning to work must comply within ten working days or face termination. If such an employee within the specified days cannot return to work, he/she must notify the appointing authority and request an approval for a leave of absence.

2. ~~Educational leave without pay may be granted for a period not to exceed two years to any employee, but such leave shall otherwise be subject to the same provisions as leave granted under 7 MCAR § 1.250 B-1. Any employee granted an educational leave may also, at the option of the appointing authority, be deemed to accrue eligibility for incentive increments and be granted salary increases at the time such increases would have been received if the employee had continued in regular employment with the agency.~~

3. ~~C-~~ Vacation leave (See also 7 MCAR § 1.250 A-1-).

a. ~~4-~~ Upon the completion of six full months of service in the Merit System, vacation leave shall accrue to the employee for the time served ~~Each employee in the classified service, except emergency, hourly, or per diem employees, shall earn vacation with pay~~ at the rate of one working day for each full month of service. No vacation leave shall be accrued

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or granted during the first six months of service in the Merit System; but upon satisfactory completion of such period, vacation leave shall accrue to the employee for the time served. Unused vacation leave shall accumulate to a total of at least 24 working days. The agency shall determine the time at which vacation leave may be taken.

~~2- The local public health agency shall determine the time at which vacation leave may be taken. No vacation leave shall be granted during the first six months of service; but upon the satisfactory completion of such period, vacation leave shall accrue to the employee for the time served. Unused vacation leave may be accumulated to a total of 24 working days.~~

b. ~~3-~~ Vacation leave shall not accumulate to an employee while in a non-pay status, except to employees on military leave.

c. ~~4-~~ A permanent employee who is transferred or promoted from one local public health agency to another shall be paid for the number of working days of unused vacation leave accumulated to his credit from the first agency.

d. ~~5-~~ Any employee with six full months of service in the Merit System who is separated from the Merit System by layoff, resignation, death, or otherwise, shall be paid for the number of working days of unused vacation leave accumulated to his credit.

~~4- D-~~ Sick leave (see also 7 MCAR § 1-250 A-1).

a. ~~1-~~ Every permanent, probationary, and provisional, and limited-term employee in the classified service shall earn sick leave at the rate of one working day for each completed month of service, and such accrued sick leave may be used under the conditions hereinafter prescribed:

Absence necessitated by employee's inability to perform the duties of his/her position by reason of illness or injury, by reason of pre and post natal care, by necessity for medical or dental care, by exposure to contagious disease under circumstances in which the health of the employees with whom associated or members of the public necessarily dealt with would be endangered by attendance on duty, or by illness in the employee's immediate family, for such period as shall be necessary. The term "immediate family" shall be limited to the spouse, minor children, or parents when the parent has no other person to provide the necessary nursing care, living in the household of the employee. Within the discretion of the appointing authority, use of sick leave also may be authorized in cases of death of the spouse, children, and wards of the employee and the brothers, sisters, parents, or grandparents of either the employee or his/her spouse.

~~2-~~ b. Unused sick leave shall be accumulated to a total ~~maximum~~ of at least 100 working days.

~~3-~~ c. Sick leave with pay shall not be granted to emergency, hourly, or per diem employees.

d. Sick leave shall not accumulate to an employee while in a non-pay status, except employees on military leave.

~~4-~~ e. Sick leave during vacation leave: When sickness occurs within a period of vacation leave, the period of illness may, on presentation of a report from a registered practicing physician, be charged as sick leave and the charge against vacation leave reduced accordingly.

~~5-~~ f. The appointing authority may require the employee to produce medical certification from a registered practicing physician attesting to the need for sick leave and/or attesting that the employee is fit to return to work.

~~6-~~ g. A former Merit System employee who is reinstated in accordance with Merit System rules, except as a provisional or emergency appointee, may have his/her previous accumulated and unused balance of sick leave revived and placed to his/her credit upon approval of the new appointing authority.

~~E-~~ Funeral leave.

~~1-~~ Each appointing authority allowing funeral leave, exclusive of sick leave or vacation leave, shall prepare written regulations governing such leave. Such regulations governing funeral leave shall be effective when approved by the Supervisor. No regulation changes will be made retroactive.

~~2-~~ Funeral leave may be authorized in cases of death of the spouse, children, and wards of the employee and the brothers, sisters, parents, or grandparents of either the employee or his spouse.

~~F-~~ 5. Military leave.

~~1-~~ a. Employees who are in service in the armed forces of the state or the United States shall be entitled to leave of absence as provided for by Minn. Stat. § 192.261.

6. Record of leaves.

~~1-~~ a. Each local public health agency appointing authority shall maintain a record of leaves with pay granted to employees. These records shall be kept on forms prescribed by the Supervisor and shall be subject to his review.

~~H-~~ 7. Holidays.

~~1-~~ a. Permanent, probationary, provisional, and limited-term, and full-time employees whose normally scheduled work day falls on a holiday listed below shall receive time off from work with pay for that day. Compensatory time off shall be allowed for work done on these days except when payment is received. Emergency employees are not eligible for holiday pay. Employees who work less than full time and who are eligible for holiday pay shall receive such pay equiva-

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lent to the number of hours they normally would have been scheduled to work on that day if it had not been a holiday.

New Year's Day — January 1
Lincoln's and Washington's Birthday — the third Monday in February
Memorial Day — the last Monday in May
Independence Day — July 4
Labor Day — the first Monday in September
Christopher Columbus Day — the second Monday in October
Veteran's Day — November 11
Thanksgiving Day — the fourth Thursday in November
Christmas Day — December 25

~~2. b. When New Year's Day, Independence Day, Veteran's Day, or Christmas Day falls on Sunday, the following Monday shall be a non-work day holiday. When New Year's Day, Independence Day, Veteran's Day, or Christmas Day falls on Saturday the preceding Friday shall be a holiday.~~

~~3. The local public health authority may designate additional days as holidays, with or without pay, as may be necessary to conform to the policy and practice followed in other offices in the local government.~~

C. Optional policy.

1. Beyond the minimum standards listed above, the appointing authority may adopt an optional leave of absence policy. The adoption of such a policy shall only be to increase the availability and use of leave of absences to employees.

2. Funeral leave.

a. Funeral leave, exclusive of sick leave or vacation leave, may be granted. Each appointing authority shall prepare written regulations governing such leave.

b. Funeral leave may be authorized in cases of death of the spouse, children, and wards and the brothers, sisters, parents, or grandparents of either the employee or his/her spouse.

3. Additional holidays may be designated, with or without pay, to conform with the county-wide policy.

4. Educational leave.

a. Educational leave, with or without pay, may be granted for a period not to exceed two years to any permanent or probationary employee. Such leave shall be for work-related programs which are in the best interest of the agency and consistent with the agency's training and staff development plan. Such leave shall otherwise be subject to 7 MCAR § 1.250 A.3. The appointing authority may allow the employee to continue to accrue eligibility for incentive increases, as in 7 MCAR § 1.260 D.2., and such salary increase may be granted at the same time the increase would have been granted, but for the leave of absence. Educational leave with pay shall be approved by the Supervisor prior to authorization.

Department of Public Safety

Proposed Amendments to Existing Rules of the Minnesota Merit System Governing the Classification Plan; Separation, Tenure and Reinstatement; and Leaves of Absence

Notice of Hearing

Notice is hereby given that a public hearing in the above-entitled matter will be held pursuant to Minn. Stat. § 15.0412, subd. 4, in the Administration Building, Room 116, 50 Sherburne Avenue (between Cedar and Capitol Boulevard), St. Paul, Minnesota, on September 21, 1979, commencing at 9:30 a.m.

All interested or affected persons will have an opportunity to participate concerning the rules captioned above. Statements may be made orally and written material may be submitted. In addition, whether or not an appearance is made at the hearing, written statements or material may be submitted to Harry Seymore Crump, Hearing Examiner, Office of Hearing Examiners, 1745 University Ave., St. Paul, Minnesota 55104, (612) 296-8111 either before the hearing or within five (5) working days after the close of the hearing. The hearing examiner may keep the record open for a longer period not to exceed 20 calendar days. All such statements will be entered into and become part of the record.

Proposed revisions to 11 MCAR § 1.093 D (renumbered as § 1.2093) authorize the Commissioner of Public Safety to re-allocate positions to certain designated classes under certain circumstances, provides for the administration of non-competitive promotional examinations in such situations, the certification of only the name of the eligible incumbent and elimination of the need for the employee promoted under this provision to serve a new probationary period in the higher classification.

11 MCAR § 1.091 B.1.c. makes 12 MCAR § 2.495 through 12 MCAR § 2.510, which are rules of the Department of Public Welfare Merit System, applicable to county and local emergency service agencies. If the Department of Public Welfare adopts proposed changes to 12 MCAR § 2.503 and 12 MCAR § 2.504, these rules will also apply to emergency services agencies. This hearing will be held in conjunction with the Minnesota Department of Public Welfare and Minnesota Department of Health. A copy of the Notice of Hearing for the Minnesota Departments of Health and Public Welfare are attached for your information.

None of these proposed rule changes will result in increased expenditures for the appointing authority. The au-

PROPOSED RULES

thority for the proposed rule amendments is contained in Minn. Stat. § 12.22, subd. 3.

Copies of the proposed rule are now available and at least one free copy may be obtained by writing to Ralph Corey, Merit System, Department of Public Welfare, Centennial Building, St. Paul, Minnesota, 55155, telephone: (612) 296-3996. Additional copies will be available at the door on the date of the hearing.

Notice is hereby given that 25 days prior to the hearing a Statement of Need and Reasonableness will be available for review at the agency and at the Office of Hearing Examiners. This Statement of Need and Reasonableness will include a summary of all of the evidence which will be presented by the agency at the hearing justifying both the need for and the reasonableness of the proposed and amended rules. Copies of the Statement of Need and Reasonableness may be obtained from the Office of Hearing Examiners at a minimal charge.

Any person may request notification of the date on which the hearing examiner's report will be available, after which date the commissioner may not take any final action on the rules for a period of five (5) working days. Any person may request notification of the date on which the hearing record has been submitted to the Attorney General by the agency. If you desire to be so notified, you may so indicate at the hearing. After the hearing, you may request notification by sending a written request to the hearing examiner, in the case of the hearing examiner's report, or to the agency, in the case of the agency's submission or resubmission to the Attorney General.

In addition, please be advised that Minn. Stat. ch. 10A requires each lobbyist to register with the State Ethical Practices Board within five (5) days after he commences lobbying. A lobbyist is defined in Minn. Stat. § 10A.01, subd. 11 as any individual:

(a) Engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than \$250, not including *his own* travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or

(b) Who spends more than \$250, not including *his own* traveling expenses and membership dues, in any year for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials.

The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, St. Paul, Minnesota 55155, telephone (612) 296-5615.

August 2, 1979

James R. Pederson
Assistant Commissioner
for
John P. Sopsic
Commissioner of Public Safety

Amendments as Proposed

11 MCAR § 1.2093 Classification plan.

D. Incumbents of reallocated positions.

1. When a position in one class is reallocated to a different class, the incumbent shall not be deemed eligible to continue in this position unless he is eligible for original appointment, promotion, transfer, or demotion to the new class of positions. If he is ineligible to continue in such a position, he may be transferred, promoted, or demoted by appropriate action of the appointing authority in accordance with such provisions of these rules as may be deemed to be applicable. If ineligibility of a permanent or probationary incumbent of a reallocated position arises from the existence of an eligible register established from an examination that the incumbent did not take, he may be permitted to take the same or equivalent examination from which the existing register was established, provided that his name is not on the existing register; he did not take and fail the examination from which the existing register was established; and he was eligible to take the examination at the time it was given. The names of successful candidates examined under this rule shall be placed on the existing register in accordance with the score attained. In any case in which the incumbent is ineligible to continue in the position and he is not transferred, promoted, or demoted, the provisions of these rules about layoff shall apply. Any transfer, promotion, demotion or layoff in accordance with such provisions of these rules must occur within sixty days of the notification of reallocation of the position.

2. The Commissioner of Public Safety may authorize the reallocation of a position from one classification to a higher designated classification when the duties to be performed in the higher class are not significantly different from those performed in the lower class and where both classifications are in the same occupational grouping. Incumbents of positions so reallocated must meet the specified minimum qualifications for the higher designated class and promotions shall be made following a non-competitive promotional examination which shall include an evaluation by the appointing authority of the incumbents' ability to perform in the higher class.

If the incumbent examined in accordance with the above procedure successfully completes the examination process, notwithstanding the provisions of 12 MCAR § 2.498 C.2., the Supervisor may certify only the name of the eligible incumbent to the appointing authority. Notwithstanding the provisions of 12 MCAR § 2.500 B.1.a., an employee appointed under the provisions of this rule will not be required to serve a new probationary period in the higher classification.

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Department of Public Welfare

Proposed Adoption of New Rules and Amendment of Existing Rules of the Minnesota Merit System Governing the Compensation Plan; the Classification Plan; Separation, Tenure and Reinstatement and Leaves of Absence.

Notice of Hearing

Notice is hereby given that a public hearing in the above-entitled matter will be held pursuant to Minn. Stat. § 15.0412, subd. 4, in the Administration Building, Room 116, 50 Sherburne Ave. (between Cedar and Capital Blvd.) St. Paul, Minnesota on September 21, 1979, commencing at 9:30 a.m.

All interested or affected persons will have an opportunity to participate concerning the rules captioned above. Statements may be made orally and written material may be submitted. In addition, whether or not an appearance is made at the hearing, written statements or material may be submitted to Harry Seymore Crump, Hearing Examiner, Office of Hearing Examiners, 1745 University Ave., St. Paul, Minnesota, 55104, (612) 296-8111, either before the hearing or within five (5) working days after the close of the hearing. The hearing examiner may keep the record open for a longer period not to exceed 20 calendar days. All such statements will be entered into and become part of the record.

Proposed revisions to 12 MCAR § 2.493 D. authorize the Commissioner of Public Welfare to reallocate positions to certain designated classes under certain circumstances, provide for the administration of non-competitive promotional examinations in such situations, the certification of only the name of the eligible incumbent and elimination of the need for the employee promoted under this provision to serve a new probationary period in the higher classification.

Proposed revisions to 12 MCAR § 2.503D. establish a new procedure to be followed in the event of a layoff in the classified service including a definition of seniority for purpose of layoff, order of layoff, method of breaking ties in cases of equal seniority, a bumping provision, notification requirement, placement of names of laid off employees on the layoff list and the reemployment list, return from layoff to a subsequent vacancy and an exclusion of the provisions of the rule if they are otherwise provided in a collective bargaining agreement.

Proposed revisions to 12 MCAR § 2.503 create a reemploy-

ment list(s) containing names of former permanent or probationary Merit System employees who voluntarily separate in good standing with a satisfactory or better separation rating. Proposed revisions to 12 MCAR § 2.504 A., B. and C. clarify present language relative to leaves of absence, separate minimum leave policies and optional leave policies and place them in separate sections of the rule and provide for an optional policy of granting educational leave with or without pay to employees.

Proposed rules creating new classifications are 12 MCAR § 2.592 for Adult Day Care Center Supervisor; 12 MCAR § 2.654 for Adult Day Care Center Program Coordinator and 12 MCAR § 2.593 for Center Coordinator. These new classifications are being proposed in response to an expressed need for each such class from one or more county welfare agencies. Proposed revisions to current rules which alter and in some cases retitle existing position classification specifications are 12 MCAR § 2.624 for Family Service Aide I (presently Homemaker I); 12 MCAR § 2.625 for Family Service Aide II (presently Homemaker II); 12 MCAR § 2.588 for Family Service Coordinator I (presently Homemaker Coordinator I); 12 MCAR § 2.586 for Family Service Coordinator II (presently Homemaker Coordinator II); 12 MCAR § 2.621 for Financial Worker I; 12 MCAR § 2.622 for Financial Worker II; 12 MCAR § 2.623 for Financial Assistance Specialist; 12 MCAR § 2.640 for Senior Case Aide; 12 MCAR § 2.626 for Coordinator of Aging; 12 MCAR § 2.581 for Collection Services Supervisor II and 12 MCAR § 2.646 for Developmental Achievement Center Teacher. These revisions are proposed to reflect more descriptive class titles and to update current classification specifications including minimum qualifications for such classifications.

