

**MINNEAPOLIS CITY CHARTER**  
**Approved at the Municipal Election held November 5, 2013**

**Minneapolis City Charter, Article 8, Section 8.5, Classified Service.**

§ 8.5 Classified Service

For this section 8.5's purposes, the "Commission" means the Civil Service Commission for which section 8.5(c) provides.

A. Policy

Through the Civil Service Commission, the City will adopt and follow fair, impartial, and practical rules for the classified service. Except as this charter otherwise provides, the City must fill each vacancy in the classified service in a fair and impartial manner with the most qualified applicant according to an examination that measures qualifications and fitness for the job.

1. Examination

The examination may inquire into the applicant's experience, skill, and character to the extent that the job requires them.

2. Nondiscrimination

The examination may not inquire into any applicant's—

- a. Ancestry, color, or race;
- b. Cultural or ethnic background;
- c. Political, ideological, or philosophical belief or affiliation;
- d. Marital or parental status;
- e. National or regional origin;
- f. Religion, or religious or denominational affiliation; or
- g. Sexual or affectional orientation or preference; or into any other status on the basis of which discrimination is unlawful.

3. Written answers

Where a job requires expert knowledge, the examination may seek narrative answers, in which case the examiners must examine the answers and rank the applicants without seeing their names.

B. Classified service defined

1. Classified service

The "classified service" includes—

- a. Each employee of the Commission; and
- b. Each officer and other employee not in the unclassified service.

2. Unclassified service

The "unclassified service" includes the elected officers and—

- a. For each board or commission—
  - i. Its members, and
  - ii. Its secretary, if he or she serves without pay;
- b. Each officer, and the head of each department not organized around an officer, listed in section 7.2(a)(1)–(15); and
- c. Any officer or other employee for whose unclassified status this charter or a general or special law provides.

C. Commission

1. Function and powers

The Civil Service Commission administers the classified service, with respect to which it—

- a. Must classify each job into a grade based on the job's description and duties, so that each grade includes jobs with similar descriptions and duties;
- b. Must establish standards and qualifications for each job, and design a competitive examination that measures those standards and qualifications;
- c. Must administer or provide for the administration of a competitive examination after giving public notice for each job in the classified service, and must—

- i. Maintain an application register of each applicant for examination, listing the job sought;
- ii. Based on the results, maintain an eligibility register listing eligible applicants in order of their standing on the examination, on which eligibility expires—
  - a) For a job represented by a bargaining unit, as the collective-bargaining agreement provides;
  - b) For a job not represented by a bargaining unit, as the examination notice provides; otherwise
  - c) Within two years, unless the Commission extends it;
- iii. Certify to the board, commission, department, or officer that will fill any vacancy a list of the eligible applicants standing highest on the appropriate list from the eligibility register (see section 8.5(d)(2));
- d. Must maintain and monitor a service register of each employee in the classified service, listing his or her title, compensation, employment record, and any other useful information;
- e. May waive an examination for unskilled labor, and instead provide for hiring by fair and equitable means or arrange for tests of physical fitness or other qualifying tests; and
- f. May waive an examination in a particular case if—
  - i. The job requires unusual professional or scientific credentials or expertise; and
  - ii. The Commission unanimously concludes after a public hearing that a competitive examination is impracticable, in which case its next report must so note.

## 2. Composition

The Commission comprises three residents, appointed under section 8.4(b), who—

- a. Favor merit, efficiency, and affirmative action in the public service; and
- b. Hold no other office or employment under the federal, state, municipal, or any other government, or any department, agency, court, or political subdivision of any such government.
- c. Each commissioner serves a three-year term, with one commissioner's term expiring each year on March 1.

### 3. Meetings

The Commission must annually hold an organizational meeting on the second Monday in August.

### 4. Rules

#### a. Notice for rulemaking

The Commission may, after giving public notice, adopt any necessary or prudent rule in furtherance of this section 8.5's purposes.

