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Bureau of Mediation Services

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<https://mn.gov/bms/>

AT A GLANCE

The Bureau of Mediation Services (BMS) oversees the collective-bargaining relationship between all public-sector employers, charitable hospitals and nursing homes, and some private-sector employers and their unionized employees. The following data are for FY 2022.

- There are over 315,000 public employees, and over two-thirds work under about 4,000 union contracts.
- BMS received 2,594 requests for service; during the same period there were 2 strikes, 43 arbitrations (of which 11 were contract arbitrations), and 3 veterans' preference hearings.
- BMS doesn't have an opportunity to mediate every case that goes to arbitration, but BMS still achieved a 91% success rate in preventing cases from going to arbitration.
- BMS conducted 1,465 mediation meetings, 216 trainings and facilitations, 44 representation election tabulations, and 207 representation hearings, prehearings, and investigations.

PURPOSE

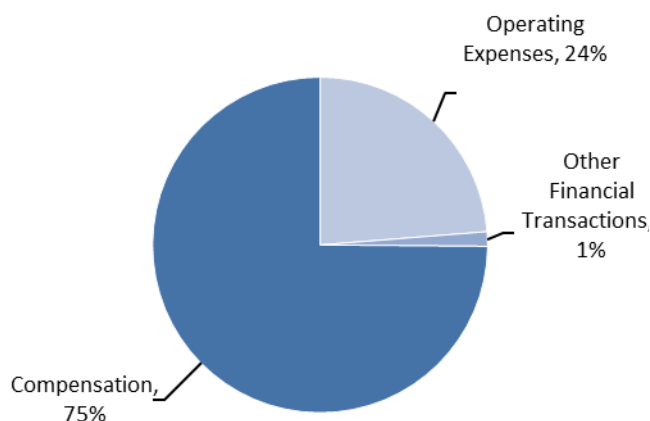
The mission of BMS is to promote orderly and constructive labor-management relations and to advance the use of alternative dispute resolution and collaborative processes.

The Bureau monitors collective-bargaining disputes and works to prevent strikes and arbitration, by directly mediating labor negotiations and providing labor-management training. Representation rights—an employee's right to unionize or refrain from unionizing—are regulated through an administrative law process that includes administrative investigations, hearings, and elections.

BMS provides training in several areas, including labor-management committee effectiveness and cochair facilitation, conflict resolution, interest-based bargaining, the Minnesota Public Employment Labor Relations Act (PELRA), and contract and grievance mediation. For existing labor-management committees and parties using interest-based bargaining, BMS assists with facilitating meetings and guiding parties through the process of interest-based bargaining.

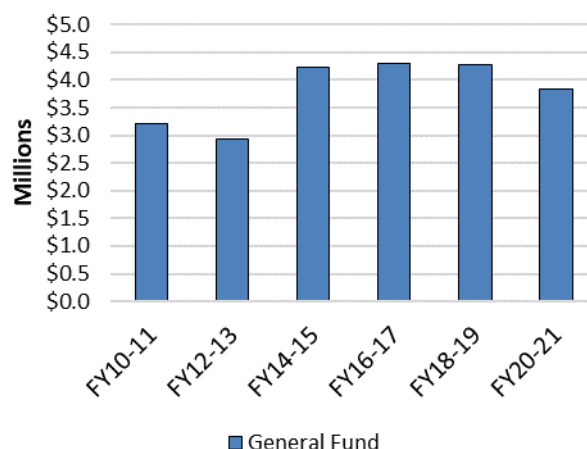
BUDGET

**Spending by Category
FY 2021 Actual**



Source: Budget Planning & Analysis System (BPAS)

Historical Spending



Source: Consolidated Fund Statement

STRATEGIES

BMS contributes to statewide outcomes by:

1. mediating collective-bargaining and grievance disputes and promoting voluntary resolution of representation questions;
2. promoting cooperation among labor and management through worksite labor-management committees;
3. administering a statewide labor-management grant program;
4. maintaining rosters of qualified neutral arbitrators to hear and decide contract and grievance disputes that cannot be resolved through mediation;
5. training labor and management representatives in negotiation, mediation, conflict resolution, relationship management, and interest-focused bargaining; and
6. ensuring that disputes are efficiently resolved by providing collaborative problem-solving services to state and local governments.