None of these proposed rule changes will result in increased county expenditures. The authority for the proposed new rules and proposed rule amendments is contained in Minn. Stat. § 393.07, subd. 5.

Copies of the proposed rule are now available and at least one free copy may be obtained by writing to Ralph Corey, Merit System, Department of Public Welfare, Centennial Building, St. Paul, MN 55155, Telephone: (612) 296-3996. Additional copies will be available at the door on the date of the hearing.

Notice is hereby given that 25 days prior to the hearing a Statement of Need and Reasonableness will be available for review at the agency and at the Office of Hearing Examiners. This Statement of Need and Reasonableness will include a summary of all of the evidence which will be presented by the agency at the hearing justifying both the need for and the reasonableness of the proposed and amended rules. Copies of the Statement of Need and Reasonableness may be obtained from the Office of Hearing Examiners at a minimal charge.

Any person may request notification of the date on which the hearing examiner's report will be available, after which date the commissioner may not take any final action on the rules for a period of five (5) working days. Any person may

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request notification of the date on which the hearing record has been submitted to the Attorney General by the agency. If you desire to be so notified, you may so indicate at the hearing. After the hearing, you may request notification by sending a written request to the hearing examiner, in the case of the hearing examiner's report, or to the agency, in the case of the agency's submission or resubmission to the Attorney General.

In addition, please be advised that Minn. Stat. ch. 10A requires each lobbyist to register with the State Ethical Practices Board within five (5) days after he commences lobbying. A lobbyist is defined in Minn. Stat. § 10A.01, subd. 11 as any individual:

(a) Engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than \$250, not including *his own* travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or

(b) Who spends more than \$250, not including *his own* traveling expenses and membership dues, in any year for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials.

The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, Saint Paul, Minnesota 55155, telephone (612) 296-5615.

August 2, 1979

Arthur E. Noot
Commissioner of Public Welfare

Rules as Proposed

12 MCAR § 2.493 Classification plan.

D. Incumbents of reallocated positions.

1. When a position in one class is reallocated to a different class, the incumbent shall not be deemed eligible to continue in this position except as provided in 12 MCAR § 2.493 D.2. or unless he would have been eligible for original appointment, promotion, transfer, or demotion to the new class of positions. If he is ineligible to continue in such a position, he may be transferred, promoted, or demoted by appropriate action of the appointing authority in accordance with such provisions of these rules as may be deemed to be applicable. If ineligibility of a permanent or probationary incumbent of a reallocated position arises from the existence of an eligible register established from an examination that the incumbent did not take, he may be permitted to take the same

or equivalent examination from which the existing register was established, providing that his name is not on the existing register; he did not take and fail the examination from which the existing register was established; and he was eligible to take the examination at the time it was given. The names of successful candidates examined under this rule shall be placed on the existing register in accordance with the score attained. In any case in which the incumbent is ineligible to continue in the position and he is not transferred, promoted, or demoted, the provisions of these rules about layoff shall apply. Any transfer, promotion, demotion or layoff in accordance with such provisions of these rules must occur within sixty days of the notification of reallocation of the position.

2. If a position is reallocated as a direct result of the change in size of the employing agency without change in duties and functions, an incumbent with permanent or probationary status in the lower class shall be permitted to take a non-competitive qualifying examination without regard to the qualifications for the class. An incumbent whose name is on a competitive promotional register for the higher class may be certified to the position regardless of the relative ranks of other candidates on the eligible register.

3. The commissioner of Public Welfare may authorize the reallocation of a position from one classification to a higher designated classification when the duties to be performed in the higher class are not significantly different from those performed in the lower class and where both classifications are in the same occupational grouping. Incumbents of positions so reallocated must meet the specified minimum qualifications for the higher designated class and promotions shall be made following a non-competitive promotional examination which shall include an evaluation by the appointing authority of the incumbents' ability to perform in the higher class.

If the incumbent examined in accordance with the above procedure successfully completes the examination process, notwithstanding the provisions of 12 MCAR § 2.498 C.2., the Supervisor may certify only the name of the eligible incumbent to the appointing authority. Notwithstanding the provisions of 12 MCAR § 2.500 B.1.a., an employee appointed under the provision of this rule will not be required to serve a new probationary period in the higher classification.

12 MCAR § 2.503 Separation, tenure and reinstatement.

D. Reduction of Force Layoff.

~~1. The appointing authority may separate any employee without prejudice because of lack of funds or curtailment of work. No permanent employee, however, shall be separated while there are emergency, provisional, limited-term, or probationary employees serving in the same class of positions. The order of separations due to reduction of force~~

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shall be based upon seniority, except in an instance in which seniority is less than one month (30 calendar days); in which case, order of separation shall be based upon service ratings and seniority; under a formula established by the Merit System Supervisor.

2. The names of permanent employees who have been laid off shall be entered on a reemployment register for their class of positions in the inverse order of their separation.

3. The name of any permanent employee whose position has been abolished while on leave shall be entered on a reemployment register for his class of positions upon request of the employee, provided that such request is made within 45 days after the expiration of his leave. Entry on the reemployment register shall be in the order of the receipt of the request.

4. The names of any probationary employee who has been separated from the service without prejudice shall be entered upon a reemployment register for his class of positions for a period of one year, in accordance with accrued probationary service, provided, however, that upon appointment from the reemployment register, such an employee shall be required to serve a full six months probationary period as when appointed from an original entrant register.

1. An appointing authority may lay off an employee in the classified service by reason of abolishment of the position, lack of funds, shortage of work or other reason outside the control of the employee. No permanent employee, however, shall be laid off while any emergency, provisional, limited-term or probationary employee is continued in a position of the same class in the agency. Layoff shall be made in inverse order of seniority by employment conditions in the class of work in the agency. Seniority for purposes of layoff shall be the length of service in the class from which layoff occurs in the agency.

2. If two or more persons in the class in which layoff occurs have equal seniority, the order of layoff shall be in inverse order of the date of acquisition of permanent status in the class. If a tie still remains, the order of layoff shall be determined by the average of the last two service ratings, if available, or the last service rating if only one is available and the employee with the lowest such average or rating shall be laid off first. If no service ratings are available, the order of layoff shall be determined by the appointing authority in such a way as to retain in the agency the employee(s) considered most valuable.

3. Any permanent or probationary employee about to be laid off shall be demoted to replace the employee with the least seniority in the next lower class in which that employee previously served, unless the employee elects to be laid off.

4. The appointing authority shall notify in writing the employee and the Supervisor at least 10 working days before the effective date of the layoff and shall state the reason for the layoff. If the appointing authority fails to certify

before the effective date thereof that the layoff was for reasons not reflecting discredit on the employee, it shall be deemed a dismissal and shall be subject to the rules regarding dismissal.

5. The names of permanent or probationary employees laid off or demoted in lieu of layoff shall be placed in order of seniority on the layoff list for the class and the agency from which the layoff took place. The affected employees shall have their names placed also on the reemployment list for the class from which the layoff took place and any other class in which they have permanent or probationary status prior to layoff.

6. Names of laid off employees will remain on the layoff list for a minimum of one year and eligibility shall be extended to a period of time equal to the employee's previous service in the Merit System not to exceed five years.

7. Whenever an appointing authority submits a requisition to fill a vacancy or a new position in the agency and a layoff list exists for that agency for the class in which the position to be filled is classified, the one name highest on the layoff list shall be certified to the agency for appointment.

8. The provisions of this rule shall apply to all layoffs, except where otherwise provided in written contract between an agency and an exclusive bargaining representative.

E. Tenure of office.

1. The tenure of office of every permanent employee shall be during good behavior and the satisfactory performance of his duties as recorded by his service ratings. This provision, however, shall not be interpreted to prevent the separation of an employee for cause or the separation of an employee because of lack of funds or curtailment of work or by retirement of the employee, when made in accordance with these rules.

F. Reinstatement to previous class of positions.

1. Upon written request of an appointing authority to and with the approval of the Merit System Supervisor, an employee who has successfully passed a merit examination and has acquired permanent status in a class under these rules may be reinstated to a position in the same class in the Merit System program at any time within two years after the date of his resignation. Under the same conditions, a reinstatement may be made within a period of time, not to exceed five years, equivalent to the continuous period of the employee's service since January 1, 1940, in a county welfare agency. Reinstatement shall be without benefit of previously acquired seniority. Upon approval of the Merit System Supervisor, reinstatement may be made directly by an appointing authority, provided that there is a vacancy. The Supervisor may require such employee to pass a qualifying examination.

G. Reinstatement of probationer.

1. Upon written request of an appointing authority to and with the approval of the Merit System Supervisor, a

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probationary employee who has resigned in good standing may be reinstated as a probationary employee to a position in the same class previously held in the Merit System at any time within a year after the date on which his resignation became effective.

H. Retirement.

1. Any employee in the Merit System who attains the age of 70 may be retired at the option of the appointing authority. For the purpose of these rules, the age of the employee shall be the age attained on his last birthday and shall be subject to verification.

I. Reemployment of former permanent or probationary employees.

1. Former permanent or probationary Merit System employees who voluntarily separate in good standing with a satisfactory or better separation rating may, upon request, have their names placed on a reemployment list for their last class of employment and for any other classes in which they possessed permanent status prior to separation. Requests must include which classes, locations and employment conditions the former employee is willing to consider and must be submitted to the Merit System within one year of separation. A person may remain on the reemployment list(s) for up to three years and must return to the Merit System within four years of separation. Former employees re-employed under the provisions of this rule must serve a new probationary period upon appointment.

12 MCAR § 2.504 Leaves of absence.

A. In general.

1. Leave policies stated in this ~~rule~~ subdivision B. are minimum standards and shall apply to all ~~employees county welfare or human service personnel~~ employees ~~raised by adoption of an optional vacation and sick leave policy by the County Welfare or Human Service Board or unless otherwise negotiated by the appointing authority with an exclusive representative. At the discretion of the board, such negotiated benefits may be applied to all employees of the agency. Any such amended policy shall be submitted to the Supervisor.~~

2. Beyond the minimum standards listed in subdivision B. the appointing authority may adopt an optional leave of absence policy to the extent allowed in subdivision C.

3. Agencies without an exclusive representative that adopt an optional leave policy beyond the minimum standards listed in subdivision B. shall file a copy with the Supervisor.

B. Minimum Policy.

1. Jury of witness duty.

a. ~~2.~~ After notice to the appointing authority, any employee under the Merit System shall be granted leave with pay for:

a. ~~Service upon a jury; or~~

b. ~~Appearance before a court, legislative committee, or other judicial or quasi-judicial body as a witness in action involving the Federal Government, State of Minnesota, or a political subdivision thereof, in response to a subpoena or other direction by proper authority.~~

b. ~~3.~~ At the option of the appointing authority the employee may be required to turn over to the agency any per diem payment received as a result of serving on a jury or as a witness in the above-listed actions. Monies received as expenses shall be kept by the employee.

c. ~~4.~~ Any absence, whether voluntary or in a response to a legal order to appear and testify in private litigation, not as an employee of the county but as an individual, shall be taken as annual leave, as leave of absence without pay, or as a deduction from authorized accumulated overtime.

2. ~~B.~~ Leaves of absence without pay.

a. ~~4.~~ Any person holding a permanent or probationary position in the classified service of the Minnesota Merit System shall be granted a leave of absence without pay on the grounds of sickness or disability and may be granted a leave of absence without pay for other good or sufficient reasons, provided that no such leave shall exceed one year. Disabilities caused or contributed to by pregnancy, miscarriage, abortion, childbirth, and recovery therefrom are, for all job-related purposes, temporary disabilities and the women so affected shall be treated the same as other persons who are not so affected, but who are similar in their ability or inability to work. The appointing authority shall establish the proof required of the existence of sickness or disability and the continuance thereof during said one-year period. The appointing authority may require that the employee produce medical certification from a registered practicing physician that he/she is fit for work before returning the employee to the job. Any employee who is granted a leave of absence without pay shall be accorded thereby an unqualified right to be reinstated to the same position if such leave is for 60 calendar days or less. An employee who is granted a leave of absence without pay shall be accorded thereby an unqualified right to be reinstated to a position in the same class at the expiration of leave, except that when all the positions in the class previously held by such employee have been abolished, the name of the employee shall be restored to the appropriate reemployment register provided for in 12 MCAR § 2.503 ~~F.~~ D.5. If all the positions in the class are filled, the least senior employee in the class shall vacate his/her position subject to any

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eligibility for layoff, transfer, or demotion that he/she may have acquired under these rules. An employee on leave of absence, with the approval of the appointing authority and the Supervisor, may be reinstated to his/her class before the expiration of the leave in the same manner. Upon certification by the registered practicing physician, the employee who is physically or mentally capable of returning to work must comply within ten working days or face termination. If such an employee within the specified days cannot return to work, he/she must notify the appointing authority and request an approval for a leave of absence.

~~2. Educational leave without pay may be granted for a period not to exceed two years to any employee, but such leave shall otherwise be subject to the same provisions as leave granted under 12 MCAR § 2-504 B. Any employee granted an educational leave may also, at the option of the appointing authority, be deemed to accrue eligibility for incentive increments and be granted salary increases at the time such increases would have been received if the employee had continued in regular employment with the agency.~~

~~3. In an instance in which an appointing authority grants an educational leave of absence to the agency director in order that the director can pursue a course of academic study and when it does not appear feasible to fill the vacant position through a contract with a neighboring county or by employing a new director on a temporary basis during the period of leave, the appointing authority may elect to name one of its professional staff members as acting director for the period of leave, not to exceed two years. The professional staff member shall remain in his/her present class and serve as director only in an acting capacity; however if the appointing authority so elects, it can increase the salary of the person so named up to, but not to exceed, the minimum salary of his/her class.~~

~~3. G. Vacation leave (see also 12 MCAR § 2-504 A.1-).~~

~~a. 4. Upon the completion of six full months of service in the Merit System, vacation leave shall accrue to the employee for the time served. Each employee in the classified service, except emergency, hourly, or per diem employees, shall earn vacation with pay at the rate of one working day for each full month of service. The county agency shall determine the time at which vacation leave may be taken. No vacation leave shall be accrued or granted during the first six months of service in the Merit System; but upon satisfactory completion of such period, vacation leave shall accrue to the employee for the time served. Unused vacation leave may be shall accumulated to a total of at least 24 working days. The county agency shall determine the time at which vacation leave may be taken.~~

~~b. 2. Vacation leave shall not accumulate to an employee while in a non-pay status, except to employees on military leave.~~

~~c. 3. A permanent employee who is transferred or promoted from one county welfare or human service board agency to another shall be paid for the number of working~~

~~days of unused vacation leave accumulated to his credit from the first county.~~

~~d. 4. Any employee with six full months of service in the Merit System who is separated from the Merit System by layoff, resignation, death, or otherwise, shall be paid for the number of working days of unused vacation leave accumulated to his credit.~~

~~D. Sick leave (see also 12 MCAR § 2-504 A.1-).~~

~~a. 4. Every permanent, probationary, and provisional, limited-term and trainee employee in the classified service shall earn sick leave at the rate of one working day for each completed month of service, and such accrued sick leave may be used under the conditions hereinafter prescribed:~~

Absence necessitated by employee's inability to perform the duties of his/her position by reason of illness or injury, by necessity for medical or dental care, by reason of pre and post natal care, by exposure to contagious disease under circumstances in which the health of the employees with whom associated or members of the public necessarily dealt with would be endangered by attendance on duty, or by illness in the employee's immediate family, for such period as shall be necessary. The term "immediate family" shall be limited to the spouse, minor children, or parent when the parent has no other person to provide the necessary nursing care, living in the household of the employee. Within the discretion of the appointing authority, use of sick leave also may be authorized in cases of death of the spouse, children, and wards of the employee and the brothers, sisters, parents, or grandparents of either the employee or his/her spouse.

