

Minnesota Statutes, section 15A.081, approved by the legislative commission on employee relations September 12, 1990, is ratified.

Subd. 9. ADMINISTRATIVE LAW JUDGES, OFFICE OF ADMINISTRATIVE HEARINGS. The commissioner of employee relations' amendments to the plans for administrative law judges in the office of administrative hearings, approved by the legislative commission on employee relations on March 22, 1991, are ratified.

Sec. 2. EFFECTIVE DATE.

Section 1 is effective the day following final enactment.

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ARTICLE 4

STATE EMPLOYEE PAY DEDUCTIONS AND DEPOSITS

Section 1. Minnesota Statutes 1990, section 16A.133, subdivision 1, is amended to read:

Subdivision 1. **PAYROLL DIRECT DEPOSIT AND DEDUCTIONS.** An agency head in the executive, judicial, and legislative branch shall, upon written request signed by an employee, directly deposit all or part of an employee's pay in any credit union or financial institution, as defined in section 47.015, designated by the employee. An agency head may, upon written request of an employee, deduct from the pay of the employee a requested amount to be paid to the Minnesota benefit association, or to any organization contemplated by section 179A.06, of which the employee is a member, or to a company that has contracted to insure the employee for the medical costs of cancer or intensive care. If an employee is a member of or has accounts with more than one credit union or financial institution or more than one organization under section 179A.06, or is insured by more than one company, only one credit union or financial institution may be paid money by direct deposit, and one credit union, one organization, and one company may be paid money ~~by direct deposit or~~ by payroll deduction from the employee's pay.

Presented to the governor May 24, 1991

Signed by the governor May 28, 1991, 8:40 p.m.

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CHAPTER 239—H.F.No. 304

*An act relating to labor; providing that certain hiring practices by an employer during a*

**New language is indicated by underline, deletions by ~~strikeout~~.**

*strike or lockout are unfair labor practices; amending Minnesota Statutes 1990, sections 179.12; and 179A.13.*

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

Section 1. Minnesota Statutes 1990, section 179.12, is amended to read:

**179.12 EMPLOYERS' UNFAIR LABOR PRACTICES.**

It ~~shall be~~ is an unfair labor practice for an employer:

(1) To institute ~~any~~ a lockout of its employees in violation of ~~any~~ a valid collective bargaining agreement between the employer and its employees or labor organization if the employees at the time are in good faith complying with the provisions of the agreement, or to violate the terms and conditions of ~~such~~ the bargaining agreement;

(2) To institute ~~any~~ a lockout of its employees in violation of section 179.06 or 179.07;

(3) To encourage or discourage membership in ~~any~~ a labor organization by discrimination in regard to hire or tenure of employment or any terms or conditions of employment; provided, that this clause ~~shall~~ does not apply to the provisions of collective bargaining agreements entered into voluntarily by an employer and its employees or a labor organization representing the employees as a bargaining agent, as provided by section 179.16;

(4) To discharge or otherwise to discriminate against an employee because the employee has signed or filed ~~any~~ an affidavit, petition, or complaint or given ~~any~~ information or testimony under this chapter;

(5) To spy directly or through agents or any other persons upon ~~any~~ activities of employees or their representatives in the exercise of their legal rights;

(6) To distribute or circulate ~~any~~ a blacklist of individuals exercising ~~any~~ a legal right or of members of a labor organization for the purpose of preventing individuals ~~so~~ who are blacklisted from obtaining or retaining employment;

(7) To engage or contract for the services of a person who is an employee of another if ~~such~~ the employee is paid a wage ~~which~~ that is less than ~~is~~ agreed the wage to be paid by the engaging or contracting employer under an existing union contract for work of the same grade or classification;

(8) Willfully and knowingly to utilize ~~any~~ a professional strikebreaker to replace an employee or employees involved in a strike or lockout at a place of business located within this state;

(9) To grant or offer to grant the status of permanent replacement employee to a person for performing bargaining unit work for an employer during a lockout of employees in a labor organization or during a strike of employees in a labor organization authorized by a representative of employees;

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~~(10) The violation of clauses (2), (4), (5), (6), (7), and (8), and (9) are hereby declared to be unlawful acts.~~

Sec. 2. Minnesota Statutes 1990, section 179A.13, subdivision 2, is amended to read:

Subd. 2. **EMPLOYERS.** Public employers, their agents and representatives are prohibited from:

(1) interfering, restraining, or coercing employees in the exercise of the rights guaranteed in sections 179A.01 to 179A.25;

(2) dominating or interfering with the formation, existence, or administration of any employee organization or contributing other support to it;

(3) discriminating in regard to hire or tenure to encourage or discourage membership in an employee organization;

(4) discharging or otherwise discriminating against an employee because the employee has signed or filed an affidavit, petition, or complaint or given any information or testimony under sections 179A.01 to 179A.25;

(5) refusing to meet and negotiate in good faith with the exclusive representative of its employees in an appropriate unit;

(6) refusing to comply with grievance procedures contained in an agreement;

(7) distributing or circulating ~~any~~ a blacklist of individuals exercising ~~any~~ a legal right or of members of a labor organization for the purpose of preventing blacklisted individuals from obtaining or retaining employment;

(8) violating rules established by the commissioner regulating the conduct of representation elections;

(9) refusing to comply with a valid decision of a binding arbitration panel or arbitrator;

(10) violating or refusing to comply with any lawful order or decision issued by the commissioner or the board; ~~or~~

(11) refusing to provide, upon the request of the exclusive representative, all information pertaining to the public employer's budget both present and proposed, revenues, and other financing information: provided that in the executive branch of state government, this clause shall may not be considered contrary to the budgetary requirements of sections 16A.10 and 16A.11; or

(12) granting or offering to grant the status of permanent replacement employee to a person for performing bargaining unit work for the employer during a lockout of employees in an employee organization or during a strike authorized by an employee organization that is an exclusive representative.

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**Sec. 3. EFFECTIVE DATE.**

Sections 1 and 2 are effective the day following final enactment and apply to strikes and lockouts that occur on or after that date.

Presented to the governor May 28, 1991

Became law without the governor's signature June 1, 1991

[Revisor's Note: While the governor attempted to veto this chapter, the Ramsey County District Court found the attempted veto to be invalid.]

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**CHAPTER 240—H.F.No. 1387**

*An act relating to public buildings; requiring that legislative hearing rooms and the house and senate chambers be fitted with devices to aid the hearing-impaired; appropriating money; amending Minnesota Statutes 1990, section 16B.61, by adding a subdivision.*

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

Section 1. Minnesota Statutes 1990, section 16B.61, is amended by adding a subdivision to read:

Subd. 7. ACCESS FOR THE HEARING-IMPAIRED. All rooms in the state office building and in the capitol that are used by the house of representatives or the senate for legislative hearings, and the public galleries overlooking the house and senate chambers, must be fitted with assistive listening devices for the hearing-impaired. Each hearing room and the public galleries must have a sufficient number of receivers available so that hearing-impaired members of the public may participate in the committee hearings and public sessions of the house and senate.

**Sec. 2. APPROPRIATION.**

\$30,000 is appropriated from the general fund to the commissioner of administration for purposes of section 1, to be available for the biennium ending June 30, 1993.

Presented to the governor May 24, 1991

Signed by the governor May 28, 1991, 9:48 a.m.

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**CHAPTER 241—S.F.No. 800**

*An act relating to natural resources; requiring a plan and program for control of ecologically harmful species of plants and animals; revising certain provisions relating to the taking, possession, and transportation of wild animals; requiring reports; amending Minnesota Stat-*

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