

STATE OF MINNESOTA
OFFICE OF HIGHER EDUCATION
UNCLASSIFIED PERSONNEL COMPENSATION PLAN

Effective

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(FY 2020 – FY 2021)

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UNCLASSIFIED PERSONNEL COMPENSATION PLAN

A. Purpose

The purpose of this Plan is to comply with applicable statutes and to set forth clear Office of Higher Education (OHE) policies within which human resources may be fairly and effectively managed to achieve the following objectives:

1. To promote and foster effective management of the office and to ensure professional staff development;
2. To achieve and maintain a competitive compensation position in a special employment market so as to attract and retain qualified personnel, and to attain and ensure equity with Minnesota public postsecondary education systems and state agencies;
3. To ensure that compensation is internally consistent in terms of relative responsibility and individual performance; and
4. To maintain maximum flexibility so that the office may respond to changing mandates or special assignments from the legislature and governor.

B. Appointments

Unclassified personnel shall be appointed by the OHE Commissioner or their designee and shall serve at the pleasure of the OHE Commissioner.

C. Definition and Responsibility

Definition. For the purpose of this Plan, unclassified employees are those described in Minnesota Statutes Section 136A.03, including entry level personnel who may be required for general or specialized staff assistance appointed in accordance with Minnesota Statutes Section 136A.03.

For the purpose of this Plan, the following definitions may apply:

- a. A “full-time unclassified employee” means an employee who is scheduled to work an average of eighty (80) hours per bi-weekly payroll period.
- b. A “part-time unclassified employee” means an employee who is scheduled to work on a regular and recurring schedule of less than eighty (80) hours in a bi-weekly payroll period.
- c. A “temporary unclassified employee” means an employee who is appointed with a definite ending date. A temporary appointment may not exceed a total of twelve (12) months. A temporary employee will not receive vacation, sick leave, a floating holiday or insurance benefits.

Responsibility. Members of the OHE staff who serve in the unclassified service shall be regarded as professional employees who are selected for their special competence and ability to fulfill responsibilities in research, planning, or administration of programs and activities of the OHE. As professional employees, unclassified personnel will be expected to perform those duties which reasonably can be included among the responsibilities of their respective positions as defined and interpreted by and under the general supervision of the OHE Commissioner. It is recognized that

the nature of the responsibilities for which such professional personnel are appointed is defined in terms of the activities to be performed with objectives to be accomplished.

D. Work Schedule

Standard Work Schedules. It is recognized that because of the nature of their work, employees covered by this agreement may be required to work varied hours, work on holidays and weekends, making the maintaining of consistent starting and stopping times or the assignment of the number of hours worked in one day sometimes impossible. Employee's hours may be adjusted in accordance with circumstances and with the approval of the Appointing Authority or their designee.

Flexible Work Schedules. Upon approval of Appointing Authority or their designee and employee flex-schedule may be established or terminated.

Emergency Work Schedules. In emergency situations, the Appointing Authority or their designee may change work schedules without advance notice for such time periods as the Appointing Authority or their designee determines that alternative schedules are necessary.

Work Week Defined. A fixed and regularly recurring period of seven (7) consecutive calendar days that are chosen by the Appointing Authority or their designee.

Overtime Eligibility. Due to their exempt status, OHE professional personnel are exempt from the provisions of the Federal Fair Labor Standards Act and are normally not eligible for overtime pay or compensatory time off with pay. If a work-related emergency situation is declared by the Commissioner of Minnesota Management & Budget, the Commissioner of Minnesota Management & Budget shall determine if employees shall be paid for overtime. Emergencies are defined as nonrecurring situations that could not be anticipated or planned for. Emergencies do not include seasonal fluctuation in workload (e.g. Legislature in session, budget development, etc.) which occurs on a regular and reasonably predictable basis. If compensation is authorized, payment shall be at straight time in either cash or compensatory time at the Appointing Authority's option.

E. Termination of Appointment

Employment of personnel serving in the unclassified service may be terminated at any time by the Appointing Authority or their designee. An unclassified employee who wishes to resign shall be expected to submit his/her resignation to the OHE Commissioner or their designee at least two (2) weeks prior to the effective date of the resignation. Severance pay shall be in accordance with the provisions of this Plan as outlined in Section R.

