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State of Minnesota  
**HOUSE OF REPRESENTATIVES**

EIGHTY-EIGHTH SESSION

**H. F. No. 1765**

04/11/2013 Authored by Nelson

The bill was read for the first time and referred to the Committee on Labor, Workplace and Regulated Industries

04/16/2013 Adoption of Report: Pass and re-referred to the Committee on Rules and Legislative Administration

04/17/2013 Adoption of Report: Pass and re-referred to the Committee on Government Operations

04/18/2013 Adoption of Report: Pass as Amended and re-referred to the Committee on Commerce and Consumer Protection Finance and Policy

1.1 A bill for an act  
1.2 relating to commerce; requiring labor peace agreements on certain qualifying  
1.3 projects; defining terms.  
1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. **LABOR PEACE AGREEMENTS.**

1.6 (a) Labor peace agreements are required on any qualifying project in which the state  
1.7 or a local government has a proprietary interest or acts as a market participant if the  
1.8 project will result in the employment of hospitality workers.

1.9 (b) For the purposes of this section:

1.10 (1) the state or a local government has a proprietary interest or acts as a market  
1.11 participant in a project where it is the owner of the project or finances the project in whole  
1.12 or in part by any of the following: providing a grant, providing a loan, contributing real  
1.13 property, personal property, or infrastructure, guaranteeing any payment under any loan,  
1.14 lease, or other obligation, providing tax increment financing, contributing revenue on  
1.15 general obligation bonds, or providing a tax abatement, reduction, deferral, or credit;

1.16 (2) "qualifying project" means a project that is located in a county that contains a  
1.17 city of the first class as defined under Minnesota Statutes, section 410.01, and includes the  
1.18 construction or development of a hotel, a food and beverage operation that is integral to  
1.19 or adjacent to a hotel, a sports facility, a convention center, a civic center, or a cultural  
1.20 venue with catering or cafeteria facilities;

1.21 (3) "hospitality workers" means all full-time or regular part-time employees of  
1.22 hotels and their adjacent or integral food and beverage operations as well as all full-time or  
1.23 regular part-time employees providing food and beverage, concession, gaming, catering,

2.1 cafeteria, or merchandise services at sports facilities, convention centers, civic centers, or  
2.2 cultural venues, excluding supervisors, managers, and guards;

2.3 (4) "employer of hospitality workers" means an employer of hospitality workers  
2.4 on a qualifying project and includes a developer of a state or local government-owned  
2.5 facility on a qualifying project or a developer of a facility benefiting from state or local  
2.6 government financing on a qualifying project; and

2.7 (5) "labor peace agreement" means a valid collective bargaining agreement or other  
2.8 contract under United States Code, title 29, section 185, between an employer of hospitality  
2.9 workers and any labor organization seeking to represent hospitality workers on a qualifying  
2.10 project. Such agreements must contain a provision prohibiting the labor organization and  
2.11 its members, and in the case of a collective bargaining agreement, all employees covered  
2.12 by the agreement, from engaging in any picketing, work stoppages, boycotts, or any other  
2.13 economic interference with the employer's hospitality operations on the qualifying project  
2.14 for the duration of the state or local government's proprietary interest in the qualifying  
2.15 project or as long as the state or local government acts as a market participant in the  
2.16 qualifying project. Each such agreement must provide that during this time period all  
2.17 disputes relating to employment conditions or the negotiation thereof shall be submitted  
2.18 to final and binding arbitration. Each such agreement must provide that the employer of  
2.19 hospitality workers shall require that any services to be performed by hospitality workers  
2.20 employed by the employer's contractors, subcontractors, tenants, or subtenants shall be  
2.21 done under collective bargaining agreements or other contracts under United States Code,  
2.22 title 29, section 185, containing the same provisions as specified in this clause.

2.23 (c) Any employer of hospitality workers on a qualifying project in which the state or  
2.24 a local government has a proprietary interest or acts as a market participant must have a  
2.25 labor peace agreement with any interested labor organization prior to, and as a condition  
2.26 precedent of, state or local government financing. When the state or a local government  
2.27 acts as project owner, any employer of hospitality workers must have a signed labor peace  
2.28 agreement with any interested labor organization prior to, and as a condition precedent to,  
2.29 its contract with the state or local government.