



League of Women Voters of Minnesota Records

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The Minnesota Civil Service Council organized in November, 1936, called together by the League of Women Voters. It was made up of one representative from state-wide organizations which declared themselves in favor of a state merit system. In the beginning, there were the following organizations:

American Legion
American Legion Auxiliary
Business & Professional Women
Federation of Labor
Minnesota Educational Assn.
League of Women Voters
P. T. A.

In 1938 the following organizations joined:

Junior Chamber of Commerce
State Federation of Teachers
State Conference of Social Work

In 1941 Minnesota Federation of Women's Clubs joined

In 1943 Minn. Professional Engineers Assn. joined

Representation has been refused to groups of state employees as such, as we wished the Council to represent the public's interest in Civil Service, not any self-interest, if possible.

From the very beginning, the Council was more than fortunate to have as its advisors Dr. Lloyd Short, Mr. Clarence Ludwig and Mr. Harold Henderson.

The Council has served primarily as a clearing house for the activities of the various organizations represented on it. Organizations are not bound by any action of the Council, but each representative took back to his organization recommendations from the Council. One joint action taken by the Council, for instance, was the drafting of the service bill that was presented to the legislature, and which was the basis of the law that was passed. However, each organization was left free to determine for itself whether or not it would support the bill as drafted and recommended by the Council. The result has been that the organizations represented on the Council did not lose their individual sense of responsibility.

While the original purpose of the Council was to secure the passage of a real merit system for Minnesota, the Council now feels that the work of continuing to maintain our civil service law as a real merit system and to maintain the public interest in such, is a major responsibility. Newspaper comments throughout the state, as well as the comments of legislators and public officials, shows clearly the respect and confidence that has been placed in the Council.

Members of Civil Service Council in 1944:

Minnesota Education Association
Minnesota Fed. of Bus. & Prof. Women
Minnesota Farm Bureau Federation
Minnesota Federation of Women's Clubs
Minnesota Junior Chamber of Commerce
Minnesota Parent-Teacher Association
Minnesota League of Women Voters
Minnesota State Conference of Social Work
Minnesota State Federation of Labor
Minnesota Association of Professional Engineers

List of individuals who have served in past on Civil Service Council:

Mrs. Harington Beard, L.W.V.
Mrs. Elliott Magraw, P. T. A.
Mrs. Myrtle Hooper Dahl, M. E. A.
Mrs. Olivia Johnson, B. & P.
Mr. Frank Novak, A. F. L.
Alan Briggs, A. L.
Mrs. James O'Neil, A. L. Aux.
J. S. Jones, Am. Farm Bureau
A. R. Rathert, St. Fed. of Teachers.
Mr. Sam Turner, Jr. Chamber of Commerce
Mrs. Ellwood Newhart, L. W. V.
Mrs. Pierce Atwater, St. Conf. of Social Work
Mr. Joseph Maun, Jr. Chamber of Commerce
Mr. Edward Cincera, Am. Legion
Mrs. A. S. Lewis, Am. Legion Aux.
Mrs. Alex. Fraser, Am. Legion Aux.
Mrs. Mary Doyle, M. E. A.
Mrs. Viola Sheffler, Bus. & Prof.
Mrs. Marion Kreiner, St. Conf. Social Work
Mrs. H. E. Richardson, LNW
Mrs. A. B. Anderson, LNW

SPEED-O-LIPSE CO. INC. (ellipse machines)
836 Plymouth Building, Minneapolis 3, Minn.
BETTY C. BYRNE, President and Gen'l Mgr.

Dear Delegate to Convention:

The Minneapolis Board of the League has recommended to the State Board that an action item on civil service be placed on the State program for this reason:

Last year the legislature appropriated for our nineteen mental hospitals, schools for the handicapped, and penal institutions, the sum of \$22,500,000. Because the money could not be legally spent for greatly needed personnel to staff these places, a sum estimated to run as high as \$1,000,000 will revert to general revenue funds on July 1, 1952. Reappropriation can be made only by the legislature which will meet in January, 1953.

The situation will not change, however, until our currently low state civil service salaries are raised to compete on a fair and attractive basis with four other civil service systems operating within the state. The federal, county and urban civil service systems come far closer to meeting the "going" pay rates offered by open fields to service jobs and professions than does our state civil service. Consequently our institutions have suffered from understaffing, particularly in the professional fields, where salary disadvantages are the most apparent.

If you will consider this sample of comparative salary schedules carefully, you will see why the applicants to fill these vacant positions in our state institutions are just not there. No blame can attach to the doctors, dentists, teachers, social workers, aides, etc. who leave or reject state employment. It is not within the realm of human nature or intelligence to take less for one's labors when more, without so much effort and time, is so easily to be made.

The statistics upon which these comparisons are based are current and accurate. You will find an attached bibliography of source material. For the sake of brevity, I have not included intermediate steps but cite the full ranges gross without deductions or overhead. Let us first compare two hospitals -- the Veterans' and Fergus Falls -- but remember that only in our state hospitals are physicians subject to the salary limitations of civil service. At the Veterans' hospital they are grouped with nurses under the federal department of Medicine and Surgery, administered by the Veterans' Bureau. In private practice, the only ceiling on their earning capacity is established by personal ability, endurance and ambition.

(1) At a representative private hospital in the Twin City area:

A staff of 25 or more doctors to care for a patient population of 138

(2) Veterans Hospital -- also in Twin City area:

A staff of 100 resident doctors and a full time staff of 25-30 for 1000 patient population

* note: Mrs. Byrne is not a member of the Mpls. Board -- and Civil Service was recommended as state agenda item for other reasons.

- (3) Fergus Falls (200 miles up north and undesirable for attracting personnel at any time because of distance involved):

A staff of 8 doctors -- including 2 psychiatrists -- for a patient population of 2000

Salary Comparisons

Physicians:		Start at	Ceiling
Fergus Falls	Physicians 1-2	\$5,772	\$ 8,184
Veterans Hospital	" "	5,940	10,800
Allow for increase of 25% for every American Board examination passed			
Private practice (by conservative estimate)		12,000	15,000 or more

Psychiatrists:

Fergus Falls	Psychiatrists 1-2	8,184	9,156
Veterans Hospital	Psychiatrists	8,840	10,600
Private practice		15,000	20,000 or more

Superintendents:

Fergus Falls	Administrative experience, specialized as psychiatrist superintendent.....	\$ 7,887.	10,000
	(subject to discretion of legislature, and \$57.00 less annually than maximum allowed assistant superintendent)		
Veterans' Hospital	Chief of Staff.....	\$ 11,800.	
	and allowance for increase		

It is no wonder that our mental hospitals such as Fergus Falls, located 200 miles north of the favored Twin Cities area cannot fill its civil service quota of eight doctors for a patient population of 2000. With no more subsidized housing available there now, with such a large salary disadvantage and ceiling, and with a natural dislike for leaving the convenience of the "Twin Cities, Veterans Hospital, Rochester" research and medical center area, three out of four applicants reject the positions now open at a start of \$5,772.

Of course if he does not choose to undertake the responsibilities of the high overhead of private practice or at the Veterans' hospital, the doctor in question can always throw away his degrees and apply for a job where degrees don't count. Let him apply for a job in the federal civil service system under the "Crafts, Protective and Custodial Schedule." Amendment issued November 1, 1951 as follows:

	base	annual permanent increase	maximum
CFC -8 -(Janitor, messenger, unskilled labor)	\$3,740	\$125.	\$ 4,490
CFC -9 -(Janitor, messenger, unskilled labor)	4,150	\$125.	4,900
CFC-10 -(Janitor, messenger, unskilled labor)	4,565	\$125.	5,315

** Provision is made for additional increases beyond the maximum basic salary rate shown for long years of service, in all grades up through G.S.10 (Chief doctor at \$11,800) to CFC -10 (Janitor, messenger, unskilled labor) at \$5,315."

Having completed an education consisting of eight years in grade school, four years in high school, seven years at the University, or its equivalent, three years of internship after graduation for specialization, for a total of twenty-two years of expensive and grueling study, the doctor's arithmetic will add up the above score very quickly.

The lowest salaried category in our hospitals is our psychiatric aides I with a salary range to start from \$189. - \$219. Since there are no male nurses available, these men constitute the backbone of our hospital personnel and their calibre and efficiency determine whether the patient recovers or fails. They receive no money, (except for a one hundred dollars bonus payment for in-training) or recognition for the one hundred hours they spend in training. Their work is both hard and unpleasant but so vitally necessary. Most of them are married men with families to support. Because of dissatisfaction with salaries and conditions the turnover is high. And why not?

In Ramsey County Civil Service a bus boy without experience makes \$198.50 to \$228.50

(2) A truck owner driver makes \$251.50 - \$283.00

(3) An unskilled laborer makes \$211.00 - \$241.00

(4) A window washer makes \$223.00 - \$253.00

Who can afford to be a psychiatric aide at \$189.00 - \$219.00?

Let us take the case of teachers briefly stated:

(1) There are approximately 140,000 children in elementary grades in Minnesota and about 5000 teachers available.

(2) The shortage is currently alarming and, by reliable estimate from the Bureau of Recommendations at the University, it will worsen for the next five years. Our birth rate instead of dropping is doubling.

(3) Our graduating classes from all twenty accredited teachers' training schools will be 25% less than last year's. This decrease will continue. About one-third of our graduating seniors leave without even going into education although those who remain can expect to get \$3000.00 for nine months.

(4) There are nine times more calls for teachers than there are candidates. Two thousand plus calls for elementary alone -- 305 registered candidates for positions there.

In the field of special education we are even worse hit:

(1) There are 40,000 to 45,000 handicapped children who need special education. Only 10% of this need is now being met. A minimum estimate of teacher lack here is over 1800. Only two teacher candidates are on file for placement from the University for classes for the mentally retarded. Only 75 have even taken courses there to teach in this field.

Teachers median salaries are -

Elementary	\$ 2,575
Secondary	3,598
Administrative supervisor or principal.....	5,051

In the field of special education, public school teachers with long experience and special training do not make more than the general medians indicate, although the counties offer special inducements with selected provisions, bonuses, allowances for married men, etc. in all fields.

(2) In our institutions, teachers under civil service are classified as institutional employees with the following salary schedules.

Elementary	\$ 3,528 - \$4,008)	Faribault School & Colony
Secondary	3,528 - 4,008)	Cambridge School & Colony
Principal	4,440 - 5,040)	

For some unfounded reason: Braille and school for the deaf teachers and principals are scheduled at slightly higher but correspondingly unfair salaries. To teach the mentally retarded is deserving of just as much. But who wants to quibble over whether teachers with a median salary of \$3,323 are fairly paid or not. If they hadn't taken all that training, gathered all those degrees, had all those years of experience in their fields, weren't married with families to support, they might have the good fortune to qualify for this opening in the United States Civil Service Commission, November 1, 1951:

"Part time charwomen and part time head charwomen are paid at the rate of \$2,700 (formerly \$2,400) per annum and \$2,840 (formerly \$2,540 per annum respectively."

With no high standards of dress, living, or profession to maintain and provision made for additional increase beyond the maximum, a teacher ought to really make money here!

(3) In Hennepin County Civil Service -

Married social workers in administrative and supervisory capacities with four years of college training and three years in-training at the Wince Day Center can make at top rates of their classification only \$400. per month or \$4800. per annum. To support their families, they take on extra jobs for two-three nights a week.

But if you have the good fortune to be a high school graduate without experience you can expect to get a job as Clerk - Typist I and start at \$255-\$273 per month until you are increased automatically without any effort on your part to a possible \$368. per month or \$4,416 per annum - which is only an intermediate position to be filled by "a high school graduate with all of six months to a year's experience."

(4) Our state department heads who have full responsibility for every detail of administration, financial and personnel supervision, advance planning, etc. make \$481. per month or \$5,772 per annum. Most of them have served for ten to fifteen years and run the state's business as carefully as if it were their own. It must be a real boost to their morale to know that Guard - Officer III makes exactly the same money.

11,000 for top dept heads

Who wants to be a superintendent of schools at \$5,207 per year when he can just as easily supervise garbage collections in the City of Minneapolis for \$5,880 by city ordinance, Group F? Nobody wants to get into a rut and they say a change is good for every man!

Even though median salaries for teachers, for instance, have been increased by an average of 7.6% over last year, the Bureau of Labor Statistics Consumers' Price Index has increased by 9.6% during the contract year from April 1950 to 1951. Even though salaries have been raised, the high cost of living has acted to effect a reduction.

Dear Delegate to Convention

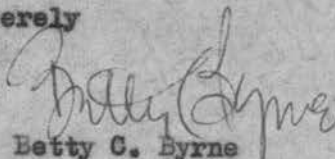
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Again may I call to your attention that one million dollars will revert to general funds in July 1952 because our state civil service salary schedules are "Frozen" on obsolete depression rate pay scales. The Civil Service Commission cannot pay more even though it recognizes the need and injustices of salary inequities existing between unskilled classified services and our experienced professional capacities.

Because my father is a patient of St. Peter and our son has been in Faribault for ten years, I write with both knowledge and sympathy for the relatives of the 17,445 patients in our hospitals - and the people who give them such constant and unfailing care, the employees.

I cannot strongly enough urge your support and favorable vote for this item when it is called for discussion at the state convention. We will be failing in our duty to our own state of Minnesota if we neglect this prime responsibility for a legislative act which we originally sponsored.

Sincerely



Betty C. Byrne

ECB:

Enc. Bibliography

Bibliography for statistical salary quotations, including my thanks for their cooperation.

Current Releases - Research Service
Circular #7
Circular #10

Minnesota Education Association

Statistical studies - Nov. 1951 - Aug. 1951

State of Minnesota, Dept. of Education

Graduate study on status and opportunities for teachers of special education

Samuel Yagu, Psychological-Education, University
(Graduate study)

Budget and classes for handicapped children

Dept. of Special Education,
State of Minnesota

Office of County Supt. of Schools
Building needs for mental hospitals and others

Legislative releases, Research Committee

Minnesota Wage Survey for University Civil Service 1950

Public Administration Service,
Chicago

Social Workers Handbook

Dept. of Institutions

Public Administration Service

Dept. of Institutions

Proposed Budget for biennium 1951-53

Dept. of Administration

Session Laws 1950

Amended civil service pay schedules

- (1) Hennepin and (2) Ramsey County Civil Service
- (3) St. Paul and Mpls. Civil Service; Ordinance
- (5) University of Minnesota Civil Service
- (6) County Merit System
- (7) Minnesota State Civil Service Commission
- (8) Federal Government Civil Service
- (9) Veterans Bureau Personnel Administration

on the Merit Plank

REPUBLICAN

Mr. Julian O. Sjetten (District 3) - Mrs. Cant met him at the League office May 26. He took a plank and was very much interested and favorable.

Mr. Tottel Heffelfinger (District 5) - Mrs. Cant wrote Mr. Heffelfinger and later phoned him. He said he was interested.

Mr. Walter S. Lundeen (District 5) - Mrs. Bade, Cant, and Spear, saw him May 29. He is very much in favor of the merit system, took platform and will do what he can. Was on state platform committee, might be on national.

Mr. J. E. Meyer (at large) - Mrs. Bade, Cant, and Spear saw him. Mrs. Paige thought he might be one of the most important members of the Hennepin County delegation at Cleveland. He rather vaguely said he was in favor of Civil Service, afraid that present civil service proposals would merely keep in Farley Favorites. He would not sign a card, but insisted on keeping one. Repeated he was interested in Civil Service theory.

Mrs. H. G. Irvine - Mrs. Spear saw her. Believes in merit system and thinks she will have a chance to talk at convention.

Mrs. H.A. White - seen by Mrs. Spear who found her somewhat retiring but familiar with and favorable to merit system. Will support League plank.

MOONAN DEMOCRATS

Gerald T. Mullin: ~~Sant~~, Bauman and Bryan tried to see him but decided to wait until after primaries. Mrs. Cant wrote letter enclosing plank before he went to convention. Too busy to see.

Frank H. Higgins: Seen by Bryan and Bauman. Favorable and will do what he can. He promised to try to find out who will be on platform committee. Approved of plank.

George F. Williamson: will have influence with Younger Democrats and thought they would be enthusiastic supporters. Thought it a smartly drawn plank, not asking too much.

Thomas B. Wilson - Mrs. Spear saw him just before he went away, gave him plank. Too busy for interview.

Mrs. E. G. Quamme - Mrs. McQuarrie talked with her by phone. Mrs. Quamme said the thing to do would be to get in touch with Mrs. Lamberton who will be on Resolutions committee. Professed her own interest in merit system. Mrs. Spear wrote to her at Philadelphia, enclosing a plank.

Mr. Thomas Maple: - Mrs. Spear talked with him by phone. Miss Simmons took plank to him. He offered to see other delegates, but Mrs. Spear explained that League members are expected to do the interviewing.

Mr. Donald C. Rogers - Mrs. Shapiro called on him. Left blank with his sister and explained our purpose.

Mrs. Bryan - Mrs. Cant gave her a copy of the plank.

Mr. Neil Cronin - Mrs. Soderlund got a copy of the plank to him, unable to secure an interview.

MOONAN DEMOCRATS (continued)

Mrs. Joseph Gordon - Mrs. Shapiro talked with her over the phone. She had already received a plank from Mrs. Bryan.

WOLFE DEMOCRATS

Mrs. Lee H. Abbey - believes the merit system should be included in the platform, and that it should include postmasters of the first, second, and third class, deputy collectors of internal revenue, and United States Marshals. That appointments of governmental positions should be made to those qualified and trained. (Mrs. Abbey is to be the delegate in Dr. Coleman's place. She was interviewed by Mrs. Wiesner.)

Mr. V. Gleason (3rd District) - Mrs. Wiesner saw him, gave him a plank. He believes in civil service choice, provided the appointments when made by such a commission be absolutely free from politics. He thinks this is doubtful if such a commission functions as the present city commission functions. He suggests that the Commissioners might be chosen in a different manner than it now is and take politics out of the commission itself.

Mrs. Caroline B. Foley (Fifth District alternate) - Mrs. Wiesner gave her a plank and Mrs. Foley will report to League office later. Too busy before going to convention. (In bed since convention--will get someone else to report for her.)

Mrs. Einar Hoidale - alternate for Mr. Hoidale - neither expects to attend.

Mr. Oliver Prestholdt - (Fifth District) Mrs. Wiesner saw him and gave him a plank. He will report on his decision later.

Mr. Will S. Collins - (Fifth District) - Mrs. Wiesner saw him and gave him a plank. She was the first one to say anything to him about it, and he pleaded the rush of the primary campaign in which he is a delegate. Will let her know his decision later.

Dr. J. W. Nelson - (Fifth District) - has plank, will think matter over and report to Mrs. Wiesner later.

Mrs. Otto Zimmerman (at large) - Mrs. Spear saw her. She is thoroughly familiar with plank, will vote for a strong merit plank and do what is in her power to influence others.

National Party Planks Sent To:

First District

Albert Lea	Richard W. Morin - Wolf Democrat - Alternate Mrs. Katherine Wiegand - Republican - Alternate J. F. D. Meighen - Wolf Democrat - Delegate at Large
Austin	H. E. Rasmussen - Republican - Delegate E. J. Hitchcock - Wolf Democrat - Alternate Harold G. Ryan - Moonan Democrat - Delegate
Northfield	Dr. Joseph Moses - Wolf Democrat - Delegate
Faribault -	Mrs. Mary Holway - Wolf Democrat - Alternate at Large
Red Wing	Arnold Kosec - Wolf Democrat - Alternate at Large
Rochester	Mrs. W. A. Dripps - Moonan Democrat - Alternate (copy to Mrs. New)
Wabasha	John R. Foley - Wolf Democrat - Delegate at Large
Winona	H. M. Lamberton, Jr. - Moonan Democrat - Delegate Morris Owen - Republican - Delegate Roy Watson - Republican - Delegate

Second District

Farmington	Mrs. George F. Walter - Republican - Alternate
Mankato	Mr. John E. Regan - Moonan Democrat - Alternate at Large (copy to Mrs. Luwe)
New Ulm	W. H. Dempsey - Wolf Democrat - Delegate Henry Somsen - Republican - Alternate Dr. E. E. Novak - Moonan Democrat - Alternate
South St. Paul	Harold Stasson - Republican - Delegate at Large
Shakopee	Joseph J. Moriarty - Wolf Democrat - Delegate

Third District

Minneapolis	Gerald T. Mullin - Moonan Democrat - Delegate J. Vincent Gleason - Wolf Democrat - Delegate ✓ Tom Maple - Moonan Democrat - Alternate (St. Louis Park) Julian O. Sletten - Republican - Alternate Mrs. Lee H. Abbey - Wolf Democrat - Alternate Mrs. John J. Louis - Republican - Alternate (Edina) Mr. J. E. Meyers - Republican - Delegate at Large Thomas B. Wilson - Moonan Democrat - Delegate at Large Einar Hoidale - Wolf Democrat - Delegate at Large Oliver Prestholdt - Wolf Democrat - Alternate at Large Mrw. Otto Zimmerman - Wolf Democrat - Alternate at Large Mrs. E. G. Quamme - Moonan Democrat - Delegate at Large Niel M. Cronin - Moonan Democrat - Alternate at Large Mrs. Jos. Gordon - Moonan Democrat - Alternate at Large
Columbia Heights	Mrs. Keyes - Mrs. Cutler (C); Dr. Coleman (W.D); Mr. Schmidt (M.D)

Fourth District

St. Paul	Co. F. G. Stutz - Moonan Democrat - Delegate H. P. Hartigan - Moonan Democrat - Delegate
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John J. McDonough - Moonan Democrat - Delegate
 John F. Bucheit - Moonan Democrat - Delegate
 Adolph Bremer - Wolf Democrat - Delegate
 John J. Farrell - Wolf Democrat - Delegate
 George W. Jansen - Wolf Democrat- Alternate
 Edward Skok - Wolf Democrat - Alternate
 Charles N. Orr - Republican - Delegate
 Mrs. C. Montague Irwin - Republican - Delegate
 John I. Levin - Republican - Alternate
 Charles A. Lethert - Wolf Democrat - Delegate at Large
 Mrs. Helen O'Brien Kessler - Wolf Democrat - Delegate at Large
 Harry Weiss - Moonan Democrat - Delegate at Large
 Mrs. Vincent Law - Moonan Democrat - Delegate at Large
 Bert McKasy - Moonan Democrat - Alternate at Large
 George M. Landon - Republican - Alternate at Large

Fifth District

Minneapolis Totton P. Heffelfinger - Republican - Delegate
 Walter S. Lundeen - Republican - Delegate
 Dr. John W. Nelson - Wolf Democrat - Wolf - Delegate
 Mrs. H. G. Irvin - Republican - Alternate
 Mrs. H. A. White - Republican - Alternate
 Will S. Colline - Wolf Democrat - Delegate
 ✓ Mrs. Caroline Foley - Wolf Democrat - Alternate
 Mrs. Einar Hoidale - Wolf Democrat - Alternate
 Frank H. Higgins - Moonan Democrat - Delegate
 George F. Williamson - Moonan Democrat - Alternate
 Donald C. Rogers - Moonan Democrat - Alternate
 ✓ Mrs. Silas M. Bryan - Moonan Democrat- Alternate

Sixth District

Little Falls Loretta Koslosky - Republican - Alternate

 St. Cloud James H. Murphy - Moonan Democrat - Delegate
 John J. Spanoil - Moonan Democrat - Alternate
 Ed. Vandersluis - Republican - Delegate
 Henry Sullivan - Wolf Democrat - Delegate
 James R. Bennett - Wolf Democrat- Alternate

 Sauk Centre Wm. H. Parker - Republican - Alternate

 Park Rapids Fred D. Long - Republican - Alternate at Large

Seventh District

Marshall C. A. McGuiggan - Moonan Democrat- Delegate
 J. Von Williams - Wolf Democrat - Alternate at Large
 Pipestone Glen Catlin - Moonan Democrat - Alternate

 Olivia J. R. Landy - Wolf Democrat - Alternate at Large

 Willmar Mrs. Thomas H. King - Moonan Democrat - Delegate at Large

Eighth District

Duluth Alec J. McKnight - Wolf Democrat - Deletate
 Leonard McHugh - Wolf Democrat - Delegate
 Jerry Harri - Moonan Democrat - Delegate
 George W. Atmore - Republican-Alternate
 Andrew Nelson - Wolf Democrat - Delegate at Large
 Mrs. L. A. Sarvella - Wolf Democrat - Delegate at Large

John P. Erickson - Moonan Democrat - Delegate at Large
~C. A. Dahle - Moonan Democrat - Alternate at Large
(copy to Miss Britts)

Two Harbors ✓ Mrs. Sylvia Jumer - Wolf Democrat - Alternate at Large

Grand Rapids L. W. Huntley - Wolf Democrat - Alternate
Mrs. Dorothy O'Brien - Moonan Democrat - Alternate

Ninth District

Pelican Rapids Roy E. Dunn - Republican - Delegate

Bemidji Dr. W. J. Dennison - Republican - Alternate
F. C. Stapleton - Moonan Democrat - Alternate

Moorhead J. Pierce Wolfe - Wolf Democrat - Delegate

TWO MODEL CIVIL SERVICE ORDINANCES

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Introduction

The two attached ordinances have been prepared to assist municipal councils interested in taking advantage of Laws 1951, Chapter 675, the state enabling act for general "civil service". This law permits any city, (except first class cities, which have charter provisions on the subject), village, or borough to adopt an ordinance providing a personnel merit system applicable to any or all departments. The ordinance becomes effective only when approved by a majority of the voters voting on the question at a general or special election.

The ordinance must comply with the terms of the state law, of course, and the model ordinance has been so framed. The most important policy decisions to be made locally in adopting an ordinance lie in determining the positions to be covered by the merit system. The law places outside this group elective officials, members of boards and commissions, court employees, and the city or village manager, if any. Except for these positions, the municipality may decide for itself what positions are to be placed in the "classified service" (i.e., covered by the merit system); however, employees of a fire or police department already under civil service must be placed in the classified service. In that case the new personnel board supersedes the existing commissions.

The council should consider carefully what positions are to be placed within the classified service, because changes may be made later only by ordinance amendment approved by the voters. New positions, however, are placed automatically in the classified service unless within an excluded department or class of positions.

The personnel board is, in general, granted the usual powers of civil service commissions over personnel in the classified service, including the authority to

supplement the law and ordinance by the adoption of personnel rules. Appointments must be made from eligible lists, the appointing authority having a choice of the top three. Those already in the service at the time the system goes into effect acquire civil service status at the expiration of six months unless they are already protected by police or fire civil service; no qualifying examinations are required of incumbents.

