

Minnesota Bureau of Mediation Services

REQUEST FOR COMMENTS for Possible Amendments to Rules Relating to Representation; Minnesota Rules, Chapter 5510; Revisor's ID Number R-04915

Subject of Rules. The Minnesota Bureau of Mediation Services (bureau) requests comments on possible amendments to its rules governing Representation and other topics authorized under Minnesota Statutes Chapter 179A.

The legislature directed the commissioner to adopt rules on petitions for majority verification, including technical changes needed to implement new procedures under Minnesota Statutes section 179A.12. The bureau also requests comments on revisions related to Representation, including valid authorization signatures, unit clarification, unit mergers, and elections. Overall, the bureau seeks to better align rules with statute, streamline representation processes, and enhance the bureau's ability to carry out its statutorily required duties.

Other possible rule amendments on additional topics could occur as the bureau proceeds through the rulemaking process and receives public comments.

Persons Affected. The rule amendments likely affect:

- public employers and employees
- labor organizations
- attorneys and consultants representing clients before the bureau

Statutory Authority. The bureau has the statutory authority to amend and adopt rules under Minnesota Statutes, sections 179.02, subdivisions 3 and 4; 179A.04, subdivision 3, paragraph (a), clause (6) and (14); 179A.16, subdivision 7; 626.892, subdivision 10, and Laws of Minnesota 2024, chapter 127, article 8, section 20.

Public Comment. Interested persons or groups may submit information or comments electronically to the Bureau contact person at the email listed below on these possible rules until the bureau publishes a notice of intent to adopt the rules. The bureau will not publish a notice of intent to adopt the rules until at least 60 days after the Request for Comments is published. Comments should identify the portion of the rules addressed and the reason for the comment. Important: Submitted comments are available to the public upon request. Please only submit information that you wish to make available publicly.

The bureau is also interested in:

- whether local governments might be required to adopt or amend an ordinance or other regulation to implement the possible rules;
- whether the cost of complying with the rule in the first year after the rule takes effect will exceed \$25,000 for one small city or business under Minnesota Statutes, section 14.127; and
- the possible cumulative effect of the rule with other federal and state regulations.

Rules Drafts. The bureau has posted a preliminary draft of possible rules changes. Rule drafts are available on its website (<https://mn.gov/bms/statutesrulespolicies/index/>) as drafts become available.

Agency Contact Person. Written comments, questions, requests to receive rule drafts, and requests for more information on these possible rules should be directed to Tom Shoemaker tom.shoemaker@state.mn.us, 651-649-5444, or the Bureau of Mediation Services mediation.services.bms@state.mn.us, 1021 Bandana Blvd E., Suite 226, St. Paul, MN 55108.

Alternative Format. Upon request, this information can be made available in an alternative format such as large print, braille, or audio. To make such a request, please contact the agency contact person.

NOTE: Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge if a proceeding to adopt rules is started. The bureau is required to

submit to the judge only those written comments received in response to the rules after they are proposed in a notice of intent to adopt the rules published in the State Register; if you submit comments before the notice is published and you want to ensure that the Administrative Law Judge reviews the comments, you should resubmit the comments after the rules are formally proposed.

Dated: March 18, 2025

Johnny J. Villarreal, Commissioner
Bureau of Mediation Services