

**CHAPTER 4670**  
**DEPARTMENT OF HEALTH**  
**LOCAL PUBLIC HEALTH AGENCIES;**  
**MERIT SYSTEM**

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**4670.1320 RECOMMENDED ADJUSTMENTS.**

The merit system general adjustment recommended for incumbents is 2-3/4 percent for employees on the professional and administrative, health services support, clerical, and building maintenance salary schedules

**Statutory Authority:** *MS s 144 071*

**History:** *25 SR 487*

**4670.2670 REMOVAL DURING PROBATION.**

A probationary employee may be dismissed by an appointing authority without the right to an appeal or hearing except as may otherwise be provided by law. The employee shall be given written notification of dismissal, including the reasons for dismissal. A copy of the notification shall also be submitted to the supervisor.

A probationary employee who has permanent status in another class in the same agency and who is not granted permanent status in the new classification shall be restored to a position in the class from which the person was promoted as seniority permits or in a comparable class as parts 4670.0100 to 4670.4240 permit, unless the failure to grant permanent status was due to the misconduct of the employee.

When there is no position to which the employee can be restored, because of abolishment of jobs or lack of seniority, the provisions of part 4670.2930 apply.

**Statutory Authority:** *MS s 144 071*

**History:** *25 SR 487*

**4670.2900 RESIGNATIONS.**

An employee who resigns shall notify the appointing authority in writing. A copy of the resignation shall be forwarded to and recorded by the supervisor.

**Statutory Authority:** *MS s 144 071*

**History:** *25 SR 487*

**4670.2910 DISMISSALS.**

No employee who has permanent status shall be dismissed from a position except for just cause. Before the action is taken, a permanent employee shall be furnished with a statement in writing setting forth reasons for the dismissal. The employee shall be permitted five days time to reply thereto in writing or, upon request, to appear personally and reply to the appointing authority. A copy of the statement and the employee's reply, if any, shall be filed with the supervisor prior to the effective date of the dismissal. Any such employee who is dismissed may demand a hearing before the merit system council in the manner prescribed by part 4670.3530.

Any employee who willfully practices, or attempts to practice, any deception or fraud in an application, in a certificate, in an examination, or in securing eligibility or appointment, shall, upon discovery and proof thereof, be removed and discharged.

Charges alleging such deception or fraud may be initiated by the appointing authority or by the supervisor, in conformity with the provisions of this part relating to notice of discharge and hearing before the merit system council

**Statutory Authority:** *MS s 144 071*

**History:** *25 SR 487*

#### 4670.2920 SUSPENSIONS AND INVESTIGATORY LEAVE.

**Subpart 1 Unpaid suspensions.** The appointing authority may, after written notice, suspend any employee without pay for just cause for a period not to exceed 30 calendar days in any one calendar year. Suspensions of five or fewer consecutive working days or ten or fewer working days in a calendar year are not appealable to the council under the provisions of part 4670.3530, subpart 1.

**Subpart 2 Investigatory leaves.** The appointing authority may place an employee who is the subject of a disciplinary investigation on an investigatory leave with pay if a reasonable basis exists to warrant the leave. This action by an appointing authority may not be appealed to the merit system council under part 4670.3530, subpart 1.

**Statutory Authority:** *MS s 144 071*

**History:** *25 SR 487*

#### 4670.2930 LAYOFF.

*[For text of subpart 1, see MR]*

**Subpart 2. Seniority.** 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 performance evaluations, if available, or the last evaluation, if only one is available and the employee with the lowest such average or evaluation shall be laid off first. If no performance evaluations 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. 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.

*[For text of subps 3 to 5, see MR]*

**Subpart 6 Scope of rule.** The provisions of this part shall apply to all layoffs, except where otherwise provided in written contract between an agency and an exclusive bargaining representative or in county policy.

**Statutory Authority:** *MS s 144 071*

**History:** *25 SR 487*

4670.2940 [Repealed, 25 SR 487]

4670.3100 [Repealed, 25 SR 487]

#### 4670.3530 APPEAL FROM DISMISSAL, SUSPENSION, OR DEMOTION.

*[For text of subpart 1, see MR]*

**Subpart 2. Hearing.** The supervisor shall make every effort to establish a hearing date within 30 days of receiving an appeal. If scheduling conflicts prevent that from occurring, the supervisor shall establish a hearing date as soon as reasonably possible, but no more than 90 days from the date that the appeal was received.

*[For text of subps 3 and 4, see MR]*

**Statutory Authority:** *MS s 144 071*

**History:** *25 SR 487*

**4670.4210 PROFESSIONAL AND ADMINISTRATIVE COMPENSATION PLAN, 2000.**

**Subpart 1 Plan.**

	Minimum	Maximum
Assistant Director of Environmental Health	2792	4773
Director of Environmental Health	3195	5447
Director of Public Health Nursmg	2792	4991
Public Health Educator	2237	4168
Public Health Nurse	2445	4168
Registered Nurse (A A. Degree, 3 year Diploma, or B S Degree)	2342	3991
Sanitarian	2138	3813

**Statutory Authority:** *MS s 144 071*

**History:** *25 SR 487*

**4670.4220 HEALTH SERVICES SUPPORT PERSONNEL COMPENSATION PLAN.**

**Subpart 1 Plan.**

	Minimum	Maximum
Accountmg Technician	1566	2559
Home Health Aide	1462	2389
Home Health Aide Coordinator	1716	2792
Inspector	1716	2792
Licensed Practical Nurse	1716	2792
Public Health Aide	1253	2237

**Statutory Authority:** *MS s 144 071*

**History:** *25 SR 487*

**4670.4230 CLERICAL COMPENSATION PLAN.**

**Subpart 1. Plan.**

	Minimum	Maximum
Office Support Aide	1078	1911
Office Support Specialist	1278	2285
Office Support Specialist, Sr	1566	2559

**Statutory Authority:** *MS s 144 071*

**History:** *25 SR 487*

**4670.4240** [Repealed, 25 SR 487]