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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 2263

03/07/2019 Authored by O'Neill
The bill was read for the first time and referred to the Committee on Government Operations

1.1 A bill for an act
1.2 relating to public employment; requiring affirmative approval before interim
1.3 implementation of state employee collective bargaining agreements; amending
1.4 Minnesota Statutes 2018, section 3.855, subdivision 2.

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

1.6 Section 1. Minnesota Statutes 2018, section 3.855, subdivision 2, is amended to read:

1.7 Subd. 2. State employee negotiations. (a) The commissioner of management and budget
1.8 shall regularly advise the commission on the progress of collective bargaining activities
1.9 with state employees under the state Public Employment Labor Relations Act. During
1.10 negotiations, the commission may make recommendations to the commissioner as it deems
1.11 appropriate but no recommendation shall impose any obligation or grant any right or privilege
1.12 to the parties.

1.13 (b) The commissioner shall submit to the chair of the commission any negotiated
1.14 collective bargaining agreements, arbitration awards, compensation plans, or salaries for
1.15 legislative approval or disapproval. Negotiated agreements shall be submitted within five
1.16 days of the date of approval by the commissioner or the date of approval by the affected
1.17 state employees, whichever occurs later. Arbitration awards shall be submitted within five
1.18 days of their receipt by the commissioner. If the commission disapproves a collective
1.19 bargaining agreement, award, compensation plan, or salary, the commission shall specify
1.20 in writing to the parties those portions with which it disagrees and its reasons. If the
1.21 commission approves a collective bargaining agreement, award, compensation plan, or
1.22 salary, it shall submit the matter to the legislature to be accepted or rejected under this
1.23 section.

2.1 (c) When the legislature is not in session, the commission may give interim approval to
2.2 a negotiated collective bargaining agreement, salary, compensation plan, or arbitration
2.3 award. ~~When the legislature is not in session, failure of the commission to disapprove a~~
2.4 ~~collective bargaining agreement or arbitration award within 30 days constitutes approval.~~
2.5 The commission shall submit the negotiated collective bargaining agreements, salaries,
2.6 compensation plans, or arbitration awards for which it has provided approval to the entire
2.7 legislature for ratification at a special legislative session called to consider them or at its
2.8 next regular legislative session as provided in this section. Approval or disapproval by the
2.9 commission is not binding on the legislature.

2.10 (d) When the legislature is not in session, the proposed collective bargaining agreement,
2.11 arbitration decision, salary, or compensation plan must be implemented upon its approval
2.12 by the commission, and state employees covered by the proposed agreement or arbitration
2.13 decision do not have the right to strike while the interim approval is in effect. Wages and
2.14 economic fringe benefit increases provided for in the agreement or arbitration decision paid
2.15 in accordance with the interim approval by the commission are not affected, but the wages
2.16 or benefit increases must cease to be paid or provided effective upon the rejection of the
2.17 agreement, arbitration decision, salary, or compensation plan, or upon adjournment of the
2.18 legislature without acting on it.

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