

## Bill Overview 43A State Personnel Management Improvements

This proposal combines a range of clarifications and modest improvements across Chapter 43A, the state personnel management statutes.

| Section   | Statute                | Summary of Changes   |
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| Section 1 | 43A.01, subdivision 3  | This section clarifies policy to establish and maintain equitable compensation relationships; clarifies that compensation relationship refers to job classifications, not individual positions.  |
| Section 2 | 43A.02, subdivision 14 | This section changes the name of the Commissioner's Plan to the Non-Represented Employees Compensation Plan. Avoids confusion as there are no commissioners in the 'Commissioners Plan.' This plan covers non-managerial employees who are not who are not covered by a collective bargaining agreement. |
| Section 3 | 43A.04, subdivision 1  | This section adds permissive authority to allow a board to request MMB issue personnel determinations regarding their board-appointed executive director. It also removes the obsolete statutory citation to the 176.603 workers compensation section.   |
| Section 4 | 43A.04, subdivision 4  | This section modernizes the term "referred or nominate" to "apply."  |
| Section 5 | 43A.04, subdivision 8  | Updates the law enforcement units that can participate in the donation of vacation time to include new bargaining units 18 and 19.   |
| Section 6 | 43A.05, subdivision 3  | This section is a corresponding update to the name change of the Commissioners Plan to the Non-Represented Employees Compensation Plan.  |

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| Section 7  | 43A.07, subdivision 2     | This section removes the duplicate authority in statute for employees to request a classification study of MMB, employees will continue to have the authority to separately request a study from their home agency.   |
| Section 8  | 43A.08, subdivision 1a    | This section simplifies an unwieldy list of agencies related to the creation of additional unclassified positions, criteria including MMB approval remain unchanged. .  |
| Section 9  | 43A.08, subdivision 4     | This section removes an arbitrary 36-month cap for student workers, replacing it with a requirement they be enrolled in secondary, postsecondary, or graduate study.  |
| Section 10 | 43A.11, subdivision 9     | This section modernizes terms.  |
| Section 11 | 43A.121                   | This section removes an obsolete reference to skill matching in ranking employees.  |
| Section 12 | 43A.15, subdivision 2     | This section extends the maximum emergency appointment from 45 to 90 days allowing for a still short-term but more useful period of employment.   |
| Section 13 | 43A.15, subdivision 3     | This section updates maximum temporary appointment from six months to one year but removes the current authority to petition for a six-month extension.   |
| Section 14 | 43A.15, subdivision 4     | This section removes the 60-day requirement for a probationary appointment of a provisional appointment, allowing for greater flexibility for those employees who obtain their licensure or certification to move more quickly to a probationary appointment.   |
| Section 15 | 43A.15, subdivision 7     | This section removes superfluous language related to appointing unclassified incumbents in newly classified positions.  |
| Section 16 | 43A.15, subdivision 12    | This section updates the term "work training" to "trainee," which is the current term used by agencies.   |
| Section 17 | 43A.15, subdivision 14(b) | This section updates "may" to "shall" on authorizing probationary appointments and then allows conversion to permanent appointment for Connect 700. This allows applicants to get converted to probationary status after demonstrating qualifications for the position through the completion of on-the-job demonstration experience. |

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| Section 18 | 43A.17, subdivision 5     | Removes references to consideration of age and health in conflict with federal law in consideration of special cases for salaries on demotion.  |
| Section 19 | 43A.18, subdivision 1     | This section removes unnecessary specificity in process by which employees may donate their vacation time.  |
| Section 20 | 43A.1815                  | Gives employees flexibility upon retirement to donate more than 40 hours of vacation time to the sick leave account.  |
| Section 21 | 43A.19, subdivision 1     | This section modernizes the title of "Director of Recruitment, Retention and Affirmative Action" to "Director of Affirmative Action."   |
| Section 22 | 43A.23, subdivision 1     | This section updates "which" to "that," improving clarity in the statute and contains a conforming change to newly named Non-Represented Employees Compensation Plan.   |
| Section 23 | 43A.23, Subdivision 2(b)  | This section removes the requirement that Commerce and MDH review SEGIP benefit summaries so that MMB can publish the plan summaries to allow for timely publication. Both agencies retain the authority to provide advice.   |
| Section 24 | 43A.24, subdivision 1(c)  | This section repeals the required report on the number of employees opting out of SEGIP. Due to similar numbers year over year, the report has become less relevant since the practice was allowed.   |
| Section 25 | 43A.24, subdivision 2     | This section removes obsolete references to the University of Minnesota in SEGIP statute. The University of Minnesota has not participated in SEGIP since 2002.   |
| Section 26 | 43A.27, subdivision 2(3): | This section removes additional obsolete references to the University of Minnesota in SEGIP statute. It also updates other entity names and includes a conforming change adding the Center for Rural Policy and Development and Agricultural Utilization Research Institute and removing Highway Credit Union following its merger with a larger entity that is not eligible to participate in SEGIP. |
| Section 27 | 43A.33, subdivision 3     | This section corrects an obsolete reference to a since-repealed subdivision.  |
| Section 28 | 43A.346, subdivision 2    | This section removes ambiguity in the eligibility of former employees for a postretirement option appointment.  |

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| Section 29 | 43A.346<br>Subdivision 6  | This section clarifies statute by adding "of employment" to the term conditions in defining the maximum length of a postretirement option.   |
| Section 30 | 43A.36,<br>Subdivision 1  | This section clarifies that agency ADA coordinators report directly to their agency head and not the Commissioner of MMB.  |
| Section 31 | 43A.421   | Addition of customized employment, a new pathway for the employment of people with disabilities by state government, replacing the little-used supported work program. This is the product of the <a href="#">Report on Changes to the Service Worker Category in the State Civil Service</a>  |
| Section 32 | <b><u>Repealer:</u></b><br>43A.315,<br>subdivision 1, 2, 3,<br>5, 6, 7, 8, 9, 10,<br>and 12 | This section deletes the authority for the efficient use of health care incentive program. This program has never been in use, given that the Advantage Plan's tiered network already fulfills the same goal in a more administratively efficient manner. 90% of SEGIP members enroll in cost level 1 or 2 clinics, meaning that employees and agencies alike already benefit from lower premiums relative to what they would be under broader use of costlier care. |
| Section 32 | <b><u>Repealer:</u></b><br>43A.3171, 2, 3, 5,<br>6, 7, 8, 9, 10, and<br>12                  | This section repeals the authority for MEIP as this program was discontinued in the late 1990s due to unsustainability.  |
| Section 32 | <b><u>Repealer:</u></b><br>43A.318,<br>subdivisions 1, 2,<br>4, and 5                       | This section repeals the Public Employees Long-Term Care Insurance Program, which was never implemented and, due to broader changes in the long-term care insurance market over past decades, is not financially feasible.   |
| Section 32 | <b><u>Repealer:</u></b> 43A.05,<br>subdivision 6  | This provision was inadvertently included and we hope to remove in an author's amendment.  |