

State of Minnesota

H. F. No. 4878

1.1 A bill for an act

1.2 relating to legislative enactments; correcting miscellaneous oversights,

1.3 inconsistencies, ambiguities, unintended results, and technical errors; amending

1.4 Minnesota Statutes 2020, section 179A.20, subdivision 4.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2020, section 179A.20, subdivision 4, is amended to read:

1.7 Subd. 4. **Grievance procedure.** (a) All contracts must include a grievance procedure

1.8 providing for compulsory binding arbitration of grievances including all written disciplinary

1.9 actions. If the parties cannot agree on the grievance procedure, they are subject to the

1.10 grievance procedure promulgated by the commissioner under section 179A.04, subdivision

1.11 3, paragraph (a), clause ~~(h)~~ (8).

1.12 (b) Notwithstanding any home rule charter to the contrary, after the probationary period

1.13 of employment, any disciplinary action is subject to the grievance procedure and compulsory

1.14 binding arbitration.

1.15 (c) Employees covered by civil service systems created under chapter 43A, 44, 375,

1.16 387, 419, or 420, by a home rule charter under chapter 410, or by Laws 1941, chapter 423,

1.17 may pursue a grievance through the procedure established under this section. When the

1.18 grievance is also within the jurisdiction of appeals boards or appeals procedures created by

1.19 chapter 43A, 44, 375, 387, 419, or 420, by a home rule charter under chapter 410, or by

1.20 Laws 1941, chapter 423, the employee may proceed through the grievance procedure or the

1.21 civil service appeals procedure, but once a written grievance or appeal has been properly

1.22 filed or submitted by the employee or on the employee's behalf with the employee's consent

1.23 the employee may not proceed in the alternative manner.

2.1 (d) A teacher who elects a hearing before an arbitrator under section 122A.40, subdivision
2.2 15, or 122A.41, subdivision 13, or who elects or acquiesces to a hearing before the school
2.3 board may not later proceed in the alternative manner nor challenge the termination or
2.4 discharge through a grievance procedure required by this subdivision.

2.5 (e) This section does not require employers or employee organizations to negotiate on
2.6 matters other than terms and conditions of employment.

2.7 **EFFECTIVE DATE.** This section is effective the day following final enactment.

2.8 Sec. 2. **EFFECTIVE DATE.**

2.9 Unless otherwise provided, each section of this act is effective at the time the provision
2.10 being corrected is effective.