~~2. b. Unused sick leave shall be accumulated to a total maximum of at least 100 working days.~~

~~3. c. Sick leave with pay shall not be granted to emergency, hourly, or per-diem employees.~~

~~4. d. Sick leave shall not accumulate to an employee while in a non-pay status, except employees on military leave.~~

~~5. e. Sick leave during vacation leave: When sickness occurs within a period of vacation leave, the period of illness may, on presentation of a report from a registered practicing physician, be charged as sick leave and the charge against vacation leave reduced accordingly.~~

~~6. f. The appointing authority may require the employee to produce medical certification from a registered practicing physician attesting to the need for sick leave and/or attesting that the employee is fit to return to work.~~

~~7. g. A former Merit System employee who is reinstated in accordance with Merit System rules, except as a provisional or emergency appointee, may have his/her previous accumulated and unused balance of sick leave revived and placed to his/her credit upon approval of the new appointing authority.~~

~~E. Funeral leave.~~

~~4. Each appointing authority allowing funeral leave,~~

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~~exclusive of sick leave or vacation leave, shall prepare written regulations governing such leave. Such regulations governing funeral leave shall be effective when approved by the Supervisor. No regulation changes will be made retroactive.~~

~~2. Funeral leave may be authorized in case of death of the spouse, children, and wards of the employee and the brothers, sisters, parents, or grandparents of either the employee or his spouse.~~

~~F. 5. Military leave.~~

~~4. a. Employees who are in service in the armed forces of the state or the United States shall be entitled to leave of absence as provided for by Minn. Stat. § 192.261.~~

~~6. Record of leaves.~~

~~4. a. Each appointing authority shall maintain a record of leaves with pay granted to employees. These records shall be kept on forms prescribed by the Supervisor and shall be subject to his review.~~

~~H. 7. Holidays.~~

~~4. a. Permanent, probationary, provisional, limited-term, and full-time trainee employees whose normally scheduled work day falls on a holiday listed below shall receive time off from work with pay for the day. Compensatory time off shall be allowed for work done on these days except when payment is received. Emergency employees are not eligible for holiday pay. Employees who work less than full time and who are eligible for holiday pay shall receive such pay equivalent to the number of hours they normally would have been scheduled to work on that day if it had not been a holiday.~~

~~New Year's Day — January 1~~

~~Lincoln's and Washington's Birthday — the third Monday in February~~

~~Memorial Day — the last Monday in May~~

~~Independence Day — July 4~~

~~Labor Day — the first Monday in September~~

~~Christopher Columbus Day — the second Monday in October~~

~~Veteran's Day — November 11~~

~~Thanksgiving Day — the fourth Thursday in November~~

~~Christmas Day — December 25~~

~~2. b. When New Year's Day, Independence Day, Veteran's Day, or Christmas Day falls on Sunday, the following Monday shall be a non-work day holiday. When New Year's Day, Independence Day, Veteran's Day, or Christmas Day falls on Saturday the preceding Friday shall be a holiday.~~

~~3. The appointing authority may designate additional days as holidays, with or without pay, as may be necessary to conform to the policy and practice followed in other offices in the county government.~~

C. Optional policy.

1. Beyond the minimum standards listed above, the appointing authority may adopt an optional leave of absence policy. The adoption of such a policy shall only be to increase the availability and use of leave of absences to employees.

2. Funeral leave.

a. Funeral leave, exclusive of sick leave or vacation leave, may be granted. Each appointing authority shall prepare written regulations governing such leave.

b. Funeral leave may be authorized in cases of death of the spouse, children, and wards and the brothers, sisters, parents, or grandparents of either the employee or his/her spouse.

3. Additional holidays may be designated, with or without pay, to conform with the county-wide policy.

4. Educational leave.

a. Educational leave, with or without pay, may be granted for a period not to exceed two years to any permanent or probationary employee. Such leave shall be for work-related programs which are in the best interest of the agency and consistent with the agency's training and staff development plan approved by the Department of Public Welfare Staff Development Director. Such leave shall otherwise be subject to 12 MCAR § 2.504 A.3. The appointing authority may allow the employee to continue to accrue eligibility for incentive increases, as in 12 MCAR § 2.516 D.2., and such salary increase may be granted at the same time the increase would have been granted, but for the leave of absence. Educational leave with pay shall be approved by the Supervisor prior to authorization.

b. In an instance in which an appointing authority grants an educational leave of absence to the agency director in order that the director can pursue a course of academic study and when it does not appear feasible to fill the vacant position through a contract with a neighboring county or by employing a new director on a temporary basis during the period of leave, the appointing authority may elect to name one of its professional staff members as acting director for the period of leave, not to exceed two years. The professional staff member shall remain in his/her present class and serve as director only in an acting capacity; however if the appointing authority so elects, it can increase the salary of the person so named up to, but not to exceed, the maximum salary of his/her present class.

12 MCAR § 2.592 Adult Day Care Center Supervisor.

A. Kind of work. Under general supervision, plans, supervises and administers a therapeutic day care program for adults; assists in preparation of the budget for the center, and performs related work.

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B. Examples of work (illustrative only): Plans, directs, supervises a program for the care, training, education and social rehabilitative services for physically and emotionally handicapped adults. Supervises the records, evaluations, progress reports, and program plans for participants. Plans, supervises and administers a program of family counseling. Consults with other professionals on the needs of participants. Assists in selecting adequate personnel for the center. Trains new staff. Evaluates staff performance and recommends appropriate action. Identifies and documents adult day care center funding sources needs and assists in preparation of the budget for the center. May make presentations to the Board on the needs of the center and participants. Answers correspondence relating to center and participants. Maintains contact with the public and other resource agencies as required.

C. Knowledges and abilities required. Knowledge of adult day care center programming, operations, policies and procedures. Knowledge of adult physical and emotional disabilities. Knowledge of resources available to assist in the rehabilitation of the emotionally or physically handicapped adults. Knowledge of state laws relating to disabilities and adult day care centers. Knowledge of budgeting. Ability to plan, direct and administer the program and implement a schedule of activities. Ability to communicate effectively orally and in writing. Ability to supervise and direct the work of others. Ability to plan and communicate effectively orally and in writing. Ability to supervise and direct the work of others. Ability to plan and conduct meetings. Ability to plan, direct, and participate in counseling sessions. Ability to establish and maintain effective relationships with staff, clients, and community in general. Ability to maintain records as required. Ability to organize effectively and efficiently. Ability to evaluate performance and stimulate growth.

D. Minimum qualifications of education and experience. Bachelor's degree from an accredited college with a major in special education, occupational therapy, rehabilitation counseling, social work, psychology, sociology, or related field.

or

Two years of experience in rehabilitation counseling, social work, occupational therapy, or related areas will substitute for the required education on a year-for-year basis, not to exceed two years.

12 MCAR § 2.654 Adult Day Care Center Program Coordinator.

A. Kind of work. Under direct supervision, is responsible for day-to-day implementation of individual client's activities in an adult day care center; assists the center supervisor in planning and directing the program of the center; participates in periodic evaluations of participants; and performs related work as assigned.

B. Examples of work. (illustrative only): Plans, in conjunction with an occupational therapist consultant, individual occupational therapy activities and goals. Determines skills

and interests of clients by interview and observation. Utilizes self-care, educational, recreational, exercise, homemaking, social, work/play and craft activities to achieve goals for the client. Instructs and engages clients in activities to achieve own treatment goals. Observes and reports progress and reviews findings with client and other team members. Assists in planning the space, equipment and supplies needed for center. May purchase supplies and equipment, and maintain inventory and cost accounts. Maintains records on center participants. Assists supervisor in recruiting, training and supervising volunteers, aides and program support personnel. Consults and collaborates with family in providing optimal service. Attends in-service meetings, parent meetings, staff meetings and workshops.

C. Knowledges and abilities required. Knowledge of adult day care center programming, operation, policies and procedures. Knowledge of adult physical and emotional disabilities. Knowledge of resources available to assist in the rehabilitation of the emotionally or physically handicapped adults. Knowledge of the area of occupational therapy. Ability to plan and implement programs and schedule of activities. Ability to communicate effectively orally and in writing. Ability to coordinate staff activities. Ability to maintain good working relationships with co-workers and supervisory staff. Ability to conduct meetings. Ability to maintain records as required.

D. Minimum qualifications of education and experience. High school diploma, or the equivalent, and two years of experience as an occupational therapy assistant.

Note: Applicants must be certified occupational therapy assistants.

12 MCAR § 2.593 Center Coordinator.

A. Kind of work. Under direct supervision, is responsible for the coordination of social services and support activities in a day care or senior citizen's center. Acts as team leader for staff in the center and performs related work as assigned.

B. Examples of work (illustrative only): Coordinates plans at a day care or senior citizen's center. Coordinates, plans, and directs activities designed to meet the physical, emotional, and creative needs of the users. Develops and puts into effect procedures designed to facilitate operation of existing and planned programs for senior citizens or day care. Plans regular staff-user meetings. Serves as a resource for interested local and county agencies, public and private. Informs the general public of the services that exist and what new services are needed. Coordinates a program of community education and encourages participation in existing community programs. Consults with agency staff, board members, and state staff about existing and planned programs and problems. Recommends fiscal purchasing and other management activities. Assures the maintenance of adequate records. Attends and participates in professional meetings and conferences.

C. Knowledges and abilities required: Knowledge of the

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principles and methods of social work. Knowledge of the organizational and administrative procedures involved in the operation of a day care or senior citizen's center. Knowledge of community organization and resources. Knowledge of principles of health and safety as they relate to an overall health and safety program for the center. Knowledge of current research and literature in the field of day care of senior citizens. Ability to establish and maintain working relationships with state staff, board members, agency staff, and the community. Ability to direct performance of the staff. Ability to organize and conduct education programs. Ability to assist in the preparation of the budget. Ability to write and speak effectively.

D. Minimum qualifications of education and experience. A master's degree in social work from an accredited school.

or

A bachelor's degree in social work, psychology, or a closely related field, and two years of full-time paid experience as a social worker in a public or private social service agency.

or

On a promotional basis only, a bachelor's degree in any field will substitute for the bachelor's degree requirement in social work, psychology, sociology, or closely related field.

12 MCAR § 2.623 Financial Assistance Specialist.

A. Kind of work. Under general supervision, functions as a specialist in one or more of financial assistance programs performs a large percentage of time as an intake worker in one or more of the financial assistance programs; acts as a lead worker in one or more of the financial assistance programs; performs quality control functions; and performs related work as assigned.

B. Examples of work (illustrative only): Determines initial eligibility for financial assistance programs, which includes one or both of the following: screening and/or initial interview and initial determination of eligibility. Advises clients of the procedure for appeals. Acts as a resource person to agency personnel for solving day-to-day and long-range financial problems. Directs the implementation of new, or revision of existing department policies, and coordinates same with other agency personnel. As assigned, develops plans for smooth transactions resulting from changes in program requirements. Compiles research and statistical data for presentation. Assists in formulating procedural requirements to meet clients' financial needs and communicating or coordinating the new procedures with non-departmental personnel. Assists in training new or transferred personnel. Explains new or revised manual material to staff and outside agen-

cies. Makes contacts with relatives, employees, vendors, etc., to clarify and verify facts needed for Quality-Control Review, and notes instances of lack of conformity to rules and regulations and informs the administration. Determines initial eligibility for financial assistance programs. Advises clients of the procedure for appeals. Reviews determinations made on those decisions that can be appealed, corrects errors, transmits information back to units where errors were made, and, when necessary, coordinates and participates in appeal hearings.

C. Knowledges and abilities required. Thorough knowledge of all financial aid agency programs, operations, policies, and procedures, or thorough knowledge of a specialized area of financial programs. Thorough knowledge of financial case-management techniques. Knowledge of interviewing techniques. Considerable knowledge of community resources. Knowledge of functions of the social-services program and other related welfare agencies. Knowledge of the laws pertaining to financial assistance programs. Knowledge of human behavior. Knowledge of office procedures and policies. Ability to inform and consult with others on financial policies and procedures. Ability to train others on specialized areas of the financial assistance programs staff members. Ability to analyze problems on specific financial-assistance programs and establish procedures for solving the problems. Ability to construct reports on procedures and policies. Ability to establish and maintain good relationships with staff, clients, and the community in general. Ability to accept and profit by supervision. Ability to organize and coordinate job activities. Ability to make decisions. Ability to remain objective. Ability to accurately and rapidly process detailed information. Ability to establish and maintain accurate and systematic records. Ability to express ideas clearly and ability to comprehend and follow written and verbal instructions. Ability to communicate in a verbal and written manner.

D. Minimum qualifications of education and experience. One year of successful experience as a Senior Case Aide. Three years of successful experience as either a Financial Worker I or II, or the equivalent.

or

Thirty months of successful experience as either a Financial Worker I or II, or the equivalent, and completion of two years of study at an accredited two or four-year college, or similar institution, with emphasis in the behavioral sciences, business, or closely related subjects (at least 23 quarter credits or 16 semester credits).

or

Two years of successful experience as either a Financial

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Worker I or II, or the equivalent, and completion of a bachelor's degree from an accredited four-year college or similar institution with a major in the behavioral sciences, business, or closely related subjects.

12 MCAR § 2.622 Financial Worker II.

A. Kind of work. Under general supervision, performs a variety of tasks related to the determination of eligibility for income maintenance programs, including food stamps, and grant determination; may assist the ~~resources examiners~~ child support officers in carrying out routine assignments associated with support collections work; and performs related work as assigned.

B. Examples of work (illustrative only): Determines eligibility of clients for income maintenance programs, including food stamps, according to federal, state, and county standards. Interviews clients to obtain necessary factual information, and verifies information received from clients. Interviews clients receiving financial assistance and/or food stamps to determine their continued eligibility. Explains application procedures to individuals or groups and assists individuals in completing the application forms for income maintenance programs, including food stamps. Maintains complete and accurate records on clients' eligibility. Maintains records for food stamp program and compiles necessary reports. Assists ~~resources examiners~~ child support officers in maintaining case files, keeping records of support payments, compiling necessary statistical information, and completing reports. Explains social service, income maintenance, and other community programs to individuals or groups. Explains and interprets policy and rules for clients and other individuals. Informs clients of the right and method of appeal and other legal rights. Responds to complaints of clients. May make initial response to community complaints about clients, agency and programs. Assesses clients' problems and, when appropriate, makes referrals to social services or appropriate community resources. Makes contacts with community resources as assigned. Visits nursing home patients, supplies them with needed information and assistance. May prepare presentations to the board. Presents pertinent information at agency conferences or appeals. Provides input into the development and evaluation processes of agency policies, programs, and procedures. Composes correspondence and constructs reports as needed.

C. Knowledges and abilities required. ~~Considerable~~ Knowledge of interviewing techniques. ~~Considerable~~ Knowledge of agency programs, operations, policies, and procedures. ~~Considerable~~ Knowledge of available community resources. Knowledge of human behavior. Knowledge of office procedures and practices. Ability to establish and maintain good working relationships with clients, public, and co-workers. Ability to accept and profit by supervision. Ability to organize and coordinate job activities. Ability to make decisions. Ability to remain objective. Ability to accurately and rapidly process detailed information. Ability to establish and maintain accurate and systematic records. Ability to express ideas clearly and ability to comprehend and

follow written and verbal instructions. Ability to communicate in a verbal and written manner.

D. Minimum qualifications of education and experience. ~~Three~~ Two years of successful experience as a Financial Worker I, or in a class equivalent to Financial Worker I in a public welfare agency.

or

~~Two years~~ Eighteen months of successful experience as a Financial Worker I, or in a class equivalent to a Financial Worker I in a public welfare agency, and completion of two years study at an accredited two- or four-year college, or similar institution, with emphasis in the behavioral sciences, business, or closely related subjects (at least 23 quarter credits or 16 semester credits).

or

One year of successful experience as a Financial Worker I, or in a class equivalent to a Financial Worker I in a public welfare agency, and completion of a bachelor's degree from an accredited four-year college or similar institution with a major in the behavioral sciences, business, or closely related subjects.

12 MCAR § 2.640 Senior Case Aide.

A. Kind of work. Under general supervision, performs a variety of tasks related to the rendering of appropriate para-professional social services; and performs related work as assigned. The work is performed under the direction of a social worker, Social Service Supervisor, or a Welfare Director.

B. Examples of work (illustrative only): Determines eligibility of clients for social services and maintains complete and accurate records on client eligibility. Reviews case records for completion of required agency forms. Explains social service, income maintenance, and other community programs and services to individuals or groups. Explains application procedures to individuals or groups and assists individuals in completing social service application forms. Interviews clients to obtain and verify necessary factual information. Assists social worker in making appropriate referrals to the financial unit and/or other community resources. Makes contact with community resources as assigned. Informs client of the right to appeal and of other rights. Responds to initial complaints of clients. Performs clerical functions as assigned. Performs statistical operations relevant to social service program procedures. Assists the social service workers in processing purchase of service contracts. Composes correspondence and constructs reports as needed. Assists social workers in working with client groups, day care, foster care, and volunteers.