F. Salary Ranges and Classifications

1. The OHE Commissioner shall be appointed by and shall serve at the pleasure of the Governor. The Governor sets the OHE Commissioner's salary rate within the salary limits as specified in MN Statutes 15A.0815, Subd.1.

Consistent with existing statutes and Section F-2 of this Plan, unclassified positions within the OHE will be assigned to the following range structure:

Fiscal Year 2020 Salary Ranges (Effective 7/1/2019 - 6/30/2020)

Job Code	Official Class Title	FLSA STATUS	Owning BARG	BARGS USED AT OHE	GRID	7/1/19 MIN/HR	7/1/19 MAX/HR	COMP CODE	OHE RANGE
	OHE Senior Executive	Exempt Exec Test	220	220	HEPB	\$46.60 \$97,301	\$65.00 \$135,720	08B	08
008725	OHE Executive	Exempt Exec Test	220	220	HEPB	\$43.49 \$90,807	\$60.66 \$126,658	07B	07
008454	OHE Director	Exempt Exec Test	220	220	HEPB	\$39.07 \$81,578	\$54.56 \$113,921	06B	06
008531	OHE Senior Manager	Exempt Admin Test	220	220	HEPB	\$34.65 \$72,349	\$47.91 \$100,036	05B	05
008532	OHE Manager	Exempt Exec Test	220	220	HEPB	\$30.03 \$62,703	\$41.54 \$86,736	04B	04
008533	OHE Administrator	Exempt Prof Test	219	219	HEPA	\$25.77 \$53,808	\$35.24 \$73,581	03B	03
008534	OHE Coordinator	Exempt Prof Test	219	219	HEPA	\$21.22 \$44,307	\$28.74 \$60,009	02B	02

Fiscal Year 2021 Salary Ranges: (Effective 7/1/2020 - 6/30/2021)

Job Code	Official Class Title	FLSA STATUS	Owning BARG	BARGS USED AT OHE	GRID	7/1/20 MIN/HR	7/1/20 MAX/HR	COMP CODE	OHE RANGE
	OHE Senior Executive	Exempt Exec Test	220	220	HEPB	\$47.77 \$99,744	\$66.63 \$139,123	08B	08
008725	OHE Executive	Exempt Exec Test	220	220	HEPB	\$44.58 \$93,083	\$62.18 \$129,832	07B	07
008454	OHE Director	Exempt Exec Test	220	220	HEPB	\$40.05 \$83,624	\$55.92 \$116,761	06B	06
008531	OHE Senior Manager	Exempt Admin Test	220	220	HEPB	\$35.52 \$74,166	\$49.11 \$102,542	05B	05
008532	OHE Manager	Exempt Exec Test	220	220	HEPB	\$30.78 \$64,269	\$42.58 \$88,907	04B	04
008533	OHE Administrator	Exempt Prof Test	219	219	HEPA	\$26.41 \$55,144	\$36.12 \$75,419	03B	03
008534	OHE Coordinator	Exempt Prof Test	219	219	HEPA	\$21.75 \$45,414	\$29.46 \$61,512	02B	02

2. Assignment of positions to these salary ranges shall be based upon the following classification system for Agency's unclassified employees:

OHE Senior Executive	Appointed by the OHE Commissioner, this position is to work in concert with the Commissioner to provide leadership in developing and implementing the Agency's vision and strategy. When assigned, this position will represent the Commissioner.
OHE Executive	Broad executive managerial responsibility including planning, directing, coordinating, and developmental responsibility for agency administration and operations, long-range programs, strategic planning, research projects, organizational planning activities and administration of personnel organized as a separate division or major area of responsibility. Responsible for high level policy development.
OHE Director	Broad executive managerial responsibility including planning, directing, coordinating, and developmental responsibility for long-range programs or research projects.
OHE Senior Manager	Direct managerial, administrative, coordinative, planning, and/or developmental responsibility for a specific program(s); analytical, planning, or research projects; and supervision or personnel for an office or section of the agency.
OHE Manager	Direct administrative or mid-managerial responsibility for program(s) advanced statistical research and/or programmatic responsibility, and supervision of personnel within a division as assigned by an Executive or top level management.
OHE Administrator	Specialized research, planning, and/or programmatic administrative responsibilities within a division that are assigned by an Executive, top level management or supervisor who reports to an Executive.
OHE Coordinator	Professional positions with responsibility for program evaluations, planning, program administration, or research analyses and studies that are assigned by a supervisor in the division or an Executive.