Persons protected by the personnel system may be dismissed only for just cause, which may not be religious, racial or political, and such an action must be preceded by notice and an opportunity to be heard. Suspension for thirty days or less may be made by administrative authorities without personnel board approval.

The merit system may be abandoned by ordinance and vote of the people. The council may submit the question of abolition on its own motion and must do so if presented with a petition signed by voters equal in number to at least 25 per cent of the electors voting at the last general municipal election. The board is abolished and the personnel civil service system is abandoned if a majority of the votes cast on the proposition is in favor of abolition. However, if the board supplanted a police or firemen's civil service commission, a two-thirds vote of the people is required for abolition.

Provisions of the law are indicated more fully in the long-form ordinance, which copies most of the law in full, making only the changes necessary to adapt the law to ordinance use in a single municipality. The short-form ordinance adopts the state law by reference, omitting the law from the ordinance itself. The provisions of the state act are equally a part of the merit system established by both ordinances.

Principal advantage of the long ordinance is that it is virtually complete in itself, requiring no reference to the state law to spell out the details of the merit system it establishes. Furthermore it is more exact; the state law, in covering all municipalities, puts some of the provisions in the alternative, but the long ordinance provides for the selection of the one specially applicable to

the particular municipality. On the other hand the short ordinance is much less expensive to adopt and if the state law is later amended in some detail, the language of the ordinance will not be in conflict with it.

The suggested ordinances are intended as guides to be used as working drafts and not as models to be followed verbatim. They should be thoroughly scrutinized and adapted to meet local conditions as long as they remain consistent with the state law.

A copy of any ordinance adopted in any municipality should be sent to the League office.

INFORMATION SERVICE
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and
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15 University Library Bldg., Minneapolis 14, Minn.

PRELIMINARY DRAFT OF
CIVIL SERVICE ORDINANCE
(Long Form)
For Use Under Laws 1951, Chapter 675

AN ORDINANCE PROVIDING FOR A CIVIL SERVICE PERSONNEL
SYSTEM IN THE CITY (VILLAGE) OF _____

The City (Village) Council of _____ ordains:

Section 1. Definitions.¹ Subdivision 1. Unless the context otherwise requires, the words and phrases defined in the following subdivisions have the meanings there ascribed to them.

Subd. 2. "Appointing authority" means the official, employee, council, board, or commission empowered by statute, (charter) or ordinance to make an appointment to the position referred to in the context.

Subd. 3. "Board" means the personnel board provided for in Section 4.

Subd. 4. "Classified service" means the positions covered by the merit system.

Subd. 5. "Employee" includes an officer, employee, or other holder of a position in the city (village).

Subd. 6. "Merit system" means the method provided by Laws 1951, Chapter 675, this ordinance, and rules adopted thereunder for the employment, promotion, dismissal and discipline of municipal employees.

Subd. 7. "Position" includes an office, employment, or place in the municipal service that may be filled by an employee.

Sec. 2. Establishment. Subject to approval of the voters under Section 17, the merit system is hereby established.

Sec. 3. Classified Service. Subdivision 1. Every employee shall be in the classified service except the following:²

- (a) Any officer chosen by popular election or appointed to fill a vacancy in an elective office.
- (b) Any official reporter, bailiff, or other employee appointed by any local court, or judge or justice thereof.
- (c) Members of any board or commission provided for by statute, (charter), or ordinance.
- (d) The city (village) manager, if any.
- (e) The employees expressly excluded by Subdivision 2 of this section.

Subd. 2. The following employees are expressly excluded from the classified service:³

- (a) All employees of the _____ department.
- (b) Volunteer firemen.⁴
- (c) The city (village) engineer, attorney, clerk, assessor, ^{health officer,} and treasurer.⁵
- (d) The heads of the departments of _____, _____, and _____.⁶
- (e) Every employee whose compensation from the city (village) is fixed at less than \$_____ a year.⁷
- (f) Every employee hired by the day or week to perform unskilled or semi-skilled labor.
- (g) Seasonal employees hired for less than _____ months in any calendar year.⁸
- (h) Any person employed in a professional or scientific capacity to make or conduct a temporary and special inquiry, investigation, or examination on behalf of the council or any agency of the city (village).
- (i) _____
etc.

Sec. 4. Personnel Board. Subdivision 1. There is hereby created a personnel board consisting of three members who shall be appointed by the mayor with the consent of the council. Each member shall serve for a term of three years, except

that of the members first appointed, one shall be appointed for a term of one year, one for a term of two years, and one for a term of three years, each expiring on _____⁹; and each shall serve until his successor is appointed and qualified. The first members shall be appointed within 30 days after this ordinance takes effect. A member may be removed by the mayor with the consent of the council for cause after written notice and an opportunity to be heard. No member shall hold any other municipal position. Before entering upon his duties, each member shall subscribe and file with the city (village) clerk (recorder) an oath for the faithful discharge of his duties. A chairman shall be elected under such rules as the board may adopt.

(Alternate for municipalities with an existing police or fire civil service commission:) Subdivision 1. There is hereby created a personnel board consisting of three members who shall be appointed by the mayor with the consent of the council. Upon the effective date of this ordinance, the existing police (firemen's) civil service commission shall become the personnel board and its members shall serve for the duration of the terms for which they were originally appointed. Upon the expiration of each term, a successor shall be appointed for a three-year term. Each member shall serve until his successor is appointed and qualified. A member may be removed by the mayor with the consent of the council for cause after written notice and an opportunity to be heard. No member shall hold any other municipal position. Before entering upon his duties, each member shall subscribe and file with the city (village) clerk (recorder) an oath for the faithful discharge of his duties. A chairman shall be elected under such rules as the board may adopt.

(Alternative for municipalities with both police and fire civil service commissions:) Subdivision 1. There is hereby created a personnel board consisting, except as hereinafter provided, of three members, who shall be appointed by the mayor with the consent of the council. Upon the effective date of this ordinance, all the members of the existing police and firemen's civil service commissions

shall become the members of the personnel board and shall continue to serve as members of the personnel board for the remainder of the terms for which they were originally appointed. No successor shall be appointed for the members whose terms are the first, third, and fifth of the six to end, but at the end of every other term, one member shall be appointed for a three-year term, thus reducing the board membership to five by the end of the first year, four by the end of the second year, and three by the end of the third year. Each member thereafter shall serve for a three-year term, and each member shall serve until his successor is appointed and qualified. A member may be removed by the mayor with the consent of the council for cause after written notice and an opportunity to be heard. No member shall hold any other municipal position. Before entering upon his duties, each member shall subscribe and file with the city (village) clerk (recorder) an oath for the faithful discharge of his duties. A chairman shall be elected under such rules as the board may adopt.

Subd. 2. The board shall hold regular and special meetings as provided by its rules. All meetings and hearings shall be open to the public. Two members of the board shall constitute a quorum. Members shall serve without compensation but shall be paid all necessary expenses. The board shall select a secretary to serve at its pleasure. The secretary may be a member of the board or an employee of the municipality. The board may authorize the payment of compensation to the secretary in a sum not exceeding \$_____ ¹⁰ a year.

Sec. 5. Classification of Positions. The board shall, as soon as practicable after its appointment and organization and after consultation with appointing authorities and principal supervisory officials, grade and classify all positions in the classified service according to the duties and responsibilities of each position and appropriate lines of promotion and it shall allocate each position in the classified service to the appropriate class therein. The titles in the classification plan shall be used for original appointments, promotions, pay rolls, and all other personnel records, and rates of pay shall be fixed according to the

grades of positions established in the classification plan. The board shall prepare and maintain an employment roster on which shall be entered in their respective classes of employment, the names, ages, compensation, period of past employment and such other facts with reference to each employee in the classified service as the board deems useful.

Subd. 1

Sec. 6. Procedure for Appointments. Every appointment or promotion to a position in the classified service shall be made after a competitive examination given by the board or under its direction as provided in Section 7.

Subd. 2. The board shall, as the need arises, prepare and maintain lists of eligibles for classes of positions in the classified service in accordance with their standing in examinations, taking into account the credit given war veterans by Section 197.45.

Subd. 3. Whenever a vacancy occurs in a position in the classified service, the appointing authority shall notify the board of the vacancy. The board shall certify to the appointing authority the three names standing highest on the appropriate eligible list. If two or more vacancies are to be filled in the same class, the board shall certify two more names than the number of vacancies to be filled. The appointing authority shall appoint one person from the names so certified to fill each vacancy.

Subd. 4. An appointing authority may, to the extent authorized by the rules of the board, temporarily employ persons on eligible lists but without regard to rank thereon for a period not to exceed 90 days in emergencies and may provisionally employ persons for not more than 90 days when necessary because of the lack of eligibles on the eligible list. No person shall serve as a temporary or provisional employee for more than 90 days in any calendar year.

Sec. 7. Examinations. Subdivision 1. Every examination shall be impartial, fair, and designed only to test the relative qualification and fitness of applicants to discharge the duties of the particular position for which it is designed. No questions in any examination shall relate to the political or religious convictions

or affiliations of the applicant. All applicants for positions of trust and responsibility shall be specially examined as to moral character, sobriety, and integrity, and all applicants for positions requiring special experience, skill, or faithfulness shall be especially examined in respect to those qualities. Within these limits, the board may make use of any appropriate testing technique, including oral examinations or interviews.

Subd. 2. Public notice of the time and place of an examination shall be given by one publication in the official newspaper of the city (village)¹¹ at least ten days in advance of the examination and by posting for a similar period at the city (village) hall and in two other public places in the city (village). A written notice shall also be mailed in advance of the examination to each person who has submitted his application for the position to the board before the public notice is given.

Subd. 3. It shall be the duty of every employee of the city (village) to act as an examiner at the request of the board without additional compensation for such service. The board may make use of other qualified persons who are not employees of the city (village) to act as examiners.

Sec. 8. Dismissals and Suspensions. Subd. 1. No permanent employee in the classified service shall be dismissed or suspended without pay for more than 30 days, except for just cause, which shall not be religious, racial, or political. No such action shall be taken except after the employee has been given notice of the action in writing. A copy of the notice shall be transmitted to the board. Upon written request made by the employee within 15 days after receipt of such notice, the appointing authority shall file the charges of inefficiency or misconduct on which the dismissal or suspension is based with the employee concerned and with the secretary of the board and a hearing shall be held by the board thereon after ten days' written notice to the employee of the time and place of the hearing. Action of the appointing authority shall be final if no such written request is made within fifteen days after receipt of the notice of dismissal or suspension.

Subd. 2. The hearing on the charges shall be open to the public and each member of the board shall have the power to issue subpoenas, to administer oaths, and to compel the attendance and testimony of witnesses and the production of books and papers relevant to the investigation. The board shall require by subpoena the attendance of any witness requested by the employee who can be found in the county. The board may make complaint to the District Court of disobedience of its subpoenas or orders and the court shall prescribe notice to the person accused and require him to obey the board's subpoena or order, and punish disobedience as a contempt of court. Witnesses shall be entitled to the same fees and mileage as for attendance upon the district court, except that any officer, agent or employee of the Village who receives compensation shall not be entitled to fees or mileage.

Subd. 3. If, after the hearing, the board finds that the charges are sustained, the dismissal or suspension shall be final unless an appeal to the courts is taken as hereinafter provided. If the board finds that the charges are not sustained, the employee, if he has been suspended pending investigation, shall be immediately reinstated and shall be paid all back pay due for the period of suspension; if he has not been suspended, he shall be continued in his position as though the action had not been brought subject to the right of the appointing authority to appeal as provided herein.

Subd. 4. Findings hereunder and orders sustaining disciplinary actions or compelling reinstatement shall be in writing and shall be filed within three days after the completion of the hearing among the records of the secretary of the board. The secretary shall give written notice of the decision to any employee concerned and to the appointing authority.

Sec. 9. Appeals. Subdivision 1. The employee or the appointing authority may appeal to the district court from an order of the board concerning the employee's dismissal or suspension without pay for more than 30 days by serving written notice of the appeal upon the secretary of the board within ten days after he has received written notice of the board's order.

Subd. 2. Within five days after service of the notice upon him, the secretary shall certify the record of the proceedings, including all documents, testimony, and minutes to the clerk of the district court. The clerk shall then place the cause on the calendar for determination at the next general term of the court to be held at the nearest place in the county where the city (village) is located. The question to be determined by the court shall be: "Was the order of the personnel board reasonably supported by the evidence?"

Subd. 3. The employee or the appointing authority may appeal from the district court to the supreme court in the same manner as provided for in other court cases; but where the council is not the appointing authority, no appeal shall be taken by the appointing authority without the consent of the council.

(For use where there is no prior police or fire civil service:)

Sec. 10. Probationary Period. Every person holding a position in the classified service of the city (village) on the effective date of this ordinance and every person subsequently appointed to such a position shall serve a probationary period of six months. During this period, he may be dismissed summarily without compliance with Section 8, but his dismissal shall be in writing and reported to the board.

(Alternate for use where there is prior police or fire civil service or both:)

Sec. 10. Probationary Period. Subdivision 1. Except as provided in Subdivision 2, every person holding a position in the classified service of the city (village) on the effective date of this ordinance and every person subsequently appointed to such a position shall serve a probationary period of six months.

During this period, he may be dismissed summarily without compliance with Section 8, but his dismissal shall be in writing and reported to the board.

Subd. 2. Subject to the completion of an existing probationary period, any person who is a permanent employee of the police (fire) (police or fire) department on the effective date of this ordinance shall automatically become a permanent employee in the classified service subject to and protected by this ordinance without the service of any additional probationary period under this ordinance for the position he then occupies.

Sec. 11. Rules. Subdivision 1. The board shall, as soon as practicable after its appointment and from time to time thereafter, adopt rules consistent with this ordinance on the subjects enumerated in subsequent subdivisions of this section in order to carry out the purposes of this ordinance. Copies of the rules may be published in the official newspaper or made available at the office of the city (village) clerk in printed form for general distribution. If not so published, copies shall be posted in a conspicuous place in the city (village) hall and in such other public places as the board shall specify, and no rules of general application with reference to employment, promotion, dismissal, or suspension shall be effective until so posted or published.

Subd. 2. The board shall provide by rule for the classification of all positions in the classified service on the basis of duties and responsibilities.

Subd. 3. The board shall provide by rule for public competitive examinations, after public notice, to test the relative fitness of applicants for positions.

Subd. 4. The board shall provide by rule for the creation and maintenance of lists of eligibles. No name shall remain on an eligible list for more than two years.

Subd. 5. The board shall provide for the rejection of candidates or eligibles who fail to comply with reasonable requirements of the board with respect to age, residence, physical condition or otherwise, or who have been guilty of criminal, infamous, or disgraceful conduct, or of any wilful misrepresentation, deception, or fraud in connection with their applications.

Subd. 6. The board shall provide by rule for certification of names to the appointing authority from the appropriate eligible list for appointment, promotion, or reemployment.

Subd. 7. The board may provide by rule for temporary and provisional appointments.

Subd. 8. The board shall provide by rule for promotion based on competitive examination, supplemented by records of efficiency, character, conduct, and seniority when a passing grade is obtained upon the examination.

Subd. 9. The board shall provide by rule for the suspension by the appointing authority of any employee in the classified service for a period of not to exceed 30 days for disciplinary reasons.

Subd. 10. The board shall provide by rule for the lay-off, because of curtailment of work or funds, of employees in the classified service and for the conditions under which employees thus laid off shall be reinstated.

Subd. 11. The board shall provide by rule for hours of work, holidays, attendance regulations, and annual, sick and special leaves of absence for positions in the classified service.

Subd. 12. The board may provide by rule for the periodic check of municipal payrolls to determine if all employees being paid by the city (village) have been properly paid and are entitled to such payment.

Subd. 13. The board may adopt rules governing its own procedure and such other rules, not inconsistent with Laws 1951, chapter 675 and this ordinance, as may be found necessary to carry out the purposes of this ordinance.

Sec. 12. Apportionment of Expenses in Certain Cases. Whenever the classified service includes employees who are under the jurisdiction of a board or commission with authority independent of the council to appropriate money and pay bills, the personnel board's expenses incurred in recruiting such employees shall be paid by the independent board or commission concerned; and the board shall provide for the apportionment of general expenses of the board between the funds of the council

and the funds of such independent boards or commissions in the proportion that the number of full-time employees of each in the classified service bears to the total number of full-time employees in the classified service. The council and each independent board and commission shall provide for the payment of all reasonable expenses of the board thus apportioned to it; and the council shall provide for the payment of all reasonable expenses of the board in all other cases.¹²

Sec. 13. Contracts with Other Agencies. With the approval of the council or independent board or commission responsible in the particular case for the payment of the cost incurred, the board may contract with the state or any other political subdivision, or any public or private agency, for the conduct of competitive examinations, for the formulation of classification plans, or for the performance of any other technical service in connection with the discharge of its duties under this act.

Sec. 14. Veterans' Preference Law Not Modified. This ordinance does not exclude or modify the application of Minnesota Statutes, Sections 197.45 and 197.46, known as the veteran's preference law.

Sec. 15. Penalties. Subdivision 1. No applicant for examination, appointment or promotion in the classified service of a municipality shall directly or indirectly give, render, or pay, or promise to give, render or pay, any money, service or other thing to any person, for or on account of, or in connection, with his examination, appointment or proposed appointment or promotion. Any person violating this provision shall be guilty of a misdemeanor.

Subd. 2. No employee in the classified service shall directly or indirectly solicit or receive or be in any manner concerned in soliciting or receiving any assistance, assessment, or subscription, whether voluntary or involuntary, for any political purpose whatsoever, or for any political party or affiliate. Any violation of this provision shall be cause for dismissal from the service of the municipality.

Sec. 16. Records and Rules of Police (Firemen's) (Police and Firemen's) Commissions.¹³ Upon the effective date of this ordinance, all records, papers,

supplies and equipment of the police (firemen's) (police and firemen's) civil service commission(s) shall be transferred to the personnel board. Rules and regulations of the commission(s) and classification plans shall continue in effect in their application to the police (fire) (police and fire) departments until modified or repealed by the personnel board. For purposes of this ordinance, records of such commission(s) shall be considered to be the records of the personnel board.

Sec. 17. Effective Date. This ordinance shall be submitted to the people of the city (village) for their adoption or rejection at the general state (municipal) (a special) election on _____, 19____.¹⁴ If the ordinance is approved by a majority of the voters voting on the question of its approval at the election, it shall go into effect on _____, 19____. It shall remain in effect until modified or repealed as provided by law.

Adopted by the city (village) council of _____, _____, 19____.

(Approved)

Mayor

Attest:

Clerk

Published in _____, 19____.

Adopted (Rejected) by the people at a general (special) election, _____, 19____, by a vote of _____ to _____.

Clerk

LEAGUE OF MINNESOTA MUNICIPALITIES

May 31, 1951

PRELIMINARY DRAFT OF
CIVIL SERVICE ORDINANCE
(Short Form)

AN ORDINANCE PROVIDING FOR A CIVIL SERVICE PERSONNEL
SYSTEM IN THE CITY (VILLAGE) OF _____

The City (Village) Council of _____ ordains:

Section 1. Establishment. Subject to the approval of the voters under Section 5, there is hereby established for the city (village) the civil service personnel system authorized by Laws 1951, Chapter 675.

Section 2. Classified Service. Every employee, as defined by Laws 1951, Chapter 675, shall be in the classified service except those excluded from the classified service by that law and the following employees, who are expressly excluded:

- (a) All employees of the _____ department.
- (b) Volunteer firemen.⁴
- (c) The city (village) engineer, attorney, clerk, assessor, and treasurer.⁵
- (d) The heads of the departments of _____, _____, and _____.⁶
- (e) Every employee whose compensation from the city (village) is fixed at less than \$_____ a year.⁷
- (f) Every employee hired by the day or week to perform unskilled or semi-skilled labor.
- (g) Seasonal employees hired for less than _____ months in any calendar year.⁸
- (h) Any person employed in a professional or scientific capacity to make or conduct a temporary and special inquiry, investigation, or examination on behalf of the council or any agency of the city (village).

(1) _____
etc.

Section 3. Personnel Board. There is hereby created a personnel board for the city (village) consisting of three members who shall be appointed by the mayor with the consent of the council. The provisions of Laws 1951, Chapter 675 shall apply to the composition, terms, appointment, qualification and removal of members of the personnel board.

Section 4. Powers and Duties. The personnel board shall have control and supervision over the employment, promotion, discharge and suspension of all employees in the classified service as provided in Laws 1951, Chapter 675.

Section 5. Effective Date. This ordinance shall be submitted to the people of the city (village) for their adoption or rejection at the general (state) (municipal) (a special) election on _____, 19____. If the ordinance is approved by a majority of the voters voting on the question of its approval at the election, it shall go into effect on _____, 19____. It shall remain in effect until modified or repealed as provided by law.

Adopted by the city (village) council of _____, _____, 19____.

(Approved)

Mayor

Attest:

Clerk

Published in _____, 19____.

Adopted (Rejected) by the people at a general (special) election, _____,
_____, 19____ by a vote of _____ to _____.

Clerk

LEAGUE OF MINNESOTA MUNICIPALITIES

May 31, 1951

FOOTNOTES--CIVIL SERVICE ORDINANCES

1. These definitions are taken from the state law, Laws 1951, Chapter 675, Section 1, except that the definition of merit system includes a reference to the state law. In subdivision 2, the reference to the charter may be omitted in all but home rule charter cities, if desired.

2. Employees covered by (a), (b), (c), and (d) are specifically placed in the unclassified service by the state enabling act. In all other cases, employees may be placed in or out of the classified service at the option of the council in adopting this ordinance; but no changes in the classified service may be thereafter made except by an ordinance approved by the voters. The employees covered by this subdivision are given as examples of possible exclusions from the classified service. Any position established after the adoption of this ordinance is automatically in the classified service unless it is in (a), (b), (c), or (d), or unless it is in a department or class of positions excluded from the classified service by this ordinance. Exclusions may be by departments, classes of positions, or individual positions. Some councils, particularly in the smaller municipalities, may prefer to list specifically the positions in the classified service, leaving all others outside. If this is to be done, Section 3 may be altered to read like the following:

"Sec. 3 Classified service. Subdivision 1. The following employees shall be in the classified service:

(a) _____

(b) _____

etc.

Subd. 2. Every other employee is expressly excluded from the classified service."

3. The employees listed in this subdivision are merely examples of the type of exclusions that may be made. Each council should consider all the positions of

Footnotes -- 2

the municipality carefully in drafting this subdivision.

4. The exclusion of volunteer firemen is suggested because of the semi-autonomous character of the volunteer fire department in many municipalities. Where the volunteer department selects its own membership in practice, it may not be feasible to apply merit system procedures to firemen. In municipalities having a firemen's civil service commission at the time this ordinance is adopted, volunteer firemen should probably be included in the classified service. The attorney general has ruled that they are under the jurisdiction of the civil service commission (Op. A. G.) and under the new civil service enabling act, any employee covered by police or fire civil service must be covered by the general merit system when one is adopted.

5. If any of these positions is elective, it should not be included here. Many councils may wish to include some of these positions, particularly the clerk and assessor, in the classified service.

6. It is common practice in the larger cities of the country to place important department heads in the unclassified service on the ground that a new administration should be able to replace them in order to execute its new policy. They should probably be named specifically by proper title if this is done.

7. This group includes civil defense volunteers and employees devoting a negligible portion of their time to municipal business, such as election officials. Many councils will wish to include part-time employees in the classified service, however, leaving to the personnel board the problem of adapting regular procedures to such personnel.

8. This group may include life-guards, skating rink attendants and similar employees in positions in which there is a rapid turnover because of the seasonal character of the employment.

9. The date may be the anniversary of the effective date of the merit system

Footnotes -- 3

ordinance or the nearest first of the month when terms are made to begin.

10. The statutory maximum is \$100 a year. Some councils may wish to add a clause limiting the right to compensation to those secretaries who are not otherwise municipal employees.

11. If there is no official newspaper, this phrase should read, "in a newspaper of general circulation in the city (village)".

12. This section may be omitted where there are no independent boards or commissions, though even in such cases councils may wish to include the section to cover boards and commissions later established. This apportionment of expenses is provided by the state enabling act.

13. Since the police and firemen's civil service commissions go out of existence when this ordinance takes effect, some provision such as this should be included to transfer the records of the commissions to the board and to protect the employees under police and fire civil service. Some councils may wish to elaborate the section dealing with this transitional period.

14. This section assumes that the provision for ballots, judges, supplies, and the statement of the question on the ballot can more expeditiously be made in a separate resolution. If the council prefers not to adopt a separate resolution on the subject, the necessary details should be included here.

PROPOSED PLATFORM FOR THE
FARMER-LABOR ASSOCIATION OF MINNESOTA

PREAMBLE

The Farmer-Labor Association of Minnesota in convention assembled in March, 1936, hereby renews its pledge to use its every effort to bring about an economic system in both state and nation that will accomplish what the existing system fails to do: function for the general welfare of the entire people, enabling all to be assured of the fullest opportunity to provide for their material needs during their working years, and to enjoy adequate protection in sickness and old age without any taint of charity.

We declare that the prevailing economic system of society has outlived its usefulness, and that it is no longer capable of adequately serving human needs. The rapid development of automatic machinery, together with scientific processes and highly organized and systematized methods in production and distribution, has resulted in a greatly lessened demand for human labor power, thereby causing millions of able-bodied and willing workers to become objects of charity, at the same time bringing loss and poverty to millions of farmers because of a greatly reduced market for their products. These facts are conclusive evidence that, in the main, the system of production for private profit is inadequate to provide prosperity and security for the masses and that it must be rapidly supplanted by a cooperative system of production for use.