C. Knowledges and abilities required. ~~Considerable~~ Knowledge of interviewing techniques and skills at conducting interviews. ~~Considerable~~ Knowledge of available resources. ~~Considerable~~ Knowledge of federal, state, and county requirements, regulations, and policies relating to

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social service programs. Knowledge of human behavior. Knowledge of basic mathematics. Ability to relate to people in an appropriate manner. Ability to organize and coordinate job activities. Ability to accurately and rapidly process detailed information. Ability to make decisions. Ability to remain objective. Ability to establish and maintain good working relationships with clients, public, and co-workers. Ability to accept and profit by supervision. Ability to evaluate agency policies, programs, and procedures. Ability to express ideas clearly and ability to comprehend and follow written and verbal instructions. Ability to communicate effectively in a verbal and written manner.

D. Minimum qualifications of education and experience. ~~Three~~ Two years of successful experience as a Case Aide, or in a class equivalent to Case Aide in a public welfare agency.

or

~~Two years~~ Eighteen months of successful experience as a Case Aide, or in a class equivalent to a Case Aide in a public welfare agency, and completion of two years of study at an accredited two or four-year college or similar institution, with emphasis in the behavioral sciences (at least 23 quarter credits or 16 semester credits).

or

One year of successful experience as a Case Aide, or in a class equivalent to a Case Aide in a public welfare agency, and completion of a bachelor's degree from an accredited four-year college or similar institution with a major in the behavioral sciences.

12 MCAR § 2.621 Financial Worker I.

A. Kind of work. Under supervision, performs a variety of assigned tasks related to the determination of eligibility for income maintenance programs and grant determination; may assist ~~resources examiners~~ child support officers in carrying out routine assignments associated with support collections work; and performs related work as assigned.

B. Examples of work (illustrative only): Determines eligibility of clients for income maintenance programs, including food stamps, according to federal, state, and county standards. Interviews clients to obtain necessary factual information, and verifies information received from clients. Interviews clients receiving financial assistance and/or food stamps to determine their continued eligibility. Explains application procedures to individuals or groups and assists individuals in completing the application forms for income maintenance programs, including food stamps. Maintains complete and accurate records on client eligibility. Maintains records for food stamp program and compiles necessary reports. Assists ~~resources examiners~~ child support officers in maintaining case files, keeping rec-

ords of support payments, compiling necessary statistical information, and completing reports. Explains social service, income maintenance, and other community programs and services to individuals or groups. Explains and interprets policy and rules for clients and other individuals. Informs clients of the right and method of appeal and other legal rights. Responds to complaints of clients. May make initial response to community complaints about clients, agency, and programs. Assesses clients' problems and, when appropriate, makes referrals to social services or appropriate community resources. Makes contacts with community resources as assigned. Makes home visits to gather information when clients are unable to come into the office. May prepare presentations to the board. Presents pertinent information at agency conferences or appeals. Composes correspondence and constructs reports as needed.

C. Knowledges and abilities required. Knowledge of interviewing techniques. Knowledge of basic mathematics. Knowledge of human behavior. Knowledge of available community resources. Ability to perform under federal, state, and county requirements, regulations, and policies relating to income maintenance programs. Ability to establish and maintain good working relationships with clients, public, and co-workers. Ability to accept and profit by supervision. Ability to organize and coordinate job activities. Ability to accurately and rapidly process detailed information. Ability to maintain accurate and systematic records. Ability to make decisions. Ability to remain objective. Ability to express ideas clearly and ability to comprehend and follow written and verbal instructions. Ability to communicate in a verbal and written manner.

D. Minimum qualifications of experience and education. High school diploma and three years of successful clerical experience and/or experience working with the public, or the equivalent.

or

High school diploma, or the equivalent, and two years of successful clerical experience in a public welfare agency.

or

Two years of successful experience as a Community Service Aide or similar experience in a private non-profit agency or other public agency.

or

Two years of study at an accredited two- or four-year college or similar institution, with emphasis in the behavioral sciences, business, or closely related subjects (at least 23 quarter credits or 16 semester credits).

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PROPOSED RULES

12 MCAR § 2.626 Coordinator of Aging.

A. Kind of work. Under general supervision, provides technical assistance in the organization of committees and senior citizens programs and provides a continuous consultative service to these committees and programs; coordinates participation of and serves as liaison with community groups and agencies with existing and planned programs; and performs related work as assigned.

B. Examples of work (illustrative only): Plans and ~~reviews~~ evaluates programs for senior citizens. ~~Develops and puts into effect~~ Implements procedures designed to facilitate operation of existing and planned programs for senior citizens. Serves as a resource and liaison for interested local and community agencies, public and private. ~~Informs the general public of information on the services that exist and what new services are needed.~~ Provides participation in senior citizens organizations ~~when they are needed~~ (local, county, regional) as appropriate. Works with civic, church, and other community groups (public and private) to develop and maintain interest and participation in senior citizens programs. ~~Interviews persons interested in performing volunteer services.~~ Develops and coordinates existing and potential volunteer services to the elderly. Consults and plans with agency staff about existing and planned programs and problems needed services (Senior Companion, Foster Grandparent, Volunteer Transportation). Creates public awareness of the special needs and potentials of senior citizens. Provides technical assistance and facilitates grant applications.

C. Knowledges and abilities required. Basic ~~Knowledge~~ of community organization in the community. Knowledge of ~~community and~~ local, state and federal resources. Knowledge of social, psychological and economic problems needs of pertaining to senior citizens. Knowledge of volunteer services programs. Knowledge of agency programs and policies direct services and volunteer services. ~~Some knowledge of state and federal programs and policies.~~ Ability to express ideas clearly, both orally and in writing. Ability to maintain good working relationships with community groups, agency staff, and volunteer workers. Ability to identify oneself with the problems faced by senior citizens. Ability to develop and organize groups and activities for senior citizens. Ability to maintain records of activities. Ability to coordinate job activities.

D. Minimum qualifications of education and experience. Graduation from a standard high school or its equivalent and two five years of experience in public direct or volunteer services work involving community organizations ~~in a paid or voluntary capacity.~~

or

College training with emphasis in the behavioral sciences, social work, gerontology, or related fields may be substituted for the required experience on a year-for-year basis; ~~for up to~~ two years.

Note: The Coordinator of Aging shall be under the direct

supervision of the Volunteer Coordinator in an agency that employs both classes.

12 MCAR § 2.581 Collection Services Supervisor II.

A. Kind of work. Does responsible professional work in the administration of a unit of a large support and collections division involving interpretation of policies and the supervision of staff; assumes responsibility for a designated area of the program and performs related work as assigned.

B. Examples of work (illustrative only): Reviews cases recommended for investigation and maintains liaison with the county attorney's office. Recommends the type of action when there is a determination of fraud. Maintains a liaison with enforcement personnel and community resources necessary to effect support collections. Initiates the legal procedure for collection when necessary. Prepares reports to support enforcement actions. Assists in the development of policies and procedures on collections through conferences and consultation with division heads, the ~~welfare~~ agency director, and representatives of the Department of Public Welfare. Supervises employees and evaluates staff performance and staff needs. Assists in the development of standards and controls necessary in the administration of the program.

C. Knowledges and abilities required. ~~Thorough~~ Knowledge of federal and state welfare laws, with particular emphasis on provisions for the recovery of lawfully ordered support payments. ~~Thorough~~ Knowledge of legal methods and procedures that may be employed in collections from individuals and estates. ~~Considerable~~ Knowledge of community resources and agency organizations and service. ~~Some~~ Knowledge of accounting procedures. Ability to supervise and direct the work of others. Ability to formulate and effect policies and procedures. Ability to be firm and fair in the negotiations of final settlements. Ability to work effectively with the courts and legal representatives in the county's interest.

D. Minimum qualifications of education and experience. Graduation from an accredited four-year college plus four years of full-time paid experience in related collections work or ~~in~~ as a social worker. Substitution, on a year-for-year basis, of graduate training in a recognized school of public administration, business, law, or social work, is permissible.

or

On a promotional basis, employees may substitute related collections experience or social work experience for education on a year-for-year basis.

12 MCAR § 2.646 Developmental Achievement Center Teacher.

A. Kind of work. Under general supervision, plans curriculum for the care, training, and education of the mentally retarded; teaches self-care and/or other special skills to developmental achievement center participants, consults with other professionals in the field, participates in periodic evaluations of participants, and performs related work as assigned.

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B. Examples of work (illustrative only): Plans a curriculum for the care, training, and education of the mentally retarded, in conjunction with the developmental achievement center director. Teaches self-care and/or other special skills. Assists director in administering a program of parental counseling. Participates in conferences with parents. Consults with other professionals on needs of participants. Attends in-service meetings, parent meetings, staff meetings, and workshops. Maintains records on center participants. May supervise developmental achievement center instructors.

C. Knowledges and abilities required. Knowledge of developmental achievement center program, operations, policies, and procedures. Knowledge of mental retardation and learning problems. Knowledge of resources available to serve the mentally retarded. Ability to plan and administer curriculum and implement schedule of activities. Ability to relate to mentally retarded and their needs in learning process. Ability to maintain good working relationships with co-workers and supervisory staff. Ability to provide training in self-care and other areas of specialized learning. Ability to communicate orally and in writing.

D. Minimum qualifications of education and experience. Bachelor's degree from an accredited four-year college with a major in early childhood education, special education, social work, psychology, nursing, or a closely related field plus possession of a valid Minnesota teaching certificate.

12 MCAR § 2.624 Family Service Aide **HOMEMAKER I.**

A. Kind of work. Under supervision, assists in care and management of children in their own home; instructs families in their homes in household skills and management; often performs household duties necessary to carry out the foregoing functions or finds other qualified individuals to perform such household duties; frequently carries on duties in families in which the mothers and/or fathers are absent or are physically or mentally unable to perform these functions and in households of aged, or disabled, or other persons who are in need of and can benefit by such services; works closely with the social worker in determining capabilities of each family or individual in these areas; and performs related work as assigned.

B. Examples of work (illustrative only): May teach client to manage and care for children, while assisting in that care. Assists in budgeting and expense planning. Teaches elements of nutrition to families and individuals, and assists in and instructs in planning, preparation, and serving of meals. Instructs families and individuals in the elements of personal hygiene. Instructs families and individuals in basic housekeeping skills. Assists clients in purchasing groceries and household supplies. May shop for clients unable to perform

this function. Assists clients in finding housing, furniture, or household appliances. May transport clients or find agency-approved transportation for clients. May assist social workers in finding housekeepers or volunteers to perform household duties in the home of a client.

C. Knowledges and abilities required. ~~Considerable~~ Knowledge of child-care methods. ~~Considerable~~ Knowledge of housekeeping skills. ~~Considerable~~ Knowledge of the principles of home management. ~~Considerable~~ Knowledge of elements of nutrition and meal planning. Knowledge of elements of personal hygiene. Knowledge of first-aid skills and home safety. Knowledge of budgeting. Ability to understand and work with children in their own homes. Ability to teach individuals. Ability to accept and adapt to varying life styles, and home environments. Ability to establish working relationships with supervisors and co-workers. Ability to accept and profit by supervision. Ability to establish effective working relationships with clients. Ability to retain confidentiality of home conditions and situations. Ability to exercise tact and good judgment in working with children and adults. Ability to take command of emergencies and to make decisions. Ability to communicate effectively orally. Ability to organize work effectively and efficiently.

D. Minimum qualifications of education and experience. ~~High school diploma, or the equivalent and~~ Five years of successful homemaking experience in own home or in a homemaking situation.

or

College or vocational training that includes courses in home economics, or related subjects, may be substituted for the homemaking experience on a year-for-year basis up to a maximum of two years the basis of one year of training for two years of experience.

or

~~Additional homemaking experience may be substituted for the high school training on the basis of two years of experience for each year of high school.~~

Note: The following may be required by some county welfare agencies. Satisfactory physical condition as evidenced by a physical examination immediately prior to employment.

and/or

Ability to drive an automobile.

12 MCAR § 2.625 Family Service Aide **HOMEMAKER II.**

A. Kind of work. Under supervision, instructs clients individually or in groups about the application of housekeeping and home-management skills in their homes; demonstrates

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effective homemaking and child-care techniques; works closely with the social worker in assessing client's capacity for satisfactory homemaking performance; may recommend the placement and monitor the work of a Homemaker Family Service Aide I, Housekeeper, or chore service worker in a home; acts as liaison between the worker and the professional and administrative staff; and performs related work as assigned.

B. Examples of work (illustrative only): Teaches principles and methods of child care to individuals and groups. Teaches effective management of household resources and basic homemaking principles and skills to individuals and groups. Teaches individual clients as well as groups of clients about menu planning, food purchasing, and food preparation. Teaches clothing care and laundry methods to individuals and groups. Teaches and demonstrates methods to establish an adequate level of physical care of members of the family. Acquaints clients with available resources. Recommends the assignment of a Homemaker Family Service Aide I, Housekeeper, or chore service worker in the home and may, in conjunction with the social worker, monitor the work assigned. Maintains records of progress and termination of cases. May complete forms for purchase of service and may maintain a list of billings for services. May maintain some records, forms, and receipts as required by the agency. Participates in case conferences with supervisor and social worker. May transport clients or find agency-approved transportation for clients.

B. Knowledges and abilities required. ~~Considerable~~ Knowledge of child-care methods. ~~Considerable~~ Knowledge of housekeeping skills. ~~Considerable~~ Knowledge of the principles of home management. ~~Considerable~~ Knowledge of teaching methods and techniques. ~~Considerable~~ Knowledge of elements of nutrition and meal planning. ~~Considerable~~ Knowledge of elements of personal hygiene. Knowledge of human behavior. Knowledge of the principles of family budgeting. Knowledge of available community resources. Ability to teach and to motivate people to learn and apply their new knowledge. Ability to accept and adapt to varying life styles, and home environments. Ability to monitor the work of others. Ability to establish and maintain good working relationships with supervisors and co-workers. Ability to accept and profit by supervision. Ability to establish effective working relationships with clients. Ability to retain confidentiality of home conditions and situations. Ability to evaluate in conjunction with the social worker, the homemaking strengths and weaknesses of clients. Ability to work with and lead groups. Ability to organize work effectively and efficiently. Ability to communicate effectively orally.

D. Minimum qualifications of education and experience. ~~High school diploma, or the equivalent, and ten~~ Seven years of successful homemaking experience, involving child care, in own home or in a homemaking situation.

or

College or vocational training that includes courses in home

economics or related courses, may be substituted for homemaking experience on a ~~year-for-year~~ basis to a maximum of two years of the required experience the basis of one year of training for two years of experience.

or

When taking a promotional examination, a candidate may substitute one year of successful experience in the agency in the class of Homemaker Family Service Aide I for two years of the homemaking experience in own home ~~to a maximum of two years of such employment.~~

Note: The following may be required by some county welfare agencies: Satisfactory physical condition as evidenced by a physical examination immediately prior to employment;

and/or

Ability to drive an automobile.

12 MCAR § 2.588 Family Service Homemaker Coordinator I.

A. Kind of work. Under supervision performs supervisory work of some difficulty and complexity; is responsible for recruiting homemakers family service aides, housekeepers, and/or chore service workers, for planning and carrying out preliminary and in-service training sessions for these workers, and for their effective job performance serves as liaison between the administrative and professional staff and the homemakers family service aides, housekeepers, and chore service workers; and performs related work as assigned.

B. Examples of work (illustrative only): Assists in the determination of need for homemaking services in conjunction with the social worker. Recruits homemakers family service aides, housekeepers, and/or chore service workers, taking into account the Department's Affirmative Action Plan. Assists in planning a program of orientation and training of homemakers family service aides, housekeepers, and chore service workers. Instructs workers during orientation and provides in-service training. Works with social workers in planning assignment of homemakers family service aides, housekeepers, and chore service personnel. Shares the continuing supervision of the homemakers family service aides, housekeepers, and chore service workers with the social worker. Assists in and/or evaluates the county homemaker family service aide and chore service program as well as the individual workers. Maintains records of progress and termination of cases. Completes forms for purchase of service, maintains a list of billings for services, and checks to see that billings are correct. Develops and maintains records, forms, and receipts as required by the agency. Assists often in preparation of public-information materials. Plans and conducts periodic staff meetings for the homemakers family service aides, housekeepers, and chore service personnel.