3. The salary ranges set forth above will be reviewed continuously (at least biennially) to ensure adequacy of salaries paid and flexibility in established compensation practices. Changes in salary ranges must be approved by the Appointing Authority or their designee and forwarded for review and approval to the Commissioner of Minnesota Management & Budget and the Joint Subcommittee on Employee Relations of the Legislative Coordinating Commission prior to implementation.

G. Advancement Through the Salary Range

Advancement through the salary range to which a position is assigned will be subject to the following provisions:

General Salary Increases. Employees covered by this Plan shall receive a general salary increase of two and one-quarter percent (2.25%), rounded to the nearest cent per hour effective July 1, 2019, if the Appointing Authority or their designee certifies that the employee has achieved performance standards or objectives. This salary increase shall not result in a salary above the new maximum of the salary range for the classification. Effective July 1, 2020, employees covered by this Plan may receive a salary increase of two and one-half percent (2.50%) rounded to the nearest cent per hour, if the Appointing Authority or their designee certifies that the employee has achieved performance standards or objectives. This salary increase also applies to employees whose rates of pay exceed the new maximum of their salary range.

Performance-Based Salary Increases. Salary increases for individual unclassified employees are based upon their performance appraisal.

An employee who is covered by this Plan, effective the closest pay period to January 1, 2020 and January 1, 2021 (and each January 1 thereafter) is eligible for one performance-based salary increase each year of up to three and one-half percent (3.50%) rounded to the nearest cent per hour if the employee's current salary is not at or over the maximum rate of the new salary range and the Appointing Authority or their designee certifies that the employee has achieved performance standards or objectives. The salary increase may be in the form of an adjustment to the employee's base salary rate, a lump sum or a combination of both but shall not result in a base salary rate above the new maximum of the salary range for the classification. Employees whose salaries are at or over the range new maximum are not eligible for lump sum increases. An unclassified employee may be granted only one performance based increase in each fiscal year.

For performance increases in this section, the Appointing Authority or their designee may withhold part or all of or delay any salary increase because of performance, budget constraints, or to realign internal salary relationships. If salary increases are delayed, they shall be effective no later than the beginning of the first full pay period in the following June.

Equity Adjustments. As a result of reassignment of duties, unusual employment conditions, changes in salary ranges or demotion, the Appointing Authority or their designee may adjust an unclassified employee's salary rate greater than or less than the prescribed progress or general adjustment.

Hiring Incentive. At the written request of the Appointing Authority or their designee and with the approval of the Commissioner of Minnesota Management & Budget, OHE may offer a hiring incentive of up to five thousand dollars (\$5,000) to encourage a candidate to accept an appointment in a difficult to fill position where an incentive is necessary to attract a qualified individual. Current state managers are not eligible to receive a hiring incentive. The Appointing Authority or their designee shall determine the amount of the incentive, not to exceed five thousand dollars (\$5,000), and the timing of incentive payments and communicate them to the candidate in writing prior to the appointment. However, no incentive payment may be granted before six (6) months or later than twenty-four (24) months of continuous satisfactory employment at the OHE.

H. Health/Dental Premium Account

The Employer provides insurance eligible unclassified employees with the option to pay for the unclassified employee's portion of the health and dental premiums on pre-tax basis as permitted by law or regulation.

I. Medical/Dental Expense Account

The Employer agrees to allow insurance eligible unclassified employees to participate in a medical and dental expense reimbursement program to cover co-payments, deductibles, and other medical and dental expenses or expenses for services not covered by health or dental insurance on a pre-tax basis as permitted by law or regulation, up to a maximum expenditure of salary reduction contributions allowed per calendar year under Section 125 of the Internal Revenue Code or other applicable federal law.

J. Dependent Care Expense Account

The Employer provides insurance eligible unclassified employees with the option to participate in a dependent care reimbursement program for work-related dependent care expenses on a pre-tax basis as permitted by law or regulation.

K. Transit Expense Account

The Employer provides insurance eligible unclassified employees with the option to participate in a program to pay work-related parking and transit expenses on a pre-tax basis.

