

Subd. 4. COLLECTIVE BARGAINING RIGHTS. This section does not diminish or impair the rights of a person under any collective bargaining agreement.

Subd. 5. CONFIDENTIAL INFORMATION. This section does not permit disclosures that would violate federal or state law or diminish or impair the rights of any person to the continued protection of confidentiality of communications provided by common law.

Sec. 3. [181.933] NOTICE OF TERMINATION.

Subdivision 1. NOTICE REQUIRED. An employee who has been involuntarily terminated may, within five working days following such termination, request in writing that the employer inform the employee of the reason for the termination. Within five working days following receipt of such request, an employer shall inform the terminated employee in writing of the truthful reason for the termination.

Subd. 2. DEFAMATION ACTION PROHIBITED. No communication of the statement furnished by the employer to the employee under subdivision 1 may be made the subject of any action for libel, slander, or defamation by the employee against the employer.

Sec. 4. [181.934] EMPLOYEE NOTICE.

The department of labor and industry shall promulgate rules for notification of employees by employers of an employee's rights under sections 1 to 5.

Sec. 5. [181.935] INDIVIDUAL REMEDIES; PENALTY.

(a) In addition to any remedies otherwise provided by law, an employee injured by a violation of section 2 may bring a civil action to recover any and all damages recoverable at law, together with costs and disbursements, including reasonable attorney's fees, and may receive such injunctive and other equitable relief as determined by the court.

(b) An employer who failed to notify, as required under section 3 or 4, an employee injured by a violation of section 2 is subject to a civil penalty of \$25 per day per injured employee not to exceed \$750 per injured employee.

Approved May 11, 1987

CHAPTER 77—H.F.No. 830

An act relating to state energy contracts; imposing additional requirements on bidders for state energy efficiency installment purchase contracts; amending Minnesota Statutes 1986, section 16B.16, subdivision 1.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

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

Section 1. Minnesota Statutes 1986, section 16B.16, subdivision 1, is amended to read:

Subdivision 1. (a) The commissioner ~~shall~~ may contract to purchase by installment payments capital or other equipment or services intended to improve the energy efficiency of a state building or facility if:

(1) the term of the contract does not exceed ten years;

(2) the entire cost of the contract is a percentage of the resultant savings in energy costs;

(3) the contract for purchase is competitive; ~~and~~

(4) the commissioner has determined that the contract bidder is a responsible bidder under rules adopted by the commissioner, has adequately performed all previous contracts with the state, and has either established a record of promptly paying all its suppliers and subcontractors or has made secure provisions for doing so in connection with the current contract for goods delivered and services rendered;

(5) the contract bidder can finance or obtain financing for the performance of the contract without state assistance or guarantee; and

(6) the state may unilaterally cancel the agreement if the legislature fails to appropriate funds to continue the contract or if the contractor at any time during the term of the contract fails to provide or maintain the equipment to provide the services, or otherwise to meet specifications for performance.

The commissioner may spend money appropriated for energy costs in payment of a contract under this section.

(b) For purposes of clause (a), "contract bidder" means a sole proprietorship, firm, corporation, or other business entity submitting a bid or, if the entity submitting the bid is a new enterprise, a person having a ten percent or greater financial interest in the entity who has or has had a ten percent or greater financial interest in any other entity that has entered into past contracts with the state or other purchasers.

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