C. Knowledges and abilities required. ~~Considerable~~ Knowledge of home-management principles and methods. ~~Considerable~~ Knowledge of available community resources. Knowledge of social service programs and some

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knowledge of public assistance programs. Knowledge of agency services. Knowledge of human behavior. Knowledge of the principles of supervision. Knowledge of training methods and techniques. Ability to direct, supervise, and evaluate the work of others. Ability to establish and maintain constructive relationships with agency staff and community. Ability to understand and relate to many different lifestyles and ethnic backgrounds. Ability to make mature decisions. Ability to be fair and consistent in dealings with clients. Ability to communicate effectively both orally and in writing.

D. Minimum qualifications of education and experience. ~~Graduation from a standard high school or its equivalent and~~ Three years of experience as a Homemaker Family Service Aide II or five years experience as a Homemaker Family Service Aide I.

or

Completion of two full years of study at an accredited two-year or four-year college, with emphasis on home economics, or a closely related subject.

12 MCAR § 2.586 Family Service Home Maker Coordinator II.

A. Kind of work. Under general supervision of a ~~Home Maker Supervisor or a social welfare supervisor~~, is responsible for providing supervision and consultation to a large number of homemakers, family service aides, or housekeepers; develops and administers a comprehensive orientation and in-service training program for homemakers, family service aides, or housekeepers; instructs clients in home making skills and techniques; performs specialized work in connection with the homemaking program; and performs related work as assigned.

B. Examples of work (illustrative only): Explains appro-

12 MCAR § 2.840 Compensation Plan—1979

A. Professional

1. Plan A*

a. Class of positions.	1	2	3	4	5	6	7	8	9	10
Accountant I	1138	1190	1241	1298	1359	1423	1486	1553	1623	
Accountant II	1359	1423	1486	1553	1623	1696	1773	1855	1940	
Adm. Asst. I	1268	1326	1390	1454	1518	1588	1657	1734	1814	1896
Adm. Asst. II	1390	1454	1518	1588	1657	1734	1814	1896	1983	2071
Adm. Asst. III	1553	1623	1696	1773	1855	1940	2028	2120	2220	
Adm. Services Director	1696	1773	1855	1940	2028	2120	2220	2321	2426	
<u>Adult Day Care Ctr. Supvr.</u>	<u>1041</u>	<u>1088</u>	<u>1138</u>	<u>1190</u>	<u>1241</u>	<u>1298</u>	<u>1359</u>	<u>1423</u>	<u>1486</u>	<u>1553</u>
Asst. Human Services Dir.	1696	1773	1855	1940	2028	2120	2220	2321	2426	
Asst. Welfare Director	2120	2220	2321	2426	2533	2644	2759	2884	3015	
Assoc. M.-&P. Analyst	994	1041	1088	1138						
Auditor	1241	1298	1359	1423	1486	1553	1623	1696	1773	1855
Center Coordinator	<u>1138</u>	<u>1190</u>	<u>1241</u>	<u>1298</u>	<u>1359</u>	<u>1423</u>	<u>1486</u>	<u>1553</u>	<u>1623</u>	<u>1696</u>

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appropriate utilization of homemaker or family service aide services to social service staff. Develops the content of training programs for homemakers, family service aides, or housekeepers. Conducts in-service training of the ~~home maker staff~~. Supervises homemakers, family service aides, or housekeepers in the performance of their duties. Evaluates ~~home maker~~ staff performance. Plans, organizes, and conducts classes for clients on home-management skills. Consults with agency staff and community on problems relating to homemaker services. Reviews and approves requests for and assignments of ~~home makers staff~~. Evaluates the county homemaker and family service aide and chore service program. Maintains record of progress and termination of cases. Prepares public information materials.

C. Knowledge and abilities required. ~~Considerable~~ Knowledge of home-management principles and methods. ~~Considerable~~ Knowledge of home economics community resources. ~~Considerable~~ Knowledge of human behavior. Knowledge of the principles and techniques of social case work. Knowledge of social and economic problems. Knowledge of principles of supervision. Ability to develop and administer a training program for homemakers. Ability to direct and supervise the work of others. Ability to evaluate performance and stimulate growth and development. Ability to establish and maintain good professional relationships with agency staff and community. Ability to communicate effectively both orally and in writing.

D. Minimum qualifications of education and experience. Graduation from an accredited four-year college with a major in ~~H~~home ~~E~~economics, ~~N~~nursing or related field and one year experience as a ~~H~~home ~~E~~conomist or nurse or in a related field.

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Chemical Dependency Coord.	1138	1190	1241	1298	1359	1423	1486	1553	1623	1696
Collection Services Supvr. II	1215	1268	1326	1390	1454	1518	1588	1657	1734	1814
Community Health Serv. Supvr.	1268	1326	1390	1454	1518	1588	1657	1734	1814	1896
Community-Rela. Spec.	1298	1359	1423	1486	1553	1623	1696	1773	1855	
Computer Programmer	994	1041	1088	1138	1190	1241	1298			
Day-Care Center Supvr.	1268	1326	1390	1454	1518	1588	1657	1734	1814	
Dev. Achievement Center Dir.	1041	1088	1138	1190	1241	1298	1359	1423	1486	1553
Dev. Achievement Ctr. Teacher	951	994	1041	1088	1138	1190	1241	1298	1359	1423
Dev. Disabilities Coord.	1041	1088	1138	1190	1241	1298	1359	1423	1486	1553
Dietitian	951	994	1041	1088	1138	1190	1241	1298	1359	
Dir. of Assessment Systems	1326	1390	1454	1518	1588	1657	1734	1814	1896	1983
Dir. of Business Mgmt. I	1518	1588	1657	1734	1814	1896	1983	2071		
Dir. of Business Mgmt. II	1855	1940	2028	2120	2220	2321	2426	2533	2644	
Dir. of Finan. Assist.	1696	1773	1855	1940	2028	2120	2220	2321	2426	
Dir. of Planning	1696	1773	1855	1940	2028	2120	2220	2321	2426	
Dir. of Pub. Hlth. Nurs. I	1241	1298	1359	1423	1486	1553	1623	1696	1773	
Dir. of Soc. Serv.	1696	1773	1855	1940	2028	2120	2220	2321	2426	
Dir. of Support Services	1696	1773	1855	1940	2028	2120	2220	2321	2426	
Education Supervisor	1190	1241	1298	1359	1423	1486	1553	1623	1696	
Emp. Guid. Couns. I	951	994	1041	1088	1138	1190	1241	1298	1359	
Emp. Guid. Couns. II	994	1041	1088	1138	1190	1241	1298	1359	1423	
Emp. Guid. Couns. III	1041	1088	1138	1190	1241	1298	1359	1423	1486	
Final. Assist. Supvr. III	1268	1326	1390	1454	1518	1588	1657	1734	1814	1896
Finan. Assist. Supvr. IV	1390	1454	1518	1588	1657	1734	1814	1896	1983	2071
Home Care Coordinator	1088	1138	1190	1241	1298	1359	1423	1486		
Homemaker Coordinator II	1088	1138	1190	1241	1298	1359	1423	1486		
Homemaker Supervisor	1190	1241	1298	1359	1423	1486	1553	1623	1696	
Human Services Dir. I	1518	1588	1657	1734	1814	1896	1983	2071	2169	2268
Human Services Cir. II	1773	1855	1940	2028	2120	2220	2321	2426	2533	
Human Services Dir. III	1940	2028	2120	2220	2321	2426	2533	2644	2759	
Human Services Supvr. I	1268	1326	1390	1454	1518	1588	1657	1734	1814	1896
Marriage Counselor	1241	1298	1359	1423	1486	1553	1623	1696	1773	
Med.-Care Advisor	1041	1088	1138	1190	1241	1298	1359	1423	1486	
Med.-Serv. Adm.	1696	1773	1855	1940	2028	2120	2220	2321		
Mental Health Worker	1138	1190	1241	1298	1359	1423	1486	1553	1623	
Meth.-&-Proc. Analyst	1163	1215	1268	1326	1390	1454	1518	1588	1657	
Meth.-&-Proc. Supvr.	1359	1423	1486	1553	1623	1696	1773	1855	1940	
Nursing Care Advisor	1041	1088	1138	1190	1241	1298	1359	1423	1486	
Occupa. Supvr.-Inst. I	910	951	994	1041	1088	1138	1190	1241	1298	1359
Occupa.-Supvr.-Inst. II	1041	1088	1138	1190	1241	1298	1359	1423	1486	1553
Office Manager	951	994	1041	1088	1138	1190	1241	1298	1359	
Personnel Officer	951	994	1041	1088	1138	1190	1241	1298	1359	1423
Personnel Director	1326	1390	1454	1518	1588	1657	1734	1814	1896	1983
Physical Therapist	951	994	1041	1088	1138	1190	1241	1298		
Planner (Human Services)	1190	1241	1298	1359	1423	1486	1553	1623	1696	
Policy/Program Analyst	1326	1390	1454	1518	1588	1657	1734	1814	1896	1983
Programmer Analyst	1190	1241	1298	1359	1423	1486	1553	1623		
Psychologist I	1138	1190	1241	1298	1359	1423	1486	1553	1623	
Psychologist II	1359	1423	1486	1553	1623	1696	1773	1855	1940	
Psychologist III	1588	1657	1734	1814	1896	1983	2071	2169		
Psychologist IV	1734	1814	1896	1983	2071	2169	2268	2373		
Public Health Educator I	994	1041	1088	1138	1190	1241	1298	1359		
Public Health Educator II	1241	1298	1359	1423	1486	1553	1623	1696		
Public Health Nurse	994	1041	1088	1138	1190	1241	1298			
Pub. Hlth. Nur. (Team Leader)	1041	1088	1138	1190	1241	1298	1359			
Registered Nurse (A.A. Deg., 3 yr. Dip. or B.S. Deg.)	951	994	1041	1088	1138	1190				

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Sanitarian I	994	1041	1088	1138						
Sanitarian II	1088	1138	1190	1241	1298	1359	1423	1486		
Senior Public Health Nurse	1088	1138	1190	1241	1298	1359	1423			
Social Worker I	951	994	1041	1088						
Social Worker II	1041	1088	1138	1190	1241	1298	1359	1423	1486	1553
Social Worker III	1138	1190	1241	1298	1359	1423	1486	1553	1623	1696
Social Worker Trainee	869									
Soc.-Serv. Supvr. I	1268	1326	1390	1454	1518	1588	1657	1734	1814	1896
Soc. Serv. Supvr. II	1390	1454	1518	1588	1657	1734	1814	1896	1983	2071
Soc.-Serv. Supvr. III	1553	1623	1696	1773	1855	1940	2028	2120	2220	
Soc.-Serv. Supvr. Trainee	1215	1268	1326	1390	1454	1518				
Staff-Trng. Supvr. I	1298	1359	1423	1486	1553	1623	1696	1773	1855	
Staff-Trng. Supvr. II	1423	1486	1553	1623	1696	1773	1855	1940	2028	
Student Soc. Worker (Intern)	Rate proposed by appointing authority.									
Student Soc. Worker (SWEP)	Rate proposed by appointing authority.									
Systems Prog.-Analyst Trainee	1359	1423	1486	1553	1623	1696	1773			
	Rate proposed by appointing authority and approved by the Merit System Supervisor and the Commissioner of Public Welfare.									
Vol.-Serv. Coord. I	951	994	1041	1088	1138	1190	1241	1298	1359	
Vol.-Serv. Coord. II	1190	1241	1298	1359	1423	1486	1553	1623	1696	
Welfare Director I	1390	1454	1518	1588	1657	1734	1814	1896	1983	2071
Welfare Director II	1518	1588	1657	1734	1814	1896	1983	2071	2169	2268
Welfare Director III	1773	1855	1940	2028	2120	2220	2321	2426	2533	
Welfare Director IV	1940	2028	2120	2220	2321	2426	2533	2644	2759	
Welfare Director V	2644	2759	2884	3015	3150	3292	3447	3594	3750	
Work-Exp. & Trng. Spec.	1190	1241	1298	1359	1423	1486	1553	1623	1696	

*The salary steps herein shall not include any amounts paid by any county welfare board under the provisions of Minn. Stat. § 471.61.

2. Plan B*

a. Class of Positions	1	2	3	4	5	6	7	8	9	10
Accountant I	1138	1190	1241	1298	1359	1423	1486	1553	1623	
Accountant II	1359	1423	1486	1553	1623	1696	1773	1855	1940	
Adm. Asst. I	1326	1390	1454	1518	1588	1657	1734	1814	1896	1983
Adm. Asst. II	1454	1518	1588	1657	1734	1814	1896	1983	2071	2169
Adm. Asst. III	1623	1696	1773	1855	1940	2028	2120	2220	2321	
Adm. Services Director	1773	1855	1940	2028	2120	2220	2321	2426	2533	
Adult Day Care Ctr. Supvr.	1088	1138	1190	1241	1298	1359	1423	1486	1553	1623
Asst. Human Services Dir.	1696	1773	1855	1940	2028	2120	2220	2321	2426	
Asst. Welfare Director	2120	2220	2321	2426	2533	2644	2759	2884	3015	
Assoc. M.-&-P. Analyst	1041	1088	1138	1190						
Auditor	1298	1359	1423	1486	1553	1623	1696	1773	1855	1940
Center Coordinator	1190	1241	1298	1359	1423	1486	1553	1623	1696	1773
Chemical Dependency Coord.	1190	1241	1298	1359	1423	1486	1553	1623	1696	1773
Collection Services Supvr. II	1268	1326	1390	1454	1518	1588	1657	1734	1814	1896
Community Health Serv. Supvr.	1326	1390	1454	1518	1588	1657	1734	1814	1896	1983
Community-Rela. Spec.	1359	1423	1486	1553	1623	1696	1773	1855	1940	
Computer Programmer	1041	1088	1138	1190	1241	1298	1359			
Day-Care Center Supvr.	1326	1390	1454	1518	1588	1657	1734	1814	1896	
Dev. Achievement Center Dir.	1088	1138	1190	1241	1298	1359	1423	1486	1553	1623
Dev. Achievement Ctr. Teacher	994	1041	1088	1138	1190	1241	1298	1359	1423	1486
Dev. Disabilities Coord.	1088	1138	1190	1241	1298	1359	1423	1486	1553	1623
Dietitian	994	1041	1088	1138	1190	1241	1298	1359	1423	
Dir. of Assessment Systems	1390	1454	1518	1588	1657	1734	1814	1896	1983	2071

KEY: RULES SECTION — Underlining indicates additions to proposed rule language. **Strike outs** indicate deletions from proposed rule language. **PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. **Strike outs** indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material."

