

3900.2100 ADMINISTRATION OF THE WAGE AND SALARY PLAN.

Subpart 1. **Scope.** This part applies to all classified and unclassified positions in the executive branch, the classified positions in the Office of the Legislative Auditor, the Minnesota State Retirement System, the Public Employees Retirement Association, and the Teachers Retirement Association, which have been assigned to salary ranges by the commissioner. The rule is conditional upon the availability of funds and authorization by the commissioner of management and budget.

Subp. 2. **Salary upon entry into civil service.** Salary upon entry into civil service should usually be at the minimum rate for the classification. An appointing authority may make an appointment at the second or third step of a range or within 12 percent of the minimum rate for the class when the salary range does not contain steps. An appointing authority must receive prior authorization from the commissioner to make an appointment at or beyond the fourth step of the salary range or more than 12 percent above the minimum rate when the range does not contain steps. The commissioner may disapprove an unauthorized salary offer by an appointing authority beyond the third step of a salary range or more than 12 percent from the minimum rate. Appointments above the minimum rate must be based upon the exceptional qualifications of the applicant or the unavailability of applicants at the minimum rate. Salaries paid to current employees in the same or related classifications must also be taken into consideration.

Subp. 3. **Salary upon reinstatement.** If a former employee is reinstated in a classification in which the employee was previously employed, the appointing authority may make the appointment at the same rate of pay the employee had been receiving at the time of last separation from that classification plus any automatic adjustments that may have been made since the employee left the civil service or the classification. Appointments above this rate of pay must be approved by the commissioner before they can take effect. Automatic adjustments include, but are not limited to, across-the-board adjustments, equity adjustments, and cost-of-living adjustments and do not include performance-related increases that the employee might have received had the employee remained in the classification.

Statutory Authority: *MS s 43A.04*

History: *30 SR 807; L 2009 c 101 art 2 s 109*

Published Electronically: *August 7, 2009*