More reforms in taxation, finance and production control can do but little in alleviating present distress and are only justified as expedients in meeting an emergency. To effect a cure for economic ills changes must be fundamental and far reaching in scope. Natural sources of wealth and natural monopolies essential to our national life and well-being must be collectively owned and democratically con-

(Preamble -- continued)

trolled and operated, to the end that democracy shall prevail in our industrial as well as in our political life. As immediate and successive steps in reaching this desirable state of affairs the Farmer-Labor Association proposes the following:

NATIONAL PROGRAM

1. SOCIAL AND ECONOMIC SECURITY -- Sickness and unemployment insurance and old age pensions are a national as well as a state responsibility and must, therefore, be set up to operate through national as well as state agencies.
2. DEMOCRATIC GOVERNMENT -- (a) To preserve democratic government it becomes necessary to curb the power of judicial review of national legislation as now exercised by the Supreme Court. We recommend the suggested amendment by Senator Norris of Nebraska requiring that seven members of the Supreme Court concur in decisions declaring acts of Congress unconstitutional. Our practice should conform to the idea expressed in Justice Stone's dissent from the AAA decision: "Appeal for the removal of unwise laws from the statute books lies not to the courts but to the ballot and the processes of democratic government."
(b) Since the future of democratic government also depends on its economy, efficiency, and honesty, it is imperative that the national government, as well as state and local governments, be reorganized to secure the maximum of those qualities particularly by the elimination of costly duplication of agencies and methods, and by the substitution of public employment on the basis of merit for the present system based too greatly upon partisan favor and spoils.
3. TRANSPORTATION -- Transportation to be unified under the federal government. Rail, water, air and highway transportation of freight and persons should be comprised in one unit owned and operated by the government.
4. COMMUNICATION -- Telegraph, telephone, and radio to be made a part of the Postal System.
5. PHYSICAL RESOURCES -- Mineral, timber, and petroleum deposits of the nation to be owned by the government, and either operated by it or leased for short periods to corporations and cooperatives. The same methods should apply to water power, the government developing electrical power to be distributed by it or sold to corporations and cooperatives for distribution. The nation's present need and the needs of posterity should determine the policy of use and conservation.
6. MONEY AND BANKING -- Government to have sole power to coin money and issue currency. To foster cooperative banking on equal terms with corporate banking.
7. MUNITIONS -- All munition plants to be owned and operated by the government.

(National Program - continued)

8. WAR -- The military and naval forces not to be employed for duty abroad for any purpose whatsoever, but used only to protect this country from actual attack by foreign invaders. In the event of war against an invading force, men, money and materials shall be conscripted completely on equal terms. Immediate reduction in naval armaments and military appropriations. A foreign policy which will tend to prevent rather than cause war, whether directly affecting this country or not.
9. TAXATION -- Taxation of incomes, inheritances, gifts, legacies and profits *at* levels prevalent in other forward-looking countries. Reorganization of the taxing system on the basis of ability to pay and benefits derived from governmental service.
10. NATIONAL POLITICAL PARTY -- Formation of a national Farmer-Labor Party to put into reality the above proposals.

STATE PROGRAM

I.

1. LABOR UNIONS -- Unionization of workers in the most effective way to secure them equitable returns for their labor.
2. SECURITY -- Security to workers through assurance of adequate sickness benefits and proper conditions during employment, and adequate relief and unemployment insurance during periods of unemployment. Idle factories to be used by idle workers to produce and process their own needs, the state to pay the owners of the property interest on their capital investment.
3. PROTECTION -- Protection of the rights of workers to strike. Human rights to take precedence over property rights during strikes and civil conflicts.

II.

1. FARM INDEBTEDNESS -- Liquidation of farm indebtedness to re-establish ownership of the farm to the farmer who uses it.
2. TENANCY -- Such measures as will discourage and decrease tenancy and encourage owner-operation.
3. SECURITY -- Removal of farmers from marginal and submarginal lands and resettling them voluntarily, on state owned productive lands. Parity prices for agriculture through Producers' and Consumers' Cooperation.
4. TARIFF PROTECTION -- Tariff Protection against all products which farmers can raise with abundance and with efficiency and economy.
5. CONSERVATION -- Conservation of soil and forests; reforestation of depleted reserves; conservation of water supplies.
6. MARKETING -- Cooperative marketing and processing of farm products.

(State Program - continued)

III.

1. CONSUMERS' COOPERATION -- Formation of Consumers' Cooperatives, Credit Unions, Cooperative Banking and service organizations including cooperative enterprises for health, housing and rural electrification.
2. PROTECTION -- Enactment of strict food and drug acts to protect the consumer against fraudulent and untrue advertising, branding and labelling.
3. SECURITY -- Security of the citizen from the perils of old age through adequate additions ~~to~~ federal old age pension provisions.
4. UNITY -- Unity of workers, farmers and consumers through militant collective action against the devices of American fascism, such as vigilante forces, sales taxes, abridgement of free speech, press and assemblage.

IV.

1. TAX REFORM -- Reorganization of taxing system on the basis of ability to pay as well as benefits derived; increase taxes on inheritances, incomes, gifts, legacies and individual and corporate profits; decrease taxes on homesteads and farms with exemptions of all under \$4,000 in value.
- ✓ 2. EFFICIENCY AND ECONOMY -- Reorganization of governmental areas, agencies, services and methods to increase efficiency and promote economy, including a public employment policy based on merit rather than changing partisan favor.
3. UNICAMERAL LEGISLATURE -- Reorganization of the state legislature on the one house basis to make it more responsive to the will of the majority and more efficient and economical in operation.

PUBLIC PERSONNEL PLANK
PROPOSED BY THE
NATIONAL LEAGUE OF WOMEN VOTERS
FOR INCLUSION IN
PLATFORMS TO BE ADOPTED BY THE POLITICAL PARTIES
1936

Believing that the patronage system of appointment to public office is a party liability and weakens faith in government, we therefore pledge that the _____ Party will take steps to abolish the spoils system and to establish the merit system throughout the public service, federal, state and local.

We advocate immediate legislation to place in the classified service postmasters of the first, second and third class, deputy collectors of internal revenue, and United States marshals.

We specifically advocate further extension of the merit system by transferring exempt positions to the classified service as rapidly as practicable and allowing no further exemptions.

We advocate the strengthening of laws and regulations affecting conditions of employment in the Federal Civil Service such as recruitment, educational facilities, retention, promotion, dismissal and retirement. We urge repeal of laws that discriminate on the basis of marital or economic status or residence against otherwise qualified people.

We believe that with adequate appropriations, effective administration and with such extensions and improvements as are promised in this platform, public service will take on a dignity and importance which will attract the ablest citizens and give to the best qualified men and women the opportunity for a career of high patriotic service.



MIDLAND COOPERATIVE WHOLESALE

MAR 20 1936

Date Rec'd

Read by

Pres.
✓ Gen. Sec.
Finance Sec.
Field Sec.

Johnson and Broadway



Streets, North East

MINNEAPOLIS, MINN.

March 19, 1936

Dear Betty:

Enclosed is a copy of the proposed platform of the Farmer-Labor Association. We have no assurance, of course, that the final platform will be based upon it, except that copies of this have gone to several of the most prominent members of the Association at their request, and they will therefore have it in mind at least when they come to write the platform at the convention. I expect that there will be many specific references included, such as to specific bills now pending in Congress or to such measures as the proposed amendment to the State constitution.

Let me know if you think the reference to the merit system is sufficient.

With best wishes

Iver

NATIONAL LEAGUE OF WOMEN VOTERS

726 JACKSON PLACE

WASHINGTON, D. C.

MISS MARGUERITE M. WELLS
PRESIDENT

IMPORTANT

April 16, 1936

Dear State President:

We are again planning to present to the conventions of the two major political parties our suggestions for planks to be included in their platforms. Just what proposals the League will make will be decided during our convention in Cincinnati. In the meantime, I thought you would be interested in knowing of our plan, and watching for pertinent information regarding your state delegations to the national party conventions which you could forward to us.

In a number of the states the delegates to the party conventions have already been selected. If they have been chosen in your state, will you secure a list and send it on to us, together with any information about the various members which we shall need to have, such as who is likely to be the member of the resolutions committee? You will want to keep a list for your information, too. If your state is one which has not yet made its selection, will you send us the names as soon as they are chosen?

The time between our own convention and the convening of the first of the two party conventions is very short. It allows little time (the Republican Party meets in Cleveland on June 9, the Democratic in Philadelphia June 23) after you receive copies of our planks for you to see the delegates from your state before they leave for the convention. Could you be laying plans now for getting our proposals presented to them, so that as soon as we can send you the material and your delegates are appointed, you will be prepared to get into action?

If you are going to be in Cincinnati, Miss Kirlin will wish to talk to you about ways in which you can do some preliminary work on the planks. Such pre-convention cultivation of delegates will be extremely helpful to us at the party conventions.

Will you send us whatever information you have, now, and remember to send on additional information as you are able to get it?

Cordially yours,

Louise G. Baldwin

Mrs. Harris T. Baldwin
First Vice President

Mrs. Board

May 1, 1936

Mrs. Harris T. Baldwin
726 Jackson Place
Washington, D.C.

My dear Mrs. Baldwin:

When Miss Mitchell went to the National League Convention she left in my folder for attention your letter of April 16 asking for information about delegates to the National Convention. I am enclosing list of Republican delegates and as you will note two lists of Democratic delegates. The Democrats in Minnesota are split into two factions and each has held a convention and appointed delegates. I understand it will not be determined until a National Convention which delegation will be seated.

I have been unable so far to get information about representatives on the National platform committees, but I am informed the usual custom is to appoint them enroute to the convention.

With each list I have included names of the National committee man and the Chairman of the delegation. The general opinion seems to be that Senator Orris likely to serve on the Republican platform committee, but this is not official.

Any further information that we can get will be sent to you promptly.

Sincerely,

Mrs. H. Beard
Third Vice-president

P.S. One of the Democratic lists has not yet arrived. We will mail it as soon as we get it.

Third Vice-President

May 2, 1936

Mrs. Harris T. Baldwin
726 Jackson Place
Washington, D. C.

My dear Mrs. Baldwin:

In accordance with the post script in my letter of yesterday May 1, I am inclosing a second list of Democratic delegates.

Very sincerely yours,

Mrs. Harington Beard
Third Vice-President

Date Rec'd MAY 10 1936

NATIONAL LEAGUE OF WOMEN VOTERS

726 JACKSON PLACE

WASHINGTON, D. C.

Read by

Pres.

✓ Ex. Sec.

Office Sec.

Field Sec.

MISS MARGUERITE M. WELLS
PRESIDENT

May 14, 1936

Mrs. Harington Beard
Minnesota League of Women Voters
914 Marquette Avenue
Minneapolis, Minnesota

My dear Mrs. Beard:

Mrs. Baldwin and I greatly appreciate the list of delegates to the Republican and Democratic National Conventions from Minnesota and we particularly are glad to know which ones come from places where League people might possibly see them prior to their leaving for their meetings. Mrs. Baldwin is writing to state League presidents today enclosing a copy of our proposed plank and making suggestions for its use in the states.

Sincerely yours,

Florence Kirlin

Florence Kirlin
Congressional Secretary

FK:M

Date Rec'd MAY 18 1936

Read by

Pres.

✓ Ex. Sec.

Off. Sec.

Field Sec.

NATIONAL LEAGUE OF WOMEN VOTERS

726 JACKSON PLACE

WASHINGTON, D. C.

MISS MARGUERITE M. WELLS
PRESIDENT

May 15, 1936

Dear State President:

As a group used to political action, the League of Women Voters has special responsibilities in this campaign year. This letter is concerned with one of them: planks and party platforms.

National

Enclosed is a copy of the plank on public personnel which the National League of Women Voters will present to the national political party conventions in June. Between now and then, it is our great hope and expectation that the delegates to these conventions will be interviewed at home by members of the League of Women Voters. For this purpose, we are sending you a supply of the printed plank, sufficient for giving one to each delegate at the time of the personal interview and for publicity purposes.

If you have not already done so will you send to us the list of delegates from your state? Particularly do we want the names of the League members who are going as delegates or visitors. The local Leagues in Cleveland and Philadelphia are having a luncheon the Monday before the conventions open and wish to extend an invitation to the out of town League members and women delegates.

It would be helpful also to know the names of delegates whose wives are League members. We recognize fully the limitations of time, but if it is humanly possible to send these names together with reports of interviews with the delegates to us by June 5, they will be of invaluable help to the small group of representatives whom the National League will send to Cleveland and Philadelphia. The enclosed report form may facilitate making reports to us. Please indicate who is or may be the member of the resolutions (platform) committee from your state.

State

Already several of the state Leagues have appeared before the resolutions committees of the party conventions in their states and presented a merit plank for inclusion in the state party platforms. These state planks will of course vary with the personnel situation in each state. It is well to have in mind that specific planks help in later legislative work. Does your state need a commission to survey the personnel situation? Is the state ready for a law setting up a merit system? Should there be specific extensions of the merit system to specific classes of state employees? Specific modifications? A change in the method of appointment of civil service commissions? Draft your plank accordingly.

Take courage! Public opinion, as revealed by the Gallup Poll of Public Opinion and our own activities these past two years, approves merit in public service. The League of Women Voters is in a position to make itself the effective instrument of that public opinion. If we are to destroy the "mortal malady" of the patronage system, we "must strike and keep on striking."

Cordially yours

Louise G. Baldwin

Mrs. Harris T. Baldwin
First Vice President

May 16, 1936

Mrs. Lyman L. Huntley
Grand Rapids, Minn.

My dear Mrs. Huntley:

As you know, the League of Women Voters is urging that planks on the merit system be included in all the national party platforms this year. Enclosed is a copy of the suggested plank just received from the national League, together with the names of the delegates from your district to the party conventions. Will you have some League member, preferably someone influential in the same political party as the delegate, see the delegates before they go to the party conventions and urge their support of the plank.

Some Leagues are making the visit somewhat dramatic by going in a group and receiving publicity in connection with the interview. The main thing, however, is to be sure that the matter is promptly brought to the attention of the delegates and that they are committed if possible to support of the plank when it is presented to the national convention.

Perhaps you can also secure a good editorial on the plank in your local paper or at least have the plank reprinted in your local paper. Let us know what you are able to accomplish.

Sincerely,

Mrs. Harrington Beard
Third Vice-President

L. W. Huntley - Wolf Democrat - Alternate
Mrs. Dorothy O'Brien - Moonam Democrat - Alternate

May 18, 1936

Mrs. George F. Walter
Farmington, Minn.

My dear Mrs. Walter:

Congratulations on your appointment as Alternate delegate to the Republican national convention. We are glad that you will be there in person to help as much as possible in getting the merit system plank in the party platform.

We are enclosing a copy of the suggested plank just received from the National League and hope that you will be able to influence members of the Platform Committee to include a strong merit system plank.

Perhaps you can also secure a good editorial on the plank in your local Paper, or at least have the plank reprinted. Let us know what you are able to accomplish.

Sincerely,

Mrs. Harington Beard
Third Vice-President

May 16, 1936

Mrs. Lawrence Hall
310 Fourth Ave. S.
St. Cloud, Minnesota

My dear Mrs. Hall:

As you know, the League of Women Voters is urging that planks on the merit system be included in all the national party platforms this year. Enclosed is a copy of the suggested plank just received from the national League, together with the names of the delegates from your district to the party conventions. Will you have some League member, preferably someone influential in the same political party as the delegate, see the delegates before they go to the party conventions and urge their support of the plank.

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Perhaps you can also secure a good editorial on the plank in your local paper or at least have the plank reprinted in your local paper. Let us know what you are able to accomplish.

Sincerely,

Mrs. Harrington Beard
Third Vice-President

James H. Murphy - Moonan Democrat - Delegate
John J. Spaniol - Moonan Democrat - Alternate
Ed Vandersluis - Republican - Delegate
Henry Sullivan - Wolf Democrat - Delegate
James R. Bennett - Wolf Democrat - Alternate

May 16, 1936

Mrs. Ralph Stevens
Marshall, Minnesota

My dear Mrs. Stevens:

As you know, the League of Women Voters is urging that planks on the merit system be included in all the national party platforms this year. Enclosed is a copy of the suggested plank just received from the national League, together with the names of the delegates from your city to the party conventions. Will you have some League member, preferably someone influential in the same political party as the delegate, see the delegates before they go to the party conventions and urge their support of the plank.

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Perhaps you can also secure a good editorial on the plank in your local paper or at least have the plank reprinted in your local paper. Let us know what you are able to accomplish.

Sincerely,

Mrs. Harrington Beard
Third Vice-President

C. A. McGuiggan - Moonan Democrat - Delegate
J. Von Williams - Wolf Democrat - Alternate

May 12, 1936

Mrs. L. H. Ohs
Saul Centre, Minnesota

My dear Mrs. Ohs:

As you know, the League of Women Voters is urging that planks on the merit system be included in all the national party platforms this year. Enclosed is a copy of the suggested plank just received from the national League, together with the names of the delegates from your district to the party conventions. Will you have some League member, preferably someone influential in the same political party as the delegate, see him before he goes to the party convention and urge his support of the plank.

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Perhaps you can also secure a good editorial on the plank in your local paper or at least have the plank reprinted in your local paper. Let us know what you are able to accomplish.

Sincerely,

Mrs. Harrington Beard
Third Vice-President

Wm. H. Parker - Republican - Alternate

Mrs. A. E. Amundsen
Little Falls, Minnesota

My dear Mrs. Amundsen:

As you know, the League of Women Voters is urging that planks on the merit system be included in all the national party platforms this year. Enclosed is a copy of the suggested plank just received from the national League, together with the name of the delegate from your district to the party conventions. Will you have some League member, preferably someone influential in the same political party as the delegate, see the delegate before she goes to the party conventions and urge her support of the plank.

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Perhaps you can also secure a good editorial on the plank in your local paper or at least have the plank reprinted in your local paper. Let us know what you are able to accomplish.

Sincerely,

Mrs. Harington Beard
Third Vice-President

Loretta Koslosky - Republican - Alternate

May 18, 1936

Mrs. Wilbur Lycan
Dundell, Minnesota

My dear Mrs. Lycan:

As you know, the League of Women Voters is urging that planks on the merit system be included in all the national party platforms this year. Enclosed is a copy of the suggested plank just received from the national League, together with the names of the delegates from your city to the party conventions. Will you have some League member, preferably someone influential in the same political party as the delegate, see the delegates before they go to the party conventions and urge their support of the plank.

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Perhaps you can also secure a good editorial on the plank in your local paper or at least have the plank reprinted in your local paper. Let us know what you are able to accomplish.

Sincerely,

Mrs. Harrington Beard
Third Vice-President

Dr. W. J. Dennison - Republican - Alternate
F. C. Stapleton - Moonan Democrat - Alternate

May 18, 1936

Mrs. Tony Steinberg
Pipestone, Minnesota

My dear Mrs. Steinberg:

As you know, the League of Women Voters is urging that planks on the merit system be included in all the national party platforms this year. Enclosed is a copy of the suggested plank just received from the national League, together with the names of the delegate from your town to the party convention. Will you have some League member, preferably someone influential in the same political party as the delegate, see him before he goes to the party convention and urge his support of the plank.

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Perhaps you can also secure a good editorial on the plank in your local paper or at least have the plank reprinted in your local paper. Let us know what you are able to accomplish.

Sincerely,

Mrs. Harington Beard
Third Vice-President

Glen Catlin - Moonan Democrat - Alternate

May 18, 1936

Mrs. C. L. George
Park Rapids, Minnesota

My Dear Mrs. George:

As you know, the League of Women Voters is urging that planks on the merit system be included in all the national party platforms this year. Enclosed is a copy of the suggested plank just received from the National League, together with the name of the delegate from your town to the party convention. Will you have some League member, preferably one some influential in the same political party as the delegate, see him before he goes to the party convention and urge his support of the plank.

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Perhaps you can also secure a good editorial on the plank in your local paper or at least have the plank reprinted in your local paper. Let us know what you are able to accomplish.

Sincerely,

Mrs. Harrington Beard
Third Vice-President

Fred D. Long - Republican - Alternate

May 18, 1936

Mrs. C. E. Anderson
Willmar, Minnesota

My dear Mrs. Anderson:

As you know, the League of Women Voters is urging that planks on the merit system be included in all the national party platforms this year. Enclosed is a copy of the suggested plank just received from the National League, together with the name of the delegate from your town to the party convention. Will you have some League member, preferably someone influential in the same political party as the delegate, see her before she goes to the party convention and urge her support of the plank.

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Perhaps you can also see if a good editorial on the plank in your local paper or at least have the plank reprinted in your local paper. Let us know what you are able to accomplish.

Sincerely,

Mrs. Harrington Beard
Third Vice-President

Mrs. Thomas H. King - Moonan Democrat - Delegate

May 10, 1936

Mrs. Leonard Habbott
632 Fifth Ave., S.W.
Faribault, Minnesota

My dear Mrs. Habbott:

As you know, the League of Women Voters is urging that planks on the merit system be included in all the national party platforms this year. Enclosed is a copy of the suggested plank just received from the national League, together with the names of the delegate from your town to the party convention. Will you have some League member, preferably someone influential in the same political party as the delegate, see her before she goes to the party convention and urge her support of the plank.

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Perhaps you can also secure a good editorial on the plank in your local paper or at least have the plank reprinted in your local paper. Let us know what you are able to accomplish.

Sincerely,

Mrs. Harrington Beard
Third Vice-President

Mrs. Mary Holway - Wolf Democrat - Alternate

May 18, 1936

Mrs. E. E. Campton
Two Harbors, Minnesota

My dear Mrs. Campton:

As you know, the League of Women Voters is urging that planks on the merit system be included in all the national party platforms this year. Enclosed is a copy of the suggested plank just received from the National League, together with the name of the delegate from your town to the party convention. Will you have some League member, preferably someone influential in the same political party as the delegate, see her before she goes to the party convention and urge her support of the plank.

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Sincerely,

Mrs. Harrington Beard
Third Vice-President

Mrs. Sylvia Jumer - Wolf Democrat - Alternate

May 18, 1936

Mrs. W. K. Jones
Olivia, Minnesota

My dear Mrs. Jones:

As you know, the League of Women Voters is urging that planks on the merit system be included in all the national party platforms this year. Enclosed is a copy of the suggested plank just received from the national League, together with the name of the delegate from your town to the party convention. Will you have some League member, preferably someone influential in the same political party as the delegate, see him before he goes to the party convention and urge his support of the plank.

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Sincerely,

Mrs. Harington Beard
Third Vice-President

J. R. Landy - Wolf Democrat - Alternate

May 18, 1936

Mrs. E. W. Cutshall
Wabasha, Minnesota

My dear Mrs. Cutshall:

As you know, the League of Women Voters is urging that planks on the merit system be included in all the national party platforms this year. Enclosed is a copy of the suggested plank just received from the national League, together with the name of the delegate from your town to the party convention. Will you have some League member, preferably someone influential in the same political party as the delegate, see him before he goes to the party convention and urge his support of the plank.

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Sincerely,

Mrs. Harington Beard
Third Vice-President

John R. Foley - Wolf Democrat - Alternate

May 18, 1936

Mrs. E. H. Juers
831 Central Avenue
Red Wing, Minnesota

My dear Mrs. Juers:

As you know, the League of Women Voters is urging that planks on the merit system be included in all the national party platforms this year. Enclosed is a copy of the suggested plank just received from the national League, together with the name of the delegate from your town to the party convention. Will you have some League member, preferably someone influential in the same political party as the delegate, see him before he goes to the party convention and urge his support of the plank.

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Sincerely,

Mrs. Harrington Beard
Third Vice-President

Arnold Kosec - Wolf Democrat - Alternate

May 18, 1936

Mrs. W. J. Quinn
103 Clark Street
Minneapolis, Minnesota

My dear Mrs. Quinn:

As you know, the League of Women Voters is urging that plans on the merit system be included in all the national party platforms this year. Enclosed is a copy of the suggested plank just received from the National League, together with the name of the delegate from your state to the party convention. Will you have some League member, preferably someone influential in the same political party as the delegate, see him before he goes to the party convention and urge his support of the plank.

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Sincerely,

Mrs. Harrington Board
Third Vice-President

Mr. John F. Boggs - Nechan Democrat - Delegate

May 18, 1936

Mrs. I. T. Simley
131 Fourth Avenue North
South St. Paul, Minnesota

My dear Mrs. Simley:

As you know, the League of Women Voters is urging that planks on the merit system be included in all the national party platforms this year. Enclosed is a copy of the suggested plank just received from the national League, together with the name of the delegate from your town to the party convention. Will you have some League member, preferably someone influential in the same political party as the delegate, see him before he goes to the party convention and urge his support of the plank?

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Sincerely,

Mrs. Harrington Beard
Third Vice-President

Mr. Harold Stasson - Republican - Delegate

May 18, 1936

Mrs. E. C. Stakman
Ramsey County League of Women Voters
St. Paul Hotel
St. Paul, Minnesota

My dear Mrs. Stakman:

As you know, the League of Women Voters is urging that planks on the merit system be included in all the national party platforms this year. Enclosed is a copy of the suggested plank just received from the national League, together with the names of the delegates from your district to the party conventions. Will you have some League member, preferably someone influential in the same political party as the delegate, see the delegates before they go to the party conventions and urge their support of the plank.

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Sincerely,

Mrs. Harington Beard
Third Vice-President

May 18, 1936

Mrs. H. C. Schroeder
Shakopee, Minn.

My dear Mrs. Schroeder:

As you know, the League of Women Voters is urging that planks on the merit system be included in all the national party platforms this year. Enclosed is a copy of the suggested plank just received from the national League, together with the name of the delegate from your district to the party convention. Will you have some League member, preferably someone influential in the same political party as the delegate, see the delegate before he goes to the party convention and urge his support of the plank.

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Sincerely,

Mrs. Harington Beard
Third Vice-President

Joseph J. Moriarty - Wolf Democrat - Delegate

May 18, 1936

Mrs. A. R. Morton
3019 E. First St.
Duluth, Minnesota

My dear Mrs. Morton:

As you know, the League of Women Voters is urging that planks on the merit system be included in all the national party platforms this year. Enclosed is a copy of the suggested plank just received from the national League, together with the names of the delegates from your district to the party conventions. Will you have some League member, preferably someone influential in the same political party as the delegate, see the delegates before they go to the party convention and urge their support of the plank.

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Sincerely,

Mrs. Harrington Beard
Third Vice-President

Alec J. McKnight - Wolf Democrat - Delegate
Leonard McHugh - Wolf Democrat - Delegate
Andrew Nelson - Wolf Democrat - Delegate
Mrs. L. A. Savvella - Wolf Democrat Delegate
Jerry Harri - Moonan Democrat - Delegate
John P. Erickson - Moonan Democrat - Delegate

C. A. Dahle - Moonan Dem. - Alternate
Mrs. Banning - Rep. - Delegate
George W. Atmore - Rep. - Alternate

May 18, 1936

Mrs. A. E. Gislason
New Ulm, Minnesota

My dear Mrs. Gislason:

As you know, the League of Women Voters is urging that planks on the merit system be included in all the national party platforms this year. Enclosed is a copy of the suggested plank just received from the national league, together with the names of the delegates from your district to the party conventions. Will you have some League member, preferably someone influential in the same political party as the delegate, see the delegates before they go to the party convention and urge their support of the plank.

