

# House Research Act Summary

**CHAPTER:** 114

**SESSION:** 2005 Regular Session

**TOPIC:** State employment

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## Section

- 1 Grievance appeal procedures.** Current law allows permanent classified state employees who are not covered by a collective bargaining agreement to appeal a discharge, suspension without pay, or demotion to the Office of Administrative Hearings (OAH). This section transfers the appeal to the Bureau of Mediation Services (BMS) instead of OAH. This section provides for selection of an arbitrator, and provides for reinstatement rights when provided for in an arbitrator's award.  
  
[Current law also gives an employee who is covered by a collective bargaining agreement a right of appeal to OAH, but only if the agreement provides that option. This section strikes that language. Appeal rights for represented employees would continue to be determined by collective bargaining agreements.]
- 2 Retirement; correctional personnel.** This section strikes language stating that a state correctional employee may be required to retire at age 55, and also strikes from current law a process under which an employee desiring employment beyond this age must make a written request to continue employment, and must have an annual medical exam establishing the employee's ability to continue.
- 3 Repealer.** Repeals section 43A.33, subdivision 4, the law currently specifying procedures for an employee's appeal to the Office of Administrative Hearings.