STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Proposed
Permanent Rules Relating to the
Minnesota Labor Relations Act and the
Public Employment Labor Relations Act

ORDER ON REVIEW OF
RESUBMITTED RULES UNDER
MINN. STAT. § 14.26, SUBD. 3 AND
MINN. R. 1400.2300, SUBP. 8

This matter came on for review by the Chief Administrative Law Judge pursuant to
Minn. Stat. § 14.26, subd. 3 (2020), and Minn. R. 1400.2300, subp. 8 (2021). This
rulemaking concerns the proposed rules of the Bureau of Mediation Services (Bureau).

Administrative Law Judge LauraSue Schlatter disapproved portions of the rules in
an Order on Review of Rules dated March 31, 2022. The Chief Administrative Law Judge
concurred with the determinations of the Administrative Law Judge by Order dated April 5,
2022.

On May 2, 2022, the Bureau resubmitted the proposed rule and requested the
Chief Administrative Law Judge review and approve its modifications. The modifications
did not incorporate Administrative Law Judge Schlatter’s recommended changes.

By Order dated May 9, 2022, the Chief Administrative Law Judge found that one
of the identified defects had been corrected, but that the proposed repeal of one rule part
composed a defect that required disapproval.

On May 12, 2022, the Bureau made a second resubmission of the proposed rules
and requested the Chief Administrative Law Judge review and approve its modifications.

The Chief Administrative Law Judge finds that all of the defects identified in the
prior orders have now been corrected. In addition, the Chief Judge finds that the Bureau’s
proposed modifications do not render the final proposed rules substantially different from
those published in the State Register on December 20, 2021.

Based upon a review of the modifications made by the Bureau as presented in its
May 12, 2022, submissions and the rulemaking record, the Chief Administrative Law
Judge issues the following:

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3 Order on Review of Resubmitted Rules (May 9, 2022).
4 Minn. Stat. § 14.05, subd. 2(b)(2) (2020) (“A modification does not make a proposed rule substantially
different if . . . the differences are a logical outgrowth of the contents of the notice of intent to adopt or notice
of hearing and the comments submitted in response to the notice.”).
ORDER

The proposed rules, as modified in the Revisor's draft dated May 12, 2022, are approved as to legality.

Dated: May 16, 2022

JENNY STARR
Chief Administrative Law Judge