RESULTS

In fiscal years 2021 and 2022, BMS resolved a combined 726 grievance and contract cases, improving the efficiency and effectiveness of the public and private sector with stable labor-management relations. This stable labor-management relations resulted in dollars and work hours saved by preventing strikes, arbitration, and litigation, and also contributed to improved productivity and higher employee morale. The inability to meet in person during the pandemic negatively impacted resolutions. FY 2022 outcomes are improved over FY 2021 as work has transitioned back to in-person.

Measures of BMS work are successful case settlement rates and timely resolution of representation petitions.

<i>Type of Measure</i>	<i>Name of Measure</i>	<i>Previous</i>	<i>Current</i>	<i>Dates</i>
Quality	Percentage of collective-bargaining contract and grievance disputes resolved through mediation	97%	85%	FY 2021, FY 2022
Quality	Percentage of representation elections successfully completed within 90 days	91%	88%	FY 2021, FY 2022

Bureau of Mediation Services Statutory Jurisdiction:

Minnesota Labor Relations Act – M.S. 179, <https://www.revisor.leg.state.mn.us/statutes/?id=179&view=chapter>

Public Employment Labor Relations Act – M.S. 179A, <https://www.revisor.leg.state.mn.us/statutes/?id=179A>

Data Practices Act – M.S. 13.37 – 13.43, <https://www.revisor.leg.state.mn.us/statutes/?id=13>

Peace Officer Grievance Arbitration Selection Procedure – M.S. 626.892,

<https://www.revisor.mn.gov/statutes/cite/626.892>

(Dollars in Thousands)

	Actual	Actual	Actual	Estimate	Forecast Base		Enacted Budget	
	FY20	FY21	FY22	FY23	FY24	FY25	FY24	FY25
<u>Expenditures by Fund</u>								
1000 - General	1,761	2,063	2,120	2,632	2,274	2,274	3,691	3,773
Total	1,761	2,063	2,120	2,632	2,274	2,274	3,691	3,773
Biennial Change				929		(204)		2,712
Biennial % Change				24		(4)		57
Enacted Budget Change from Base								2,916
Enacted Budget % Change from Base								64

Bureau of Mediation Services

Agency Financing by Fund

(Dollars in Thousands)

	Actual FY20	Actual FY21	Actual FY22	Estimate FY23	Forecast Base FY24 FY25		Enacted Budget FY24 FY25	
1000 - General								
Balance Forward In		499		233				
Direct Appropriation	2,641	2,761	2,370	2,415	2,290	2,290	3,707	3,789
Transfers In		102						
Transfers Out	405	833	14	16	16	16	16	16
Cancellations		466	3					
Balance Forward Out	475		233					
Expenditures	1,761	2,063	2,120	2,632	2,274	2,274	3,691	3,773
Biennial Change in Expenditures				929		(204)		2,712
Biennial % Change in Expenditures				24		(4)		57
Enacted Budget Change from Base								2,916
Enacted Budget % Change from Base								64

2001 - Other Misc Special Revenue

Balance Forward In	60	65	65	66	68	70	68	70
Receipts	5	0	0	2	2	2	2	2
Balance Forward Out	65	65	66	68	70	72	70	72

(Dollars in Thousands)

	FY23	FY24	FY25	Biennium 2024-25
Direct				
Fund: 1000 - General				
FY2023 Appropriations	2,415	2,415	2,415	4,830
Base Adjustments				
All Other One-Time Appropriations		(125)	(125)	(250)
Forecast Base	2,415	2,290	2,290	4,580
Change Items				
Maintain Current Service Levels		667	749	1,416
Public Employment Relations Board		750	750	1,500
Total Enacted Budget	2,415	3,707	3,789	7,496
Revenue Change Summary				
Dedicated				
Fund: 2001 - Other Misc Special Revenue				
Forecast Revenues	2	2	2	4
Total Enacted Budget	2	2	2	4

(Dollars in Thousands)

	FY23	FY24	FY25	Biennium 2024-25	FY26	FY27	Biennium 2026-27
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Maintain Current Service Levels

This provision increases the Bureau's base budget for mediation/representation/LMC to maintain existing service levels and fund three mediator positions.

1000 - General Fund Cost (Savings)	0	667	749	1,416	749	749	1,498
Expenditures	0	667	749	1,416	749	749	1,498

Public Employment Relations Board

This provision provides funding for the Public Employment Relations Board to hire and maintain a staff that can undertake the basic operations of the PERB.

1000 - General Fund Cost (Savings)	0	750	750	1,500	750	750	1,500
Expenditures	0	750	750	1,500	750	750	1,500