PROPOSED RULES

Dir. of Business Mgmt. I	1518	1588	1657	1734	1814	1896	1983	2071		
Dir. of Business Mgmt. II	1855	1940	2028	2120	2220	2321	2426	2533	2644	
Dir. of Finan. Asst.	1773	1855	1940	2028	2120	2220	2321	2426	2533	
Dir. of Planning	1773	1855	1940	2028	2120	2220	2321	2426	2533	
Dir. of Pub. Hlth. Nurs. I	1298	1359	1423	1486	1553	1623	1696	1773	1855	
Dir. of Soc. Serv.	1773	1855	1940	2028	2120	2220	2321	2426	2533	
Dir. of Support Services	1773	1855	1940	2028	2120	2220	2321	2426	2533	
Education Supervisor	1241	1298	1359	1423	1486	1553	1623	1696	1773	
Emp. Guid. Couns. I	994	1041	1088	1138	1190	1241	1298	1359	1423	
Emp. Guid. Couns. II	1041	1088	1138	1190	1241	1298	1359	1423	1486	
Emp. Guid. Couns. III	1088	1138	1190	1241	1298	1359	1423	1486	1553	
Finan. Assist. Supvr. III	1326	1390	1454	1518	1588	1657	1734	1814	1896	1983
Finan. Assist. Supvr. IV	1454	1518	1588	1657	1734	1814	1896	1983	2071	2169
Home Care Coordinator	1138	1190	1241	1298	1359	1423	1486	1553		
Homemaker Coordinator II	1138	1190	1241	1298	1359	1423	1486	1553		
Homemaker Supervisor	1241	1298	1359	1423	1486	1553	1623	1696	1773	
Human Services Dir. I	1518	1588	1657	1734	1814	1896	1983	2071	2169	2268
Human Services Dir. II	1773	1855	1940	2028	2120	2220	2321	2426	2533	
Human Services Dir. III	1940	2028	2120	2220	2321	2426	2533	2644	2759	
Human Services Supvr. I	1326	1390	1454	1518	1588	1657	1734	1814	1896	1983
Marriage Counselor	1298	1359	1423	1486	1553	1623	1696	1773	1855	
Med.-Care Advisor	1088	1138	1190	1241	1298	1359	1423	1486	1553	
Med.-Serv. Adm.	1773	1855	1940	2028	2120	2220	2321	2426		
Mental Health Worker	1190	1241	1298	1359	1423	1486	1553	1623	1696	
Meth.-&-Proc. Analyst	1215	1268	1326	1390	1454	1518	1588	1657	1734	
Meth.-&-Proc. Supvr.	1423	1486	1553	1623	1696	1773	1855	1940	2028	
Nursing Care Advisor	1088	1138	1190	1241	1298	1359	1423	1486	1553	
Occupa. Supvr.-Inst. I	951	994	1041	1088	1138	1190	1241	1298	1359	1423
Occupa. Supvr.-Inst. II	1088	1138	1190	1241	1298	1359	1423	1486	1553	1623
Office Manager	994	1041	1088	1138	1190	1241	1298	1359	1423	
Personnel Officer	994	1041	1088	1138	1190	1241	1298	1359	1423	1486
Personnel Director	1390	1454	1518	1588	1657	1734	1814	1896	1983	2071
Physical Therapist	994	1041	1088	1138	1190	1241	1298	1359		
Planner (Human Services)	1241	1298	1359	1423	1486	1553	1623	1696	1773	
Policy/Program Analyst	1390	1454	1518	1588	1657	1734	1814	1896	1983	2071
Programmer Analyst	1241	1298	1359	1423	1486	1553	1623	1696		
Psychologist I	1190	1241	1298	1359	1423	1486	1553	1623	1696	
Psychologist II	1423	1486	1553	1623	1696	1773	1855	1940	2028	
Psychologist III	1657	1734	1814	1896	1983	2071	2169	2268		
Psychologist IV	1814	1896	1983	2071	2169	2268	2373	2477		
Public Health Educator I	1041	1088	1138	1190	1241	1298	1359	1423		
Public Health Educator II	1298	1359	1423	1486	1553	1623	1696	1773		
Public Health Nurse	1041	1088	1138	1190	1241	1298	1359			
Pub. Hlth. Nur. (Team Leader)	1088	1138	1190	1241	1298	1359	1423			
Registered Nurse (A.A. Deg., 3 yr. Dip. or B.S. Deg.)	994	1041	1088	1138	1190	1241				
Sanitarian I	1041	1088	1138	1190						
Sanitarian II	1138	1190	1241	1298	1359	1423	1486	1553		
Senior Public Health Nurse	1138	1190	1241	1298	1359	1423	1486			
Social Worker I	994	1041	1088	1138						
Social Worker II	1088	1138	1190	1241	1298	1359	1423	1486	1553	1623
Social Worker III	1190	1241	1298	1359	1423	1486	1553	1623	1696	1773
Social Worker Trainee	869									
Soc.-Serv. Supvr. I	1326	1390	1454	1518	1588	1657	1834	1814	1896	1983
Soc.-Serv. Supvr. II	1454	1518	1588	1657	1734	1814	1896	1983	2071	2169
Soc.-Serv. Supvr. III	1623	1696	1773	1855	1940	2028	2120	2220	2321	
Soc.-Serv. Supvr. Trainee	1268	1326	1390	1454	1518	1588				

PROPOSED RULES

Staff-Trng. Supvr. I	1359	1423	1486	1553	1623	1696	1773	1855	1940	
Staff-Trng. Supvr. II	1486	1553	1623	1696	1773	1855	1940	2028	2120	
Student Soc. Worker (Intern)	Rate proposed by appointing authority.									
Student Soc. Worker (SWEP)	Rate proposed by appointing authority.									
Systems Prog.-Analyst	1423	1486	1553	1623	1696	1773	1855			
Trainee	Rate proposed by appointing authority and approved by the Merit System Supervisor and the Commissioner of Public Welfare.									
Vol.-Serv. Coord. I	994	1041	1088	1138	1190	1241	1298	1359	1423	
Vol.-Serv. Coord. II	1241	1298	1359	1423	1486	1553	1623	1696	1773	
Welfare Director I	1390	1454	1518	1588	1657	1734	1814	1896	1983	2071
Welfare Director II	1518	1588	1657	1734	1814	1896	1983	2071	2169	2268
Welfare Director III	1773	1855	1940	2028	2120	2220	2321	2426	2533	
Welfare Director IV	1940	2028	2120	2220	2321	2426	2533	2644	2759	
Welfare Director V	2644	2759	2884	3015	3150	3292	3447	3594	3750	
Work-Exp. & Trng. Spec.	1241	1298	1359	1423	1486	1553	1623	1696	1773	

*The salary steps herein shall not include any amounts paid by any county welfare board under the provisions of Minn. Stat. § 471.61.

3. Plan C*

a. Class of Positions

	1	2	3	4	5	6	7	8	9	10
Accountant I	1138	1190	1241	1298	1359	1423	1486	1553	1623	
Accountant II	1359	1423	1486	1553	1623	1696	1773	1855	1940	
Adm. Asst. I	1390	1454	1518	1588	1657	1734	1814	1896	1983	2071
Adm. Asst. II.	1518	1588	1657	1734	1814	1896	1983	2071	2169	2268
Adm. Asst. III	1696	1773	1855	1940	2028	2120	2220	2321	2426	
Adm. Services Director	1855	1940	2028	2120	2220	2321	2425	2533	2644	
<u>Adult Day Care Ctr. Supvr.</u>	<u>1138</u>	<u>1190</u>	<u>1241</u>	<u>1298</u>	<u>1359</u>	<u>1423</u>	<u>1486</u>	<u>1553</u>	<u>1623</u>	<u>1696</u>
Asst. Human Services Dir.	1696	1773	1855	1940	2028	2120	2220	2321	2426	
Asst. Welfare Director	2120	2220	2321	2426	2533	2644	2759	2884	3015	
Assoc. M.-&P. Analyst	1088	1138	1190	1241						
Auditor	1359	1423	1486	1553	1623	1696	1773	1855	1940	2028
Center Coordinator	1241	1298	1359	1423	1486	1553	1623	1696	1773	1855
Chemical Dependency Coord.	1241	1298	1359	1423	1486	1553	1623	1696	1773	1855
Collection Services Supvr. II	1326	1390	1454	1518	1588	1657	1734	1814	1896	1983
Community Health Serv.. Supvr.	1390	1454	1518	1588	1657	1734	1814	1896	1983	2071
Community-Rela. Spec.	1423	1486	1553	1623	1696	1773	1855	1940	2028	
Computer Programmer	1088	1138	1190	1241	1298	1359	1423			
Day-Care Center Supvr.	1390	1454	1518	1588	1657	1734	1814	1896	1983	
Dev. Achievement Center Dir.	1138	1190	1241	1298	1359	1423	1486	1553	1623	1696
Dev. Achievement Ctr. Teacher	1041	1088	1138	1190	1241	1298	1359	1423	1486	1553
Dev. Disabilities Coord.	1138	1190	1241	1298	1359	1423	1486	1553	1623	1696
Dietitian	1041	1088	1138	1190	1241	1298	1359	1423	1486	
Dir. of Assessment Systems	1454	1518	1588	1657	1734	1814	1896	1983	2071	2169
Dir. of Business Mgmt. I	1518	1588	1657	1734	1814	1896	1983	2071		
Dir. of Business Mgmt. II	1855	1940	2028	2120	2220	2321	2426	2533	2644	
Dir. of Finan. Asst.	1855	1940	2028	2120	2220	2321	2426	2533	2644	
Dir. of Planning	1855	1940	2028	2120	2220	2321	2426	2533	2644	
Dir. of Pub.-Hlth. Nurs. I	1359	1423	1486	1553	1623	1696	1773	1855	1940	
Dir. of Soc. Serv.	1855	1940	2028	2120	2220	2321	2426	2533	2644	
Dir. of Support Services	1855	1940	2028	2120	2220	2321	2426	2533	2644	
Education Supervisor	1298	1359	1423	1486	1553	1623	1696	1773	1855	
Emp. Guid. Couns. I	1041	1088	1138	1190	1241	1298	1359	1423	1486	
Emp. Guid. Couns. II	1088	1138	1190	1241	1298	1359	1423	1486	1553	
Emp. Guid. Couns. III	1138	1190	1241	1298	1359	1423	1486	1553	1623	

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PROPOSED RULES

Finan. Assist. Supvr. III	1390	1454	1518	1588	1657	1734	1814	1896	1983	2071
Finan. Assist. Supvr. IV	1518	1588	1657	1734	1814	1896	1983	2071	2169	2268
Home Care Coordinator	1190	1241	1298	1359	1423	1486	1553	1623		
Homemaker Coordinator II	1190	1241	1298	1359	1423	1486	1553	1623		
Homemaker Supervisor	1298	1359	1423	1486	1553	1623	1696	1773	1855	
Human Services Dir. I	1518	1588	1657	1734	1814	1896	1983	2071	2169	2268
Human Services Dir. II	1773	1855	1940	2028	2120	2220	2321	2426	2533	
Human Services Dir. III	1940	2028	2120	2220	2321	2426	2533	2644	2759	
Human Services Supvr. I	1390	1454	1518	1588	1657	1734	1814	1896	1983	2071
Marriage Counselor	1359	1423	1486	1553	1623	1696	1773	1855	1940	
Med.-Care Advisor	1138	1190	1241	1298	1359	1423	1486	1553	1623	
Med.-Serv. Adm.	1855	1940	2028	2120	2220	2321	2426	2533		
Mental Health Worker	1241	1298	1359	1423	1486	1553	1623	1696	1773	
Meth.-&-Proc. Analyst	1268	1326	1390	1454	1518	1588	1657	1734	1814	
Meth.-&-Proc. Supvr.	1486	1553	1623	1696	1773	1855	1940	2028	2120	
Nursing Care Advisor	1138	1190	1241	1298	1359	1423	1486	1553	1623	
Occupa. Supvr.-Inst. I	994	1041	1088	1138	1190	1241	1298	1359	1423	1486
Occupa. Supvr.-Inst. II	1138	1190	1241	1298	1359	1423	1486	1553	1623	1696
Office Manager	1041	1088	1138	1190	1241	1298	1359	1423	1486	
Personnel Officer	1041	1088	1138	1190	1241	1298	1359	1423	1486	1553
Personnel Director	1454	1518	1588	1657	1734	1814	1896	1983	2071	2169
Physical Therapist	1064	1111	1163	1215	1268	1326	1390	1454		
Planner (Human Services)	1298	1359	1423	1486	1553	1623	1696	1773	1855	
Policy/Program Analyst	1454	1518	1588	1657	1734	1814	1896	1983	2071	2169
Programmer Analyst	1298	1359	1423	1486	1553	1623	1696	1773		
Psychologist I	1241	1298	1359	1423	1486	1553	1623	1696	1773	
Psychologist II	1486	1553	1623	1696	1773	1855	1940	2028	2120	
Psychologist III	1734	1814	1896	1983	2071	2169	2268	2373		
Psychologist IV	1896	1983	2071	2169	2268	2373	2477	2587		
Public Health Educator I	1088	1138	1190	1241	1298	1359	1423	1486		
Public Health Educator II	1359	1423	1486	1553	1623	1696	1773	1855		
Public Health Nurse	1111	1163	1215	1268	1326	1390	1454			
Pub. Hlth. Nur. (Team Leader)	1163	1215	1268	1326	1390	1454	1518			
Registered Nurse (A.A. Deg., 3 yr. Dip. or B.S. Deg.)	1064	1111	1163	1215	1268	1326				
Sanitarian I	1088	1138	1190	1241						
Sanitarian II	1190	1241	1298	1359	1423	1486	1553	1623		
Senior Public Health Nurse	1215	1268	1326	1390	1454	1518	1588			
Social Worker I	1041	1088	1138	1190						
Social Worker II	1138	1190	1241	1298	1359	1423	1486	1553	1623	1696
Social Worker III	1241	1298	1359	1423	1486	1553	1623	1696	1773	1855
Social Worker Trainee	869									
Soc.-Serv. Supvr. I	1390	1454	1518	1588	1657	1734	1814	1896	1983	2071
Soc.-Serv. Supvr. II	1518	1588	1657	1734	1814	1896	1983	2071	2169	2268
Soc.-Serv. Supvr. III	1696	1773	1855	1940	2028	2120	2220	2321	2426	
Soc.-Serv. Supvr. Trainee	1326	1390	1454	1518	1588	1657				
Staff-Trng. Supvr. I	1423	1486	1553	1623	1696	1773	1855	1940	2028	
Staff-Trng. Supvr. II	1553	1623	1696	1773	1855	1940	2028	2120	2220	
Student Soc. Worker (Intern)	Rate proposed by appointing authority.									
Student Soc. Worker (SWEP)	Rate proposed by appointing authority.									
Systems Prog.-Analyst	1486	1553	1623	1696	1773	1855	1940			
Trainee	Rate proposed by appointing authority and approved by the Merit System Supervisor and the Commissioner of Public Welfare.									
Vol.-Serv. Coord. I	1041	1088	1138	1190	1241	1298	1359	1423	1486	
Vol.-Serv. Coord. II	1298	1359	1423	1486	1553	1623	1696	1773	1855	
Welfare Director I	1390	1454	1518	1588	1657	1734	1814	1896	1983	2071
Welfare Director II	1518	1588	1657	1734	1814	1896	1983	2071	2169	2268

PROPOSED RULES

Welfare Director III	1773	1855	1940	2028	2120	2220	2321	2426	2533
Welfare Director IV	1940	2028	2120	2220	2321	2426	2533	2644	2759
Welfare Director V	2644	2759	2884	3015	3150	3292	3447	3594	3750
Work-Exp. & Trng. Spec.	1298	1359	1423	1486	1553	1623	1696	1773	1855

*The salary steps herein shall not include any amounts paid by any county welfare board under the provisions of Minn. Stat. § 471.61.

B. Support Personnel

1. Plan A*

a. Class of Positions	1	2	3	4	5	6	7	8	9
Account Clerk	696	728	762	797	833	869	910	951	
Accounting Officer I	869	910	951	994	1041	1088	1138	1190	1241
Accounting Officer II	951	994	1041	1088	1138	1190	1241	1298	1359
Accounting Officer III	1064	1111	1163	1215	1268	1326	1390	1454	1518
Adult Day Care Ctr. Prog. Coord.	<u>710</u>	<u>744</u>	<u>779</u>	<u>815</u>	<u>851</u>	<u>889</u>	<u>930</u>	<u>971</u>	<u>1017</u>
Asst. Residential Facility Opr. (s)	570	593	622	651	680	710	744	779	
Case Aide	696	728	762	797	833	869			
Chemical Dependency Counselor	910	951	994	1041	1088	1138	1190		
Child Support Officer I	869	910	951	994	1041	1088	1138	1190	1241
Child Support Officer II	971	1017	1064	1111	1163	1215	1268	1326	
Collection Services Supvr. I	1111	1163	1215	1268	1326	1390	1454	1518	
Community-Service Aide	437	455	478	501	524	547	570		
Coordinator of Aging	710	744	779	815	851	889	930	971	1017
Dev. Achievement Center Inst.	570	593	622	651	680	710			
Finan.-Assistance Spec.	889	930	971	1017	1064	1111	1163	1215	
Finan.-Assistance Supvr. I	971	1017	1064	1111	1163	1215	1268	1326	1390
Finan.-Assistance Supvr. II	1111	1163	1215	1268	1326	1390	1454	1518	
Financial Worker I	696	728	762	797	833	869			
Financial Worker II	779	815	851	889	930	971	1017	1064	1111
Home Health Aide	547	570	593	622	651	680	710		
Home Health Aide Coordinator	779	815	851	889	930	971	1017		
Homemaker I	547	570	593	622	651	680	710		
Homemaker II	593	622	651	680	710	744	779	815	
Homemaker Coordinator I	779	815	851	889	930	971	1017		
Homemaker/Home Health Aide	547	570	593	622	651	680	710		
Housekeeper									
Rate proposed by appointing authority and approved by the Merit System Supervisor and the Commissioner of Public Welfare.									
Licensed Practical Nurse	710	744	779	815	851	889			
Public Health Aide	437	455	478	501	524	547	570		
Residential Facility Operator(s)	593	622	651	680	710	744	779	815	
Senior Case Aide	779	815	851	889	930	971	1017	1064	1111
Senior Citizen's Aide	437	455	478	501	524	547	570		
Transportation Coordinator	728	762	797	833	869	910	951	994	
Welfare Fraud Investigator	1111	1163	1215	1268	1326	1390	1454		
Welfare Fraud Unit Supvr.	1215	1268	1326	1390	1454	1518	1588		

*The salary steps herein shall not include any amounts paid by any county welfare board under the provisions of Minn. Stat. § 471.61.

