

3900.8400 PROVISIONAL APPOINTMENTS.

Subpart 1. **Authorization.** The commissioner may authorize a provisional appointment according to Minnesota Statutes, section 43A.15, subdivision 4, after considering the following documentation submitted by the appointing authority:

A. a statement that no applicant is suitable or available for appointment, including a specific statement of the job-related reasons for determining an applicant to be unsuitable; and

B. a description of the nominee's qualifications in the form prescribed by the commissioner demonstrating that the person to be provisionally appointed is qualified in all respects except completion of a licensure or certification requirement.

Subp. 2. **Termination.** The appointing authority shall terminate a provisional appointment 90 days after the commissioner provides an applicant who is suitable and qualified for appointment, or after six months, whichever is earlier. However, in individual cases, the commissioner may grant exceptions and extend provisional appointments according to Minnesota Statutes, section 43A.15, subdivision 4, if the appointing authority documents a continued shortage of qualified and suitable applicants, and the provisional appointee is continuing to work to complete the licensure or certification requirement.

Statutory Authority: *MS s 43A.04*

History: *30 SR 807*

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