L. Health Care Savings Plan

All employees shall contribute one percent (1%) of their gross earnings subject to retirement into an individual Health Care Savings Plan account with the Minnesota State Retirement System each pay period. The contribution shall occur regardless of whether or not their position is retirement eligible.

M. Granting of Achievement Awards

The Appointing Authority or their designee may adopt a formal policy for the administration of lump sum payment program for OHE unclassified employees covered by this Plan.

An unclassified employee who has demonstrated outstanding performance may receive achievement awards in the amount of a lump sum payment not to exceed two thousand dollars (\$2,000) per fiscal year. In no instance during a fiscal year shall achievement awards be granted to more than twenty percent (20%) of the number of unclassified positions authorized at the beginning of the fiscal year. Payments made under this item shall be effective no later than the last full pay period in June.

N. Salary on Classification Change

Position Descriptions. A new or promoted unclassified employee shall receive a current position description on or before the effective date of employment. Therefore, such position descriptions should be reviewed by the employee and supervisor on a regular basis (at least annually) to determine if changes have occurred which should be incorporated into the position description.

Promotion. Upon promotion unclassified employees receive an immediate salary increase to a higher salary range. The Appointing Authority or their designee may grant an immediate salary increase of up to twelve percent (12%) of current salary or the midpoint of the new salary range, whichever is greater. The Appointing Authority or their designee may grant a larger increase with advance approval from the Commissioner of Minnesota Management & Budget based on specific written findings supporting a higher salary. No promotional increase shall be granted which would place an unclassified employee's rate of pay above the salary range maximum.

Salary on Demotion for Other Than Cause. Upon demotion, an employee's current rate of pay shall remain the same if the rate falls within the new salary range unless the employee voluntarily chooses to accept a lower rate of pay. If the current rate of pay exceeds the maximum of the new range, it shall be reduced to the maximum of the new range unless a) the employee agrees to accept a lower salary rate or b) the demotion is the result of a reallocation to a lower classification or c) the demotion is a result of a gradual change in assigned duties, or d) the Commissioner of Minnesota Management & Budget approves a request from the Appointing Authority or their designee to pay a rate which exceeds the maximum under the provisions of Minnesota Statutes 43A.17, subdivision 5.

Salary on Demotion for Cause. Upon demotion, an employee shall receive a salary rate within the range for the classification to which the employee is demoted.

Request for Review. A request for position re-evaluation, performance review, or salary range assignment review may be initiated at any time by an employee or supervisor. The procedure for handling such requests shall be established by the agency personnel officer or OHE Commissioner.

O. Vacation Leave

Vacation Leave Accrual and Usage. Upon entry to State service in a full-time, unlimited, unclassified position, an eligible unclassified employee shall be credited with eighty (80) hours of vacation leave. Part-time unclassified employees (excluding temporary unclassified employees and employees who transfer from any other position in state government) shall be credited with a pro rata vacation leave hours based on the accruals as stated in Appendix A. The credited hours shall be reduced proportionately as vacation leave is accumulated. Vacation hours credited upon entry to State service and is not offset by accumulated vacation prior to separation from State service shall not be eligible for liquidation.

If a current employee in State service is appointed to a full-time, unlimited, unclassified position and that employee has his/her accumulated vacation leave hours transferred, the employee shall not be credited additional vacation leave hours.

Length of Service. In addition, the OHE Commissioner or their designee may at their discretion, adjust the Length of Service of such employees to reflect credit for all, none or a portion of any prior private or public sector experience directly related to the OHE Unclassified position to which the employee is being appointed and within four (4) years from the date of separation.

Such unclassified employee must submit documentation of the qualifying experience to the Appointing Authority or their designee for approval. At his/her discretion, the Appointing Authority or their designee may adjust Length of Service to reflect credit for all, none, or a portion of: a) any prior service with a public jurisdiction, including prior service in any branch of Minnesota State government or service as a former Legislator beyond four (4) year limit; b) any

prior private sector experience directly related to the employee's position; and/or c) related service in the United States Armed Forces provided the service was full-time for at least one hundred eighty-one (181) consecutive days.

Any change in Length of Service shall be effective the pay period in which the Appointing Authority or their designee approves the request and shall only affect future leave accrual.