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Sincerely,

Mrs. Harington Beard
Third Vice-President

W. H. Dempsey - Wolf Democrat - Delegate
Henry Somsen - Republican - Alternate
Dr. E. E. Novak - Moonan Democrat - Alternate

May 18, 1936

Mrs. W. Ottis Hanson
730 Fifth St. S. W.
Rochester, Minn.

My dear Mrs. Hanson:

As you know, the League of Women Voters is urging that planks on the merit system be included in all the national party platforms this year. Enclosed is a copy of the suggested plank just received from the national League, together with the names of the delegates from your district to the party conventions. Will you have some League member, preferably someone influential in the same political party as the delegate, see the delegate before he goes to the party convention and urge his support of the plank.

Some Leagues are making the visit somewhat dramatic by going in a group and receiving publicity in connection with the interview. The main thing, however, is to be sure that the matter is promptly brought to the attention of the delegate and that he is committed if possible to support of the plank when it is presented to the national convention.

Perhaps you can also secure a good editorial on the plank in your local paper, or at least have the plank reprinted in your local paper. Let us know what you are able to accomplish.

Sincerely,

Mrs. Harington Beard
Third Vice-President

Roy Watson - Republican - Delegate
Mrs. W. A. Dripps - Moonan Democrat - Alternate

May 18, 1936

Mrs. Percy T. Watson
111 Maple Avenue
Northfield, Minn.

My dear Mrs. Watson:

As you know, the League of Women Voters is urging that planks on the merit system be included in all the national party platforms this year. Enclosed is a copy of the suggested plank just received from the national League, together with the names of the delegates from your district to the party conventions. Will you have some League member, preferably someone influential in the same political party as the delegate, see the delegate before he goes to the party convention and urge his support of the plank.

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Sincerely,

Mrs. Harington Beard
Third Vice-President

Dr. Joseph Moses - Wolf Democrat - Delegate

May 18, 1936

Mrs. H. H. Moline
512 Harriet Lane
Albert Lea, Minnesota

My dear Mrs. Moline:

As you know, the League of Women Voters is urging that planks on the merit system be included in all the national party platforms this year. Enclosed is a copy of the suggested plank just received from the national League, together with the names of the delegates from your district to the party conventions. Will you have some League member, preferably someone influential in the same political party as the delegate, see the delegates before they go to the party conventions and urge their support of the plank.

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Sincerely,

Mrs. Harington Beard
Third Vice-President

J.F.D. Meighen - Wolf Democrat - Delegate
Richard W. Morin - Wolf Democrat - Alternate
Mrs. Katherine Wiegand - Republican - Alternate

May 18, 1936

Mrs. Harold G. Cant
914 Marquette Avenue
Minneapolis, Minnesota

My dear Mrs. Cant:

As you know, the League of Women Voters is urging that planks on the merit system be included in all the national party platforms this year. Enclosed is a copy of the suggested plank just received from the national League, together with the names of the delegates from your district to the party conventions. Will you have some League member, preferably someone influential in the same political party as the delegate, see the delegates before they go to the party conventions and urge their support of the plank.

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Perhaps you can also secure a good editorial on the plank in your local paper, or at least have the plank reprinted in your local paper. Let us know what you are able to accomplish.

Sincerely,

Mrs. Harington Beard
Third Vice-President

May 18, 1936

Mrs. J.G.W. Havens
900 Lansing Ave.
Austin, Minnesota

My dear Mrs. Havens;

In Mrs. Corey's absence, I am writing to you about the following matter, since I know that you are interested and will see that it is taken care of. As you know, the League of Women Voters is urging that planks on the merit system be included in all the national party platforms this year. Enclosed is a copy of the suggested plank just received from the national League, together with the names of the delegates from your district to the party conventions. Will you have some League member, preferably someone influential in the same political party as the delegate, see the delegates before they go to the party conventions and urge their support of the plank.

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Perhaps you can also secure a good editorial on the plank in your local paper, or at least have the plank reprinted in your local paper. Let us know what you are able to accomplish.

Sincerely,

Mrs. Harington Beard
Third Vice-President

H. E. Rasmussen - Republican - Delegate
E. J. Hitchcock - Wolf Democrat - Alternate
Harold G. Ryan - Moonan Democrat - Delegate

May 18, 1936

Mrs. O. B. Nereson
Pelican Rapids, Minn.

My dear Mrs. Nereson:

As you know, the League of Women Voters is urging that planks on the merit system be included in all the national party platforms this year. Enclosed is a copy of the suggested plank just received from the national League, together with the name of the delegate from your town. Will you have some League member, preferably someone influential in the same political party as the delegate, see the delegates before they go to the party conventions and urge their support of the plank.

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Perhaps you can also secure a good editorial on the plank in your local paper or at least have the plank reprinted in your local paper. Let us know what you are able to accomplish.

Sincerely,

Mrs. Harington Beard
Third Vice-President

Roy E. Dunn - Republican - Delegate

May 18, 1936

Mrs. Wayne Peterson
Moorhead, Minnesota

My dear Mrs. Peterson:

As you know, the League of Women Voters is urging that planks on the merit system be included in all the national party platforms this year. Enclosed is a copy of the suggested plank just received from the national League, together with the name of the delegate from your city. Will you have some League member, preferably someone influential in the same political party as the delegate, see him before he goes to the party convention and urge his support of the plank.

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Perhaps you can also secure a good editorial on the plank in your local paper or at least have the plank reprinted in your local paper. Let us know what you are able to accomplish.

Sincerely,

Mrs. Harrington Beard
Third Vice-President

J. Pierce Wolfe - Wolf Democrat - Delegate

May 18, 1936

Mrs. Leonard Keyes
2918 N. E. Van Buren St.
Minneapolis, Minnesota

My dear Mrs. Keyes:

As you know, the League of Women Voters is urging that planks on the merit system be included in all the national party platforms this year. Enclosed is a copy of the suggested plank just received from the national League, together with the names of the delegates from your city to the party conventions. Will you have some League member, preferably ~~either~~ someone influential in the same political party as the delegate, see the delegates before they go to the party conventions and urge their support of the plank.

Some leagues are making the visit somewhat dramatic by going in a group and receiving publicity in connection with the interview. The main thing, however, is to be sure that the matter is promptly brought to the attention of the delegates and that they are committed if possible to support of the plank when it is presented to the national convention.

Perhaps you can also secure a good editorial on the plank in your local paper or at least have the plank reprinted in your local paper. Let us know what you are able to accomplish.

Sincerely,

Mrs. Harrington Beard
Third Vice-President

Mrs. Leeds Cutter - Republican - Alternate
Dr. C. L. Coleman - Wolf Democrat - Delegate
J. W. Schmidt - Woonan Democrat - Delegate

May 19, 1936

Mrs. Harris T. Baldwin
National League of Women Voters
736 Jackson Place
Washington, D. C.

My dear Mrs. Baldwin:

Mrs. Beard has asked me to supplement the list of delegates to the national party conventions which she sent you with some notes on some of the delegates. I am also enclosing the names of delegates who are League members or husbands of League members.

Sincerely,

Elizabeth Lamson
Executive Secretary

Congratulations
on the value
have well exp.
Mrs. Cunningham
& Mrs. O'Neil
took their
parts and
thank you
for the
little
word -
but am
not so
sure
of the
beginning
road
Mrs. L.
a copy
of the
value
has been
prepared
program.

MRS. MARY K. SWAIN - 126 WEST WABASHA STREET - WINONA - MINNESOTA

May 27, 1936

Dear Friends up here at 9:14:

We have been to see the two delegates
to National Conventions from here and
found them both convinced of the value of our
plan. It would seem very decidedly that
we can count on both of them. And isn't
it splendid that Mrs. Lamberton has been
selected as one of the fourteen women for the
National Eucalyptus Platform Committee.
I have been to see her again tonight - she has
sent a copy of the League Plan to Miss O'Day,
State Chairman and remarked that in response
to requests for expressions of opinions, sent a several

Democratic women in the state, desire for
Civil Service. Laws and a merit system have
been included in all responses so far received.
a wonderful opportunity for League members
who are Democrats to get busy! She
advises Vivian Thayer especially — so know
she will be well advised.

After reading the 60 "Opinions" (which
included the 10 taken by Mrs. Batstord)
tomorrow morning. Everyone seemed interested
in the questions and had to answer them. One
woman, a new member of the League who has
attended meetings this year faithfully, said
"I can't answer those questions — it made
me realize how much the League has taught
me for I could certainly not have answered them
before." Three cheers! Cordially, Mary Swain

Date Rec'd. JUN 1 1936

Read by

NORTHFIELD LEAGUE OF WOMEN VOTERS
NORTHFIELD, MINNESOTA

Pres.
✓ Ex. Sec.
Office Sec.
Field Sec.

May 28th, 1936.

My dear Miss Mitchell,

This morning I mailed in two packages the surveys which we have made. The three ladies who did it seemed to enjoy it and said that the people whom they asked to fill in the sheets were very responsive and seemed to enjoy doing it also. Mr. Balzer thinks the survey is so worked out as to be of more value than the usual survey.

The letter about the Copeland bill came yesterday and the sheets about the Federal Trade Commission control of advertising are in five different centers with the request that each person who has one, get several others to write letters. I think that we shall probably emphasize consumer problems next year so far as the Economic Welfare department goes.

Cincinnatus furnished us with such witty material for the League scrapbooks, didn't he?

We all enjoyed having you here at the Convention and our League appreciated the privilege of being hostess.

Very sincerely yours,
Clara J. Watson

Endorsed check is enclosed.

The National Convention delegate is being approached with the League Civil Service plan and I expect an editorial in at least one of the two papers

Date Recd JUN 4 1936

May 30, 1936

Read by

Pres.

✓ Ex. Sec.

Office Sec.

Field Sec.

MRS. JOHN G. W. HAVENS

900 LANSING AVENUE

AUSTIN, MINNESOTA

My dear Miss Mitchell: -

I just wanted you to know that the surveys sent to Austin were returned May 28th

I had a splendid committee chosen from different groups.

I feel certain that we followed the directions as closely as was possible. We had a cross section

MRS. JOHN G. W. HAVENS

900 LANSING AVENUE

AUSTIN, MINNESOTA

Our people I feel sure
One of the Committee
got the Funchuck at
Harmels for her skilled
workman. He is very
intelligent. She also got
one of the Directors of the
Hornet plant.
We got in touch with
farmers, teachers and
doctors and lawyers.
I had Harry Rasmussen,

MRS. JOHN G. W. HAVENS
900 LANSING AVENUE
AUSTIN, MINNESOTA

(our delegate to the Repub-
lican Convention - owner
of "Austin Herald")
and Martin Nelson feel
out surveys.

Harry Rasmussen has
been under Civ Service
in Washington right
after the war and I
was glad to get his
view point.
I am now finishing

MRS. JOHN G. W. HAVENS
900 LANSING AVENUE
AUSTIN, MINNESOTA

up the work Mrs. Beard
asked me to do - get the
copies of the suggested merit
system into the hands of
our delegates. She asked me
to get some one to do it but
I did it myself. It was so
much easier. Two of the
delegates live with a ^{white} ~~has~~
black and two blacks free
and the third I know
well. I could not think of
finding a democratic woman.
I was able to get my second
editorial (not at all strong)

and the Pledge in the
paper.
I thought that you
might be just a little
interested in the set cover
of them.

Very sincerely

Gertrude Foster Havens

(Mrs. J. G. W.)

Date Rec'd. JUN 1 1936

Duluth League of Women Voters
Duluth, Minnesota

Read by

Pres.

☒ Ex. Sec.

Office Sec.

Field Sec.

May 30, 1936.

Dear Miss Mitchell

I am enclosing a copy of the interview which I mentioned to you at the District meeting. This appeared in the News Tribune Sunday March 29th in connection with the "America Speaks" Civil Service Survey.

I hope you have an enjoyable summer.

Sincerely,

Gertrude H. Morton

'America Speaks' Civil Service Survey Cheers Women Asking Trained Workers

Affiliated with state and national leagues and strictly nonpartisan in character. The Duluth League of Women Voters, organized in 1922, today has reached a membership of 214 women, all of them keenly interested in contemporary governmental policies.

cards in the form of petitions to the political parties to pledge themselves to abolish the spoils system in federal, state and local governments, and to establish the merit principle of appointment. These cards, when signed, will be sent to the forthcoming conventions. Five



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Date Rec'd. JUN 1 1936

Read by

Pres.

✓ Ex. Sec.

Office Sec.

Field Sec.

Duluth League of Women Voters

Duluth, Minnesota

May 30, 1936.

Dear Mrs. Beard,

The delegates to the National Conventions from this district have been interviewed regarding the personnel plank and I have arranged for publicity which ought to appear shortly.

Very truly yours
Gertrude W. Morton
(Mrs. A. R. Morton)

June 17, 1936

Mr. Val Bjornson
K S T P
Radisson Hotel
Minneapolis, Minn.

My dear Mr. Bjornson:

The enclosed plank which was presented at the Republican National Convention and will be presented at the Democratic national Convention I thought you might appreciate having in your possession, since it has been brought so decidedly to the attention of the public. While the Republican platform did not include the specific civil service plank urged by the League of Women Voters, still the sweeping interpretive support from Mr. Landon has brought this subject forcibly before the public. What the outcome will be in Philadelphia we are eager to know, but as Vivian Thorp so well expressed it in her article in last evening's Journal, a challenge has definitely been thrown to the Democrats by Mr. Landon's stand. It would be of great assistance in our work for this plank if you found it possible to make some mention of it in your radio talks which are thought so highly of throughout the state. It was interesting to hear the ~~radio~~ comment made on the floor of the convention at Cleveland and broadcast over the country when Mr. Landon's wire was received giving his stand on the merit system, giving credit to the League of Women Voters.

Sincerely,

Ruth H. Mitchell
State President

June 17, 1936

Miss Florence Kirlin
National League of Women Voters
Bellevue Stratford Hotel
Philadelphia, Pennsylvania

My dear Miss Kirlin:

Miss Mitchell thought that you would be interested in Mrs. Rasmussen's comment on the luncheon at the Republican convention, which I am enclosing.

Mrs. Thorp, whom we wrote you about in connection with the Republican convention, was ill and therefore unable to attend. She is, however, planning to attend the Democratic convention, and we would appreciate your helping her in every way possible. She is a member of our State Board and has worked in the League since its organization. She will represent the Minneapolis Journal and will be in a position to give the League good publicity. Needless to say, she is "sold" on the merit system and often has feature articles on it.

Other League members who will be present and whom we have told about the League's headquarters and the luncheon Monday are:

Mrs. H. M. Lambertson, Jr., Winona (national committeewoman)
Mrs. Thomas H. King, Willmar
Mrs. Caroline Foley, Minneapolis
Mrs. Dorothy O'Brien, Grand Rapids
Mrs. Sylvia Jumer, Two Harbors
Mrs. Thomas Maple, Minneapolis
Mrs. L. W. Huntley, Grand Rapids
Mrs. J.F.D. Meighen, Albert Lea (Her husband is a delegate, but we are not sure whether she is going. She has been a League Contributor for years.)

As you probably realize, Minnesota is sending two complete delegations, only one of which will be recognized and seated. We have, of course, contacted the delegates from both factions.

Elizabeth Lamson
Executive Secretary

MEMORANDUM

Date July 16, 1936

From Miss Kirlin to Miss Ruth Mitchell, Pres.
Minnesota League

Regarding: -

I am enclosing a copy of a letter Mrs. Lamberton wrote to us in regard to our plank. Mrs. Lamberton did not get to the luncheon, but that was quite understandable because of the many activities which were planned for the women there.



Florence Kirlin
Congressional Secretary

Date Rec'd JUL 20 1936

Read by

Pres.

Ex. Sec.

☒ Office Sec.

Field Sec.

FK:1

COPY

5813

Mrs. H. M. Lamberton, Jr.
Democratic National Committeewoman
Winona, Minnesota

June 11, 1936

Mrs. Harris T. Baldwin, Vice Pres.
National League of Women Voters
726 Jackson Place
Washington, D. C.

My dear Mrs. Baldwin:

I want to thank you for your fine interest in women's part in the making of the Democratic Platform. It may interest you to know that in answer to my letter to most of the prominent Democratic Women of the State - and some not Democratic - the Abolition of the Spoils System was advocated second or third on the replies of practically all of the women questioned.

I hope that something constructive can be accomplished in Philadelphia.

I should like more than anything to be at the League of Women Voters' luncheon at the Ritz Carlton on Monday June 22nd, if I can make it. I am a member of the Democratic National Committee which meets late on the morning of June 22nd, and I shall, of course, have to stay with them until their business is finished. If I can possibly make it, I shall notify you or else just walk in on the luncheon.

Thanking you, I am

Very sincerely yours,

(xx signed) Gretchen L. Lamberton

Mrs. H. M. Lamberton, Jr.
Democratic National Committeewoman

QUESTIONS ON STATE CIVIL SERVICE BILL INTRODUCED IN SPECIAL SESSION

1. How many members would Civil Service Commission have, and how would they be appointed? Three, appointed by governor with consent of Senate for 6 year term.
2. Salary? \$10 for each day devoted to duties. Maximum \$400 per year.
3. What are their duties? To adopt and amend rules recommended by the Director, pass upon classification of positions, pay schedules, etc. Hear grievances of applicants, employees, and citizens, conduct hearings on removals, etc.
4. Who is the administrative head of the Civil Service, and how is he chosen?
The Civil Service Commission appoints an examining committee of 3, all of them personnel administrators of standing and one of them a non-resident of the state. The examining committee offers an open competitive examination and on the basis of the results prepares a list of eligibles from which the Commission chooses the Director of the Civil Service who is the administrative head.
5. Salary of Director? Fixed in accordance with state salary schedules when such are established. Until established, salary would be fixed by Commission, but must not be less than that of heads of other major departments.
6. Into what two main types of services is personnel of the state divided by the bill?
(1) Unclassified (2) Classified
7. What types of positions does the bill place in unclassified service?
(1) elective officers; (2) heads of departments and members of boards and commissions appointed by Governor; (3) one private secretary to each elective officer; (4) officers and employees of the legislature; (5) secretaries and employees in office of governor. (6) teachers, research assistants, instructors, deans, and administrative officers of teachers' colleges and state university; (7) officers and enlisted men in national guard and naval militia.
8. In classified service? All not mentioned above as being in unclassified service.
9. Into what 3 divisions is classified service divided? (1) competitive - all positions requiring competitive examination. (2) non-competitive - positions for which Director and Commission determine competitive examination is impracticable. (3) labor division - all positions to be filled by unskilled labor.
10. How are appointments to competitive division made? Director certifies to appointing officer the 3 names at head of list of eligibles prepared on basis of examination. From these 3 the appointing officer may select anyone and appoint on probation for 6 months. At end of 6 months if probationer is satisfactory, appointing officer must notify Director in writing. The employee is then given permanent classified status. If one of the 3 names certified is a veteran, he must be given preference by the appointing officer.
11. What provision is made for tenure? No permanent employee in classified service can be removed "except for just cause which shall not be religious or political".
12. How can unsatisfactory employees be removed? Appointing officer can remove for just cause not religious or political, but must furnish in writing to employee his reasons and file duplicate statement with Director. Employee may request hearing before Commission, and if Commission finds removal due to political or religious causes he may be reinstated.
13. What provision is made for present state employees? Within 18 months present incumbents may take an examination designed to test their fitness for the position. Those who pass these qualifying examinations will be given classified status. If they do not take the examination or do not pass they will be subject to removal at any time and will not be eligible for promotion.

November 1936

WHAT THE CRITICS SAY ABOUT CIVIL SERVICE

They say -

Civil Service laws don't work. It is always possible to evade them and make political appointments.

If the head of a department is to be held responsible for the efficiency of his department, he should have the privilege of hiring the workers under him and not have them imposed upon him by a Civil Service set up.

Civil Service gives life tenure and you can't get rid of an employee no matter how inefficient or useless he may prove to be.

Civil Service examinations cannot pick qualified employees for many positions where personality, experience and other factors are more important than facts and skills.

A Civil Service bill would "blanket in" all present employees. They were political appointees, chosen without reference to merit or qualifications and should not be given life terms.

We say -

Law enforcement depends on two factors:
1) The kind of bill adopted. Many older Civil Service bills were poorly drawn and full of loopholes for political manipulation. Modern bills are closing up these loopholes to a large degree.
2) The interest of the public in having the law enforced. The people today are sufficiently aroused on this question to demand enforcement.

Modern Civil Service bills usually give the head of a department some choice among applicants, but he must choose from certified or eligible lists. An efficient department head is usually thankful to be relieved from the pressure of "job seekers" and glad to know how to secure qualified workers quickly and easily.

The higher standards imposed by the Classified Civil Service and the removal of political uncertainties brings a better qualified group into the service, and we can afford to give them some assurance of permanency on the job. Moreover, modern Civil Service bills while protecting employees against political dismissal, clearly provide for the removal of inefficient and unsatisfactory employees.

Modern examinations should and do include not only written tests of fact or skill but oral interviews, personality and other tests, and give specific credit for experience, training and many other factors.

A Civil Service bill might do one of three things:
1) Blanket in present employees regardless of qualifications. This no doubt would give tenure to some unqualified employees. The turnover in government employment, however, even under Civil Service, is large. New employees would all come in under the merit principle. Furthermore, if an employee is notably inefficient, he can be eliminated by the regular procedure provided by the law (tho he will be protected against political discharge).

2) Require present employees to take open competitive examinations with all other applicants. This has the advantage of securing at the outset the best qualified persons available. Present employees because of their experience on the specific job would have some advantage in the examination over other applicants, but the procedure nevertheless is apt to be opposed by an incumbent administration, and it is more costly than either of the other two methods.

3) Give qualifying but not open competitive examinations to present incumbents. This is a compromise but would eliminate those clearly unqualified, would be less expensive than the open competitive method and probably more satisfactory to incumbent employees and the incumbent administration.

We can't afford it. It would mean another appropriation and we must cut costs.

We can't afford not to have it. The greatest cost in government today is the payroll and the most expensive thing we can do is to employ inefficient workers. When a business man finds his operating costs too heavy, his first move is to study the efficiency of his personnel.

The whole purpose of the patronage system in politics is to give as many jobs as possible to party adherents rather than as few jobs as are needed to those best qualified.

In Ohio it is estimated that \$100 000 a year is saved just by the check of payroll. In California in one year there was a recent saving of \$500 000 accomplished by the general reclassification of positions and the establishment of proper salary ranges.

In Michigan the Civil Service ^{Study} Commission declares that a careful supervision over the items of sick leave, vacations and hours of work might easily save the state enough to pay the entire yearly cost of a Civil Service system, and they also estimate that half a million dollars is thrown away every year in experience and training under the prevailing spoils system in the state.

UNIVERSITY OF MINNESOTA
MINNEAPOLIS

PUBLIC ADMINISTRATION
TRAINING CENTER

February 23, 1937

Mrs. Harington Beard
Minnesota League of Women Voters
914 Marquette Avenue
Minneapolis, Minnesota

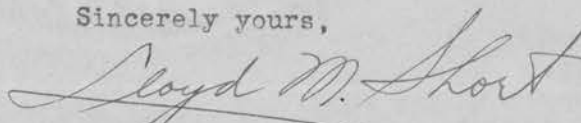
Dear Mrs. Beard:

I am sorry I missed you when you called at the office this afternoon. I had intended to give you the comments on the governor's bill at the Senate hearing this afternoon which was postponed. I enclose the comments herewith.

I should explain that Mr. Ludwig's comments are merely some notations which he made in preparation for his talk in St. Paul last week. Professor Field's brief comment needs no explanation except that he had intended to make a more thorough analysis last evening but was prevented from doing so.

I regret that it will be impossible for me to attend either the Senate hearing scheduled for tomorrow afternoon or the luncheon on Thursday noon. I believe Miss Chapin, my secretary, informed you of my engagements for those times.

Sincerely yours,


Lloyd M. Short

LMS:EC
ENC

GENERAL COMMENTS

1. The bill in general is poorly drafted. A number of important sections are not made clear and concise. It fails almost completely to take advantage of the experience of other governments in securing legislation adequate to provide a modern system of public personnel administration based upon the merit system.
2. Virtually the entire responsibility for building up and administering the civil service system rests back upon the Governor. The bill is little more than an enabling act. It is doubtful if any Governor, holding office for a two year term, can alone uproot the spoils system and establish the merit system upon a firm foundation. He needs a strong statute, providing a firm legal foundation for that system.
3. There is no guarantee of professional competence in the all-important office of the personnel commissioner.
4. Quasi-legislative and quasi-judicial functions as well as administrative are to be performed by the Commissioner. The council is advisory only. Something may be said for this type of arrangement in the national government where the merit system is quite firmly established and where the need is one of extension and of perfecting administration, but it is decidedly questionable in a bill which is introducing the merit system into a state government for the first time.
5. All present employees are "blanketed in" without examination. This perpetuates inefficiency.
6. The bill leaves numerous loopholes, especially in regard to temporary appointments, through which appointment on the basis of merit as determined by competitive examination may be avoided.

Lloyd M. Short

FILE COPY

1. Governor's power extends to:
 - a. Appointment of Commissioner without competitive exam.
 - b. Chairman of the Advisory Council
 - c. Classification (Sec. 7).
 - d. Establish schedules of salaries and wages (Sec. 20) Legislature ?
 - e. Transfer from exempt class to classified service (Sec. 22)
 - f. Transfer from unclassified to classified service. Pending organization, a large group treated as unclassified (Sec. 22-4).
2. Commissioner given final authority:
 - a. Findings on hearings regarding removals (Sec. 15)
 - b. Restore pay to suspended employee (Sec. 16)
3. Single commissioner with advisory board. Selected without competitive exam.
4. Large power to Governor.
5. Veto on dismissals.
6. Present employees covered in (Sec. 16).
7. Veterans preference, 20 points.

C. C. Ludwig

FILE COPY

It is useless to make a
detailed list of objections
as the list would be so
long.

An insuperable defect is
that copied from the Federal
statute of having the
governor put people in
the service, instead of
putting them there by law.
The Federal law is very
weak on this point and
should not be copied.

The service should be on
a legal basis - not on
a political executive - order
basis

Opfield.

