

EMPLOYEE MOBILITY

Description and Scope - Mobility is the voluntary and limited assignment of an employee to alternative duties in another state agency, public jurisdiction, federal government or private industry. This Administrative Procedure applies to employees of executive branch state agencies only. Mobility agreements with other governmental jurisdictions and the private sector are covered by this Administrative Procedure and Minn. Stat. § 15.51-15.59.

Objectives - To provide state employees the opportunity to develop new skills and broaden career perspectives while providing state agencies with special professional, technical, clerical or managerial expertise.

Definitions - Key Terms

Sending Agency is the employee's home agency.

Receiving Agency is the state agency or public jurisdiction, federal government, or private industry which accepts the services of an employee.

Responsibility -

A. Appointing Authority (Receiving Agency):

- If the assignment is to another state agency and to a new or changed position, submit a work description or a position description for review and approval by DOER's Classification Division.
- Prepare a written mobility agreement covering duration, conditions under which the agreement can be terminated by the parties, percentage of the employee's salary and benefits to be paid by each agency and other provisions as necessary for a complete understanding. The agreement is to be signed by the appointing authorities or their designee of sending and receiving agencies and the employee prior to the assignment.
- Submit all mobility agreements to DOER Transactions Unit prior to the beginning of the assignment.
- Notify DOER of extensions and/or terminations of the mobility agreement.
- Provide the sending agency any necessary data to evaluate the employee for performance appraisal.

- Evaluate the employee's performance, in conjunction with the sending agency; conduct performance appraisals and notify sending agency to process salary increases as appropriate.

B. Appointing Authority (Sending Agency).

If the assignment is to another agency:

- Review the proposed assignment for possible conflicts of interest.
- Process salary increases as appropriate after receiving evaluation of employee's performance from receiving agency.

If the assignment is to another public jurisdiction, federal government, or private industry:

- Prepare a written mobility agreement covering the duration, conditions under which the agreement can be terminated by the parties, description of the job duties, percentage of the employee's salary and benefits to be paid by each agency and other provisions as necessary for a complete understanding. The agreement is to be signed by the appointing authorities or their designee of sending and receiving agencies and the employee prior to the assignment.
- Submit the agreement to DOER Transactions Unit prior to the beginning of the assignment.
- Notify DOER of extensions and/or terminations of the mobility agreement.

C. Department of Employee Relations:

- Review mobility agreements and personnel transactions to determine compliance with collective bargaining agreements and plans, Administrative Procedures and statutes.
- Publish mobility opportunities in the promotional examination announcements as requested by receiving agencies.
- Determine classification of newly established or changed positions on mobilities between state agencies.

Provisions -

A. Eligibility/Qualifications:

1. An employee who goes on a mobility assignment need not test for the classification of the mobility assignment but must meet any licensure or certification requirement for the position to which assigned.

2. Classification of the mobility assignment can be to the same, lower, higher or transferable class from the employee's present classification. Assignment to a different classification must be treated as a work out of class assignment (see Administrative Procedure 17.1).

B. Duration:

An assignment which is not covered by Administrative Procedure 17.1, may be on a full or part-time basis of normally no more than one year in duration, but may be extended not to exceed 24 months with prior approval of the Commissioner and the consent of the parties.

C. Compensation:

1. Payment during a mobility assignment must be consistent with requirements of collective bargaining agreements and compensation plans and laws.
2. The employee on mobility assignment shall only be eligible for salary increases due in his/her permanent class in the sending agency consistent with collective bargaining agreements and plans.

D. Seniority, Benefits, Status:

1. During a mobility assignment, an employee retains his or her permanent class and status in the sending agency and remains in the bargaining unit or compensation plan to which the class is assigned and continues to accrue benefits accordingly.
2. Classified employees earn no classification seniority in the assignment class during the mobility assignment. He or she continues to earn classification seniority in the permanent class.
3. Eligibility for overtime is based upon the duties performed in the assignment class, in accord with the Federal Fair Labor Standards Act and/or collective bargaining agreements and plans.
4. An employee on a mobility assignment may receive credit in examinations for relevant work experience gained from the assignment, but is not eligible to compete for agency promotional examinations in the receiving agency.
5. An employee returning from a mobility assignment shall be entitled to return as provided in the reinstatement from leave provision of the appropriate collective bargaining agreement and/or compensation plan.
6. If, during the mobility assignment, the sending or receiving agency is facing a layoff situation that could affect the employee or position involved, the mobility assignment must be terminated prior to any layoff action.

Other Relevant Laws, Rules, Contracts and Administrative Procedures:

The following items have an impact on material contained in this procedure. Review of these items is essential for a total understanding of the subject.

- A. M.S. § 43A.21 - Training programs.
- B. M.S. § 43A.18 - Total compensation; collective bargaining agreement; plans.
- C. M.S. § 43A.37 - Payrolls.
- D. Administrative Procedure 21C (Career Development).
- E. Administrative Procedure 17.1 (Work Out of Class).
- F. Administrative Procedure 21.3 (Management Development).
- G. Administrative Procedure 7 (Maintenance of the Classification Plan).
- H. Transaction Processing Instructions.