All unclassified employees (excluding temporary unclassified employees) shall earn vacation leave with pay in accordance with Appendix A. Vacation leave may be accumulated to any amount provided that once during each fiscal year, the unclassified employee's balance must be reduced to thirty-five (35) days (280 hours) or less. If this is not accomplished by the last day of the fiscal year, the unclassified employee's accumulation shall automatically be reduced to thirty-five (35) days (280 hours). In emergency situations, the Appointing Authority, with approval of the Commissioner of Minnesota Management & Budget, may temporarily suspend the maximum number of hours which may be accumulated. An unclassified employee is eligible to utilize this section when newly appointed or when changed from a classified appointment. An employee who transfers to a position covered under the provisions of this Plan from any other position in state government may transfer his/her accumulated vacation leave balance (not to exceed 280 hours) and length of service credit for purposes of vacation accrual.

The taking of vacation leave shall require prior approval of the employee's supervisor who shall take into account demands of the workload as well as the interests of the unclassified employee in approving or disapproving time for vacation leave with pay.

Vacation leave hours shall not be used during the payroll period in which the hours are accrued.

Vacation Leave Liquidation. An unclassified employee separated from State service shall be compensated at the employee's current rate of pay, for all accumulated and unused vacation leave credited at the time of separation to a maximum of thirty-five (35) days (280 hours). The maximum cap shall not apply in situations where the payout is due to the employee's death. Vacation leave may not be used in combination with unpaid leave on separation from state service to extend insurance coverage. An unclassified employee, in this Plan, who is placed on emergency layoff, shall not have his/her accumulated vacation liquidated.

An unclassified employee who dies shall receive vacation payout in cash.

An unclassified employee who separates from State service with ten (10) or more years of continuous State service shall have unused vacation hours placed in an individual Minnesota State Retirement System Health Care Savings Plan (HCSP) account.

An employee who does not meet the ten (10) year continuous State service requirement or whose combined vacation and severance payout is less than five hundred dollars (\$500), may choose to:

- be paid in a lump sum at the time of eligible separation;
- arrange for a one-time deferred compensation or tax-sheltered annuity deduction, provided the employee satisfies all requirements of the administrator or the deferred compensation plan or tax-sheltered annuity; or
- a combination of both.

For budget reasons, an Appointing Authority or their designee may elect to distribute the vacation and severance payment, whether paid to the employee or to an individual Minnesota State Retirement System Health Care Savings Plan account, over a period of up to two (2) years from the

date of separation. If the employee dies before all of the vacation and severance pay has been disbursed, the balance due shall be paid to a named beneficiary, if any, or to the employee's estate.

Conversion of Accumulated Vacation to Deferred Compensation. Once each fiscal year, an unclassified employee may elect to convert a portion of his/her accumulated vacation to a contribution to a deferred compensation plan for which the state provides payroll deduction; or to receive a State-paid contribution to the State deferred compensation program. Employees must complete the vacation conversion process by June 5th of each fiscal year. The Appointing Authority or their designee may deny requests or limit the amount of vacation hours converted on an agency-wide basis for the State paid contribution or the vacation conversion provided in this section due to budget restrictions.

1. **State Paid Contribution.**

The State paid contribution shall be in an amount matching the unclassified employee's contributions on a dollar for dollar basis, not to exceed three hundred dollars (\$300) per unclassified employee.

2. **Conversion of Accumulated Vacation to Deferred Compensation.**

Unclassified employees at the OHE Administrator through OHE Coordinator classification levels may convert up to forty (40) hours of accumulated vacation per fiscal year.

Unclassified employees at the OHE Senior Executive through the OHE Manager classification levels may convert up to fifty (50) hours per fiscal year. Contributions to deferred compensation plans made through the conversion of vacation hours are subject to all of the rules and regulations of the respective plans.

P. Sick Leave

Temporary unclassified employees are not eligible to accrue sick leave.

Sick Leave Credit. Upon entry to State service, an eligible full-time employee shall be credited with one hundred and four (104) hours of sick leave. Part-time employees shall be credited with sick leave hours based on the accruals as stated in Appendix B times twenty-six (26) pay periods. The credited hours shall be reduced proportionately as sick leave is accumulated.

Accrual. Thereafter, a full-time unclassified employee will earn four (4) hours of sick leave for each succeeding payroll period of continuous employment. Part-time unclassified employees will earn sick leave in accordance with the schedule set forth in Appendix B.