QUESTIONS ON STATE CIVIL SERVICE BILL INTRODUCED IN 1937 SESSION - H F 98

1. How many members would Civil Service Commission have, and how would they be appointed? Three, appointed by governor with consent of Senate for 6 year term.
2. Salary? \$15 for each day devoted to duties. Maximum \$450 per year - limit of \$450 not to apply for first two years.
3. What are their duties? To adopt, reject or amend rules recommended by the Director, pass upon classification of positions, pay schedules, etc. Hear grievances of applicants, employees, and citizens, conduct hearings on removals, etc.
4. Who is the administrative head of the Civil Service, and how is he chosen?
The Civil Service Commission appoints an examining committee of 3, at least two of them public personnel administrators or public personnel specialists of standing and one of them a non-resident of the state. The examining committee offers an open competitive examination and on the basis of the results certifies to the Commission the names of the 3 persons rated highest, from whom the commission chooses the Director of the Civil Service who is the administrative head.
5. Salary of Director? Fixed in accordance with state salary schedules when such are established. Until established, salary would be fixed by Commission, but must not be less than that of heads of other major departments.
6. Into what two main types of services is personnel of the state divided by the bill? (1) Unclassified (2) Classified
7. What types of positions does the bill place in the unclassified service?
(1) elective officers; (2) heads of departments and members of boards and commissions appointed by Governor; (3) one private secretary to each elective officer; (4) officers and employees of the legislature; (5) executive secretary and three other confidential employees in office of governor; (6) teachers, research assistants, instructors, student employees on less than half time basis; deans, and administrative officers of teachers' colleges and state university; (7) officers and enlisted men in national guard and naval militia. All other positions are in the classified service.
8. How are competitive positions in the classified service filled? Director certifies to appointing officer the 3 names at head of list of eligibles prepared on basis of examination. From these 3 the appointing officer may select any one and appoint on probation for 6 months. At end of 6 months if probationer is satisfactory, appointing officer must notify Director in writing. The employee is then given permanent classified status. If one of the 3 names certified is a veteran, he must be given preference by the appointing officer.
9. What provision is made for tenure? No permanent employee in classified service can be removed "except for just cause which shall not be religious or political."
10. How can unsatisfactory employees be removed? Appointing officer can remove for just cause not religious or political, but must furnish in writing to employee his reasons and file duplicate statement with the Director. Employee may request hearing before Commission, and if Commission finds removal due to political or religious causes he may be reinstated. If Commission disapproves charges for any other reason, employee's name may be replaced on a suitable eligible register for reinstatement, transfer or new appointment, but not reinstated in the department in which disciplinary action took place without consent of the dept. head.
11. What provision is made for present state employees? Within 2 years present incumbents may take an examination designed to test their fitness for the position. Those who pass these qualifying examinations will be given classified status. Those who do not take the examination or do not pass will be subject to removal at any time and will not be eligible for promotion.

July 1937

ANALYSIS OF AND COMMENT ON H F 98
(Civil Service Bill introduced in the 1937 session
at the request of the Civil Service Council)

Section I. Purpose of this Act

The purpose of this act is to guarantee to all citizens a fair and equal opportunity to secure employment in the civil service of the state of Minnesota; to establish conditions of service which will attract and hold officers and employees of character and capacity; and to increase the efficiency of the governmental departments and agencies by the improvement of methods of personnel administration.

Section II. Short Title The State Civil Service Act

Section III. The Department of Civil Service of the State of Minnesota is hereby created and established.

Section IV. The Civil Service Commission

The valuable services that can be performed and the contributions that can be made by a lay board representing the public interest in the merit system should not be sacrificed even though responsibility for actual administration is vested in a single administrator. A fundamental flaw in a set-up which calls for a commission as the sole administrator is removed by the establishment of a single administrator and a board. A board alone is obliged both to administer and to appraise and criticize its own administration. These functions are basically incompatible. An effective appraisal, critical and constructive, must be detached from execution. The usefulness of a lay board is not confined to its function as a watchdog of the merit system. A board of lay advisors, properly chosen, can serve to focus the spotlight of public opinion on the human side of government. It can enlist the interest and cooperation of business, agriculture, labor, education, and the professions in improving the Government service as a career. It can stimulate the initiation of progressive personnel programs and serve as a critic which will protect the service from the dangers of bureaucracy, spoils and deadly routine. In order to achieve its utmost usefulness, such a Board must be divorced from partisan influences and from administrative or operating functions of any kind; it should be nonpartisan instead of bipartisan. Its members should be drawn in, from time to time, from active participation in various fields of endeavor so that they do not become too closely identified with any administration. (See Report of President's Committee on Administrative Management - page 11)

Section V. The Director of the State Civil Service

The success of the whole civil service program will be largely dependent upon the capacity, energy and judgment of the administrative head of this service. Consequently the method of selecting the most efficient and competent man available is of vital importance. The plan recommended is to set up an examining committee of three persons to select by examination three qualified candidates for the position of director. From the three so recommended, the Commission is to pick the one who in its judgment possesses the highest qualifications to handle the work. By giving the Commission the power to appoint the Director from a panel of qualified persons, political considerations are kept out and the choice under this procedure must therefore necessarily be on grounds of merit alone. The Director himself is in the classified service.

Section VI. Powers and Duties of the Director of the State Civil Service and of the Civil Service Commission.

This section makes clear the respective functions of the Director and the Commission. It is exceedingly important in the operation of a state civil service system that the Director be given the administrative powers and that the Commission be given the power of general approval. The Commission is responsible for the work of the Department, but the work is to be done by the Director and his staff. Where Commission members have become involved in administrative matters, such as the giving of examinations, difficulties have always ensued, and it is for the purpose of avoiding just such situations that this section attempts to delineate carefully the respective duties of Director and Commission.

Section VII Powers of the Commission and the Director in the Conduct of Investigations.

This section puts "teeth" in the Act - a necessary provision.

Section VIII. Salaries of Director and Employees in the Department of Civil Service.

By stating in the Act that the salary of the Director shall not be less than that paid to heads of other major departments, adequate salary is insured.

Section IX. The Unclassified and Classified Service.

In this section the principle that policy-determining officials should be selected by the people, either directly through election or indirectly by appointment, and that all other employees should be selected on the basis of merit, has been followed. It should be emphasized that the exemptions are generous and that all other positions in the state service should be included under civil service. If there is to be efficiency in administration and reasonable continuity in policy, the non-policy-determining positions must be under civil service. With department heads changing frequently, it becomes especially necessary for the under staff to supply the administration with that continuity of experience which good government requires. Furthermore, lines of promotion should lead to the higher positions of importance and prestige, in order to attract the ablest people to the state service. In this section, the classified service is established by law, rather than left to discretion of executive order.

Section X. Status of Present Officers and Employees.

The plan outlined is generally conceded by civil service authorities to be the most practicable, with reasonable justice to employee and employer. It leaves the choice to the present incumbent himself of coming under civil service and thereby benefiting by its provisions, or of holding his position as long as he can under the old status but thereby sacrificing opportunity for advancement. The provisions as to time are liberal, providing against the too rapid changes which are undesirable both for the state and the incumbent. (See "A Merit System for Minnesota", p 26, plan 4)

Section XI. The Classification and Allocation of Positions in the Classified Civil Service; the Preparation and Administration of Compensation Schedules.

The establishment and maintenance of an adequate classification of positions is an essential tool of good management and one of the primary requirements of good personnel administration. Until such a plan is established there can be no real progress in improving the service and reducing the cost. When a classification plan exists which describes every position accurately and specifies the qualifications for

each, administrators are enabled to requisition personnel with some assurance as to fitness and requirements. It will also enable the employee to know his individual duties and responsibilities, to comprehend his relationships with other employees, and so do away with any conflicts in authority and overlapping of responsibility. A sound compensation plan is necessary also to the proper functioning of a personnel system. Without such a plan great inequalities and waste exist. Equal pay for equal work will be attained when this section is operative, and any irregularities in the salary situation will be adjusted.

Section XII. Nature of Examinations; Notice; Qualifications of Applicants.

The examination procedure is established in this section. By it, the whole state classified service is opened up to qualified applicants who can prove their ability through competitive examinations. These examinations are to take into consideration not only present fitness for the particular position - including experience, age, character, education, physical condition, etc. - but also capacity of the applicant for promotion.

Section XIII. Refusal to Examine Applicants or to Certify Eligibles.

A valuable protective measure.

Section XIV. Political or Religious Affiliations of Applicants and Employees.

A guard against political or religious discrimination.

Section XV. Appointments, Promotions and Reinstatements.

This section deals with eligible lists from which appointments shall be made, their establishment, both regular and emergency, and time limits thereof.

Section XVI. Notice of Vacancies; Method of Appointment.

This section establishes the method of certifying eligible persons for appointment. The appointing authority is given reasonable discretion in picking his own employees in the provision allowing him to choose among the three candidates certified to him.

Section XVII. Promotions.

One serious defect of the spoils system is the absence of any provision for promotion. Able employees will not be attracted to any service, public or private, and cannot be expected to give of their best, unless they can feel reasonably sure of improvement in their status. In this section promotions are to be made from within the service whenever possible, and employees are given the privilege of taking promotional examinations to secure better positions. A valuable element in improving the morale of the service is thus provided, a stepping stone toward establishing a "career service".

Section XVIII. Non-Competitive Appointments.

This section guards against any exploitation of provisional, emergency or temporary appointments. It is vital to protect the integrity of the civil service system. Expert criticism recognizes that temporary or emergency appointments, uncontrolled, have greatly weakened the efficiency of the system. Ample provision is made in this section to take care of all genuine out-of-the-regular appointments, but ample precautions have also been taken to prevent excessive use of what is essentially an emergency power.

Section XIX. Probationary Appointments.

This is a wise and necessary provision against a commonly used means to circumvent the merit system - that of allowing continuance in office for extended periods appointees who, in many cases, have not demonstrated capacity for their positions. Systematic attention to the probationary period is herein required.

Section XX. Transfers; Reinstatements.

An important feature of any personnel plan is to fit the employee into a job best suited to his capacities. Many an employee does not prove his worth in his first or even his second position. This section provides for making transfers. It also provides for reinstatements when employees, through no negligence or fault of their own, have been obliged to be absent from work.

Section XXI. Standards of Performance.

Efficiency ratings are an essential tool of personnel administration, valuable both to employer and employee. Unless employees are under regular observation, and unless their work is regularly evaluated, they may become indifferent and of less value to the service. On the other hand, the judgment of a superior officer of his subordinate employees should be supplemented by some regular report or rating against which memory, current impressions or prejudice can be checked. Such reports have proved valuable in helping employees improve themselves, as a factor in making promotions, in suggesting the advisability of transfers, and in determining the order of layoffs and necessity of dismissals.

Section XXII. Suspensions; Reductions; Dismissals.

A fair and expeditious procedure for the dismissal of employees is provided in this section. While employees may not be dismissed for political or religious causes, an "open back door" is provided. In order that an employee may be protected from dismissal without just cause, provision is made that reasons for his dismissal must be stated in writing and presented to the employee as well as to the director. Also opportunity is afforded for a hearing before the Commission if the employee so desires. If the Commission finds that the employee has been unfairly treated, it may reinstate, transfer or place his name on an eligible register ready for appointment to another job. A discharged employee is not forced back upon the department head who dismissed him - a wise precaution against dissension in the department. However, tenure is not made so secure that inefficient employees may not be ousted.

Section XXIII. Personnel Reports to the Director.

This and succeeding sections provide the mechanism and legal procedure incident to the civil service system set up by this Act.

Section XXIV. Salary Warrants and Payments.

Section XXV. Actions to Restrain Payment of Salaries.

Section XXVI. Required Observance of this Act; Penalty for Violation Thereof.

Section XXVII. Specific Offenses Enumerated; Penalty for Violation Thereof.

Section XXVIII. Restraint upon Political Activities; Penalty for Violation Thereof.

If employees are not chosen on a political basis, their neutrality must be safeguarded while they are on the job. Consequently this section prevents any act which

would compromise the employee or which would politicize the service. It does not, however, in any way deny the employee his privilege of voting or the free expression of his views as a citizen. It does render illegal all political pressure on the employee to contribute or to work for any party.

Section XXIX. Use of Public Buildings.

Section XXX. Veterans' Preference.

Preference laws now in force are incompatible with a merit system, and investigation has shown that veterans themselves approve of such a system as would give them the preference only after they have qualified for appointment on the same basis as others. In this Act, veterans are given preference if they pass all required tests on their own merit and rate so as to be placed among the first three on the certified list. This is considered fair to the veteran and not destructive of the merit principle.

Section XXXI. Service to Local Governments; Cooperation with Other Civil Service Agencies.

This section makes available for local units of government the services and facilities of the State Civil Service Department and its staff. Such services are to be rendered only when requested by a local unit and are for the purpose of aiding in the operation of local civil service systems. Since much help can be given to the State Civil Service Commission by civil service agencies in other governmental units, especially in the matter of examinations, provision is made to permit the interchange of services.

Section XXXII. Training of State Employees.

Even the best employees "go stale" if they are not occasionally subject to "refresher" courses and brought into touch with new developments. This section will make possible such necessary training programs.

Section XXXIII. Repeal of Inconsistent Acts.

Section XXXIV. Validity of this Act.

Section XXXV. Appropriation.

No Act can be effective without necessary funds.

Note: Copy of H F 98 may be secured from the League office - price 10 cents.

Questions and Answers on the Civil Service Bill for the State of Minnesota Drafted and Recommended by the Civil Service Council

What Is the Purpose of This Bill?

To establish conditions of service which will attract and hold officers and employees of character and capacity; to increase the efficiency of the governmental departments and agencies by improvement of methods of personnel administration, and to guarantee to all citizens a fair and equal opportunity to secure employment in the civil service of the State of Minnesota. (Section I)

Who Would Be Responsible for Carrying Out the Civil Service Law?

A Civil Service director, and a Civil Service Board of three members. (Sections III, IV, V)

How Is the Civil Service Director Appointed?

By the Civil Service Board, on the basis of merit and fitness, after an open competitive examination conducted by a committee of three persons, at least two of whom shall be personnel administrators or personnel specialists of recognized standing. The Director shall be under civil service. (Section V)

How Are the Members of the Civil Service Board Appointed?

By the Governor, with the consent of the Senate, for six year overlapping terms. They shall be known to be in sympathy with the principles of the merit system, and must not have held any elective public office or position in a political party within the two years immediately preceding appointment. They may be removed by the Governor upon written charges only and with the approval of the Senate. (Section IV)

How, in General, Do the Duties of the Director and the Civil Service Board Differ?

The Director is the executive and administrative head of the service, and exercises supervision and control over all examinations and over the conduct of the department. The Board is responsible for policy-determining and semi-judicial functions, such as approval or rejection of rules, of classification of positions, and of pay schedules, making investigations, conducting hearings, etc. (Section VI)

What Are the Salaries of the Director and of the Board?

The Director shall receive a salary in accordance with compensation schedules authorized under the act, and not less than heads of major state departments. Civil Service Board members will be paid \$15 per day, for each day actually devoted to duties of the Board, with a maximum of \$450 per year after the first year. It is estimated, on the basis of experience, that the Board will not need to meet on an average of more than twice a month after the first year, when the system is fully established. (Section VIII)

What Employees Would Be Covered by the Act?

All state employees are in the classified service, except: 1) those chosen by election or appointed to fill an elective office; 2) heads of departments appointed by the Governor, and members of boards and commissions appointed by the Governor; 3) one private secretary to each of the elective officers of the state, other than the Governor; 4) one executive secretary and three other confidential employees, in the office of the Governor; 5) officers and employees of the Senate and House of Representatives of the legislature; 6) teachers, research assistants, student employees on less than half time pay basis; presidents, deans, administrative officers in the teachers colleges and the State University; 7) officers and enlisted men in the National Guard and Naval Militia. The aforementioned positions are in the unclassified service. (Section IX)

(over)

What Provision Is Made for Present State Employees?

Within two years after the passage of the Act, all present employees, except the few who have already been required by law to take examination, must take a practical, non-competitive examination to demonstrate their fitness to retain their positions. Those passing such qualifying examinations will be given classified status. Those who fail will be dropped from the service. (Section X)

What Provision Is Made for the Classification of Positions and "Equal Pay for Equal Work"?

The Director, with the approval of the Civil Service Board, is required to prepare as soon as practicable a classification of all positions in the classified service. Titles are to be established for each class of employment, and a description of duties and responsibilities, and minimum qualifications for each grade and class drawn up, and, as far as practicable, the lines of promotion from grade to grade or class to class is indicated.

After the adoption of the classification plan, a salary schedule is to be prepared by the Director, and when approved by the Civil Service Board, after public hearing, to be submitted to the State Commission of Administration and Finance, and when approved by this Commission must be used in connection with all payrolls and budget estimates. (Section XI)

How Are the Employees in the Classified Service Appointed?

When a vacancy occurs, the appointing officer must give written notice to the Civil Service Director. The Director then certifies to the appointing officer the three names at the head of the appropriate register of eligibles, which has been prepared on the basis of examination. The appointing officer may then select any one of the three thus certified, and appoint him on probation for six months. At the end of six months, if the probationer is satisfactory, he is given permanent classified status. (Section IX, Subsections 2 and 3; XV, XVI)

What Provision Is Made for Tenure?

No permanent employee in the classified service can be removed, discharged or suspended without pay for more than 15 days, or reduced in pay or position, except for just cause, which shall not be religious or political. (Section XXII)

How May an Employee Be Dismissed, Suspended or Demoted?

An appointing officer may remove, suspend or demote an employee for just cause, by furnishing both the employee and Director with a written statement of his reasons. The employee may then demand a hearing before the Civil Service Board. After considering all the evidence, the Board shall approve or disapprove the action. In case of approval, the disciplinary action shall be deemed final. In case of disapproval, the Board shall reinstate the employee under such conditions as it deems proper. (Section XXII)

Is There Any Restraint on Political Activities of State Employees?

No employee can be in any way concerned in soliciting or receiving funds or assistance for a political party at any time, nor can he contribute to a political party when he is on duty. An employee would not be prevented from voluntarily contributing time or money to a political party when off duty and away from the state building. (Section XXVIII)

What Preference Is Given to Applicants Who Are Veterans?

A credit of 5 per cent is added to the passing grade of all veterans, with the exception of disabled veterans who are given a 10 per cent credit. The person thus preferred shall not be disqualified from taking examinations for the classified service on account of his age or by reason of any physical disability, provided such age or disability does not render him incompetent to perform properly the duties of the position applied for. (Section XXX)

What Provision Is Made for Training of State Employees While in Service?

The Director of Civil Service is required to devise plans in cooperation with appointing authorities for the conduct of employee training programs, and to establish rules which will permit employees to enroll in courses of training for government service. (Section XXXII)

Copies of the text of the complete bill may be secured at 5 cents a copy from Miss Ruth H. Mitchell, Chairman, Civil Service Council, 914 Marquette Avenue, Minneapolis

FILE COPY

March 30th,
1939

To: Members of the State Senate:

The Civil Service Council wishes to call your attention to the following sections of HF 601, as recommended by the Civil Administration Committee of the Senate, where, in the opinion of the Council, amendments would be advisable:

- not sent*
- 1) Section 3. This section does not include the provision which appeared in H F 5 (Council bill), namely, the restriction of Board members from holding public or political office for a stated period prior to their appointment to the Civil Service Board. This provision ^{we hope will} ~~should~~ be reinstated. *we hope reinstatement*
 - 2) Section 9. The Council would like once more to urge a minimum of exemptions from civil service status as provided in the Council bill (H F 5). *1 F 18*
Especially dangerous, in the opinion of the Council, is item "b" of this section which exempts administrative heads of divisions and institutions. It is urged that this subsection be limited to department heads and executive officers only.
 - 3) Sections 10 and 21. Many members of the Council raised the question about probation periods for incumbents. Lines 2 and 3 of Section 21 of the Senate draft require a six month probation period for incumbents after they have passed qualifying or competitive examinations. On the other hands, lines 31 and 32 of Section 10 guarantee employment of six months to a person who has failed to pass a qualifying examination. The Council recommends the elimination of the probation period for those incumbents who pass the examination and further recommends a shorter period of employment after an incumbent has failed the examination.
 - 4) Section 18. The Council reiterates its belief that no more than three names shall be certified to the appointing officer when an appointment is to be made. This is in keeping with acceptable merit systems elsewhere.
 - 5) Section 29. The Council strongly urges the substitution of Section 28 of the Council bill (H F 5) for this section. No civil service systems are intended to prevent participation of employees in activities other than political. *(quote)*
 - 6) Section 31. The Council calls attention to the fact that merit should be the primary objective. To this end it would appear preferable to have veterans secure a passing grade before any point preference is given. Promotions within the service should be on merit only.

MINNESOTA CIVIL SERVICE COUNCIL

The members of the Minnesota Civil Service Council, whose signatures are attached herewith, together with the organizations which they represent, having made a careful analysis of H F 601, as passed by the House and as amended by the Senate, urge you, as a member of the Conference Committee, to give special attention to the following sections of the bill ~~as passed by the Senate and House~~ --

SENATE

Section 9. The public had asked for a real career system based on merit.

Sub-section (1) b. If all of this sub-section prevails, Minnesota will continue to maintain a spoils system for certain top positions, which are the most obvious political plums. We believe that heads of departments required by law to be appointed by the Governor and members of boards and commissions appointed by the Governor should be exempt, but other positions enumerated in this sub-section are generally recognized as a definite part of any satisfactory career service in government.

Section 10. The Civil Service Council reiterates its position that the public is entitled to know, through some kind of examination, whether present employees are or are not qualified.

If Section 10 of the bill were to prevail, we would have a civil service system in name but not in fact because the majority of employees would not be under the Act. It will be noted that the bill not only leaves it entirely to the employee to decide whether or not he will be a part of the classified service, but provides that if he has the courage to apply for an examination and fails, he will lose his position. Under such circumstances, it is obvious that few employees, particularly those less qualified, would be willing to jeopardize their positions by applying for an examination.

We also want to call special attention to Sub-section 3 of Section 10, added on the floor of the Senate which we believe would undermine the effectiveness of the whole set-up. It places on the director the responsibility of determining qualifications of and certifying employees concerning whom no official records have been kept. This would force the director to blanket in all employees or else be subjected to impossible pressure. It is difficult to imagine any competent director accepting the position under such circumstances.

HOUSE

Two amendments adopted on the floor of the House are inconsistent with appointment on the basis of merit. They are Section 15, sub-section 4, which provides for appointments apportioned by congressional districts, which would also be almost impossible to administer fairly, and Section 13, which is similar to a recently repealed provision in the federal statutes which was found to be inexpedient.

Respectfully submitted,

In view of the many misconceptions about the present status of the Civil Service Bill in the Legislature, the State Civil Service Council which drafted and had introduced early in the session a model Civil Service Bill, wishes to state that the Civil Service Bill as reported out of the Civil Administration Committee of the Senate differs from the Council Bill in only three important sections:

1. Increased number of exemptions.
2. Increased veterans preference.
3. Different provision for present employees.

The bill passed by the House needs only a few minor changes to make it a good bill. If weakening amendments are not added on the floor of the Senate prospects seem bright for a good bill coming out of the conference committee of the two houses.

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MINNESOTA CIVIL SERVICE COUNCIL

make 6 copies
Minnesota League of Women Voters,
914 Marquette Avenue, Minneapolis

Nov 1939

FILE COPY

noo 1939

SUMMARY OF SUPPORT OF CIVIL SERVICE

The first civil service bill given support by the League was introduced in a special session in 1935, and made practically no progress.

Concentrated effort began prior to the 1937 session. All state-wide organizations endorsing the merit principle for state employees were asked by the League to send representatives to a Civil Service Council. Organizations originally represented included: League of Women Voters, State Federation of Labor (who in turn appointed the State Employees Union to represent them), Parent-Teacher Association, Minnesota Education Association, Federation of Business and Professional Women's Clubs, American Legion, Legion Auxiliary. The first meeting was held in November 1936. The primary purpose of the Council was to attempt to draft a bill that would be acceptable to a majority of the organizations represented on the Council. (See January, 1937, Woman Voter) From the first, expert advisers have met with the Council - Dr. L. M. Short, director of the Public Administration Training Center of the University of Minnesota, Mr. C. C. Ludwig, executive secretary of the League of Minnesota Municipalities, and Mr. Harold Henderson, director of the Minnesota Institute of Governmental Research. Miss Ruth H. Mitchell, president of the Minnesota League of Women Voters, has continuously served as chairman of the Council. It is a loosely-knit organization, and no action taken by the Council is binding upon member organizations.

A drafting committee was appointed by the Council, consisting of Dr. Short, as chairman, Mr. Probst, director of the St. Paul Civil Service Commission, Mr. Henderson, and Mrs. Harington Beard, the League's representative on the Council, was appointed as the "lay" member. Prof. Field of the University met with the drafting committee as technical & adviser.

in the House

The bill as drafted was introduced/into the 1937 session, and numbered H. F. 98. Official endorsement of the bill was not given by the State Federation of Labor or by the Legion or Auxiliary. A bill, containing the basic provisions

of administration as provided in the Council bill, but with more "leaning" toward employee protection was introduced with the backing of the State Federation of Labor.

✓ H. F. 98 was introduced very early in the session, and many hearings were held on it and other civil service bills by the Civil Administration Committee. However, it soon became apparent that the bill was not acceptable to the state administration, whose faction had control of the House during that session, and another bill was introduced, known as the "administration" bill. This bill, in the judgment of the League and many experts consulted by them, would not provide a basically sound merit system for the state, and was actively opposed by the League. It was, however, favorably reported out by the House committee. As it was also apparent that H. F. 98 (the Council bill) was possibly too "idealistic", League support was transferred to the bill sponsored by the Federation of Labor, with the hope that it might be strengthened by amendments on the floor of the House, or in the Senate.

A minority report in favor of this latter bill was brought to the floor of the House, and after a week's debate, the minority report was accepted, by a vote of 65 to 50, and the "administration" bill "killed." The bill was then sent to the Appropriations Committee. It re-appeared so late in the session that in order to secure consideration a special order was necessary, but such motion was lost by a vote of 73 to 49 - a two thirds vote being necessary to secure such consideration.

In the meantime, rather casual Senate consideration was being given to the companion bill in the Senate. However, it was brought on to the floor of the Senate, strengthened considerably, and was passed unanimously late in the session, obviously because there was no real chance of its final passage. ✓

In the House, the bill, according to procedure, was referred to the Civil Administration Committee, which had already proved unfriendly to good merit system bills, and all efforts to bring it to the floor of the House failed.

During this session, in addition to attending and speaking at hearings, League members, organized into a steering committee, time and again polled uncertain legislators as changes in the picture developed.

