

12-18-67

REVISIONS IN CIVIL SERVICE RULES 13.7 AND 13.14  
ADOPTED BY THE CIVIL SERVICE BOARD  
November 29, 1967

9797-V

In accordance with the requirements of Minnesota Statutes 1965, Section 15.0412, subdivision 4, the Civil Service Board conducted public hearings on November 9, 1967, and November 29, 1967, pursuant to due notice, to consider proposed additions to Civil Service Rules 13.7 and 13.14; and, based on a showing of need, the following additions (underlined) were adopted:

13.7 Vacation Leave

Each person employed on a regular full time basis in a continuing position in the classified service shall earn vacation with pay at the rate of four working hours for each full payroll period during the first 130 payroll periods of continuous employment by the state and at the rate of five hours for each full payroll period thereafter. Service shall begin on the date of state employment and time on layoff, suspension or leave without pay, except as otherwise provided by law or these rules, shall not be counted in determining the date of completion of a full payroll period or 130 payroll periods of continuous service. If an employee is being paid for less than the full payroll period of 80 hours, his vacation accruals will be prorated for that period. This proration will be in accordance with a schedule established by the director. Vacation leave shall not be granted or accrued before satisfactory completion of six months or its equivalent of continuous full time service. Upon satisfactory completion of such period, vacation leave shall accrue to the employee from the beginning of the period of continuous service. If an employee returns to the classified service following separation, vacation leave shall accrue at the rate of four working hours for each full payroll period during the first 130 payroll periods of continuous employment and at the rate of five hours for each full payroll period thereafter, with the following exceptions. An employee reinstated or appointed from the reemployment list within one year of resignation, the reason for which was either the employee's pregnancy or the pursuit of education directly related to the employee's position in the state service as certified by his appointing authority, shall accrue vacation at the same rate and with the same accredited length of service that existed at the time of such resignation. Vacation leave shall not be earned by employees on temporary or emergency appointments. Departments or agencies may determine the time and establish schedules governing the use of vacation leave.

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Unused vacation leave may be accumulated to a total of 192 working hours provided, however, that an employee who is about to lose four hours of vacation leave because of the limitation of accrual imposed by this rule, upon advance notice to the appointing authority, may within the payroll period following absent himself with or without the consent of his appointing authority to prevent the loss of such hours, and action so taken by the employee shall not constitute a basis for disciplinary action or loss of pay.

An employee on military leave as provided in rule 13.11 shall not be limited to 192 hours accrual of vacation leave. He may immediately upon his reinstatement from military leave take all vacation leave in excess of 192 hours with or without the consent of his appointing authority. In the alternative, he may elect to be credited with the vacation leave in excess of 192 hours, but such leave shall be taken at a time determined by the appointing authority within two years of the date of reinstatement.

Any employee who is separated from the state service by layoff, resignation, death or otherwise and any employee who is transferred or who accepts employment under the jurisdiction of a new appointing authority or in the unclassified service of the state shall be paid for the number of working hours of unused vacation leave accumulated to his credit.

In the event it is proved to the appointing authority's satisfaction that an employee was unjustifiably suspended and the employee has lost pay as a result of such suspension, the appointing authority shall, without regard to the 192 hour limitation mentioned above, add to the employee's vacation accumulation a number of vacation hours equal to the number of working hours lost.

#### 13.14 Other Leaves of Absence Without Pay

Permanent employees may be allowed to be absent from duty without pay for a period not exceeding a total of twelve months in any fourteen consecutive months on the basis of applications for leave without pay approved by their respective appointing authorities and the director under the following conditions:

Such leave shall be granted only when it will not result in undue prejudice to the interests of the state as an employer beyond any benefits to be realized. An application for leave of absence for travel or study calculated to equip the employee to render more effective service to the state may be deemed to involve such compensating benefits to be measured against the loss or prejudice to the interests of the state involved in keeping open the position or filling it temporarily until the return of the employee.

No such leave shall be granted primarily in the interests of the employee, except in the case of an employee who is shown by his record of service ratings or by other evidence, to be of more than average value to the state, whose services it is desirable to retain, even at some sacrifice. Under the foregoing conditions, appropriate leave may be granted for an employee's pregnancy.

The director shall refuse to approve any proposed leave without pay which in his judgment is contrary to the best interest of the state.

APPROVED AS TO FORM AND LEGALITY

December 18, 1967

DOUGLAS M. HEAD, ATTORNEY GENERAL

BY James A. Anderson

SPECIAL ASSISTANT ATTORNEY GENERAL

CIVIL SERVICE BOARD

Sidney S. Feinberg, Chairman  
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William W. Holes, Member

By John W. Jackson  
John W. Jackson, Secretary

STATE OF MINNESOTA  
DEPARTMENT OF STATE

FILED

DEC 18 1967 - 3:00 pm

James A. Anderson  
Secretary of State