If an employee returns to State service and has sick leave hours restored, he/she shall not be credited with sick leave hours upon re-entry to State service. If a current State employee has his/her accrued sick leave hours transferred, he/she shall not be credited with any additional sick leave hours.

Usage. Whenever practicable, an unclassified employee shall submit a written request for sick leave in advance of the period of absence. When advance notice is not possible, the unclassified employee shall notify his/her supervisor at the earliest opportunity. An unclassified employee using sick leave may be required to furnish a statement from his/her medical practitioner or a medical practitioner, designated by the Appointing Authority, indicating the nature and expected duration of the illness or disability. The Appointing Authority or their designee may also require a similar statement from a medical practitioner if the Appointing Authority or their designee has reason to

believe the employee is not able to work or has been exposed to a contagious disease which endangers the health of other persons.

Sick leave hours shall not be used during the payroll period in which hours are accrued.

An unclassified employee shall be granted paid sick leave to the extent of his/her accumulated hours for the following:

- illness or disability;
- medical, chiropractic or dental care for the employee's family members or other dependents;
 - Family members (as defined in MN Statute 181.9413) include: spouse, minor children, adult children, siblings, parents, stepparents, grandparents, grandchild, father-in-law, and mother-in-law.
- the person being cared for need not live in the same household as the employee;
- for the purpose of obtaining assistance for the employee or providing assistance to a family member because of sexual assault, domestic violence;
- exposure to contagious disease which endangers the health of other persons;
- inability to work because of the employee's pregnancy or child birth;
- birth or adoption of the employee's child, not to exceed five (5) days;
- to arrange for necessary nursing care for family member not to exceed five (5) days;
- to attend the funeral of a spouse, parent, grandparent, stepparent, guardian, child, grandchild, sibling, stepchild, ward, parent/grandparent of the spouse, or other close relative for a reasonable period of time, including necessary travel time, but not for absences to aid bereaved relatives or to attend to the estate of the deceased;
- the illness or disability of family members of the same household or other dependents for such reasonable periods as the employee's attendance may be necessary; or
- with advance notice, the time necessary (including reasonable travel to and from the work site to accompany employee's family member to medical, chiropractic and dental appointments.

An eligible employee who moves without a break in service to a position under this Plan from any other position in Minnesota State Government, shall have his/her leave accumulated sick leave balance transferred. If the previous accrual rate and maximum accumulation were greater than those provided in this Plan, the leave balance shall be transferred in an amount equal to what the employee would have accumulated under this Plan.

An unclassified employee who is reappointed to State service within four (4) years from the date of separation in good standing shall have his/her unpaid sick leave balance and bank, if any, restored provided that any unclassified employee being reappointed after receiving severance pay shall have his/her leave restored proportionately by deducting the hours which were paid as severance. An employee may use the restored sick leave immediately upon return to State service.

Q. Holidays

Observed Holidays. All unclassified employees covered by this Plan shall be eligible for paid holidays. The following days shall be observed as paid holidays:

New Year's
Martin Luther King Day
Presidents Day

Memorial Day
Independence Day
Labor Day
Veterans Day
Thanksgiving Day
Day after Thanksgiving
Christmas

When any of the above holidays fall on Saturday, the preceding Friday shall be observed as the holiday, and when any of the above holidays fall on a Sunday, the following Monday shall be observed as the holiday. All unclassified staff covered under this Plan who is in payroll status is eligible for paid holidays. However, unclassified staff on temporary appointments of six months or less shall not be eligible for the floating holiday.

Floating Holidays. Unclassified employees shall receive one (1) floating holiday each fiscal year of this Plan, except a temporary unclassified employee shall not be eligible for a floating holiday. The employee must request a floating holiday in advance. The scheduling of such a day shall be by mutual agreement between the supervisor and employee. The floating holiday shall be taken in the fiscal year in which it is earned or it is lost. No cash payment shall be made for a floating holiday.

Holiday Pay Entitlement. In order to receive a paid holiday, an eligible employee shall be payroll status on the normal work day immediately preceding and the normal work day immediately following the holiday(s).

An eligible person mandatorily retired on a holiday or holiday weekend shall be entitled to be paid for the holiday(s).

Eligible persons who normally work less than full-time shall have their holiday pay prorated according to Appendix C.

