

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

October 7, 2025

AFSCME Minnesota Council 65, AFL-CIO,
South St. Paul, Minnesota
- and -
State of Minnesota, Competency Attainment Board, Judicial Branch,
St. Paul, Minnesota

BMS Case No. 26PCE0295

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

INTRODUCTION

On September 12, 2025, the State of Minnesota, Bureau of Mediation Services (Bureau), received a petition filed by AFSCME Minnesota Council 65, AFL-CIO, South St. Paul, Minnesota (Union). The petition requested determination of an appropriate unit and certification as exclusive representative for certain employees of the State of Minnesota, Competency Attainment Board, Judicial Branch, St. Paul, Minnesota (Board or Employer).

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 of the Board 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. AFSCME Minnesota Council 5, AFL-CIO, South St. Paul, Minnesota is certified as the exclusive representative for all employees falling within the following appropriate unit:

All forensic navigators employed by the Minnesota Competency Attainment Board, a Judicial Branch agency, 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 managerial employees within the meaning of Minn Stat. 179A.101, subd. 2.
4. The Notice of Maintenance of Status Quo issued by the Bureau on September 12, 2025, is hereby lifted in its entirety.
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/ SHAINA-MARIE DAVENPORT
Representation Specialist

cc: MaryBeth Juetten
Kim Larson