

CIVIL SERVICE RULES OF ISD709

Adopted by the School Board of ISD709 on April 16, 2015 replace all Rules previously adopted.

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Sec. 1. Purpose.

The Laws of the State of Minnesota 1933 Chapter 35-H.F. No. 155 and amendments 1967; 1971; 1983; 1984; 1985; and 1986 provide: The employees of ISD709 shall be eligible to be classified and shall be classified as employees under the provisions of the charter of the City of Duluth pursuant to which a civil services board has been or may be established. The civil service board is established pursuant to Chapter V of the Duluth City Charter. This document shall constitute the rules and regulations to accomplish the execution and intent of Minnesota law 1967 CHAPTER 252 – H.F. No. 1345 and all amendments thereof; provided the Minnesota law and agreements reached under the Minnesota Public Employment Labor Relations Act (PELRA), 2012 Minnesota Statutes Chapter 179A, to which ISD709 is a party shall supersede these rules and regulations as required by Minnesota law. The provisions and employee protections of PELRA, 2012 Minnesota Statutes Chapter 179A, whether subsequently amended or rescinded, are hereby incorporated into these Rules to the extent allowed by Minnesota law. The purpose of these Rules is to ensure a fair, efficient and effective system of the District's human resource administration for the Classification of employee positions for all individuals within the civil service of ISD709.

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Sec. 2. Definitions.

The definitions provided for in the Minnesota Public Employment Labor Relations Act (PELRA), 2012 Minnesota Statutes Chapter 179A, whether subsequently amended or rescinded, are hereby incorporated into this Chapter to the fullest extent allowed by Minnesota law. The following additional definitions apply to this Chapter:

- (a) School Board. The School Board of ISD709 who is also the appointing authority;
- (b) Board. The Civil Service Board (board) established pursuant to Chapter V of the Charter;
- (c) Charter. The City Charter for the City of Duluth;
- (d) Class or class of positions. A group of positions established under these Rules sufficiently similar in respect to the duties, responsibilities qualifications, and authority that the same descriptive title may be used to designate each position allocated to the class;
- (e) Classification description. A description of the major duties of each class, examples of tasks performed, and the minimum qualifications required, and other essential functions of the class;
- (f) Classification plan. The classes of positions within the classified service;
- (g) Classified employee. Any employee, except an employee provisionally appointed, who, in accordance with the provisions of regulating laws, occupies any position in the classified service, or who is on leave of absence from such position if such position is held vacant pending the employee's return;
- (h) Classified service. Any position in the service of the ISD709 except the following:
 - (1) Any employee excluded from the definition of employee under applicable state Law.
- (i) Position. A full or part-time job held by one person, unless the job is filled by a job sharing arrangement;
- (j) Public Employment Labor Relations Act (PELRA). 2012 Minnesota Statutes Chapter 179A. PELRA regulates labor relations between ISD709, its employees and the labor organizations that represent ISD709 employees;
- (k) Chief administrative officer. Chief administrative officer of the ISD709 Human Resources Office
- (l) Secretary. The manager of human resources for the City of Duluth or the board's designee.

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Sec. 3. Duties of the board.

(a) The board shall oversee compliance with these Rules. The board may investigate any allegation of a violation of these Rules. If the board rules there has been a violation, it can recommend a remedy to the appointing authority.

(b) In addition to the authority and responsibility conferred upon the board by Chapter V of the Charter and by the provisions of City of Duluth Code Chapter 13 relating to City of Duluth Classified Employees, the board shall, as relates to matters of ISD709 Classified Employees, act in accordance with the authority and responsibility conferred upon it by these Civil Service Rules of ISD709;

(c) The board shall serve as a veteran's hearing board for ISD709 employees as provided by Minnesota law;

Sec. 4. Meetings of the board.

All meetings of the board shall be open to the public as required by state law. A simple majority of the board membership then serving shall constitute a quorum for meeting purposes. Any meeting shall be adjourned in the absence of a quorum. Regular meetings of the board shall be scheduled once per month. The board shall make the determination of whether to hold or cancel meetings when there is no business requiring board action. Special meetings of the board may be held at any time on the call of the secretary or the board chair.

Sec. 5. Duties of secretary to the board.

(a) The secretary shall act as the secretary to the board, attend meetings of the board, prepare matters that require board action and prepare the board minutes;

(b) The secretary shall serve as a nonvoting ex officio member of the board and shall have the right to participate in board discussions;

(c) The secretary shall arrange and provide for all communications and reports required by these Rules.

Sec. 6. Civil service administration, duties of the secretary.

Unless otherwise provided herein, the secretary shall have all powers necessary to administer the functions and provisions of these Rules. These powers include, but are not limited to, the creation and maintenance of the Classification Plan.

Sec. 7. Establishment of and amendments to the classification plan.

(a) The Classification Plan for ISD709 is attached to these Rules as Exhibit A;

(b) The Classification Descriptions for classified employees of ISD709 are attached to these Rules as Exhibit B;

(c) Management of ISD709 shall confer with the applicable union personnel committee, labor management committee or appropriate union representative regarding all new and revised class descriptions of all positions within the classification plan prior to approval by the School Board; or consideration by the board for classification or reclassification;

(d) The creation or amendment of classification descriptions of all positions within the classified service shall be approved by the chief administrative officer before being submitted to the board for classification;

(e) Upon the creation of a new class or amendment to the name of an existing class by the board, or upon the deletion of a class by the chief administrative officer such new class, amendment or deletion action shall be reflected in a revised Exhibit A.

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(f) The ISD709 Human Resources Office, subject to the approval of the chief administrative officer, shall determine the classifications to be utilized within any organizational unit under the supervisory authority of the appointing authority;

(g) The chief administrative officer may abolish existing classes that are obsolete and no longer in use, subject to the approval of the School Board;

(h) Upon the creation of a new or amendment to an existing classification description approved by the chief administrative officer such new or revised description after its classification by the board shall be incorporated into a revised Exhibit B.

Sec. 8. Reclassification of positions.

(a) If, after the evaluation of a class description provided to the board for its consideration, it is the opinion of the board that there has been a significant change in the duties of such position, the board may assign such position to either a different current classification or to a new classification created by the secretary subject to the approval of the chief administrative officer and the School Board. The board's creation of a new class or any amendments to existing class titles shall be subject to School Board approval;

(b) Upon reclassification of any position, the chief administrative officer shall determine whether the reclassified position will be filled by the appointment of the incumbent of the former position to the reclassified position, or by method as prescribed in the collective bargaining agreement by which the reclassified position is covered;

Sec. 9. Veterans.

(a) All action by the board relating to veterans will be according to Minnesota Statute;

Sec. 10. Appeals.

(a) Right to appeal. Any ISD709 Classified Employee affected by the classification of positions who wishes to appeal a decision of the board pursuant to these Rules may appeal such decisions as provided in this Section;

(b) Manner and time for appeal. An appeal is perfected by filing a notice of grievance according to the collective bargaining agreement for the employee;

(c) Appeal of any board decision relative to the Veterans Preference Act will be according to Minnesota Law;

(d) Limitation of board authority. Unless otherwise required by the provisions of a collective bargaining agreement to which the appointing authority is a party, the board shall have no authority to hear the appeal of a dispute that is subject to the grievance article of a collective bargaining agreement;

(e) Finality of board decision. All decisions of the board are final subject to School Board approval. Any party aggrieved by a decision of the board may appeal as provided in this section or authorized by Minnesota law.