

4670.2000 REGISTERS.

Subpart 1. **Establishment of registers.** After such examination the supervisor shall prepare and maintain registers of persons who attain passing scores in the examination. The names of eligible persons shall be placed on registers in the order of their final rating, beginning with the highest, except as modified by veterans' preference. If two or more persons have final ratings that are identical, their names shall be arranged on the register in the order in which their applications for examination were accepted. Remaining tie scores shall be broken by arranging names in alphabetical order.

Eligible registers resulting from examinations shall be of two kinds: open competitive registers, from which original appointments shall be made; and promotional registers, from which promotions shall be made. Other registers or lists of persons eligible for appointment may be established in accordance with other provisions of parts 4670.0100 to 4670.4240.

Promotional registers shall consist of the names of permanent and probationary employees who attain passing scores in the examination for promotion to a class of positions.

Registers shall normally be established on a statewide basis. Nevertheless, the supervisor may offer examinations on a county or area basis or may establish a county or area subregister of a statewide register. Eligibility for placement on a county or area subregister shall be determined by legal residence in the county or area or, in the case of a promotional register, by employment with the local public health agency.

Layoff lists shall be established by county and shall include the names of permanent and probationary employees who have been laid off from employment because of lack of funds or lack of work in accordance with the provisions of parts 4670.0100 to 4670.4240. Names shall be placed on this list in reverse order of layoff.

The supervisor may establish a reemployment list of the names of former permanent and probationary employees who are eligible under the rules for reinstatement to a class of positions and who apply for placement on this list. Names shall be placed on this list in the manner determined by the supervisor. All persons on such list are equally eligible for appointment, and no rank or position shall be assigned.

The supervisor may establish a transfer list of the names of current permanent employees who are eligible under the rules to transfer to a class of positions and who apply for placement on this list. Names shall be placed on this list in the manner determined by the supervisor. All persons on this list are equally eligible for appointment, and no rank or position shall be established.

Subp. 2. **Change of address.** Each applicant or eligible shall file with the supervisor notice of any change of address.

Subp. 3. **Duration of registers.** The life of each register shall normally be one year from the date of its establishment, but this period may be reduced or extended by the supervisor. In no case, however, shall a register be in existence for a period of more than three years. A register may be deemed by the supervisor to be exhausted if fewer than three available eligibles remain on it. Upon exhaustion of a register, or if the supervisor reduces the life of a register, the supervisor shall notify each eligible remaining on such register to this effect by mail to the last known address.

Subp. 4. **Removal of names from registers.** The supervisor may remove the name of an eligible from a register for any of the following causes:

A. Appointment through certification from such register to fill a probationary appointment.

B. Appointment through certification from a register for another class whose minimum salary is either equal to or higher than the minimum salary for this class of positions; but, at the request of the appointee in such a case, the appointee's name may be continued on, or restored to, any or all registers other than the one from which the appointment was made, for the remainder of the life of such registers.

C. Filing of a statement by the eligible that the eligible is not willing to accept appointment. Such statement of unwillingness may be restricted to a limited period of time, or to geographic locations or positions involving other conditions of employment, as specified. The name of the eligible shall then be treated as not available and shall be passed over in certification to fill any vacancy under the conditions specified as though such name did not appear on the register. Any eligible may file a new statement at any time modifying for future consideration any prior statement about the time, place, or other conditions under which appointment will be accepted.

D. Declination of appointment under such conditions as the eligible previously has indicated the eligible would accept.

E. Failure to respond within five days to any inquiry of the supervisor or an appointing authority relative to availability for appointment.

F. Consideration of a probationary appointment from a promotional register by three different appointing authorities, or three times by one appointing authority, and not appointed.

G. Consideration of a probationary appointment from an open competitive register to a class of positions within the preceding two years by three different appointing authorities, or three times by one appointing authority, and not appointed.

H. Any cause specified in part 4670.1800.

I. Is not available in an area under the jurisdiction of the merit system.

The supervisor, upon noting any declination or failure of any eligible to respond, may send a notice to the eligible of the removal of the eligible's name from the register. Such notice may include any inquiry about the reasons for such declination or failure to respond and a question as to whether the eligible is willing to accept the next appointment offered under such conditions as he or she may specify. Upon the furnishing of reasons satisfactory to the supervisor for the declination or failure to respond, and a statement of willingness to accept appointment, the name of the eligible may be restored to the register for certification for appointment under the conditions specified. It shall be considered impossible to locate an eligible when any communication mailed at the last known address of record supplied by the eligible is not replied to within five days or is returned unclaimed, or if a telegram is not replied to within three days. It shall be known to the supervisor that an eligible is not willing to accept a position when a declination of appointment or statement of unwillingness to accept appointment is on file with the supervisor.

Statutory Authority: *MS s 144.071*

History: *17 SR 1279; 23 SR 82; 23 SR 2404; 26 SR 811*

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