

IN THE MATTER OF A PETITION FOR  
DETERMINATION OF THE APPROPRIATE  
UNIT AND CERTIFICATION AS EXCLUSIVE  
REPRESENTATIVE

June 6, 2025

City of Cook,  
Cook, Minnesota  
- and -  
International Union of Operating Engineers, Local 49  
Minneapolis, Minnesota

BMS Case No. 25PCE1687

**DETERMINATION OF APPROPRIATE UNIT**  
**AND**  
**CERTIFICATION OF EXCLUSIVE REPRESENTATIVE ORDER**

**INTRODUCTION**

On May 13, 2025, the State of Minnesota, Bureau of Mediation Services (Bureau), received a petition filed by the International Union of Operating Engineers, Local 49, Minneapolis, Minnesota (Union). The petition requested determination of an appropriate unit and certification as exclusive representative for certain employees of the City of Cook, Cook, Minnesota (City).

Pursuant to the majority verification procedure under Minn. Stat. 179A.12, subd 2a, the required showing of interest required to warrant certification as the exclusive representative of an appropriate unit, without a mail ballot election, is over 50 percent. If the Union has submitted the required showing of interest, the Bureau will certify the Union as the exclusive representative for the employees falling within the agreed to bargaining unit.

**AGREEMENTS OF THE PARTIES**

Correspondence submitted to the Bureau demonstrated the parties' agreeance to the following:

1. The description of the bargaining unit.
2. The employees included within the bargaining unit.

### **ISSUES**

1. Are the agreements of the parties appropriate?
2. Has the Union submitted the required showing of interest pursuant to Minn. Stat. 179A.12, subd. 2a, through valid authorization cards substantiating majority status, to warrant certification without the necessity of a mail ballot election?

### **FINDINGS AND ORDERS**

1. The agreements of the parties are appropriate.
2. A card check was conducted by the Bureau and the results of the card check found that the Union has submitted the required showing of interest pursuant to Minn. Stat. 179A.12, subd. 2a, through valid authorization cards substantiating majority status, to warrant certification as the exclusive representative for the employees falling within the agreed to bargaining unit.
3. The International Union of Operating Engineers, Local 49, Minneapolis, Minnesota, is certified as the exclusive representative for all employees falling within the following appropriate unit:

All public works employees employed by the City of Cook, Minnesota, who are public employees within the meaning of Minn. Stat. 179A.03, subd. 14, excluding supervisory and confidential employees within the meaning of Minn. Stat. 179A.03, subd 17 and 4, and all other employees.

4. The Notice of Maintenance of Status Quo issued by the Bureau on January 2, 2024, is hereby lifted.
5. The employer shall make copies of this order and any attachments upon receipt and post at the work location(s) of all involved employees for no less than fourteen (14) days.

STATE OF MINNESOTA  
Bureau of Mediation Services

JOHNNY J. VILLARREAL  
Commissioner

/s/ TAYLOR A. LEBSOCK  
Representation Specialist

cc: Theresa Martinson  
Cory Bergerson