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Bureau of Mediation Services

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

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 2023-24.

- There are approximately 438,000 public employees¹, who are employed by 87 counties, 800+ cities, 300+ school districts, higher education institutions, public utilities, townships, and State Employees.
- BMS received 4816 requests for service; covering representation, contract and grievance mediation, labor management facilitation and training and arbitration requests. There were 4 strikes, 460 arbitration panels distributed, 99 arbitration decisions posted, and 26 veterans' preference requests.
- BMS settled 98% of contract mediation cases prior to arbitration or strike.
- BMS conducted 1592 mediation meetings, 103 trainings and facilitations, 45 representation election tabulations, and 34 representation hearings, prehearings, and investigations.

The Public Employment Relations Board (PERB) investigates and decides public-sector unfair labor practice (ULP) allegations.

- In FY 2024, unions, employers and employees filed 63 charges² with PERB. Without the PERB, parties were forced to litigate cases in district courts, that lack experience with Minnesota's public labor law.

PURPOSE

The mission of BMS is to promote stable and constructive labor-management relations.

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.

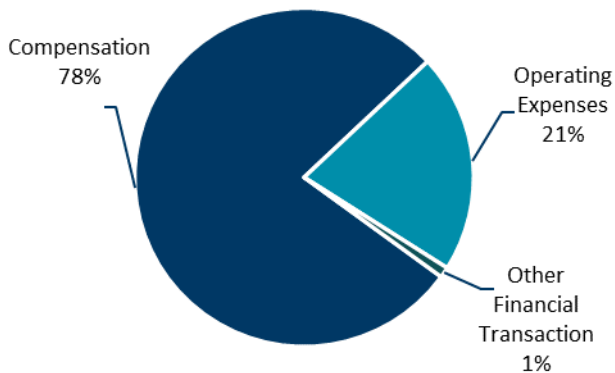
The PERB also supports stable labor-management relations through the resolution of unfair labor practice (ULP) charges in the public sector. The PERB investigates, issues complaints and conducts hearings when necessary, and will then issue a decision and order related to the charges. The PERB also educates and provides technical assistance to stakeholders and parties. The PERB is made up of appointed experts in collective bargaining and PELRA from labor, management, and recognized neutrals. Prior to PERB's FY 2024 jurisdiction and funding, parties had to litigate cases in state district courts that lack expertise in PELRA.

¹ <https://mn.gov/deed/data/data-tools/current-employment-statistics/>

² <https://mn.gov/perb/case-status/case-logs/>

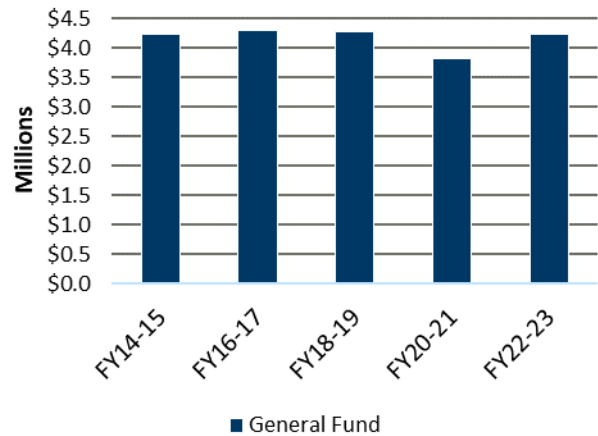
BUDGET

**Spending by Category
FY 2023 Actual**



Source: Budget Planning & Analysis System (BPAS)

Historical Spending



Source: Consolidated Fund Statement

STRATEGIES

BMS contributes to statewide outcomes by:

1. mediating collective-bargaining agreements, grievance disputes and resolving 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, and through resolution of Unfair Labor Practice cases by the Public Employment Relations Board (PERB).

RESULTS

In FY 2023-24 BMS resolved a total of 629 grievance and contract mediation cases, improving the efficiency and effectiveness of the public and private sector with stable labor-management relations. Stable labor-management relations result in dollars and work hours saved by preventing strikes, arbitration, litigation, and contributes to improved productivity and higher employee morale.

Measures of BMS and PERB work are successful case settlement rates, and timely resolution of representation petitions and ULP cases.

<i>Type of Measure</i>	<i>Name of Measure</i>	<i>Measure Data Source</i>	<i>Previous</i>	<i>Current</i>	<i>Dates</i>
Quality	Percentage of BMS collective-bargaining contract disputes resolved through mediation.	BMS Caseload Software / Database	92%	96%	FY 2023, FY 2024
Quality	Percentage of BMS grievance disputes resolved through mediation.	BMS Caseload Software / Database	84%	94%	FY 2023, FY 2024

Type of Measure	Name of Measure	Measure Data Source	Previous	Current	Dates
Quality	Percentage of BMS representation elections successfully completed within 90 days.	BMS Caseload Software / Database	88%	78%	FY 2023, FY 2024
Quantity	Cases filed by unions, employers and employees with the PERB.	BMS Caseload Software / Database	N/A	63 Cases	FY 2024

Bureau of Mediation Services Statutory Jurisdiction:

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

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

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

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

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

Public Employment Relations Board Jurisdiction:

Chapter 7325, Unfair Labor Practices, <https://www.revisor.mn.gov/rules/7325/>

Unfair Labor Practices – M.S. 179A.13, <https://www.revisor.mn.gov/statutes/cite/179A.13>

Unfair Labor Practices Involving Charitable Hospitals – M.S. 179A.135,

<https://www.revisor.mn.gov/statutes/cite/179A.135>