

A bill for an act
relating to labor; protecting certain communication in the workplace between
labor organizations and employees; prohibiting certain employer conduct;
providing civil remedies; proposing coding for new law in Minnesota Statutes,
chapter 181.

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

Section 1. **[181.985] WORKPLACE COMMUNICATIONS.**

Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms
have the meanings given them in this subdivision.

(b) "Employer" means any person, business entity, or nonprofit organization, having
one or more employees in Minnesota, and includes the state and any political subdivisions
of the state.

(c) "Employee" means a person who performs services for hire in Minnesota for an
employer, but does not include independent contractors.

(d) "Communication" means any printed or electronic document, letter, brochure,
flyer, advertisement, e-mail, text message, or similar means pertaining to union business
or labor organizing as provided under state or federal law.

(e) "Employee organization" or "labor organization" have the same meanings given
them in sections 179.01, subdivision 6, and 179A.03, subdivision 6.

Subd. 2. **Prohibited practice.** An employer may not refuse to hire a job applicant
or discipline or discharge an employee because the applicant or employee has received
or responded to a communication from an employee organization or labor organization.
Nor shall an employer prohibit an employee from receiving communications from an
employee organization at the employee's work location, work mailbox, in an employee
break room or meal area, or on the employee's work computer. Reasonable rules

2.1 concerning the quantity of the communications, political or other inappropriate content of
2.2 the communications, attachments to electronic communications, and appropriate nonwork
2.3 times for review of these types of communications are permitted. An employer may
2.4 discipline or discharge an employee for violations of these rules in accordance with the
2.5 employer's personnel policies or union contract.

2.6 Subd. 3. **Remedy.** The remedy for a violation of this section is through any
2.7 applicable grievance procedure. Damages are limited to wages and benefits lost by the
2.8 individual because of the violation.