

FEB 08 2010



HUMAN RESOURCE MANAGEMENT SERVICES
STATE OF NORTH DAKOTA

Laurie Steriotti Hammeren, SPHR
Director

February 8, 2010

Mr. John Walstad, Code Revisor
ND Legislative Council
State Capitol, 2nd Floor
600 East Boulevard Ave., Dept. 160
Bismarck, ND 58505-0360

Dear Mr. Walstad:

The Notice of Intent to Adopt and Amend Administrative Rules for ND Human Resource Management Services and a copy of the proposed rules are enclosed as required by N.D.C.C. § 28-32-10(1).

Sincerely,

A handwritten signature in blue ink that reads "Laurie Steriotti Hammeren".

Laurie Steriotti Hammeren, SPHR
Director

Enclosures

NOTICE OF INTENT TO
ADOPT AND AMEND ADMINISTRATIVE RULES

TAKE NOTICE that ND Human Resource Management Services (HRMS), in cooperation with the State Personnel Board, will hold a public hearing to address proposed new sections and amendments to N.D. Admin. Code 4-07 at 9:00 a.m. on March 15, 2010, in the Fort Totten Room, Ground Floor of the Capitol. Written and oral comments will be accepted at the hearing.

The proposed rules will reflect changes to NDCC 54-44.3. ND Human Resource Management Services will be adopting and amending rules of the Division relating to the following chapters of NDAC 4-07:

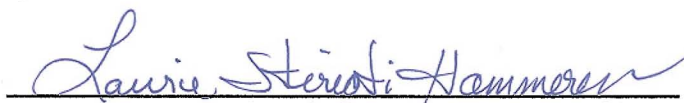
- 4-07-02-21 Performance Bonus
- 4-07-19-04.1 Suspension Without Pay
- 4-07-20-02 Requirements for Grievance Procedures
- 4-07-20.1 Appeals of Employer Actions
- 4-07-20.1-02 Definitions
- 4-07-20.1-04 Commencement of Agency Grievance Procedure – Time Limitations
- 4-07-20.1-08 Procedure for Appeals of Employer Actions to Human Resource Management Services
- 4-07-20.2-01 Scope of Chapter
- 4-07-20.2-01.1 Employees Not in the Classified Service May Appeal Claims of Reprisal
- 4-07-20.2-02 Definitions
- 4-07-20.2-03 Statutory Definitions
- 4-07-20.2-04 Applicants, Probationary Employees, or Regular Employees May Appeal Reprisal or Discrimination in Employment
- 4-07-20.2-04.1 Procedure for Applicant Appeals of Discrimination or Reprisal in Employment to Agency Appointing Authority
- 4-07-20.2-05 Completion of Agency Grievance Process Prior to Appeal to Human Resource Management Services
- 4-07-20.2-06 Waiver of Agency Grievance Procedure
- 4-07-20.2-07 Procedure for Appeals of Discrimination or Reprisal to Human Resource Management Services
- 4-07-36-02 - Payment of Training and Tuition

The proposed rules and amendments are not expected to have an impact on the regulated community in excess of \$50,000, and neither the Governor nor any member of the Legislative Assembly requested a regulatory analysis.

The proposed rules may be reviewed at the office of ND Human Resource Management Services, 600 East Boulevard Avenue, Dept. 113, Bismarck ND 58505-0120, or on the HRMS website at www.nd.gov/hrms. A copy of the proposed rules and/or a regulatory analysis may be requested by writing the above address or calling (701) 328-3293. Written comments on the proposed rules sent to the above address or e-mailed to hrms@nd.gov, and received by March 25, 2010, will be fully considered.

If you plan to attend the public hearing and will need special facilities or assistance relating to a disability, please contact ND Human Resource Management Services at the above telephone number or address at least five days before the public hearing.

Dated this 8th day of February 2010.


Laurie Sterioti Hammeren, SPHR
Director of Human Resource Management Services