2. Plan B*

a. Class of Positions	1	2	3	4	5	6	7	8	9
Account Clerk	728	762	797	833	869	910	951	994	
Accounting Officer I	869	910	951	994	1041	1088	1138	1190	1241
Accounting Officer II	951	994	1041	1088	1138	1190	1241	1298	1359
Accounting Officer III	1064	1111	1163	1215	1268	1326	1390	1454	1518

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PROPOSED RULES

Adult Day Care Ctr. Prog. Coord.	744	779	815	851	889	930	971	1017	1064
Asst. Residential Facility Opr.(s)	593	622	651	680	710	744	779	815	
Case Aide	728	762	797	833	869	910			
Chemical Dependency Counselor	951	994	1041	1088	1138	1190	1241		
Child Support Officer I	910	951	994	1041	1088	1138	1190	1241	1298
Child Support Officer II	1017	1064	1111	1163	1215	1268	1326	1390	
Collection Services Supvr. I.	1163	1215	1268	1326	1390	1454	1518	1588	
Community-Service Aide	455	478	501	524	547	570	593		
Coordinator of Aging	744	779	815	851	889	930	971	1017	1064
Dev. Achievement Center Inst.	593	622	651	680	710	744			
Finan.-Assistance Spec.	930	971	1017	1064	1111	1163	1215	1268	
Finan.-Assistance Supvr. I	1017	1064	1111	1163	1215	1268	1326	1390	1454
Finan.-Assistance Supvr. II	1163	1215	1268	1326	1390	1454	1518	1588	
Financial Worker I	728	762	797	833	869	910			
Financial Worker II	815	851	889	930	971	1017	1064	1111	1163
Home Health Aide	570	593	622	651	680	710	744		
Home Health Aide Coordinator	815	851	889	930	971	1017	1064		
Homemaker I	570	593	622	651	680	710	744		
Homemaker II	622	651	680	710	744	779	815	851	
Homemaker Coordinator I	815	851	889	930	971	1017	1064		
Homemaker/Home Health Aide	570	593	622	651	680	710	744		
Housekeeper									

Rate proposed by appointing authority and approved by the Merit System Supervisor and the Commissioner of Public Welfare.

Licensed Practical Nurse	744	779	815	851	889	930			
Public Health Aide	455	478	501	524	547	570	593		
Residential Facility Opr.(s)	622	651	680	710	744	779	815	851	
Senior Case Aide	815	851	889	930	971	1017	1064	1111	1163
Senior Citizen's Aide	455	478	501	524	547	570	593		
Transportation Coordinator	762	797	833	869	910	951	994	1041	
Welfare Fraud Investigator	1163	1215	1268	1326	1390	1454	1518		
Welfare Fraud Unit Supervisor	1268	1326	1390	1454	1518	1588	1657		

*The salary steps herein shall not include any amounts paid by any county welfare board under the provisions of Minn. Stat. § 471.61.

3. Plan C*

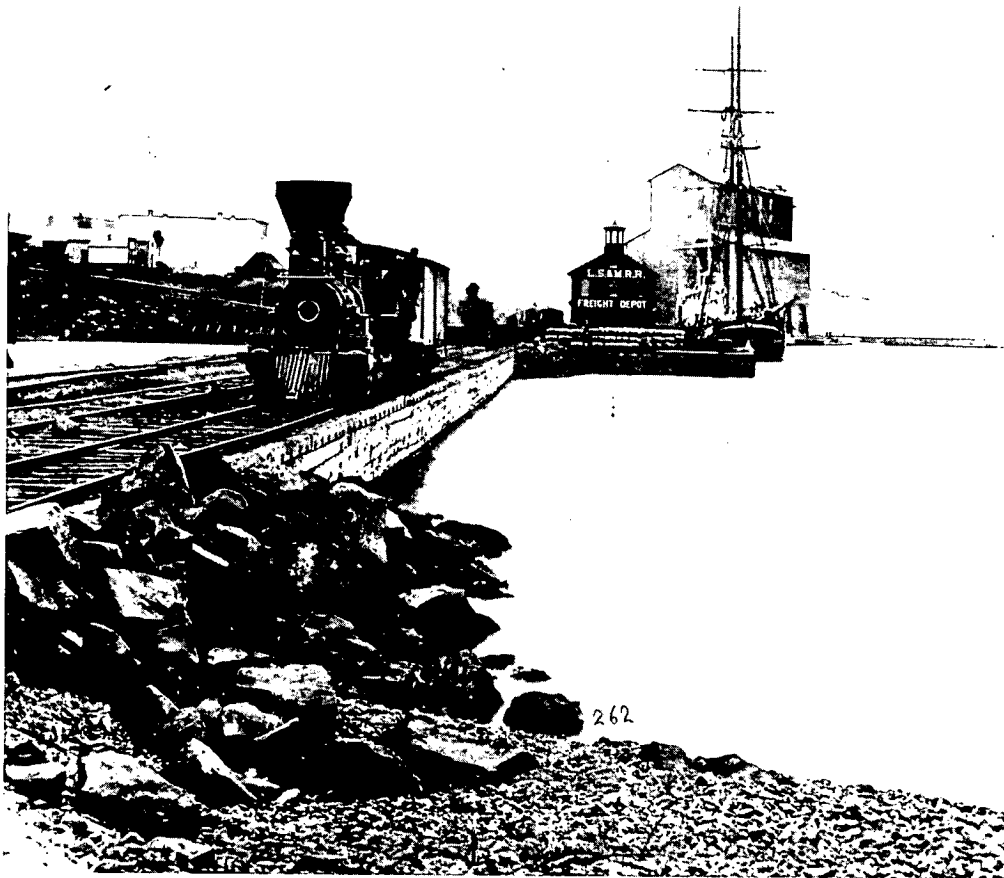
a. Class of Positions

	1	2	3	4	5	6	7	8	9
Account Clerk	762	797	833	869	910	951	994	1041	
Accounting Officer I	869	910	951	994	1041	1088	1138	1190	1241
Accounting Officer II	951	994	1041	1088	1138	1190	1241	1298	1359
Accounting Officer III	1064	1111	1163	1215	1268	1326	1390	1454	1518
Adult Day Care Ctr. Prog. Coord.	779	815	851	889	930	971	1017	1064	1111
Asst. Residential Facility Opr.(s)	622	651	680	710	744	779	815	851	
Case Aide	762	797	833	869	910	951			
Chemical Dependency Counselor	994	1041	1088	1138	1190	1241	1298		
Child Support Officer I	951	994	1041	1088	1138	1190	1241	1298	1359
Child Support Officer II	1064	1111	1163	1215	1268	1326	1390	1454	
Collection Services Supvr. I	1215	1268	1326	1390	1454	1518	1588		
Community-Service Aide	478	501	524	547	570	593	622		
Coordinator of Aging	779	815	851	889	930	971	1017	1064	1111
Dev. Achievement Center Inst.	622	651	680	710	744	779			
Finan.-Assistance Spec.	971	1017	1064	1111	1163	1215	1268	1326	
Finan.-Assistance Supvr. I	1064	1111	1163	1215	1268	1326	1390	1454	1518
Finan.-Assistance Supvr. II	1215	1268	1326	1390	1454	1518	1588	1657	
Financial Worker I	762	797	833	869	910	951			
Financial Worker II	851	889	930	971	1017	1064	1111	1163	1215
Home Health Aide	593	622	651	680	710	744	779		
Home Health Aide Coordinator	851	889	930	971	1017	1064	1111		
Homemaker I	593	622	651	680	710	744	779		
Homemaker II	651	680	710	744	779	815	851	889	

PROPOSED RULES

Homemaker Coordinator I	851	889	930	971	1071	1064	1111		
Homemaker/Home Health Aide	593	622	651	680	710	744	779		
Housekeeper	Rate proposed by appointing authority and approved by the Merit System Supervisor and the Commissioner of Public Welfare.								
Licensed Practical Nurse	779	815	851	889	930	971			
Public Health Aide	478	501	524	547	570	593	622		
Residential Facility Opr.(s)	651	680	710	744	779	815	851	889	
Senior Case Aide	851	889	930	971	1017	1064	1111	1163	1215
Senior Citizen's Aide	478	501	524	547	570	593	622		
Transportation Coordinator	797	833	869	910	951	994	1041	1088	
Welfare Fraud Investigator	1215	1268	1326	1390	1454	1518	1588		
Welfare Fraud Unit Supvr.	1326	1390	1454	1518	1588	1657	1734		

*The salary steps herein shall not include any amounts paid by any county welfare board under the provisions of Minn. Stat. § 471.61.



L.S. & M. RAILROAD freight depot in Duluth. Photograph by Illingworth, 1874. (Courtesy of the Minnesota Historical Society)

KEY: RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language. **PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material."

SUPREME COURT

Decisions Filed Friday, August 10, 1979

Compiled by John McCarthy, Clerk

**49079
49137/10** Minnesota Mining and Manufacturing Company, petitioner, Respondent-Appellant, vs. State of Minnesota, by William L. Wilson, Department of Human Rights, Appellant-Respondent, and In the Matter of an Appeal by the State of Minnesota by William L. Wilson, Commissioner, Department of Human Rights, from a Decision of a Hearing Examiner. Ramsey County.

The 1977 version of the Minnesota Human Rights Act (Minn. St. 1977 Supp. c. 363), which defined "sex" to include pregnancy, childbirth, and disabilities related to pregnancy or childbirth and prohibited, as an unfair employment practice, discrimination in the provision of fringe benefits to women affected by pregnancy, childbirth, or disabilities related to pregnancy and childbirth, merely clarified the prior version of the act.

Excluding only pregnancy-related disabilities from an otherwise comprehensive income maintenance plan is per se sex discrimination.

Congress in adopting the Federal Employee Retirement Income Security Act, did not intend to pre-empt the operation of state antidiscrimination laws such as the Minnesota Human Rights Act.

Only those persons whose rights had been affected by the discriminatory practices within 6 months prior to the date of the commissioner's complaint may be properly included in the class action.

Affirmed as modified and remanded. Rogosheske, J. Took no part, Otis and Todd, JJ.

48716/75 Thomas Walsh vs. Pagra Air Taxi, Inc., Appellant, Roy L. Graham, City of Mankato. Blue Earth County.

In an action for property damage to plaintiff's airplane due to negligent failure to extinguish a fire before the airplane was reduced to salvage value, the complaint was legally sufficient since defendant fixed base airport operator, by the terms of its agreement with the city, had undertaken to perform a duty (which the city had voluntarily assumed) to fight airplane fires.

The jury finding of defendant fixed base operator's causal negligence and jury apportionment of causal negligence are supported by the evidence, and no prejudice resulted to defendant fixed base operator from the trial court's order finding defendant city negligent as a matter of law.

Affirmed. Rogosheske, J. Took no part, Sheran, C. J. and Todd, J.

49175/267 Albert Lea Education Association, et al, Appellants, vs. Independent School District No. 241. Freeborn County.

The nonrenewal of a tenured teacher's additional assignment as an athletic coach does not present a grievance subject to arbitration. Neither the master contract nor the individual teacher contract and letter of assignment contains any provision that can be reasonably construed to make the nonrenewal of a coaching assignment a "term and condition of employment."

Affirmed. Peterson J. Took no part, Todd, J.

**48919
48939/110** St. Paul Citizens for Human Rights, Appellant, Carla Messman and Craig Anderson, Plaintiffs, The City Council of the City of St. Paul, et al, and Citizens Alert for Morality (CAM), intervenor. Ramsey County.

The St. Paul City Charter permits voters to repeal an existing ordinance by initiative.

The St. Paul Human Rights Ordinance as amended is consistent with the Minnesota Human Rights Act.

The ballot question was proper because the questions were not so dissimilar as to create the possibility of deceit, voter confusion, or logrolling.

Plaintiffs' constitutional arguments which were not presented to the trial court will not be considered for the first time on appeal.

Affirmed. Todd, J. Dissenting, Wahl, J., Otis, J., Scott, J. Took no part, Rogosheske, J.

48779/94 Donald Worm vs. Waconia Farm Supply, et al, Relators. Workers' Compensation Court of Appeals.

The rate of workers' compensation where an employee is entitled to less than maximum benefits was intended by the legislature to be adjusted by cumulatively adding the cost-of-living adjustment retroactive to October 1, 1976 even though the work-related injury occurred subsequent to that date.

Affirmed. Per Curiam.

STATE CONTRACTS

Pursuant to the provisions of Minn. Stat. § 16.098, subd. 3, an agency must make reasonable effort to publicize the availability of any consultant services contract or professional and technical services contract which has an estimated cost of over \$2,000.

Department of Administration procedures require that notice of any

consultant services contract or professional and technical services contract which has an estimated cost of over \$10,000 be printed in the *State Register*. These procedures also require that the following information be included in the notice: name of contract person, agency name and address, description of project and tasks, cost estimate, and final submission date of completed contract proposal.

Hibbing Community College

Notice of Request for Proposals for Consultant Services for the Paulucci Planetarium

Hibbing Community College's Paulucci Planetarium is requesting proposals for the production and installation of a multi-media planetarium program.

Vendor will produce and install a multi-image presentation approximately 5 minutes in length to be used on 9 or more planetarium slide projectors and the planetarium sound system. The presentation is to be ready by November 15, 1979, and will be aimed at audiences attending the Paulucci Planetarium for the purpose of stimulating them to attend the planetarium on a regular basis. The cost of the production will not exceed \$10,000.00. Vendor will supply any necessary operator training. All necessary equipment adjustments and alignments for the installation of the program will be performed by the vendor.

Final Submission date of completed contract proposal is September 17, 1979.

For further information contact:

Larry Mascotti
Paulucci Planetarium
1515 East 25th Street
Hibbing, MN 55746
(218) 262-3877

Higher Education Coordinating Board

Notice of Request for Proposals to Conduct an Evaluation of the Minnesota Occupational Information System

The Coordinating Board has been directed by the legislature to prepare an evaluation of the Minnesota Occupational Information System by January 15, 1980. The contractor will be required to evaluate the present operations, funding requirements, effectiveness and demonstrated need for the continuation of the Minnesota Occupational Information System.

The contractor will also be expected to assess the current and future relationship of the Minnesota Occupational Information System to other services in the state which provide information to students to assist their occupational and educational decisionmaking.

Proposals must be submitted to the Higher Education Coordinating Board no later than August 31, 1979.

The estimated cost of the project will be between \$3,000 and \$4,000. Completion is set for November 15, 1979.

Inquiries should be directed to:

Robert J. Rustad, Director
Policy Planning and Research
Higher Education Coordinating Board
Suite 400
550 Cedar Street
St. Paul, Minnesota 55101
Phone: (612) 296-9679

Department of Personnel Employee Benefits Division

Notice of Request for Proposals for Health Testing Services for State of Minnesota Employee Group

The Department of Personnel, Employee Benefits Division, needs services effective October 1, 1979, continuing through June 30, 1981, for the purpose of conducting an approved annual health evaluation and screening program for each eligible employee who elects to participate and who elects health insurance coverage under Blue Cross/Blue Shield of Minnesota.

This is a second announcement made necessary because the specifications stated in the initial RFP were not sufficiently detailed to permit an adequate evaluation of the proposals which were submitted.