Educational efforts throughout the state were redoubled following the failure in the 1937 session. Thorough study was made by League groups of H. F. 98, with supplementary study material, including the basic principles of the bill, and a section by section analysis with comment. Public meetings were sponsored by the League throughout the state, the largest being held in Minneapolis with over one thousand persons in attendance, including gubernatorial candidates and candidates for the legislature. The pamphlet "A Merit System for Minnesota", published as an Educational Material Projects of the State Department of Education, was widely used. The League's usual questionnaire to candidates for ~~for~~ the legislature was confined to one subject only - civil service.

The Council began regular meetings again in the spring of 1938. Three more organizations were represented - the Minnesota Junior Chamber of Commerce, the Farm Bureau Federation, and the State Federation of Teachers. Some changes were made in the bill drafted by the Council and presented to the 1937 session, but the bill was basically the same. The text of the proposed bill, with annotations, was given widespread distribution throughout the state by member organizations in the Council. A simple question and answer flier was also widely distributed. Definite support of the "Council" bill was given by the two major gubernatorial candidates, as well as by many members of the legislature.

As was previously done, the bill as drafted and recommended by the Civil Service Council, was taken to each member organization for its official endorsement. Although the bill as drafted was accepted by the State Employees Union, and although the State Federation of Labor had agreed that action of the Union would be accepted by the Federation, in September 1938 the State Federation refused to endorse the bill, requesting that it contain a "blanketing-in" provision for all employees, and absolute veterans preference. Consequently another

bill was introduced with Federation sponsorship, identical to the Council bill in most particulars, but including these two provisions and others believed to be more acceptable to state employees.

✓ The "Council" bill was introduced into the House and Senate almost on the first day of the session. Five hearings were held before the House Civil Administration Committee, and a sub-committee was appointed, with the result that a bill was reported to the House as a "committee" bill. The three chief controversial points centered around the status of present employees, exemptions from the civil service system, and veterans' preference. With the exception of these, the bill which finally passed the House on February 27th was practically the bill recommended by the Council. ✓

On March 31st, the bill was accepted by the Senate, with amendments which made necessary the appointment of a joint conference committee. On Tuesday, April 18th, the last day on which bills might be passed for the 1939 session, the conference committee report was accepted - in the House by a vote of 90 to 24, and in the Senate 49 to 5. ✓

The fact that civil service was under constant consideration during the entire session made necessary extremely close observation and work during the session. Time and again the outlook for passage of a good law was very dark, and only unremitting vigilance and effort, as well as political astuteness, was essential. Mrs. Beard, the League's civil service chairman, was called in to speak at many hearings, and was constantly turned to for expert advice by members of committees in both houses and by members of the conference committee. Miss Ruth H. Mitchell, as chairman of the Council, kept in constant touch with the legislature and with the Governor. Miss Helen M. Horr, field secretary for the League, who is assigned to legislation work during sessions, was present daily.

Local Leagues were asked to write their legislators at crucial moments - particularly with reference to exemptions and veterans' preference. The League

took no stand on the provisions for present employees adopted by the House and Senate, although maintaining that qualifying examinations for all employees, as provided in the Council bill, would provide the fairest method.

The provisions for present employees during and since passage of the bill have been the target for practically all the criticism against the system.

The bill was signed by the Governor on April 22nd. Mrs. Beard was appointed as one of the three members of the Civil Service Board, and was subsequently elected chairman. The Civil Service Council has decided to continue and its present function is to spread understanding of the civil service system and its operation.

April 5, 1939

CIVIL SERVICE HIGHLIGHTS

House File 601, passed the Senate last Friday, by a vote of 58 to 5, with Senators Carr, Devold, Friberg, Lommen and Peterson voting against its final passage.

The Civil Administration Committee of the Senate made many amendments in the bill as it passed the House, and two more amendments were made on the floor of the Senate. While both versions follow the Civil Service Council bill in many particulars, there are many minor changes, and three major ones: i.e., treatment of present employees, exemptions and veterans' preference.

The bill is now before a Conference Committee consisting of Dunn, MacKinnon, Brophey, Johnson and Memmes for the House, and Wright, Carley, Stiening, Sullivan and Wahlstrand for the Senate. They will attempt to secure a compromise between the differing provisions in the House and Senate versions. Following is an analysis of most of these differences, together with comment on them.

C.B. says not less than 1 year to 18 months. May be offset. Change.

	House	Senate	Comment
<u>Director</u>	Salary, \$6,000 a year	Salary, \$5,000 to \$7,000	Senate provision preferable because it leaves more to the discretion of the Board.
<u>Exemptions</u>	Appointees of Governor	Appointees of Governor, plus all department or division heads.	House provision preferable. Senate provision throws open to spoils most important administrative and executive positions in the service. These should be included in any career system.
<u>Private secretary</u>	each elective officer	Same, plus ^{one} confidential employees of secretary of state, auditor and treasurer.	House provision preferable. One confidential employee sufficient.
		Deputy registrars of motor vehicles	Omission preferable
	Judges and one secretary, court reporters, receivers, jurors and notary public.	All courts of record and all employees thereof.	House provision preferable, but both make unnecessary exemptions.
<u>Present Employees</u>	Blankets in employees who have served four and one-half years, subject to general classification and six months' probationary period. All of shorter service to take open competitive examinations.	All employees hired prior to Jan. 1, 1940, may remain in service without examination and need not come under any provisions of the Act. If they wish to come under the system, they may elect before July 1, 1940, to take qualifying examinations. Director may blanket in to service employees with good records without examination. (No applicant for examination to be laid off prior to July 1, 1940, or until six months after report on examination.) (Appointments made between passage of Act and establishment of eligible lists will be considered temporary employees.) Their employment will automatically terminate 60 days after the establishment of eligible lists unless they take open competitive examinations.	House provisions preferable for following reasons: 1) Senate provision too indefinite; leaves too many employees out from under system. 2) Postpones operation of system too long; removes all protection from present employees, including those already under merit system. 3) Subjects director to unnecessary pressure to blanket in employees. Very serious. 4) Six months too long a time to allow employees to stay on after failing to pass examination.

qualifying within 5 yrs.

others to be given qualifying exam within 9 yrs after Aug. 11

Anyone dismissed during now to Aug. 1 and after - open competitive.

Present
Employees
(cont.)

Probationary period
of six months re-
quired of all employ-
ees who elect to
come under the system.

Employees of State Em-
ployment Service exempt-
ed from examinations.

No objection

Examinations No discrimination
because of politics
or religion, but
Communists, Fascists
or others advocat-
ing other than
democratic govern-
ment barred.

Ban on Communists, etc.,
struck out in favor of
requirement that appli-
cants take oath to
support Constitution.

Senate provision prefer-
able. House provision
probably unconstitu-
tional.

Appointments so far
as practicable to be
made according to
population of con-
gressional districts.

Omitted

House provision contrary
to merit principle and
would be impossible to
administer fairly.

Layoffs and According to seniority, Seniority only.
Abolition records of service
of and character
Positions

House provision prefer-
able. Records of ser-
vice and character
should be a factor.

5
4
10
Veterans! Ten points added to
Preference passing grade of
all veterans, in-
cluding widows and
wives of disabled
veterans.

Five points to veterans,
ten points to disabled
veterans, wives or widows,
irrespective of grade. If
points give disabled vet-
eran passing grade, he
goes to top of eligible
list.

House provision better
in some respects,
Senate in others.

- 1) Flat ten points
preference for all
veterans too high.
- 2) Veteran should at-
tain passing grade
before receiving
preference.

Both bills give much
greater veterans'
preference than the
Federal Act and greater
than nearly all state
laws, because prefer-
ence is given not only
for appointment but
for promotion.

Nepotism Not more than two mem- Struck out
bers of same family
may be appointed in
classified service, ex-
cept present employees
may stay. Husband and
wife may not both be
in service if combined
salary more than \$120
a month.

This section not in
keeping with merit
system. Similar pro-
vision was recently
repealed in the Fed-
eral statutes.

Made by Mr. Lupton of CS Dept

MINNESOTA CIVIL SERVICE LAW

Approved April 22, 1939

Section 2. The Department of Civil Service consists of the Board, Director and all officers and employees.

Section 3. Board consists of 3 members, holding no public office nor paid political party position within 2 years. Term 6 years except first expire Feb. 1, 1941, 1943, and 1945. Chairman chosen by selves. Meetings open to public, also records, under established conditions. Director is Secretary. Board pay \$15.00 per day, maximum \$450.00 per year, except first two years.

Section 4. Director chosen by examining committee of 3, of which 2 must be public personnel administrators or specialists, and one Minnesota non-resident. Board fixes compensation.

Section 5. Director shall (a) attend all board meetings. (b) prepare and recommend all rules to board. (c) appoint temporary and permanent examiners, clerks, etc., chosen in accordance with this act. (d) keep official roster of each employee. (f) certify. (g) investigate. (h) report to board not later than Oct. 1 each year. (i) discharge other duties imposed by this act.

Section 6. Board shall approve, modify or reject rules submitted by director, after public meeting and 2 weeks notice. (bcdefgh) other duties.

Section 7. (1) Board or director may issue subpoenas. (2) District Court on application may issue order to testify and may punish failure as contempt. (3) certain expenses may be paid in connection with testimony. (4) Board and director not bound by technical rules of evidence.

Section 8. Salaries set by board with approval of commissioner of administration.

Section 9. Unclassified service consists of (a) elective or appointed to elective office. (b) department heads appointed by governor. (c) 1 private secretary to each elected officer, 1 deputy, clerk or employee to Secretary of State, Auditor and Treasurer. (d) all deputy motor vehicle registrars. (e) One executive secretary and 5 confidential aides in Governor's office, and one in Adjutant General's office. (f) House and senate officers and employees. (g) Teachers, etc. in teachers colleges. (h) National guard and naval militia. (i) election officers. (j) contractors' employees on state work. (k) temporary legislative investigators. (l) deputy and assistant attorneys general and special counsel. (m) courts and employees. (n) patient and inmate help. (o) regents and university staff. (p) highway patrol, except future appointments. (2) Classified Service includes all others. (3) Unclassified positions may be filled from classified lists.

Section 10. All classified employees as of April 22, 1939, with total of 5 years state service, including the state employment service, have civil service status, subject to (a) classification, (b) 6 months probation as per section 21, to Oct. 22. (2) All others shall take within 2 years from August 1, 1939, a practical, non-competitive qualifying examination, involving only duties as of August 1, 1939, or as of examination date, as elected. Removal at three months after failure to pass. (3) No protection until August 1, 1939, nor on account of other merit examinations.

(4) No lay-off before qualifying exam, except as applicable to classified employees with civil service status. (5) necessary reductions by seniority in department for those without permanent Civil Service status.

Section 11. After August 1, and prior to eligible lists, appointments may be made subject to later competitive exams, to expire 60 days after list is established, and without regard to provisions of this act, in accordance with existing laws.

Section 12. (1) Director shall classify all. May change after hearing with board approval. (2) Director shall prepare salary schedules for approval of board, commissioner of administration, and legislature. Legislature may change any grade or group to not higher than next higher group, nor lower than next lower. (3) Each position to be allocated subject to 30 day appeal. (4) Present classes effective till modified in accord with act.

Section 13. (1) Exams shall be fair. (2) held after published notice. Open to citizens of 20 year preceding residence. Requirements must relate directly to duties. (3) May require oral or manual skill tests.

Section 14. (1) Director may refuse to examine certain unqualified applicants. (2) In such case, shall furnish statement, and appeal may follow. (3) Announcement shall state if bond is required.

Section 15. Every employee must take oath to, protect and preserve state property, uphold and abide by Constitution, and to take no part in any movement to alter or change form of government, except as provided in Constitution.

Section 17. (1) All appointments, promotions, shall be made from those certified. (2) Term of eligibility shall be 1 year, but may be extended to not to exceed 3 years. (3) Appointments to be made from most appropriate eligible list. New list only when satisfactory list is lacking. Director may establish local lists. No appointment to inappropriate title, nor unless qualified per this act.

Section 18. Appointing officers shall give to director written notice of new positions and vacancies, and director shall certify appropriate eligibles. (2) One of 3 thus certified shall be appointed on probation. (3) Director shall establish standards, and keep record of efficiency, character and conduct.

Section 19. (1) Vacancies shall be filled so far as practicable by promotion and competitive examination. (2) An increase of salary beyond the limit of the grade shall be deemed promotion. (3) Any promotional appointee who is dismissed for other than misconduct or delinquency shall be restored to former place.

Section 20. Positions may be filled without competition only as follows: (1) Provisional, for not to exceed three months in any year, pending examination. (2) Emergency, for ten days, limited to three per year. (3) In position requiring peculiar, exceptional qualifications of scientific, professional or expert character, competition may be suspended, and in each case shall be reported in annual report. (4) Director may certify any person he deems qualified for temporary service, not to exceed three months. Successive temporary appointments shall not be made

except immediately following passage of this act, and prior to eligible lists a temporary appointment may be renewed for a period of not to exceed 6 months from date of first temporary appointment. No person shall have more than one temporary appointment per year.

Section 21. Six months probation for all classified employees (expires Oct. 22, for those in service April 22nd.) Subject to Section 19.(3)

Section 22. (1) Transfers to similar grade and class must be specifically approved by director. (2) Leave of absence may be granted for not to exceed one year, except as per (4) this section, below. (3) No leave granted to take appointive position in unclassified service. (4) Any permanent classified employee on leave of absence separated without delinquency or misconduct, may be reinstated within one year of separation, or within one year of expiration of leave, subject to directors approval.

Section 23. (1) Layoffs for reasons beyond employees control to be based on seniority and names placed at head of register. (2) Written notice of lay-off must be given employee and director at least fifteen days in advance. Deemed dismissal, unless authority certifies reason not discreditable. (3) When positions abolished by adm. action or statute, incumbents names shall head proper list, by seniority. (4) In such case, and lay-off, only first name on list shall be certified for vacancy in same or similar position.

Section 24. (1) No employee to be removed, discharged, or suspended for more than 30 days, or reduced in pay, except for cause other than religious or political, and reasons for such discipline must be furnished employee in writing and filed with director, before action. Within thirty days such employee may demand hearing of the board, which shall be granted within 45 days after receipt of request. If hearing is not held within 45 days, employee shall be re-instated with full pay for lost time, subject to later final disposition by the board. Board may approve, or disapprove and re-instate. (2) Emergency, provisional, or temporary employees may be dismissed at discretion of appointing officer.

Section 25. Each appointing officer shall report to director, forthwith, all personnel changes, and other information prescribed by director.

Section 26. (1) Director shall certify all payrolls as to amounts and legal status of employees. (2) Any sum wilfully paid contrary to this section may be recovered from the responsible officers. (3) Any person illegally appointed shall have action against the responsible officers. (3) Any person illegally appointed shall have action against the appointing officer for pay and costs. No authority shall be re-imbursed for such recovery.

Section 27. Any wilful violation of this act is a misdemeanor, and conviction shall vacate responsible employees position.

Section 28. Any person who wilfully or corruptly defeats the purposes of this act is guilty of a misdemeanor, and after conviction may not hold public office for five years.

Section 29. No officer or employee shall solicit aid for any political purpose. No officer or employee shall be a delegate to a political convention. No officer or employee shall use his authority or political

influence to compell political payments or membership. Violation is a misdemeanor. (2) Any officer or employee shall resign upon filing for public office.

Section 30. Suitable space shall be provided to carry out provisions of this act.

Section 31. War veterans, resident of Minnesota for 5 years previous, or enlisted from Minnesota shall have preference and shall not be disqualified by age or disability if competent. Disabled veterans to receive 10 points in examination and on passing be placed at head of list if able to perform duties with reasonable efficiency. Veterans not disabled shall receive 5 points and placed on list above non-veterans of equal rating. Such preference shall extend to spouse of disabled veteran unable to qualify because of disability, and to widows of deceased veterans. Examiners shall not know fact of veteran preference. Credit to be added by director. Disability is rated by U.S.V.A. and exists when claimed. Reason for rejection of certified veteran must be written.

Section 32. (1) State civil service shall be available to other political subdivisions on request and suitable compensation. (2) Board may cooperate with other agencies, and subscribe to related organizations.

Section 33. Director shall plan employee training, may grant leaves for study, and may permit students to be internes or apprentices for not over one year.

Section 34. "Eligible" means one qualified and on employment list. Effective date of this act is April 22, 1939. (3) Those on leave on effective date of this act considered as employed.

Section 35. State Civil Service Act includes sections 1 to 38, inclusive.

Section 36. All inconsistent Acts or parts hereby repealed.

Section 37. Parts of this act held invalid do not affect validity of remainder.

Section 38. Veterans in service April 22nd hereby given permanent civil service status, without probation.

Note \$15,000 appropriated for Civil Service Department to July 1, 1939.
\$75,000 appropriated for July 1, 1939 to July 1, 1940, and
\$60,000 to July 1, 1941.

AN EVALUATION OF MINNESOTA'S NEW CIVIL SERVICE LAW

In the June, 1938, issue of the Woman Voter, the five essentials of a good civil service law were given. An evaluation of the civil service law passed by the 1939 session of the legislature is given here on the basis of these points, and in comparison to the provisions of the Civil Service Council bill.

I. Provision for competent and unpartisan administration, as far removed as possible from partisan control and selfish interest.

The administrative set up is the same as that provided in the Council bill. The director is appointed by the same careful procedure. The Board members are appointed by the Governor with the consent of the Senate, without regard to party affiliations, and may hold no other public office or have held a paid position in a political party for a period of two years immediately preceding appointment. It is slightly weakened by omitting that the members may not have held an elective public office within a period of two years, and do not need to be known to be in sympathy with the principles of the merit system. Duties of the director and board remain almost identical with the provisions in the Council bill.

II. Consistent application to all departments and non-policy determining positions in the service, with a minimum of exceptions.

The most serious weakness of the new law is in this provision, altho the actual number of additional permanent employees exempted is not large. The two most serious additional exemptions are:

- a) Heads of departments required by law to be appointed by elective officers, other than the Governor, and executive or administrative heads of departments, divisions and institutions specifically established by law. (These top positions should not be exempt. The actual number of persons involved is uncertain and will probably have to be determined by ruling of the Attorney General. The number estimated runs all the way from 15 to 100.)
- b) Deputy attorneys general, assistant attorney general, legal assistants, examiners, three confidential employees, and special counsel to state departments appointed by the attorney general.

Other important exemptions are:

- a) In addition to one private secretary to each elected officer, the law includes "one additional deputy or employee to the secretary of state, state auditor and state treasurer."
- b) Six, instead of three, confidential employees for the Governor.
- c) All courts and all employees thereof, referees, receivers, jurors, notaries public, except referees and adjustors employed by Industrial Commission. (There is no objection to exempting some of this group but others should be under the system.)
- d) All employees of the State University. (Under our State Constitution, this exemption is probably advisable.)
- e) State Highway Patrol. (No valid reason for exempting this group of employees. The new law, however, does require that they take examinations under the state system, but they will operate under their own tenure system estab-

lished by statute two years ago.)

Some further temporary or part-time employees are also exempted, including deputy registrars of motor vehicles, election officials, and patient and inmate help in state charitable, penal and correctional institutions. (In most cases there is no particular reason why they should not come under the provisions of the law for temporary employees.)

III. Careful provision for the classification of all positions.

There is no change of any importance from the provisions of the Council bill.

IV. Provision for practical recruitment procedure which will select employees on the basis of merit through such means as: competitive examinations for admission, eligible lists on the basis of the examinations, certification for appointment of those at the top of such eligible lists, permanent appointment only after a reasonable period of probation.

There is no important change from the Council bill in the general provisions for the selection of employees, except

- a) Omission of the provision that "due regard shall be shown for capacity of the applicant for promotion." (Since promotion must be made from within the service, capacity for promotion should be given some consideration in admission.)
- b) Instead of offering qualifying examinations to all present employees, these examinations will be given only to those who have come in to the service during the past five years and who are still in the employ of the State on August 1, 1939. (It is estimated that this would include about 50 percent of all employees.) All others are blanketed in without examination. All employees, except veterans, must serve a six months' probation period.
- c) In the selection and promotion of veterans, more preference is given than was recommended in the Council bill. The same preference of 10 points for disabled veterans and 5 points for other veterans is given, except that credit is added to whatever grade is made instead of to a passing grade. If this credit then brings him to a passing grade, a disabled veteran is placed at the top of the eligible list and will be one of the three certified to the appointing officer. If the appointing officer does not appoint a certified veteran, statement of reasons must be given to the director and to the veteran. Such preference is also given to widows and wives of disabled veterans. Incumbents who are veterans are blanketed in at once and are not subject to probation period.

V. Provisions which will encourage a career in government service, e.g.

- a) Wherever possible, promotions should be made from within the service on the basis of examinations and the employee's record of faithful and efficient service;
- b) The employee must be given reasonable but not extreme tenure;
- c) Workable provisions for the prompt dismissal of unsatisfactory employees;
- d) Provision should be made for in-service training courses;
- e) Proper mechanism and legal procedures should be set up which will put teeth in the law, facilitate its enforcement and help to prevent manipulation.

The provisions in the new law in all these matters are practically the same as those in the Council bill.

We have, therefore, a good law based definitely on the Council bill and needing improvement in only a few particulars.

MINNESOTA LEAGUE OF WOMEN VOTERS
914 Marquette Avenue
Minneapolis

August 29th,
1939

Dear Local League President:

Continuing responsibility for Civil Service is first on our proposed program of work and I know will continue to be first on our adopted program of work. Therefore we are trying to give you help on how to be effective in what seems to be our immediate responsibility for Civil Service.

Enclosed are instructions for two projects which Mrs. Ellwood Newhart, our representative on the Civil Service Council, has prepared. The purpose of these projects is three-fold:

- to determine public opinion on the Civil Service Law;
- to clear up any misunderstanding of its provisions;
- to increase your community's awareness of how the law is being put into operation.

In order to judge trends in public opinion, which is what the Civil Service Board is particularly eager to have us do, this survey will be repeated later in the year and more blanks will be sent you at that time.

Even though the law has just begun to operate, already we are hearing criticisms of civil service and threats to repeal it at the next legislative session. We believe these projects will help correct such a situation, if they are entered into 100 per cent by all the Leagues.

Other ways may occur to you, by means of which you can further the education of your community on the subject of civil service. I should suggest that you remember the importance of talking with your editors. You may wish to invite your legislators to talk to you on the points of the Act and how it is working out in its administration. This will refresh their knowledge of the law and will give your League members an opportunity to clarify points causing misunderstanding.

I would suggest your having a conference with your Government and Its Operation chairman as soon as possible to determine how this project can be most effectively worked out in your community. Every suggestion from you will be most gratefully received.

Sincerely yours,

Ruth H. Mitchell
Ruth H. Mitchell,
President

Enclosures:

- Instructions for Civil Service Projects
- Question Sheet (2 copies)
- Report Form (4 copies)
- Minnesota's Civil Service Act

August 1939

INSTRUCTIONS FOR STATE CIVIL SERVICE PROJECTS

CLIPPINGS (One person)

Clip all comments on civil service from local newspapers, and from as many newspapers throughout the county as possible.

Divide the clippings into the following classifications:

Decidedly favorable
Favorable
Neutral
Unfavorable

Paste clippings under these classifications on paper 8½ by 11 inches, marking each clipping carefully with the name of the newspaper in which it appeared and the date of its appearance. Indicate the party inclination of the newspaper, when possible.

Mail to State League office at monthly or bi-monthly intervals.

PUBLIC OPINION SURVEY

Have the work done under the direction of the Government and Its Operation chairman, by one or more persons or committees.

The questions (see attached sheet) are to be asked of different types of citizens, as indicated on the Report Form.

Questions The questions are so planned as to bring out points in the law which are at present misunderstood, or points which may be attacked in future legislative sessions.

For the information of the interviewers, following each question is a notation of the specific subject that is opened for discussion, with reference to the section of the Civil Service Act involved.

Report Form Following the number corresponding to the question on the Question Sheet, the attitude of the person interviewed on the provisions in the Civil Service Law with which the question deals, is to be indicated as favorable (f); unfavorable (u); or of no opinion (n).

One copy of each Report Form is to be kept by the local League; the others are to be mailed to the office of the State League by December 1st, 1939.

Tools Each interviewer should have a copy of "An Evaluation of Minnesota's New Civil Service Law" (Minn. LWV - 2¢) and should be familiar with the Civil Service Act, particularly the provisions of the sections to be discussed.

Leagues are urged to interview more than one person in each classification. Additional Question Sheets and Report Forms may be secured, free of charge, from the State League office.

August 1939

QUESTION SHEET FOR SURVEY ON STATE CIVIL SERVICE

1. Now that Minnesota has a Civil Service Law, would you want your son (or daughter) to go into the service of the State as a career?

(This is a leading question to determine whether the person being interviewed has any definite opinion on the merits of the Law.)

2. Do you believe that state employees should be subject to dismissal by the heads of their departments whenever the latter deem it expedient for the good of the service?

(This question has two purposes:

- (1) to bring out provisions made by the Legislature for present employees (Section 10 - see also June 1939 Woman Voter) which provisions postponed operation of the law and made possible, for a short period, the political dismissals usual to a change in administration;
- (2) to discuss how dismissals may be made under the Act for "just cause" which may not be religious or political. Section 24.)

3. Do you believe in the theory of equal pay for equal work?

(This should lead to a discussion of the classification plan and compensation schedules, in order to offset possible criticism when these provisions are put into operation by creating understanding of the necessity for and the fairness of such provisions. Section 12.)

4. Do you think that state employees, hired to perform state work, should take part in political activities?

(To clarify the provisions of the Act. Section 29.)

5. Do you believe that most of the employees of the state should be under the merit system?

(To give an opportunity to discuss what state employees are exempt from the Act, that is, in the unclassified service, and to discuss the necessity for including all non-policy-determining positions in order to make possible a career service. Section 9.)

6. Are you in favor of veterans having preference?

If so:

- a) Do you believe they should have preference added before reaching a passing grade in an examination?
- b) Do you believe such preference should continue beyond the entrance into the service, that is, in reference to promotions?

(To give an opportunity to show amount of preference granted under the Act. Sections 31 and 38.)

Minnesota League of Women Voters,
914 Marquette Ave., Minneapolis

REPORT FORM FOR SURVEY INDICATING ATTITUDE ON CERTAIN
PROVISIONS IN THE STATE CIVIL SERVICE LAW

Business man

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

a.
b.

Probable political leaning ____

Newspaper man

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

a.
b.

Probable political leaning ____

Teacher

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

a.
b.

