

4670.2690 VIOLATION OF RULES.

Subpart 1. **Penalty.** If an appointing authority fails to implement the purpose and intent of the probationary period by appropriate action as provided in parts 4670.2600 to 4670.2680, a probationary employee whose probationary period is not extended or who is not certified permanent in accordance with part 4670.2680 and is not removed or demoted but is continued in employment beyond the full probationary period shall obtain permanent status in the position by the default of the appointing authority. The payment of salary beyond the probationary period shall be deemed to be evidence of the determination by the appointing authority that permanent status shall be granted to the employee. The supervisor shall enter such status on the record of the employee and shall notify the appointing authority and the employee of the change in status.

Subp. 2. **Reports of violations.** Each instance in which permanent status is granted to an employee in accordance with subpart 1 shall be reported to the council. The council may recommend and the commissioner may take appropriate action to insure that the purpose and intent of the probationary period shall be given effect in the appointing authority in all future appointments.

Statutory Authority: *MS s 144.071*

History: *23 SR 2404*

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