The formal RFP and specifications may be obtained from: Clements Oliver, Manager, Employee Benefits Division, 3rd floor, Space Center Building, 444 Lafayette Road, St. Paul, Minnesota 55101. Telephone (612) 296-2796.

The estimated contract is about \$1,216,000.00 per year.

STATE CONTRACTS

This is based upon a maximum possible fee of \$64.00 per eligible employee per fiscal year multiplied by the approximate number of employees who participated in the most recent year for which data is available. Proposals must be submitted before 4:00 p.m., September 10, 1979.

Department of Public Welfare Social Services Division

Notice of Availability of Contract for Migrant Child Day Care Services

The Department of Public Welfare/Division of Social Services is seeking an agency to organize and implement a short-term bilingual/bicultural day care service program for the children of Minnesota's migrant farm workers.

It is expected that a total of 32,100 days of developmental day care services be provided to approximately 1,070 Spanish-speaking children (0-5 years of age) of migrant farm workers in Minnesota. Direct services shall be provided between the months of May and September, 1979, in cooperation and coordination with Department of Education — Migrant Special Education Programs, Minnesota Migrant Head Start Programs, USDA Summer Feeding Program, and Migrant Health Services, Inc.

Project funding level: \$600,000

Final submission date: September 10, 1979

Inquiries and formal expressions of interest should be directed to:

Cherie Kotilinek
Division of Social Services
Department of Public Welfare
Centennial Office Building
St. Paul, MN 55155
(612) 296-3929

OFFICIAL NOTICES

Pursuant to the provisions of Minn. Stat. § 15.0412, subd. 6, an agency, in preparing proposed rules, may seek information or opinion from sources outside the agency. Notices of intent to solicit outside opinion must be published in the *State Register* and all interested persons afforded the opportunity to submit data or views on

the subject, either orally or in writing.

The *State Register* also publishes other official notices of state agencies, notices of meetings, and matters of public interest.

Ethical Practices Board

Notice of Regular Meeting

The next regular meeting of the Ethical Practices Board will be held Friday, August 24, 1979, at 9:30 a.m., Room 14, State Office Building, St. Paul, MN.

Preliminary Agenda

1. Minutes (July 27, 1979)
2. Chairman's Report
3. Wage and Salary Committee Report
4. Legal Counsel Report
5. Advisory Opinion Request — Communicating For Agriculture, Inc. — Employment and Political Activity

6. Advisory Opinion Request — Broeker, Hartfeldt, Hedges & Grant — Lobbyist Fees
7. Advisory Opinion Request — Minnesota D.F.L. Voter Survey Plan — Thomas Borman, Attorney, Maslon, Kaplan, Edelman, Borman, Brand & McNulty
8. Executive Director's Report
 - a. Financial Report
 - b. Delinquent Lobbyists
 - c. Delinquent Committees and Funds
 - d. Delinquent Economic Interest Statements
 - e. Independent Expenditures — Endorsements
9. Public Financing Discussion
10. Other Business

Notice of Intent to Solicit Outside Opinions and Comments to the Following Request for An Advisory Opinion Regarding Minnesota D.F.L. Voter Survey Plan Which Will Be Discussed by the Board At Its Meeting on Friday, August 24, 1979

Summary of Opinion

The Ethical Practices Board has received an advisory opinion request from Thomas H. Borman, Attorney, Maslon, Kaplan, Edelman, Borman, Brand & McNulty, representing Minnesota D.F.L. Voter Survey Plan and their Campaign '80 — Federal and Campaign '80 — State Committees. The opinion seeks clarification and guidance concerning State/Federal law relationship for reporting contributions, expenditures and allocations of such contributions and expenditures among a group of state and federal officeholders and the Minnesota D.F.L. Party who are conducting a statewide voter survey. A copy of the lengthy opinion request may be obtained from the Ethical Practices Board, 41 State Office Building, St. Paul, MN 55155, phone: 296-5148

The request will be informally discussed at the Board meeting, August 24, 1979, 9:30 a.m., Room 14, State Office Building, St. Paul, MN; however, no formal action to adopt an opinion will be taken until the September meeting. Written comments concerning the opinion may be submitted to the Board through September 5, 1979.

**Housing Finance Agency
Notice of Intent to Solicit Outside Opinion Regarding the Adoption of Temporary Rules Governing the Urban Indian Housing Program**

Notice is hereby given that the Minnesota Housing Finance Agency is seeking information or opinions from sources outside the Agency in preparing temporary rules governing the operation of the Urban Indian Housing Program established pursuant to Minn. Stat. § 462A.07, subd. 15A.

The Agency invites interested persons or groups to submit written data, information or comments on the subject. All written materials should be directed to:

Ms. Ramona Jones
Minnesota Housing Finance Agency
Suite 200 — Nalpak Building
333 Sibley Street
St. Paul, Minnesota 55101
(612) 296-3789

Any written material received by the Agency shall become a part of the hearing record in the event rules governing this subject are promulgated.

Department of Human Rights

Notice of Action for Period of April 26, 1979 through August 13, 1979

Settlement Agreements

In addition to specific remedies, standard agreements reached prior to a hearing contain the following stipulations:

1. The agreement does not constitute an admission by the respondent of a violation of Minn. Stat. ch. 363.
2. The respondent agrees to abide by the provisions of Minn. Stat. ch. 363.

Settlement agreements were reached between the department, charging parties, and the following respondents:

Amy Allen Placement Service, Inc., E2728
C. G. Rein Co., H843
Garden Village, Inc. H746
Northwestern Bell Telephone Company, E3714
Twin Birch Health Care Center, E5393

Pre-Determination Agreement

A Pre-determination agreement is an agreement reached before the Commissioner has determined whether or not there is reason to believe that a discriminatory practice occurred. It is signed by the charging party, the respondent, and the Commissioner. By entering into a pre-determination agreement, a respondent makes no admission that a discriminatory practice has occurred. Pre-determination agreements were reached between the department, charging parties, and the following respondents:

Berde's Meat Purveyors, Inc., E2517
Big K Motel, PA371
Blue Cross & Blue Shield, PA364
Boise Cascade, E5711
BT & A Construction Company, H1062
Buttrey Stores, Inc., E5890
Continental Telephone Company of Minnesota, Inc., E5563
Control Data Corp., E5852
Conwed Corporation, E5883
County of Lac Qui Parle, E 4694
County Seat Stores, E5577
Curtin Matheson Scientific, E5611
The Denesen Company, PA334
Donaldson Company, E5590
Duluth Saw Company, PA380, PA381

Dutch Boy, Inc., E5454
Econdyne Corporation, E3781
FMC/Northern Ordinance Division, E5628, E5865
Federal Stampings, Inc., E5858
First National Bank of St. Paul, E4571
Furniture Barn, CR21
Girl Scout Council, PA360
Glencoe Municipal Hospital, E5558
Griffin Companies, H1079
Harriet Tubman Women's Shelter, Inc., E4568
Hermanson Dental Lab, E4564
Hibbing Taconite Company, E5969
Cargill, Incorporated, E5396
Honeywell Inc., E4062, E4897, E5070
Independent School District #281, E5380
Independent School Dist. #604, E5765
Insurance Company of North America, H1071
J. C. Penney Company, Inc. E4950
Jack Frost, Inc. E2477
Kentucky Fried Chicken, E3726
Lakewood Community College, E4660
Maico Hearing Instruments, E4414
Metropolitan Transit Commission, E5702
Minneapolis Police Department, PS329
Minnesota Power & Light, E5788
National Health Care Trust, A30
Nobles Industries, Inc., E5795
Northwest Airlines, Inc., E5933
Northwestern Bell Telephone Company, E5017
ONAN — A Division of Onan Corp., E3979
Pako Filmshops Camera Stores, E4366
Quality Machine, Inc., E5708
Sage Corporation, E5754
Schanno Transportation, E5633
Schwartz Manufacturing, E5316
Sears, Roebuck and Company, Lake Street Store, PA338
Singer Company, E3894
Southern Food Service, E5805
St. Cloud T & L Credit Union, E2480
St. John's Hospital, E4756, E4927
St. Peter Church, E5718
State Farm Insurance, E4711
Talon/Division of Textron, E5692
Williams Pipeline Company, E5777

Hearing Examiner's Orders

A case that is not settled through conciliation is scheduled for hearing before a state hearing examiner following a complaint issued by The Commissioner and a notice and order for hearing. Based upon evidence, testimony, and exhibits, a hearing examiner makes findings of fact, and conclusions of law and issues an order. The following cases were heard before a state hearing examiner:

Linda Lavender vs. The City of Bloomington, Minnesota,
E3104
Department of Human Rights vs. Robert Denker, d/b/a/
Tonka Bottle Shop, E3685

Department of Human Rights vs. High View North Apartments, a partnership, and the named parties, Sanders M. Ackerberg and Sigert Co., H7052
Department of Human Rights vs. Independent School District No. 391, E1527
Department of Human Rights vs. Perkins Cake & Steak, Inc., E2721

Court Decisions

The following cases have been heard, decisions made, and orders issued:

Minnesota Mining and Manufacturing Company, Petitioner vs. Minnesota Department of Human Rights, E1660
Minnesota Department of Human Rights vs. Raymond Dougherty, PA283

Pollution Control Agency

Notice of Withdrawal and Notice of Intent to Solicit Outside Opinion in the Matter of the Proposed Amendment to Rule APC 21 and the Proposed Adoption of New Rule 6 MCAR § 4.0020 Relating to Malfunctions and Breakdowns of Control Equipment and Process Equipment

Notice is hereby given that the Minnesota Pollution Control Agency (Agency) has withdrawn its proposals relating to malfunctions and breakdowns of control equipment and process equipment. These proposals consisted of (1) the adoption of new rule 6 MCAR § 4.0020, and (2) the amendment of Rule APC 21 by the deletion of those sections of Rule APC 21 which the proposed new rule would have addressed. These proposals were published in the June 18, 1979, *State Register*, 3 S.R. 2239 *et seq.*

Please note that the Agency is *not* withdrawing the other amendments which were noticed in the June 18, 1979, *State Register*, 3 S.R. 2239 *et seq.* These amendments are to Rule APC 21, relating to opacity, and to Rule APC 4, relating to power plants.

The Agency is withdrawing the two proposals noted above in order to further consider comments made by the public during the hearings on these proposals.

Accordingly, notice is hereby given that members of the Agency staff will be meeting with various members of the public to discuss possible amendments to the proposed rule 6 MCAR § 4.0020. Any interested or affected person or groups

OFFICIAL NOTICES

are encouraged to participate in these discussions. Any person or group who wishes to receive notice of such meetings should contact:

Gary Pulford
Minnesota Pollution Control Agency
Division of Air Quality
1935 W. County Road B2
Roseville, Minnesota 55113
(612) 296-7371

A meeting has been tentatively scheduled for 1:00 p.m. August 29, 1979, in the Board Room at the Minnesota Pollution Control Agency at the address stated above. The purpose of this meeting is to discuss the conceptual framework of 6 MCAR § 4.0020 and possible amendments thereto. Persons interested in attending this meeting should contact Gary Pulford at the above phone number to confirm the date and time of the meeting. As stated above, notice of other meetings may also be obtained by contacting Gary Pulford, at the above stated phone number.

In addition, written or oral comments may be submitted to the Agency in regard to the proposed rule or possible amendments thereto. Written statements may be addressed to Gary Pulford at the above address. Oral statements will be received during regular business hours over the telephone at the above telephone number and in person at the above address. Any written material received by the Agency shall become part of the hearing record in the event the Agency proposes to adopt rules governing this subject.

If, in the future, the Agency proposes to adopt the rule, notice of the rule will be given, together with the date(s) of the hearing, in the manner specified in Minn. Stat. § 15.0412, subd. 4 (1978). Any person or group who wishes to be given notice of the rule as proposed or the dates of the hearing should contact Gary Pulford at the address or telephone number noted above.

August 13, 1979

Terry Hoffman
Executive Director

Department of Transportation

Notice of Application and Opportunity for Hearing Regarding Authority to Abandon and Remove Track No. 49 and the Prindle Main Track, Both Located at Virginia, Minnesota

Notice is hereby given that the Duluth, Missabe and Iron Range Company with offices at the Missabe Building, Duluth, Minnesota 55802 has filed a petition with the Commissioner of

Transportation pursuant to Minn. Stat. § 219.741 and § 218.041, subd. 3 (10) to abandon and remove track No. 49 and the Prindle Main track, both located at Virginia, Minnesota.

The application recites among other matters that: "The Prindle Main, the longer of the two tracks, is the remainder of a long since removed track serving the Prindle Mine and was retained only to allow service to be provided over Track No. 49. Track No. 49 has not been used commercially for more than five years.

The above proposed abandonment is in the best of . . . (Duluth, Missabe and Iron Range Railway Company) and will not impair the ability of . . . (Duluth, Missabe and Iron Range Railway Company) to serve the public efficiently and satisfactorily and will not result in injury or be inconvenient to the shipping public or any members thereof."

Any person may file a written objection to the proposed action by means of a letter addressed to the Commissioner of Transportation, Transportation Building, Saint Paul, Minnesota 55155, not later than the date specified below. An objection must be received on or before September 17, 1979. The objection should state specifically how the objector's interest will be adversely affected by the proposed action.

Upon receipt of a written objection, the Commissioner will, with respect to the named petitioner, set the matter down for hearing. If no objections are received, the Commissioner may grant the relief sought by the petitioner.

If this matter is set for hearing, any person who desires to become a Party to this matter must submit a timely Petition to Intervene to the Hearing Examiner pursuant to 9 MCAR § 2.210, showing how the person's legal rights, duties and privileges may be determined or affected by the decision in this case. The petition must also set forth the grounds and purposes for which intervention is sought. All parties have the right to be represented by legal counsel or any other representative of their choice. In the event the objecting party does not do so, or otherwise does not participate in the hearing, the statements contained in the application filed may be taken as true.

August 10, 1979

Richard P. Braun
Commissioner

Notice of Application and Opportunity for Hearing Regarding Authority to Remove Trackage in Minneapolis, Minnesota, Serving Harmon Glass and Koch Industries

Notice is hereby given that Chicago, Milwaukee, St. Paul and Pacific Railroad Company has filed a petition with the Commissioner of Transportation pursuant to Minn. Stat. § 219.741 and § 218.041, subd. 3 (10) to remove trackage in

OFFICIAL NOTICES

Minneapolis, Minnesota serving Harmon Glass and Koch Industries.

This petition recites among other matters: "That at present petitioner is the owner or operator of certain trackage in Minneapolis . . . which has in the past served Koch Industries, Inc. and Harmon Glass Company (now owned by Apogee Enterprises, Inc.) and no other industries are located at or served by this trackage. Minneapolis Housing and Redevelopment Authority is in the process of purchasing the property of Koch Industries, Inc., and the Minneapolis Housing and Redevelopment Authority, in addition to Koch Industries, Inc. and Apogee Enterprises, Inc. (Harmon Glass) have requested that the trackage be removed because it is no longer needed to serve said industries, and the prospective purchaser is anxious to put the property to other use.

Continued maintenance of said trackage is not economically justified nor required by interstate or intrastate commerce."

Any person may file a written objection to the proposed action by means of a letter addressed to the Commissioner of Transportation, Transportation Building, Saint Paul, Minnesota 55155, not later than the date specified below. An objec-

tion must be received on or before September 10, 1979. The objection should state specifically how the objector's interest will be adversely affected by the proposed action.

Upon receipt of a written objection, the Commissioner will, with respect to the named petitioner, set the matter down for hearing. If no objections are received, the Commissioner may grant the relief sought by the petitioner.

If this matter is set for hearing, any person who desires to become a party to this matter must submit a timely Petition to Intervene to the Hearing Examiner pursuant to 9 MCAR § 2.210, showing how the person's legal rights, duties and privileges may be determined or affected by the decision in this case. The petition must also set forth the grounds and purposes for which intervention is sought. All parties have the right to be represented by legal counsel or any other representative of their choice. In the event the objecting party does not do so, or otherwise does not participate in the hearing, the statements contained in the application filed may be taken as true.

August 10, 1979

Richard P. Braun
Commissioner

STATE OF MINNESOTA
OFFICE OF THE STATE REGISTER

Suite 415, Hamm Building
408 St. Peter Street
St. Paul, Minnesota 55102
(612) 296-8239

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