Probable political leaning ____

Lawyer

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

a.
b.

Probable political leaning ____

Housewife

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

a.
b.

Probable political leaning ____

Political party committee man (or woman)

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

a.
b.

Political party ____

Farmer

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

a.
b.

Probable political leaning ____

Mechanic

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

a.
b.

Probable political leaning ____

STATE OF MINNESOTA

FIFTY-FIRST
SESSION }

H. F.

No. 601

UNOFFICIAL ENGROSSMENT

Introduced by Mr. Brophey for the Committee on Civil Administration.

February 13, 1939.

Matter in italics is new; matter in capitals when in () is old law to be omitted.

A BILL

For an Act Creating a Department of Civil Service for the State of Minnesota; Prescribing the Powers, Duties, and Procedure of the Civil Service Board and the Director of the State Civil Service in Said Department; Providing for and Regulating the Civil Service in Said State; Prescribing Penalties for the Violation of the Provisions of This Act; Amending Mason's Minnesota Statutes of 1927, Sections 53-1, 53-7, and Mason's 1938 Minn. Supp., Chapter 3A, and Repealing Mason's Minnesota Statutes of 1927, Section 53-11, Relating to the Organization of State Government; and Amending Mason's 1938 Minn. Supp., Section 9950-7, Relating to the Bureau of Criminal Apprehension; and Amending Mason's 1938 Minn. Supp., Section 4337-30 (e), Relating to the Powers of the Commission of Administering the Minnesota Unemployment Compensation Law and the Personnel of Said Department; Repealing Mason's Minnesota Statutes of 1927, Sections 3861, 3863, 3864, and Mason's 1938 Minn. Supp., Section 3862, Relating to Inspectors in the Dairy and Food Department; and Superceding Mason's 1938 Minn. Supp., Sections 4368, 4369 and 4369-1; and Repealing All Other Acts and Parts of Acts Inconsistent With the Provisions of This Act and Continuing Certain Salary and Wage Schedules for a Limited Time.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. Mason's Minnesota Statutes of 1927, Section 53-1, is hereby amended to read as follows:

"53-1. The following departments and agencies of the state government are hereby created and established, to be designated and known respectively as follows: The Executive Council, the Department of Administration and Finance, the Department of Conservation, the Department of Drainage and Waters, the Department of Dairy and Food, the Department of Agriculture, the Department of Commerce, the Department of Health, the Department of Education, the Department of Highways, the Department of Labor and Industry, the Department of Public Institutions, the Department of Taxation, (AND) the Department of Rural Credit (.) , and the Department of Civil Service."

SEC. 2. Mason's 1938 Minn. Supp., Chapter 3A, is hereby amended by inserting a new section to be known as section 53-41A, to read as follows:

"53-41A. The Department of Civil Service shall consist of the civil service board and director of the state civil service and all officers and employees appointed by the director pursuant to law."

SEC. 3. The civil service board of the state of Minnesota is hereby created and established. It shall consist of three members, who shall be appointed by the governor with the consent of the senate without regard to party affiliation, and who shall be known to be in sympathy with the principles of this act. The governor shall appoint the first members of the board within 30 days after the passage of this act. No member of the board shall hold any other public office or public employment whatsoever, the office of notary public or a military office excepted, and no person shall be appointed as a member of the board who has held an elective public office or a paid position in a political party within the two years immediately preceding his appointment. In appointing the first three members of the board the governor shall designate one member for a term expiring February 1, 1941, a second member for a term expiring February 1, 1943, and a third member for a term expiring February 1, 1945. The terms of all subsequent members of the board shall be six years and until their successors are appointed and qualified. The governor may remove a member of the board only upon written charges after said member has been given a copy of the charges against him and an opportunity to be heard publicly on such charges before the governor. A copy of the charges and a transcript of the record of the hearing shall

be filed with the secretary of state. Vacancies in the membership of the board shall be filled by the governor, with the consent of the senate. The term of a member appointed to fill a vacancy shall be for the remainder of the unexpired term of the member he is appointed to succeed, and until his successor is appointed and qualified. Each member shall take the oath of office before entering upon the duties of office, and such oath shall include a statement of belief in and desire to support the principles of this act. The chairman of the board shall be chosen by the members of the board from among their own number under such rules as they shall make. The chairman shall have the powers of a presiding officer.

The civil service board shall maintain its principal office in such space as shall be provided for it by the proper state officials and shall maintain its records at said principal office, and shall hold its regular meetings there, but special meetings may be held in other cities in the state when in the discretion of the chairman it is necessary to meet in some other city than the capitol city of the state in the performance of the duties of the board. Meetings of the board shall be open to the public and no meetings or hearings of the board shall be held unless at least two members of the board are present. The director of the state civil service shall act as the secretary of the board. The board shall keep records and minutes of its business and official actions, and such records and minutes shall be public records open to public inspection, subject to such rules as to hours and conditions of inspection as the board may establish. It shall be the duty of the officer or officers charged by law with the custody of the state buildings, upon written request of the civil service board, to assign suitable office space for executing the duties charged to it and to the director of the state civil service.

Each member of the board shall be paid \$15.00 per day for each day actually devoted to duties as a member of the board, but in no case shall any member be paid more than \$450.00 in any one year; provided, that this limitation shall not apply to payments on account of expenses; and provided further, that this limitation shall not apply during the first two years of the board's service. Members of the board shall be paid for expenses in travel to and from meetings and for necessary expenses incurred during meetings of the board.

SEC. 4. The office of director of the state civil service is hereby created and established. The director of the state civil service shall be appointed by the civil service board on the basis of merit and fitness after an open competitive examination, open to qualified persons without regard to residence and without regard to the provisions of section 30 of this act or the provisions of Mason's 1938 Minn. Supp., Sections 4368, 4369, and 4369-1 and 4369-2. Within 30 days after the first members of the civil service board have been appointed and qualified, and thereafter whenever a vacancy exists in the office of the director of the state civil service, the civil service board shall appoint an examining committee of three persons to examine the qualifications of all persons applying for appointments to the office of director of the state civil service. At least two members of the examining committee shall be public personnel administrators or public personnel specialists of recognized standing, at least one of whom shall be a nonresident of the state of Minnesota. As soon as practicable after its appointment, the examining committee shall examine applicants for the position of director of the state civil service and shall certify to the civil service board the names of the three persons rated highest in the competitive tests and found by the committee to possess the necessary qualifications for the office of director of the state civil service. The civil service board shall then appoint one of the persons so certified to the office of director of the state civil service. No person who has not been examined and certified by an examining committee as herein provided for shall ever be appointed to the office of director of the state civil service. The civil service board shall fix the compensation and shall authorize the payment of expenses of members of the examining committee provided for in this section.

The director of the state civil service shall be in the classified service and shall not be removed by the civil service board except under written charges and after a public hearing by the board.

SEC. 5. (1) The director of the state civil service shall be the executive and administrative head of the state department of civil service and shall supervise and control all examinations and the department. He shall act as the board's adviser on all matters pertaining to the civil service of this state.

(2) It shall be the duty of the director and he shall have power:

a. to attend all meetings of the board;

b. to prepare and recommend to the board rules and regulations for the purpose of carrying out the provisions of this act. Such rules shall provide, among other things, for current service records for all officers and employees subject to the provisions of this act; the manner of completing appointments and promotions; rejection of eligible candidates; competitive examinations; creation of eligible lists with successful candidates ranked according to their rating in the examinations; leaves of absence with and without pay; transfers, reinstatements, layoffs, vacations and hours of work; public notice of examinations; procedure for changes in rates of pay; compulsory retirement at fixed ages; and other conditions of employment;

c. to appoint temporary and permanent examiners, including a chief examiner, clerks, stenographers, and such other employees and officers as are necessary to carry out the provisions of this act. Such employees and officers shall be chosen in accordance with and shall be subject to the provisions of this act;

d. to keep in the office of the department of civil service an official roster of the state civil service showing the employment history of each and every person who has been appointed to, employed, promoted, reduced or reinstated in any position in such service. This roster shall show in connection with each name the date of appointment, employment, promotion, reduction, reinstatement, increases or decreases in pay, the compensation and title of the position, changes in title, transfers, sick or annual leaves, and separations from the service. The director shall have access to all public records and papers, the examination of which will aid in the discharge of his duty in connection with said roster;

e. to prepare, in accordance with the provisions of this act and the rules adopted thereunder, examinations, eligible lists, and ratings of candidates for appointment;

f. to make certifications for appointment within the classified service, in accordance with the provisions of this act;

g. to make investigations concerning all matters touching the enforcement and effect of the provisions of this act and the rules and regulations prescribed thereunder;

h. to make a report and submit the same to the civil service board not later than October first of

32 each year;

33 i. to discharge such other duties as are imposed upon him by this act.

SEC. 6. It shall be the duty of the civil service board and it shall have power:

2 a. to approve, modify, reject, or approve as modified, rules and regulations and amendments
3 thereto prepared and recommended by the director for carrying out the purposes of this act. Such
4 rules and regulations and any amendments thereto shall not be approved by the board until after a
5 public hearing by the board, of which two weeks published notice shall have been given that a hear-
6 ing at a specified place and time is to be held upon the proposed rules and regulations, and that any
7 citizen, officer or employee of the state of Minnesota may attend and participate in such hearing.
8 Copies of all rules and regulations shall be sent to all state appointing officers, and printed copies of

9 such rules and regulations and amendments thereto shall be prepared for public distribution;

10 b. after public hearing, to approve, modify, reject, or approve as modified, plans for the classifica-
11 tion of positions in the state civil service prepared and recommended by the director of the state
12 civil service;

13 c. after public hearing, to approve, modify, reject, or approve as modified, compensation schedules
14 for positions in the state civil service prepared and recommended by the director for submission to the
15 commission of administration and finance;

16 d. to make investigations either at the discretion of the governor or a citizen, or of its own motion,
17 concerning the enforcement and effect of this act;

18 e. to prepare and transmit to the governor not later than November 15 of each year a report of
19 the department of civil service;

20 f. to conduct hearings and pass upon charges preferred against any officer or employee in the
21 classified service for the purpose of demotion, suspension, or removal of such officer or employee, in
22 accordance with the provisions of this act;

23 g. to hear and pass upon such other matters as the director of the state civil service may from
24 time to time bring before the board for determination.

25 h. to discharge such other duties as are imposed upon it by this act.

SEC. 7. (1) The civil service board or the director of the civil service when authorized by a
2 majority vote of the board, may issue subpoenas to compel the attendance at such place as may be
3 designated in this state of witnesses and the production of books and papers pertinent to any inquiry
4 or investigation authorized by this act; or may take depositions of witnesses in the manner provided
5 by Mason's Minnesota Statutes of 1927, sections 9820 to 9838 inclusive. The board or any member
6 thereof, or the director when authorized by the board, may administer oaths and take testimony.
7 The board or the director may examine such public records as they require in relation to any matter
8 which they have authority to investigate. All officers and other persons shall attend and testify when
9 required to do so by the board, or by the director when authorized by the board.

10 (2) In case of the refusal of any person to comply with any subpoena issued hereunder or to testify
11 to any matter regarding which he may be lawfully interrogated, the district court of any county, on
12 application of any one of the members of the board, or of the director when authorized by the board,
13 may issue an order requiring such person to comply with such subpoena and to testify; and any fail-
14 ure to obey such order of the court may be punished by the court as a contempt thereof.

15 (3) Each person not in the classified or unclassified services who appears before the board or
16 the director by order shall receive for his attendance the fees and mileage provided for witnesses
17 in civil actions in the district court, which fees and mileage shall be audited and paid by the state
18 upon presentation of proper vouchers. Witnesses subpoenaed at the request of parties other than
19 the board or the director shall be entitled to compensation from the state for attendance or travel
20 only if the board certifies that the testimony of such witnesses was relevant and material to the mat-
21 ter investigated.

22 (4) The board and the director, in conducting hearings and investigations in accordance with
23 the provisions of this act, shall not be bound by the technical rules of evidence.

SEC. 8. The salaries of the members of the staff of the state department of civil service shall be
2 fixed in accordance with the salary schedules established as authorized by this act; provided, that,

3 pending the establishment and adoption of such compensation schedules, their salaries shall be fixed
4 by the civil service board. The salary of the director shall be \$6000 per year, payable semi-monthly.

SEC. 9. The civil service of the state of Minnesota is hereby divided into the unclassified and the
2 classified services.

3 (1) The unclassified service comprises positions held by state officers or employees who are:

4 a. chosen by election or appointed to fill an elective office;

5 b. heads of departments required by law to be appointed by the governor, and members of boards
6 and commissions appointed by the governor;

7 c. one private secretary to each of the elective officers of this state, except as herein otherwise
8 enlarged, other than the governor;

9 d. one executive secretary and five other confidential employees in the office of the governor, and
10 one confidential employee for the governor in the office of the adjutant general;

11 e. officers and employees of the senate and house of representatives of the legislature;

12 f. teachers, research assistants, student employees on less than half-time pay basis, presidents,
13 deans, and administrative officers in the teachers' colleges; but this subdivision shall not be construed
14 to include the custodial, clerical, or maintenance employees, or any administrative officers, or clerical
15 workers performing duties in connection with the business administration of such institutions;

16 g. officers and enlisted men in the national guard and the naval militia;

17 h. election officers;

18 i. persons engaged in public work for the state but employed by contractors when the perform-
19 ance of such contract is authorized by the legislature or other competent authority;

20 j. persons temporarily employed or designated by the legislature or by a legislative committee
21 or commission or other competent authority to make or conduct a special inquiry, investigation, exam-
22 ination or installation;

23 k. deputy attorneys general, assistant attorneys general, legal assistants examiners, 3 confidential
24 employees and special counsel to state departments appointed by the attorney general or employed with

25 his authorization;

26 l. judges, one secretary or clerk of each judge of a court of record, court reporters, referees, receivers,
27 jurors and notaries public, except referees and adjusters employed by the industrial commission;

28 m. patient and inmate help in state charitable, penal and correctional institutions;

29 n. Regents of the University of Minnesota and the employees and persons under the jurisdiction
30 of the Regents of the University of Minnesota;

31 o. State highway patrolmen now operating under the provisions of Mason's 1938 Minn. Supp.,
32 Sections 2554 $\frac{1}{2}$, 2554 $\frac{1}{2}$ a, 2554 $\frac{1}{2}$ b, 2554 $\frac{1}{2}$ c, 2554 $\frac{1}{2}$ d and 2554 $\frac{1}{2}$ e; providing however, that with re-
33 spect to the method of selection and appointment only, all state highway patrolmen who shall be ap-
34 pointed subsequent to the effective date of this act shall be selected and appointed in accordance with
35 the provisions hereof relating to the classified service, but in all other respects the provisions of this
36 act shall not apply to state highway patrolmen.

37 (2) The classified service comprises all positions now existing or hereafter created and not in-
38 cluded in the unclassified service. Appointments in the classified service shall be made according to
39 merit and fitness from eligible lists prepared upon the basis of examination which so far as practicable
40 shall be competitive. No person shall be appointed, transferred, promoted, or reduced as an officer,
41 clerk, employee, or laborer in the classified service in any manner or by any means other than those
42 prescribed in this act and the rules adopted in accordance therewith.

43 (3) Officers authorized by law to make appointments to positions in the unclassified service, and
44 appointing officers of departments or institutions whose employees are exempt from the provisions
45 of this act because of the constitutional status of such departments or institutions shall be permitted
46 to make appointments from appropriate registers of eligibles maintained by the department of civil
47 service.

SEC. 10. All persons holding offices or employments in the classified service on the effective date
2 of this act and who have been employed by the state, which employment need not be continuous, for a
3 total of four and one-half years or more prior to the effective date of this act shall automatically become

4 members of the classified service without examination and shall be subject to and protected by the
 5 provisions of this act but shall first be subject to the following: (1) the general classification di-
 6 rected to be made by section 11 of this act; and, (2) the six months probationary period provided by
 7 section 19 of this act. The probationary period in the case of persons holding offices or employments
 8 covered by this section shall begin to run on the effective date of this act. All other positions in the
 9 classified service shall be filled according to merit and fitness from eligible lists based upon examina-
 10 tions which so far as practicable shall be competitive, and the appointments of persons holding such
 11 offices or employments shall terminate automatically on the 15th day after certification is made by the
 12 director to the appointing authority that eligible registers are available to fill such offices or employ-
 13 ments. Appointments to offices or employments now existing or hereafter created by law in the classi-
 14 fied service shall be made only in accordance with the provisions of this act. The words 'employed by
 15 the state' as used in this section shall include persons employed by joint federal and state agencies
 16 administering state and federal relief funds.

SEC. 11. (1) The director of the state civil service shall, as soon as practicable, and after consul-
 2 tation with appointing authorities and principal supervisory officials, classify all offices, employments,
 3 and positions in the classified service according to the duties and responsibilities of each position in
 4 accordance with the appropriate line of promotion. This duty to classify shall extend to all offices, em-
 5 ployments, and positions held by persons who automatically become members of the classified service
 6 under this act as provided by section 10 as well as to those offices, employments and positions held by
 7 other persons. Titles shall be established for each class of employment for use in examining and cer-
 8 tifying names of persons for appointment under this act, and a description of the duties and responsi-
 9 bilities exercised by the persons appointed to each of them shall be drawn up, minimum qualifications
 10 required for satisfactory performance of the duties of each grade and class formulated, and, so far as
 11 practicable, the lines of promotion from grade to grade or class to class shall be indicated. The titles
 12 in this classification as defined by the specifications of duties and qualifications shall be used for (a)
 13 original appointments; (b) promotions; (c) pay-rolls; (d) and all other records affecting the status

14 of personnel. The classifications, when approved by the civil service board after public hearing, shall
 15 take effect immediately, shall be sent to the commission of administration and finance and shall be
 16 used by it in the preparation of the next following and subsequent state budgets. The director of the
 17 civil service may make changes in the classification whenever he deems it necessary for the efficiency
 18 of the service, and such changes, when approved by the civil service board after public hearing, shall
 19 take effect immediately, shall be sent to the commission of administration and finance and shall be used
 20 by it in the preparation of the next following and subsequent state budgets.

21 (2) The director of the state civil service shall, as soon as practicable after the adoption of the
 22 classification plan, prepare a schedule of salary or wage rates and ranges for each class, grade or group
 23 of positions in the classification. Such salary and wage schedules when approved by the civil service
 24 board after public hearing shall be submitted to the commission of administration and finance, who
 25 may approve, or reject, such schedules. When approved by the commission of administration and
 26 finance, they shall be used by that commission in connection with all pay-rolls and accounting records
 27 and with all budget estimates for all departments or agencies of the state government. The salary
 28 schedules for each class, grade, and group shall be submitted with its recommendations, to the legisla-
 29 ture at the opening of the next legislative session. Unless changed by the legislature the salary and
 30 wage schedules so prepared by the director of the civil service and approved by the civil service board
 31 and the commission of administration and finance shall become the current official compensation rates
 32 applicable to the various classes and grades as enumerated. Nothing in this section shall prevent the
 33 legislature from increasing or reducing the salary or wage rates of all positions in an entire grade
 34 or group uniformly but it shall not increase the rate of pay of any grade or group beyond the rate in the
 35 next higher grade or group, nor reduce the pay of any grade or group below the rate of pay fixed for
 36 the next lower grade or group in the same service.

37 (3) The director of the civil service shall allocate each office, position, or employment in the classi-
 38 fied civil service to one of the grades and classes within the classification, subject to an appeal to the
 39 board by an employee immediately affected, and thereafter all salary rates, schedules or compensa-

tion policies shall apply uniformly to all positions within each grade, in accordance with rules and regulations established by the civil service board.

(4) The classification, and salary or wage schedules applying thereto, existing at the time this act becomes effective shall continue in effect until changed in accordance with the provisions of this act.

SEC. 12. (1) All examinations for positions in the classified service shall relate to those matters which will fairly test the capacity and fitness of the persons examined to discharge the duties of the office or employment sought by them but due regard shall be shown for the capacity of the applicant for promotion to higher positions in the civil service.

(2) The competitive examinations shall, after published notice, be open to all applicants who are citizens of the United States, who have been residents of this state for two years immediately preceding the date of examination, and who meet with reasonable standards or requirements fixed by the director with regard to experience, character, age, education, physical condition, and such other factors as may be held to relate to the ability of the candidates to perform satisfactorily the duties of the position. No standards or requirements shall be fixed with reference to education or physical condition except such as relate directly to the duties of the office or employment to be filled. The director may require candidates in filing their applications to submit certificates of general or special qualifications as the good of the service may require. Examinations shall be held at such times and places as in the judgment of the director most nearly meet the convenience of applicants and the needs of the service. For positions requiring professional, technical, or unusual qualifications, the director may, subject to the approval of the board, open competitive examinations to residents of other states who are citizens of the United States and who are otherwise qualified.

(3) The director may also require candidates to undergo an examination at designated places in the state, in cases where oral tests or tests for manual skill or the use of instruments in construction work may be necessary to determine the fitness of such candidates.

SEC. 13. (1) The director may refuse to examine an applicant, or after examination may refuse

to certify an eligible, who is found to lack any of the preliminary requirements established for the examination for the position or employment for which he applies; or who is physically so disabled as to be rendered unfit for the proper performance of the duties of the position to which he seeks appointment; or who is addicted to drugs or is an habitual user of intoxicating liquors to excess; or who has been guilty of any crime involving moral turpitude or of infamous or notoriously disgraceful conduct; or who has been dismissed from the public service for delinquency or misconduct; or who has made a false statement of any material fact; or who directly or indirectly shall give, render or pay, or promise to give, render or pay, any money, service, or other valuable thing to any person for, or on account of, or in connection with, his test, appointment, or proposed appointment; or who practiced, or attempted to practice, any deception or fraud in his application, in his certificate, in his examination, or in securing his eligibility or appointment; or who refuses to furnish testimony as required in section 7.

(2) Whenever the director refuses to examine an applicant, or after an examination refuses to certify an eligible, as provided in this section, then the director, upon request of the person so rejected, shall furnish to him a statement of the reasons for such refusal to examine or refusal to certify, as the case may be. In the case of any such refusal an appeal may be taken to the board in accordance with the rules to be adopted in the manner hereinbefore provided.

(3) When any position requires the appointee to furnish a bond, such requirement shall be included in the announcement of the examination for said position.

SEC. 14. No discrimination shall be exercised, threatened or promised, by any person in the civil service against or in favor of any applicant, eligible, or employee in the civil service because of his political or religious opinions or affiliations provided that no person supporting communism, fascism or advocating any other than a democratic form of government shall be permitted in the employ of the State of Minnesota.

SEC. 15. (1) Appointments, promotions and reinstatements to all positions in the classified service under the provisions of this act, and the rules made in pursuance thereof, shall be made from among

3 those certified to the appointing officer.

4 (2) The term of eligibility of applicants on original entrance and reinstatement lists and on
5 promotion lists shall be one year, but the term of any list may be extended by the director. In no
6 case, however, may eligibility be extended for a period of more than three years.

7 (3) Appointments shall be made from the appropriate eligible list, but if no such list exists then
8 the director may certify from such other list as he deems the next most nearly appropriate. A new
9 and separate list shall be created for a stated position only when there is no satisfactory list. The
10 director shall have authority to establish separate eligible lists applicable to various localities. No
11 person shall be appointed or employed under any title not appropriate to the duties performed, and
12 no person shall be transferred to, nor assigned to perform the duties of, any position in the classified
13 service, unless he has previously qualified therefor under the provisions of this act.

14 (4) Appointments under this act shall, as far as practicable, be apportioned on the basis of popula-
15 tion in the various congressional districts of the state.

SEC. 16. (1) Appointing officers shall give written notice to the civil service director of their in-
2 tention to establish new positions and of the existence of any vacancy to be filled in any office or
3 employment in the classified service and, within a reasonable time after the receipt of such notice, the
4 director shall certify from the list of eligibles, appropriate for the grade and class in which the position
5 is classified, the three names at the head thereof, except as provided in section 21 of this act.

6 (2) The appointing officer shall appoint on probation, with sole reference to merit and fitness,
7 one of the said candidates, whose name is certified in the manner above set forth, to fill such vacancy,
8 except as provided in section 21 of this act. The provisions of this section shall not apply when the
9 office or employment is among those listed in section 18 for which competitive examinations are not re-
10 quired.

SEC. 17. (1) Vacancies in positions shall be filled so far as practicable, by promotion from among
2 persons holding positions in the classified service and, subject to such exceptions as the board may pro-
3 vide, from the lower class or group within the particular classification, and in accordance with sec-

4 tion 16 of this act and the rules of the board. Promotions shall be based upon merit and fitness to be
5 ascertained by competitive examinations in which the employee's seniority, record of service, character,
6 and conduct shall all constitute a factor.

7 (2) For the purpose of this section an increase in the salary or other compensation of any person
8 holding an office or position subject to the provisions of this act beyond the limit fixed for the grade in
9 which such office or position is classified shall be deemed a promotion.

10 (3) Any promotional appointee, who is dismissed from the position to which he was promoted
11 either during the probationary period, or at the conclusion thereof by reason of the failure of the ap-
12 pointing authority to file a request for his continuance in the position, shall be restored to the position
13 from which he was promoted. Nothing contained in this section shall be construed to prevent any
14 employee of the classified service from competing for places upon registers of persons eligible for
15 original appointments.

SEC. 18. Positions in the classified service may be filled without competition only as follows:

2 (1) Whenever there are urgent reasons for filling a vacancy in any position in the classified service
3 and the director is unable to certify from any appropriate eligible list for the vacancy, the director
4 may issue a provisional permit or certify a suitable person to fill such vacancy provisionally only
5 until a selection and appointment can be made after competitive examination; but no person shall
6 receive more than one provisional appointment nor serve more than three months in any calendar year
7 as a provisional appointee.

8 (2) In case of an emergency, an appointment may be made without regard to the provisions of
9 the act, but in no case shall continue longer than ten days, and in no case shall successive emergency
10 appointments be made. This provision shall apply to both persons and positions. No person shall
11 receive more than three emergency appointments in any one or different positions within one year.

12 (3) In case of vacancy in a position where peculiar and exceptional qualifications of a scientific,
13 professional or educational character are required, and upon satisfactory evidence that for specified
14 reasons competition in such special case is impracticable and that the position can best be filled by

15 the selection of some designated person of high and recognized attainments in such qualities, the
16 board upon recommendation of the director may suspend the requirements of competition in such
17 case, but no suspension shall be general in its application to such position, and all such cases of sus-
18 pension shall be reported in the annual report of the department with the reasons for the same.