Religious Holidays. When a religious holiday not observed as a holiday as provided in Section Q-1, falls on an unclassified employee's regularly scheduled work day, the unclassified employee shall be entitled to that day off to observe the religious holiday(s).

Time to observe religious holidays shall be taken without pay except where the unclassified employee has sufficient accumulated vacation leave, or by mutual consent with the Appointing Authority, is able to make the time up within the same payroll period. Unclassified employees shall notify their supervisor of their intention to observe the religious holiday in advance of the holiday.

R. Severance Pay

An unclassified employee shall be entitled to severance pay immediately following separation from the State by reason of:

- death;
- retirement after ten (10) years of continuous state service with immediate entitlement at the time of retirement to a retirement benefit under the State retirement program;
- separation after twenty (20) years of continuous state service;
- termination resulting from abolition of unlimited unclassified position due to mandated reduction or fiscal constraints; or

- separation after five (5) years of continuous State employment as an employee in the unclassified service.

Employees are not eligible to receive severance pay upon emergency layoff.

Employees separating from the State for at least one of the reasons listed above shall be entitled to thirty-five percent (35%) of the employee's accumulated but unused sick leave balance at the time of separation.

An employee who is eligible for severance pay and who separates from State service with ten (10) or more years of continuous State service shall have unused vacation hours and severance payout placed in an individual Minnesota State retirement System Health Care Savings Plan account.

An employee who eligible for severance pay and who does not meet the ten (10) year continuous State service requirement or whose combined vacation and severance payout is less than five hundred dollars (\$500), may choose to:

- be paid in a lump sum at the time of eligible separation;
- arrange for a one-time deferred compensation or tax-sheltered annuity deduction, provided the employee satisfies all requirements of the administrator or the deferred compensation plan or tax-sheltered annuity; or
- a combination of both.

Severance payments received on or after the implementation of this Plan shall be paid in cash if the severance payment is being made because of the death of the employee. Employees who have received severance pay and are subsequently reappointed to State service are eligible for future severance pay based on only the hours accrued since reappointment.

For budget reasons, an Appointing Authority or their designee may elect to distribute the vacation and severance payment, whether paid to the employee or to an individual Minnesota State Retirement System Health Care Savings Plan account, over a period of up to two (2) years from the date of separation. If the employee dies before all of the vacation and severance pay has been disbursed, the balance due shall be paid to a named beneficiary, if any, or to the employee's estate.

S. Other Leaves of Absence

Application for Leave. As far as practicable, all requests for leave of absence shall be submitted in writing by the unclassified employee to the immediate supervisor and approved by the OHE Commissioner or their designee prior to the beginning of the period of absence. The request shall state the reason for, and the anticipated duration of, the leave of absence.

1. Leaves of Absence – Paid. Military, parenting leave, jury duty, court appearance, election judge, emergency, athletic, blood donation, administrative, investigatory, and voting time leaves will be in accordance with the State Managerial Plan.
2. Leaves of Absence – Unpaid. Medical, natural or adoptive parent, military, voluntary service, public office, elder care, personal, salary savings and political process leaves will be in accordance with the State Managerial Plan.

Emergency Layoff. Employees may be placed on emergency layoff if it is deemed necessary by the Commissioner of Minnesota Management & Budget. Emergency layoff may be declared for events that include but are not limited to: a natural disaster, epidemic, national security emergency, nuclear emergency or fiscal exigency. During periods of emergency layoff the Appointing Authority or their designee may continue to provide the Employer's portion of insurance premiums.

3. **Developmental Leave.** An unclassified employee, who is at an OHE Manager classification or above, is eligible for a developmental leave to secure additional education, training, or experience which will better prepare him/her to carry out his/her management responsibilities. A developmental leave may be granted for any period up to two (2) years at no pay, partial pay, or full pay. Granting of a developmental leave is at the discretion of the OHE Commissioner. The employee shall be eligible to retain State-paid insurance benefits for which she/he is otherwise eligible while on developmental leave.

A developmental leave may be granted if the following criteria are met:

- The employee has at least three (3) years State service;
- The employee is a full-time employee at the time in which the developmental leave is granted;
- The employee has submitted to the OHE Commissioner a written plan for the developmental leave showing how it will serve the purpose described above;
- The organizational function and goals can be carried out during the employee's absence;
- Funds are available for this purpose; and
- The employee agrees to return to State employment following the completion of a paid developmental leave for the amount of time specified by the OHE Commissioner at the time leave was approved.