#### b. Contents

These rules must encourage the filling of each vacancy by promotion, and provide for—

- i. Hiring, evaluation, discipline (including by suspension for up to 90 days, with or without pay), and discharge with a view toward an efficient and effective classified service;
- ii. Promotion (including raised compensation) based on competitive examination, efficiency, character, conduct, and seniority;
- iii. Transfer among jobs in the same grade or class;
- iv. Leaves of absence;
- v. Reinstatement of employees laid off or otherwise discharged without fault; and
- vi. With the Commission's consent, temporary employment without examination in an emergency or pending a hire from the eligibility register, for up to 60 days per vacancy.

#### c. Notice of rules

The Commission must send its rules, including each amendment, to—

- i. The Mayor,
- ii. The City Council, and
- iii. Each other board, commission, and officer who can hire an employee in the classified service.

d. Report

The Commission must annually report in January to the Mayor and the City Council, and publish its report to each other board, each commission, and each officer who can hire an employee in the classified service. The report must cover the preceding calendar year, and include—

- i. The Commission's rules, including any amendment during the preceding year;
- ii. Each action under this section 8.5(c);
- iii. An accounting for the civil service fund;
- iv. The state of the civil service and any results of the Commission's work; and
- v. Any recommendation for the civil service's greater efficiency and integrity.

D. Employment

1. Application register

Each applicant on the application register is entitled to notice of each examination for a job for which he or she has applied and qualified.

2. Eligibility register

Except as otherwise provided by law:

- a. Each vacancy in the classified service is filled from the eligibility register; and
- b. The Commission must certify the first three eligible applicants standing highest on the eligibility register, unless a board, commission, department, or officer is filling more than one vacancy from the same list, in which case the Commission must certify one additional applicant for each additional vacancy.

3. Service register

The City must pay an employee in the classified service only for the time and at the rate that the service register shows his or her employment.

4. Tenure

After a probationary period that begins upon hiring, an employee in the classified service may be disciplined or discharged only as this charter, the Commission's rules, or any other applicable law or agreement provides.

a. Probation

The probationary period is established—

- i. By the applicable collective-bargaining agreement or other contract between the City and the bargaining unit or employee; or, if there is no such contract,
- ii. By ordinance; or, if there is no applicable contract or ordinance,
- iii. By a rule that the Commission adopts.

b. Discharge

No employee in the classified service, having completed the probationary period, may be discharged except for just cause after—

- i. Written notice of the cause for dismissal;
- ii. A hearing before the Commission, or an officer or board that the Commission designates; and
- iii. A finding by the hearing authority that the evidence supports the cause charged and warrants dismissal.

c. Suspension

A supervisor may, without regard to this article VIII's other provisions, discipline a subordinate employee by means of a suspension for up to 30 days.

E. Administration and enforcement

1. Enforcement

The Commission must take care that this section 8.5 and its rules are faithfully observed and enforced, for which purpose any commissioner may inquire of any responsible officer, board, commission, or department. Any commissioner in the exercise of the Commission's functions and powers, and any hearing authority that the Commission designates, may compel the testimony of any witness who may have relevant information, or the production of any relevant book, document, or thing.

2. Cooperation

Each officer, board, commission, and department must—

- a. Furnish any information that the Commission requests for the service register;
- b. Administer an examination as the Commission requests, without additional compensation; and
- c. Cooperate with any inquiry by the Commission.

3. False statement

Any applicant who knowingly furnishes false information on an application for employment in the classified service forfeits—

- a. His or her entry on the application register,
- b. Any employment held in the classified service, and
- c. Eligibility for such employment for three years.

4. Bribery

Any person who, in connection with or for the purpose of influencing any examination or other action under this section 8.5—

- a. Offers, accepts, or solicits any money, service, or other thing of value; or
- b. Seeks or accepts any recommendation from any officer or employee of the City, is subject to punishment as provided by law or ordinance.

F. Fund

The City Council must annually establish a civil-service fund for this section 8.5's purposes by levying, in addition to any other tax, a tax upon all taxable property in the City that yields at least 2.5 cents per resident. The Commission may use the proceeds from this fund and controls its own finances. Any unspent balance in the fund at the fiscal year's end goes to the City's general fund.