

1.1 **Bureau of Mediation Services**

1.2 **Proposed Permanent Rules on Unit Mergers and Technical Changes**

1.3 **5510.0320 FILING AND SERVICE.**

1.4 *[For text of subparts 1 and 2, see Minnesota Rules]*

1.5 Subp. 3. **Filing method.** Unless another manner of filing is required by law, a document
1.6 may be filed:

1.7 *[For text of items A to C, see Minnesota Rules]*

1.8 D. electronically, ~~with the express, prior written consent of the recipient that has~~
1.9 ~~provided~~ at an email address provided for the filing purpose.

1.10 *[For text of subpart 4, see Minnesota Rules]*

1.11 **5510.0410 FILING PETITION.**

1.12 *[For text of subpart 1, see Minnesota Rules]*

1.13 Subp. 2. **Eligibility; single-party petition.**

1.14 *[For text of items A and B, see Minnesota Rules]*

1.15 C. An exclusive representative may file a petition for:

1.16 *[For text of subitems (1) and (2), see Minnesota Rules]*

1.17 (3) transfer of exclusive representative status; ~~and~~

1.18 (4) abandonment of exclusive representative status;

1.19 (5) request for unit merger; and

1.20 (6) request for maintenance of status quo in part.

1.21 *[For text of item D, see Minnesota Rules]*

1.22 *[For text of subparts 3 and 4, see Minnesota Rules]*

2.1 **5510.0720 UNIT MERGER PETITION.**

2.2 **Subpart 1. Filing a petition.** A petition requesting merger of two appropriate units
2.3 must include:

2.4 A. the name, address, email address, and telephone number of a representative
2.5 for the employer and the exclusive representative;

2.6 B. a statement on whether there are effective labor contracts and the expiration
2.7 date of the contracts;

2.8 C. the type of public employer involved;

2.9 D. the approximate number of employees in each bargaining unit to be merged;

2.10 E. a description of the proposed unit;

2.11 F. the date the petition is signed; and

2.12 G. the name and title of the person signing the petition.

2.13 **Subp. 2. Right to merger.** In accordance with Minnesota Statutes, section 179A.09,
2.14 subdivision 4, upon request of an exclusive representative, the commissioner must certify
2.15 as a single bargaining unit two or more units represented by the exclusive representative
2.16 within the same employer.

2.17 **Subp. 3. Existing labor agreements.** The labor agreements in place expire on the
2.18 date the commissioner certifies the new unit.

2.19 **Subp. 4. Employee rights.** Terms and conditions of employment in existence before
2.20 the merged unit is certified continue until a new agreement is ratified.

2.21 **Subp. 5. Notice of bargaining.** The request of an exclusive representative to merge
2.22 units constitutes a notice of intent to meet and negotiate an agreement in accordance with
2.23 Minnesota Statutes, section 179A.14, subdivision 1.

3.1 **5510.0810 AUTHORIZATION SIGNATURES.**

3.2 *[For text of subpart 1, see Minnesota Rules]*

3.3 Subp. 2. **Valid authorization signatures.**

3.4 A. Authorization signatures must be in the form of individual authorization cards
3.5 and include:

3.6 *[For text of subitems (1) and (2), see Minnesota Rules]*

3.7 (3) the employee's information and signature; ~~and~~

3.8 (4) the date the employee signed the card; and

3.9 (5) the name of the employee organization.

3.10 B. Authorization cards may contain the employee organization's ~~name~~, address,
3.11 email address, dues information, and telephone number.

3.12 Subp. 3. **Invalid authorization card.** An authorization card is invalid if it:

3.13 A. does not include the information and statements required under subpart 2;

3.14 ~~B. contains statements of explanation, interpretation, or advice;~~

3.15 ~~C. B.~~ is modified or altered in any way; or

3.16 ~~D. C.~~ is dated more than ~~six~~ 12 months before the commissioner receives the
3.17 petition.

3.18 *[For text of subpart 4, see Minnesota Rules]*

3.19 **5510.0910 UNIT CLARIFICATION PETITION.**

3.20 Subpart 1. **Petition requirements.** A petition for unit clarification must include:

3.21 A. a statement on whether there is an effective labor contract and the contract's
3.22 expiration date;

- 4.1 B. the type of public employer involved;
- 4.2 C. the approximate number of employees affected by the proposed unit
- 4.3 clarification;
- 4.4 D. a specific statement of the unit clarification requested and the reasons for the
- 4.5 request;
- 4.6 E. the date the petition is signed; and
- 4.7 F. the name and title of the person signing the petition.

4.8 Subp. 2. **Authorization cards.** Authorization cards are not required for unit

4.9 clarification petitions.

4.10 **5510.2010 ELECTIONS.**

4.11 *[For text of subpart 1, see Minnesota Rules]*

4.12 **Subp. 2. Election method.**

4.13 A. In accordance with Minnesota Statutes, section 179A.12, subdivision 2a, the

4.14 commissioner must certify a proposed unit upon receipt of a valid petition after determining

4.15 that over 50 percent of the employees in the appropriate unit provided authorization

4.16 signatures.

4.17 B. If the commissioner orders an election, it must be conducted by secret ballot

4.18 either at a site of employment or by mail, as determined under Minnesota Statutes, section

4.19 179A.12, subdivision 7.

4.20 *[For text of subparts 3 to 16, see Minnesota Rules]*