Reinstatement After Leave. An unclassified employee returning from an approved leave of absence shall be entitled to return to employment in his/her position, or another position in the employee's classification, or a position or comparable duties and pay for which he/she is qualified. An employee returning from an extended leave of absence of two (2) months or more shall notify the OHE Commissioner or designee in writing at least two weeks prior to the intended date of return from leave. The employee returning from a leave of absence shall return at least at the same rate of pay he/she had been receiving at the time the leave of absence commenced.

Failure to Return From Leave. Failure to contact the Appointing Authority or their designee about an extension prior to the end of the approved leave or to return on expiration of the approved leave shall be deemed to be a voluntary resignation. The employee shall be severed from State service.

Cancellation of Leaves. Leaves of absence or extensions of leaves which are subject to the discretionary authority of the OHE Commissioner or their designee may be canceled by the OHE Commissioner or their designee upon reasonable notice to the employee. Such notice shall ordinarily be in writing except in case of emergency. At the discretion of the OHE Commissioner or their designee, the employee may terminate his/her leave of absence prior to the previously agreed upon date of expiration of the leave.

T. Other Benefits

Other Benefits listed below and covered by this Plan shall apply to all unclassified employees, except temporary unclassified employees not eligible for group insurance. These benefits will be according to the provisions stated in the State Managerial Plan:

- Group Insurance
- Student Loan Reimbursement (upon the availability of funds)
- Mobile Device Allowance
- Expense Reimbursement
- Relocation Expenses
- Worker's Compensation; Injured on Duty Pay
- Early Retirement Incentive

U. Effective Date

This Plan shall become effective July 1, 2019 except those items included in Section T, Other Benefits, which shall be effective on the dates as shown in that plan and continue in force until a revised plan and/or amendments are approved by the Commissioner of Minnesota Management & Budget and the Joint Subcommittee on Employee Relations of the Legislative Coordinating Commission.

APPENDIX A

Hours of Vacation Accrued During Each Payroll Period of Continuous Service

Length of Service Requirement

Number of Hours Worked During Pay Period	Administrator and Coordinator 0-5 Years	Other Unclassified Classifications 0 through 20 years or Administrator and Coordinator 6 through 20 years	Over 20 Years
Less than 9.5	0	0	0
At least 9.5, but less than 19.5	1.25	1.5	1.75
At least 19.5 but less than 29.5	1.50	2	2.25
At least 29.5 but less than 39.5	2.25	3	3.50
At least 39.5 but less than 49.5	3	4	4.50
At least 49.5 but less than 59.5	3.75	5	5.75
At least 59.5 but less than 69.5	4.50	6	6.75
At least 69.5 but less than 79.5	5.25	7	8
At least 79.5	6	8	9

Upon initial entry to the State service in a full-time, unlimited, unclassified position, an eligible unclassified employee shall be credited with eighty (80) hours of vacation leave. Such credit shall be reduced proportionately as vacation leave is accumulated.

APPENDIX B

Hours of Sick Leave Accrued During Each Payroll Period of Continuous Service

<u>Number of Hours Worked/Paid</u>	<u>Number of Hours Accrued</u>
Less than 9.5	0
At least 9.5 but less than 19.5	.75
At least 19.5 but less than 29.5	1.0
At least 29.5 but less than 39.5	1.50
At least 39.5 but less than 49.5	2.0
At least 49.5 but less than 59.5	2.50
At least 59.5 but less than 69.5	3.0
At least 69.5 but less than 79.5	3.50
At least 79.5	4.0

Note: For purposes of this Appendix, “hours worked/paid” means all hours worked, and all paid leaves of absence, paid vacation, sick leave, and paid holidays.

APPENDIX C

Pro Rata Schedule for Holiday Pay

Hours that would have been worked during the pay period had there been no holiday	Holiday hours earned for each holiday in the pay period
Less than 9.5	0
At least 9.5 but less than 19.5	1
At least 19.5 but less than 29.5	2
At least 29.5 but less than 39.5	3
At least 39.5 but less than 49.5	4
At least 49.5 but less than 59.5	5
At least 59.5 but less than 69.5	6
At least 69.5 but less than 79.5	7
At least 79.5	8