

**383C.036 CLASSIFICATIONS; EXAMINATIONS.**

Subdivision 1. **Classified service.** All regular employees holding positions which are placed in the classified service under the provisions of sections 383C.03 to 383C.059 shall be permanent members of the classified service without examination or working test period if they have been in the employ of the county for five consecutive years or more, immediately previous to December 31, 1943, or when a regular employee has been transferred from the unclassified service to the classified service and has been in the employ of the county for five consecutive years or more, immediately previous to said transfer from the unclassified service to the classified service, and all employees who have been appointed through merit examinations administered under authority of Laws 1941, chapter 476, section 5, and who have not since been separated from the service shall also be permanent members of the classified service without further examination or working test period, except that any employee who has not completed a working test period as provided under the rules of the merit plan, shall be on probation for that period of time of service otherwise necessary to complete the working test period under the merit plan. All other employees shall not be members of such classified service until such time as they shall have been appointed to such position in accordance with the provisions of sections 383C.03 to 383C.059. The civil service director subject to rules and regulations of the county civil service commission shall within two years of the date the board of county commissioners of such county elects to avail itself of the provisions of sections 383C.03 to 383C.059, prepare and offer once to all persons who, on the date the board of county commissioners of such county elects to avail itself of the provisions of sections 383C.03 to 383C.059, are incumbents of positions in the classified service with less than five years of service, a qualifying examination that is designed to test fitness to perform the work of the class to which the position has been allocated. No person holding an office for employment in the classified service previous to December 31, 1943, who is required by sections 383C.03 to 383C.059 to take a qualifying examination shall be laid off, suspended, discharged or reduced in pay or position, except in accordance with the provisions of sections 383C.03 to 383C.059 applicable to members of the classified service having permanent status until they have completed such qualifying examination and shall have been notified of the results thereof. If such incumbents pass such qualifying examination, they shall become permanent members of the classified service. If, however, any of the aforementioned incumbents who are required by sections 383C.03 to 383C.059 to take a qualifying examination shall fail to pass the same, they shall be removed from their positions at or before the expiration of three months following receipt of notice of failure to pass such examination. All persons who shall willfully fail or refuse to take the examination when offered without reasonable excuse, shall be removed from their positions immediately.

Subd. 2. **Education employees.** All regular employees of the county board of education on the effective date of Laws 1961, chapter 329, section 2, holding a position which is placed in the classified service under the provisions of sections 383C.03 to 383C.059 shall be subject to and have the benefit of all provisions of subdivision 1 of this section in like manner as all county employees subject thereto on the effective date of Laws 1941, chapter 423, were subject thereto and had the benefit thereof.

**History:** 1941 c 423 s 7; 1943 c 608 s 2; 1947 c 187 s 1; 1949 c 310 s 1; 1961 c 329 s 2; 1986 c 444