19 (4) Where the services to be rendered by an appointee are for a temporary period not to exceed
20 three months and a proper list of eligibles is not available, the director shall certify for such temporary
21 service any person he deems qualified. The acceptance or refusal by an eligible of a temporary appoint-
22 ment shall not affect his standing on the register for permanent employment, nor shall the period of
23 temporary service be counted as a part of the probationary period in case of subsequent appointment
24 to a permanent position. Successive temporary appointments to the same position shall not be made
25 under this provision; provided, however, that during the period following the passage of this act and
26 prior to the preparation of the appropriate eligibility lists a temporary appointment may be renewed
27 for a period not to exceed a total of six months from the date of the first temporary appointment.
28 No person shall receive more than one temporary appointment within one year.

SEC. 19. All original appointments to and promotions within the classified service and all per-
2 sons holding offices or employments within the classified service who automatically become members
3 of the classified service without examination pursuant to section 10 of this act shall be for a probation-
4 ary period of six months, but dismissals or demotions may be made at any time during such period,
5 subject to provisions of section 17, subsection (3). At the end of the probationary period the appoint-
6 ing officer shall notify the director in writing whether the probationer is a satisfactory employee
7 and should receive the status of a permanent appointee. Upon such notice the employee, if his service
8 during the probationary period did not fall below such minimum standards as have been prescribed
9 by the director of the civil service, shall be deemed to have a permanent classified civil service
10 status; otherwise the employee is automatically separated from the service except as provided in sec-
11 tion 17, subsection (3).

SEC. 20. (1) Transfers in the classified service may be made from a position in one grade and

2 class to a position in another grade and class when the duties and compensation are similar and when
3 such action is specifically approved by the director of the civil service.

4 (2) Any person holding a permanent position in the classified service of this state may be granted
5 a leave of absence on the grounds of sickness, disability or other good or sufficient reason; provided,
6 however, that no leave shall exceed one year, except as provided in subsection (3) of this section.

7 (3) A leave of absence may be granted to an officer or employee holding a permanent position
8 in the classified service to enable such person to take an appointive position in the state unclassi-
9 fied service. Such leave may be granted for the time of actual and continuous service in such
10 exempt position or positions. At the termination of the exempt service, said officer or employee
11 shall be reinstated in accordance with subsection (4) of this section; provided, however, that such
12 reinstatement eligibility shall not be limited to one year but shall be a continuing eligibility until
13 such time as the said officer or employee is offered a position substantially similar to the class and grade
14 of position held by him at the time of appointment to the exempt office; and provided further that
15 such leave shall be without loss of seniority.

16 (4) Any person who has held a position by permanent appointment in the classified service under
17 the civil service law and rules and who has been separated from the service without any delinquency
18 or misconduct on his part or who has been granted a leave of absence under subsection (2) of this
section,

19 section, may be reinstated within one year from the date of such separation or within one year from
20 the expiration of the leave of absence to a position in the same or similar grade or class in the classi-
21 fied service, but such action shall be subject to the approval of the director of civil service.

SEC. 21. (1) Whenever one or more employees in the classified service are laid off because of
2 a shortage of funds or curtailment of service or for any other reason beyond their control, the order
3 of layoff shall be determined according to rules established by the board, which shall take into account
4 seniority, records of service, character, and conduct, and the names of such employees shall be placed at
5 the head of the appropriate registers.

(2) In every case of layoff of a permanent officer or employee, the appointing authority shall at least 15 days before the effective date thereof give written notice to the employee and the director of civil service. In any case where an appointing authority refuses to certify, or fails to certify before the effective date thereof, that the layoff was for reasons not reflecting discredit on the employee, it shall be deemed a dismissal and shall be subject to the provisions concerning dismissals, as provided in this act.

(3) Whenever positions in the classified service are abolished by statute or by administrative action, the names of the incumbents of such positions, if they are members of the classified service, shall be placed at the head of the appropriate register, in accordance with rules established by the board which shall take into account seniority, records of service, character, and conduct.

(4) Persons who have been separated from the classified service because of layoff or the abolition of positions shall be given preference over all other eligibles in filling vacancies in the same or similar positions within the department in which they were employed immediately prior to their separation from the service, and the director shall certify for each vacancy only the former officer or employee whose name stands first on the appropriate eligible register.

SEC. 22. (1) No permanent employee in the classified service under the provisions of this act or the rules made pursuant thereto shall be removed, discharged, suspended without pay for a total of more than 15 days in any one calendar year, or reduced in pay or position except for just cause, which shall not be religious or political. In case of any such disciplinary action as enumerated above in this section, the employee shall, before such action is taken, be furnished with a statement in writing specifically setting forth the reasons for such disciplinary action. A copy of such statement shall be filed with the director of civil service prior to the effective date thereof.

Such employee, upon written request to the civil service board made within 30 days thereafter, may demand a hearing to determine the reasonableness of such action and the board shall grant the employee a hearing within 45 days after receipt of such request. In the event such hearing is not held within the 45-day period herein specified, following receipt of request for such hearing, then

the employee shall be forthwith reinstated in his position with full pay for lost time, but this shall not jeopardize the right of the board to finally determine the matter at a later date. After hearing and considering the evidence for and against such disciplinary action, the board shall approve or disapprove the action. In case of approval the disciplinary action shall be deemed final as ordered. In case of disapproval the board shall reinstate the employee under such conditions as it deems proper, and may order full pay for lost time.

If the board finds that the disciplinary action was for religious or political reasons, then the employee shall forthwith be reinstated in his position and be reimbursed for any loss of pay occasioned by such disciplinary action.

(2) Provisional employees as provided for in subsection (1), emergency employees as defined in subsection (2), and temporary employees as defined in subsection (4) of section 18 may be dismissed at any time at the discretion of the appointing officer.

SEC. 23. Each appointing officer shall report to the director forthwith in writing upon any appointment or employment in the service, the name of the appointee, or employee, the title and character of his office or employment, the date of commencement of service by virtue thereof, and the salary or compensation thereof, and shall report from time to time upon the date of the official action in, or knowledge of, any separation of a person from the service or any promotion, reduction, suspension, transfer, reinstatement or other change therein, the efficiency of his subordinates and employees, and other information, in such manner as may be prescribed by the director and the rules and regulations adopted by the board.

SEC. 24. (1) Neither the state auditor nor other fiscal officer of this state shall draw, sign or issue, or authorize the drawing, signing or issuing of any warrant on the treasurer or other disbursing officer of the state, nor shall the treasurer or other disbursing officer of the state pay any salary or compensation to any person in the classified or unclassified service of the state, unless an estimate pay-roll or account for such salary or compensation containing the name of every person to be paid shall bear the certificate of the director of the civil service that the persons named in such estimate, pay-roll

7 or account have been appointed, employed, reinstated or promoted and are performing service as required by law and the rules established hereunder and that the salary or compensation is within the salary or wage schedule fixed pursuant to law.

(2) Any sum wilfully paid contrary to the provisions of this section may be recovered from any officer or officers making such appointments in contravention of the provision of law or of the rules made in pursuance of law, or from any officer signing or countersigning or authorizing the signing or countersigning of any warrant for the payment of same, or from the sureties on the official bond of any said officers, in an action in the district court of any county within the state, maintained by the director of the civil service board or any member thereof, or by a resident taxpayer therein. All moneys recovered in any action brought under this section when collected shall be paid into the state treasury.

(3) Any person employed or appointed contrary to the provisions of this act and the rules thereunder whose payroll or account is refused certification shall have an action against such appointing officer employing or appointing or attempting to employ or appoint him for the amount due by reason of such employment or purported employment and the costs of such action. No appointing authority, during the time of his or their official service or thereafter shall be reimbursed by the state for any sum so paid or recovered in any such action.

SEC. 25. Any citizen shall have the right to bring an action to restrain the payment of salary or other compensation to any person appointed to or holding any office or place of employment in violation of the provisions of this act, and such right shall not be limited or denied by reason of the fact that said office or place of employment has been classified as, or has been determined to be, not subject to competitive examination; provided, however, that any judgment or injunction in any such action shall be prospective only and shall not affect payments already made or due to such persons by the proper disbursing officer, in accordance with law or the rules of the civil service department in force at the time of such payments.

SEC. 26. All officers and employees of this state shall conform to, comply with, and aid in all proper ways in carrying into effect the provisions of this act and the rules prescribed thereunder. Any wilful

violation of this act by officers, officials or employees of the state shall be deemed a misdemeanor, and shall be punished accordingly. Conviction of same shall render the public office or position held by such person vacant.

SEC. 27. Any civil service board member, director, or examiner, or any other person,

(1) who wilfully or corruptly by himself or in cooperation with one or more persons, defeats, deceives or obstructs any person with respect to his or her rights of examination or application according to this act or to any rules or regulations prescribed pursuant thereto, or

(2) who wilfully or corruptly falsely marks, grades, estimates or reports upon the examination or proper standing of any person examined, registered, certified, employed or promoted pursuant to the provisions of said sections, or aids in so doing, or

(3) who wilfully or corruptly makes or files any false representations concerning the person examined, registered, certified, appointed, employed or promoted, or

(4) who wilfully or corruptly furnishes any person with any special or secret information for the purpose of either improving or injuring the prospects or chances of any person so examined, registered or certified, being appointed, employed or promoted, or

(5) who personates any other person, or permits or aids in any manner any other person to personate him or her in connection with any examination or registration, or application or request to be examined or registered, or

(6) who wilfully or corruptly shall appoint to a position in the classified service or dismisses, suspends, reduces in rank or pay any officer or employee from any position in the classified service otherwise than in compliance with and in conformity to the provisions of this act and the rules and regulations of the civil service board adopted pursuant thereto, or

(7) who wilfully or corruptly refuses or neglects otherwise to comply with or conform to the provisions of this act and the rules and regulations made pursuant thereto, or violates any of such provisions, shall be deemed guilty of a misdemeanor, and shall be punished accordingly.

Any conviction under this section shall render the public office or position held by person or persons

24 so convicted vacant and such person or persons shall be ineligible to hold public office for a period of
25 five years from the date of such conviction.

SEC. 28. No officer or employee holding a position in the classified service of this state shall, direct-
2 ly or indirectly, solicit, contribute, or receive, or be in any manner concerned in soliciting, contrib-
3 uting, or receiving, any assistance, assessment, subscription or contribution, whether voluntary or in-
4 voluntary, for any political purpose whatsoever. No officer, agent, clerk or employee of this state shall
5 directly or indirectly use his authority or official influence to compel or induce any officer, or employee in
6 the classified service, to pay or promise to pay any political assessment, subscription or contribution.
7 No officer or employee holding a position in the classified service of this state shall be an active par-
8 ticipant in caucuses or conventions, the selection of delegates or officers of any political party, or other-
9 wise in partisan politics. Any person who violates any provision of this section shall be guilty of a
10 misdemeanor, and shall be punished accordingly, and if any officer or employee in the classified service
11 is found guilty of violating any provision of this section, he is automatically separated from the service.

12 (2) Any officer or employee in the state classified service shall resign from the service upon fil-
13 ing as a candidate for public office.

14 (3) No officer, agent, clerk or employee of this state shall, directly or indirectly, use his authority
15 or official influence, either individually or collectively, to compel or induce, or in an attempt to com-
16 pel or induce, any officer or employee in the classified or unclassified service, or any appointing au-
17 thority or any legislative body, to shorten the hours of work or increase the rates of pay or to provide
18 better working conditions, or to grant a redress of grievances, in any other manner than an appearance
19 before the civil service board or the director or in any lawfully constituted court.

SEC. 29. The officers having control of public buildings in political subdivisions of the state and
2 school districts shall, upon request of the director of the civil service, furnish convenient space for ex-
3 aminations and necessary furniture, heat, and light for accommodation of the local examiners and
4 for the holding of examinations. The director may request state or local officers or employees to aid
5 in carrying out the provisions of this act, and it shall be the duty of such officers and employees, inso-

6 far as it may be consistent with their other duties, to give such aid upon written request of the di-
7 rector.

SEC. 30. Preference shall be given to honorably discharged veterans of past wars and their wid-
2 ows, and in the case of disabled veterans unable to carry on a gainful occupation to their wives, in
3 examinations conducted by the director under the provisions of this act as follows:

4 A credit of ten percent of the unit used in grading the examination to be added to a passing grade
5 in the case of disabled veterans or their wives or widows; and a credit of ten percent of the unit used
6 in grading the examination to be added to a passing grade in the case of all other veterans or their
7 widows. But veterans' widows who have subsequently remarried shall not be privileged to claim
8 preference hereunder by reason of such former marriage.

9 A disabled veteran is defined as one who is rated disabled by the United States Veteran's Admin-
10 istration, which disability is service connected and is existing at the time preference is claimed.

11 The preference for wives and widows shall apply only to those married to veterans prior to January
12 first, 1938.

13 The person thus preferred shall not be disqualified from taking the examinations for the classified
14 service on account of age or by reason of physical disability, provided such age or physical disability
15 does not render him or her incompetent to perform properly the duties of the position applied for.

16 In the event of the rejection by the appointing officer of the person so preferred when certified for
17 promotion or to fill a vacancy or a new position, the appointing officer shall immediately file in writing
18 with the director his reasons for such rejection and shall furnish to the rejected veteran a copy
19 thereof.

SEC. 31. No more than two members of a family may be appointed in the classified service. Pro-
2 vided, however, that this restriction shall not prohibit those employees who automatically become mem-
3 bers of the classified service without examination pursuant to Section 10 of this act, from continuing in
4 the service.

5 The word 'family' shall be construed to include parents, children and relatives in law.

6 Husband and wife may not both be employed in the classified service if their combined salaries,
7 exclusive of board and room, exceeds \$120.00 a month.

SEC. 32. (1) The services and facilities of the state civil service department and its staff shall be
2 available upon request, subject to rules prescribed therefor by the board, to political subdivisions of the
3 state. In making such service and facilities available, it shall be understood that requirements for
4 the enforcement and administration of the provisions of this act shall be given precedence and that
5 the political subdivisions shall reimburse the state for the reasonable cost of such services and facil-
6 ities.

7 (2) The board may enter into arrangements with personnel agencies in other jurisdictions for
8 the purpose of exchanging services and effecting transfers of employees. The board may also join or
9 subscribe to any association or service having as its purpose the interchange of information relating
10 to the technique of personnel administration.

SEC. 33. The director of the civil service shall devise plans for and cooperate with appointing
2 authorities and other supervisory officers in the conduct of employee training programs to the end that
3 that the quality of service rendered by persons in the state civil service may be continually improved.
4 Provision shall be made in the rules adopted by the civil service board to permit employees in the classi-
5 fied service to secure leaves of absence for the purpose of enrolling in courses of training for govern-
6 ment service; and provision also may be made in said rules to permit qualified students to serve as in-
7 ternes or apprentices for a period not greater than one year in the several departments and agencies
8 concerned.

SEC. 34. (1) The word "eligible" as used in this act, unless the context otherwise indicates, shall
2 mean a person who is on an employment list.

3 (2) The "effective date" of this act shall be the date that it is approved by the governor or the
4 date it becomes effective without his approval.

5 (3) The words "all persons holding offices or employments in the classified service on the effective
6 date of this act" in addition to their ordinary meaning shall mean and include persons who are on leave

7 of absence on the effective date of this act, and provided further, that in such cases the probationary
8 period shall not start to run until such persons return to their office or employment.

SEC. 35. Sections one to 38 inclusive shall be known and may be cited as the state civil service act.

SEC. 36. All acts or parts of acts which are inconsistent with the provisions of sections one to 38
2 inclusive of this act are hereby expressly repealed to the extent of such inconsistency.

SEC. 37. The provisions of this act shall be severable and, if any of the provisions shall be held to
2 be invalid, the decision of the court respecting such provision or provisions shall not affect the validity
3 of any other provisions which can be given effect without such invalid provisions. It is hereby de-
4 clared to be the legislative intent that this act would have been adopted by the legislature had such
5 invalid provisions not been included herein.

SEC. 38. The provisions of Mason's 1938 Minn. Supp., sections 4368, 4369, and 4369-1 are hereby
2 superceded by section 30 of this act insofar as said sections 4368, 4369, and 4369-1, might be applica-
3 ble to the civil service of this state, anything in Mason's 1938 Minn. Supp., section 4369-2, to the
4 contrary notwithstanding; providing, however, that as to honorably discharged veterans of past wars
5 holding offices or employment within the classified service on the effective date of this act, the pro-
6 visions of Mason's 1938 Minn. Supp., Sections 4368, 4369, 4369-1 and 4369-2, are hereby continued in
7 force for a period of six months from the effective date of this act.

SEC. 39. Mason's Minnesota Statutes of 1927, section 53-7, is hereby amended to read as follows:

2 "53-7. The commission shall have the *following* powers: (TO DETERMINE THE CLASSES,
3 GRADES, AND TITLES OF THE EMPLOYEES OF THE VARIOUS OFFICIALS, DEPART-
4 MENTS, AND AGENCIES OF THE STATE GOVERNMENT AND THE INSTITUTIONS
5 UNDER THEIR CONTROL; TO FIX THE SALARY SCALES) *to approve or reject the compen-*
6 *sation schedules submitted by the civil service board for the various classes, grades and titles of the em-*
7 *ployees of (SUCH) the various officials, departments, and agencies (,) of the state government and in-*
8 *stitutions (;) under their control; to require a complete record of the officers, assistants, and employ-*
9 *ees appointed thereby or employed therein, and to require the salaries of the same to be in conformity*

10 with the scale of compensation established (HEREUNDER) *pursuant to law*; (TO TRANSFER EM-
 11 PLOYEES TEMPORARILY FROM ONE DEPARTMENT OR SERVICE TO ANOTHER WHEN
 12 NECESSARY TO EXPEDITE THE WORK OF ANY DEPARTMENT OR AGENCY;) to prepare
 13 and prescribe classes of expenditures and revenue for the purpose of budget-making and accounting;
 14 to procure by lease, with the approval of the governor, office space and buildings for the use of the state
 15 government or any department, office, or institution thereof; to purchase, except as otherwise herein
 16 provided, all supplies and equipment for all state officials, departments and agencies of the state gov-
 17 ernment, including tools, machinery, and materials to be used by the state in the construction and main-
 18 tenance of state highways; but the commission in its discretion may designate an officer or employee of
 19 any such department to make, under the general supervision and direction of the commission such
 20 purchases for the department in which such designation is so made as the commission may specify.

21 The authority of the commission to (CLASSIFY DEPARTMENT EMPLOYEES AND TO ESTAB-
 22 LISH) *approve or reject* a scale of compensation therefor shall not apply to the (CHIEF DEPUTY
 23 APPOINTED BY AN ELECTIVE OFFICER NOR TO THE ASSISTANT SECRETARY OF STATE,
 24 NOR TO THE ASSISTANT ATTORNEYS GENERAL NOT APPOINTED BY AUTHORITY OF
 25 THIS ACT, NOR TO EMPLOYEES OF THE STATE BOARD OF CONTROL, NOR TO EMPLOYEES
 26 AT STATE INSTITUTIONS UNDER THE CONTROL OF SAID BOARD.) *unclassified service as pre-*
 27 *scribed by the state civil service act."*

SEC. 40. Mason's 1938 Minn. Supp., section 53-231½ 1. (e) is hereby amended to read as follows:

2 "53-231½ 1. (e) The Commissioner may appoint a deputy, to serve at his pleasure, who may exercise
 3 all the powers of the Commissioner, subject to his direction and control. Such deputy shall receive the same
 4 salary as hereinafter prescribed for Directors of Divisions. The Commissioner may employ such other
 5 assistants as may be necessary to carry on the work of the Department, and may fix the compensation
 6 of the persons employed as far as funds may be available therefor. (THE COMMISSIONER SHALL
 7 ESTABLISH A MERIT SYSTEM GOVERNING THE EMPLOYMENT, PROMOTION, AND DIS-
 8 CHARGE OF ALL EMPLOYEES OF THE DEPARTMENT AND THE SEVERAL DIVISIONS

9 THEREOF, EXCEPT THE DIRECTORS AND THE DEPUTIES OF THE COMMISSIONER AND
 10 THE DIRECTORS.)"

SEC. 41. Mason's 1938 Minn. Supp., section 9950-7, is hereby amended to read as follows:

2 "9950-7. The superintendent is hereby authorized to appoint, in the manner provided, and to re-
 3 move as provided by the state civil service act (AT HIS PLEASURE) and to prescribe the duties of
 4 such skilled and unskilled employees, including an identification expert as may be necessary to carry
 5 out the work of said bureau, but not exceeding 28 in number(.); *provided, however, that the appoint-*
 6 *ment and removal of such skilled and unskilled employees shall be in the manner provided by the*
 7 *state civil service act.* (ANY APPOINTMENT OF SUCH SKILLED EMPLOYEES, INCLUDING
 8 AN IDENTIFICATION EXPERT, MADE SUBSEQUENT TO THE PASSAGE OF THIS ACT,
 9 SHALL BE MADE FROM A LIST OF APPLICANTS WHO HAVE QUALIFIED FOR SUCH POSI-
 10 TIONS BY PASSING AN EXAMINATION PREPARED AND SUPERVISED BY THE BOARD
 11 OF REGENTS OF THE UNIVERSITY OF THE STATE OF MINNESOTA, OR THEIR AGENTS,
 12 WHICH LIST SHALL BE CERTIFIED BY SAID BOARD OF REGENTS WITHIN 30 DAYS AFTER
 13 THE DATE OF SUCH EXAMINATION.) The superintendent and all officers and employees of said
 14 bureau shall, in addition to their compensation, receive their actual and necessary expenses incurred
 15 in the discharge of their duties, provided that the total expense of said bureau during any year shall
 16 not exceed the appropriation therefor.

17 There is hereby established within the bureau a division of criminal statistics, and the superintendent
 18 within the limits of membership herein prescribed shall appoint a qualified statistician and one assist-
 19 ant to be in charge thereof. It shall be the duty of this division to collect, and preserve as a record
 20 of the bureau, information concerning the number and nature of offenses known to have been com-
 21 mitted in the state of the legal steps taken in connection therewith from the inception of the complaint
 22 to the final discharge of the defendant and such other information as may be useful in the study of
 23 crime and the administration of justice. The information so collected and preserved shall include
 24 such data as may be requested by the United States Department of Justice at Washington under its

25 national system of crime reporting.

26 It shall be the duty of all sheriffs, chiefs of police, city marshals, constables, prison wardens, su-
 27 perintendent of insane hospitals, reformatories and correctional schools, probation and parole officers,
 28 school attendance officers, coroners, county attorneys, court clerks, the liquor control commissioner,
 29 the commissioner of highways, the state fire marshal to furnish to said division, statistics and infor-
 30 mation regarding the number of crimes reported and discovered, arrests made, complaints, informa-
 31 tions and indictments, filed and the disposition made of same, pleas, convictions, acquittals, proba-
 32 tions granted or denied, receipts, transfers and discharges to and from prisons, reformatories, correc-
 33 tional schools and other institutions, paroles granted and revoked, commutation of sentences and
 34 pardons granted and rescinded and all other data useful in determining the cause and amount of
 35 crime in this state and to form a basis for the study of crime, police methods, court procedure and
 36 penal problems. Such statistics and information shall be furnished upon the request of the division
 37 and upon such forms as may be prescribed and furnished by it. The division shall have the power to
 38 inspect and prescribe the form and substance of the records kept by those officials from which the
 39 information is so furnished.

SEC. 42. Mason's 1938 Minn. Supp., section 4337-30. (e), is hereby amended to read as follows:

2 "4337-30. (e) Subject to the provisions of the state civil service act and to the other provisions of this
 3 Act, the commission is authorized to appoint, (FIX THE COMPENSATION,) and prescribe the duties
 4 and powers of such officers, accountants, attorneys, experts, and other persons as may be necessary in
 5 the performance of its duties. (THE COMMISSION SHALL CLASSIFY ITS POSITIONS AND
 6 SHALL ESTABLISH SALARY SCHEDULES AND MINIMUM PERSONNEL STANDARDS FOR
 7 THE POSITIONS SO CLASSIFIED. THE COMMISSION SHALL APPOINT ITS PERSONNEL ON
 8 THE BASIS OF EFFICIENCY AND FITNESS WITHOUT REGARD TO PARTY AFFILIATION.
 9 THE COMMISSION SHALL NOT APPOINT OR EMPLOY ANY PERSON WHO IS AN OFFICER
 10 OR COMMITTEE MEMBER OF ANY POLITICAL PARTY ORGANIZATION OR WHO HOLDS OR
 11 IS A CANDIDATE FOR ANY ELECTIVE PUBLIC OFFICE. THE COMMISSION SHALL ES-

12 TABLISH AND ENFORCE FAIR AND REASONABLE REGULATIONS FOR APPOINTMENTS,
 13 PROMOTIONS, AND DEMOTIONS BASED UPON RATINGS OF EFFICIENCY AND FITNESS
 14 AND FOR TERMINATIONS FOR CAUSE.) The commission may delegate to any such person so ap-
 15 pointed such power and authority as it deems reasonable and proper for the effective administration of
 16 this Act, and may in its discretion bond any person handling moneys or signing checks hereunder. (EM-
 17 PLOYMENT BY THE COMMISSION SHALL BE SUBJECT TO THE PROVISIONS OF THE MIN-
 18 NESOTA SOLDIERS PREFERENCE LAW AS PROVIDED IN SECTIONS 4368 AND 4369, MA-
 19 SON'S MINNESOTA STATUTES FOR 1927, AS AMENDED BY CHAPTER 357, LAWS 1931. ALL
 20 SALARIES, COMPENSATION AND WAGES PAID SHALL BE IN CONFORMITY WITH THE
 21 SCHEDULES FOR SALARIES, WAGES AND COMPENSATION FOR OTHER DEPARTMENTS
 22 OF STATE EMPLOYEES DOING SIMILAR WORK.)"

SEC. 43. Mason's Minnesota Statutes of 1927, sections 3861, 3863, 3864, and Mason's 1938 Minn.
 2 Supp., section 3862, are hereby expressly repealed.

SEC. 44. Mason's Minnesota Statutes of 1927, section 53-11, is hereby repealed.

SEC. 45. Notwithstanding the provisions of the state civil service act and the amendments to ex-
 2 isting statutes made by this act, all existing salaries and compensation schedules, and all laws and regu-
 3 lations governing said salaries and compensation schedules, in force on the day previous to the effective
 4 date of this act, shall continue in force until the salary and wage schedules are approved by the com-
 5 mission of administration and finance as provided in the state civil service act.

