

UNFAIR LABOR PRACTICES - INVESTIGATION AND SETTLEMENT

Description and Scope - The State, its appointing authorities, employee organizations, their agents or representatives and public employees are prohibited from engaging in certain practices. Either party's alleged engagement in any of these unfair practices, as specified in M.S. § 179.68, provide the aggrieved party the right to seek injunctive relief and damages in district court.

Objective - To ensure compliance with the Public Employment Labor Relations Act and the State of Minnesota's labor relations policies by developing and maintaining a coordinated approach to the investigation and settlement of alleged unfair labor practices.

Responsibilities -

A. Appointing Authorities:

- Supply all necessary alleged unfair labor practice information and requisite documentation to the Labor Relations Bureau on request.

B. Department of Employee Relations:

- Direct investigations in cooperation with the Attorney General's Office regarding alleged unfair labor practices filed against the employer and/or the appointing authorities.
- Consult with affected appointing authority and decide whether or not to settle alleged unfair labor practices.
- Develop and implement a training program designed to assist agencies in identifying unfair labor practices and in resolving perceived problems.
- Advise and counsel appointing authorities and/or designees in the resolution of alleged unfair labor practices.

Other Relevant Laws, Rules, Contracts and Administrative Procedures:

The following items have an impact on material contained in this procedure. Review of these items is essential for a total understanding of the subject.

A. M.S. § 179.63 Definitions

B. M.S. § 179.68 Unfair Practices