



Frequently Asked Questions about Child Care Collective Bargaining

1. *What is the purpose of this executive order?*

This executive order will offer a fair and open election process to settle the controversy that currently exists on this issue. This election will allow licensed registered family child care providers who receive subsidy payments to choose whether they want meet and confer representation by a union.

2. *What is meet and confer representation?*

If a majority of family child care providers votes for representation by a union, the selected union would meet and confer with the Commissioners of Human Services and Education regarding issues of mutual concern, including for example: availability of training opportunities and funding, reimbursement rates, and changes to state programs.

3. *Does the Governor have authority to issue this executive order calling for an election?*

Yes. Governor Dayton has authority to direct the Commissioner of the Bureau of Mediation Services (BMS) to conduct an election pursuant to the Commissioner's authority under Minnesota laws and statutes, including Chapter 179.

4. *Who will be eligible to vote in this election?*

Voters in this election will include only licensed family child care providers registered to receive subsidy payments for providing child care services pursuant to the state-funded Child Care Assistance Programs (CCAP).

5. *Will family child care providers be forced to join a union?*

No. Under this executive order, an election will be held. But even if the majority of providers vote for a union to represent them in meet and confer sessions with the State, each individual provider will have a choice whether or not to join a union.

6. *Will family child care providers be forced pay union dues?*

No. Membership in any union will be voluntary, and providers would retain the right to run their own business as they always have. This executive order will not make providers state employees, nor would it create the right to strike. The Minnesota Fair Share law (Minn. Stat. § 179A.06, subd. 3), which requires all public employees to contribute "a fair share fee for services rendered by the exclusive representative," would not apply to these family child care providers.

7. *What is the argument for family child care providers to join a union?*

Some family child care providers argue that they are seeking a stronger voice to increase the quality of child care, to improve access for working parents, and to reduce staffing turnover in their workforce. For example, they want to increase the quality of care, by improving providers' access to critical training, including first aid and CPR, child abuse prevention and child nutrition. But whether these voices represent a majority of providers will be tested in a neutral election.

8. *Will the cost of union dues be passed along to parents?*

Providers can each decide for themselves whether to join the union and what rates to charge parents.

9. *How much will union dues be?*

If a union is recognized in the election, union members will decide what they want to accomplish, how much it's going to cost, and whether they can afford it. If they so choose, providers will set their own dues, and voluntary membership will ensure that dues are reasonable.

10. *Family child care providers own their own businesses – who will their unions negotiate with?*

Family child care providers don't fit the traditional union model. However, if they choose to be represented by a union in the election, then the union will represent them in meet and confer sessions with the two state agencies that set rates and rules and develop early education policies – the Department of Human Services and the Department of Education.

11. *Have child care providers unionized in other states?*

Yes. 15 other states have authorized child care providers to bargain collectively with the state.

12. *Would being in a union interfere with providers' ability to run their own businesses?*

Family child care providers run their own businesses. Unionizing won't change that. Providers will still negotiate their prices and their terms with parents.

13. *Which union will represent which providers?*

A majority of family child care providers must first decide whether they want to be represented. Providers in the northern half of the state will vote on meet and confer representation by AFSCME Child Care Providers Together (Hennepin, Ramsey and St. Louis counties). Providers in the southern half of the state will vote on meet and confer representation by SEIU Kids First (Anoka, Olmsted and Stearns counties). These geographic determinations were determined by a neutral arbitrator.

14. *Won't providers forming a union raise costs for child care or drive up taxes?*

It doesn't cost anything for providers to have a voice with the state. Any changes to the child care program resulting from negotiations with providers which has a fiscal impact would be evaluated through our existing fiscal note process and would require an appropriation by the Legislature.

15. *Will child care providers who do not join a union be prohibited from communicating with the Commissioner of Human Services?*

No. The Executive Order explicitly states that this would not interfere with the right of any citizen or organization to communicate or meet with any state agency concerning family child care legislation, regulation or policy.