

1.1 A bill for an act

1.2 relating to state government; authorizing certain negotiations to avoid layoffs;
1.3 amending Minnesota Statutes 2010, sections 13.7908, subdivision 2; 179.22, by
1.4 adding a subdivision; 179A.22, by adding a subdivision.

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

1.6 Section 1. Minnesota Statutes 2010, section 13.7908, subdivision 2, is amended to read:

1.7 Subd. 2. **Mediation data.** (a) Data received or maintained by the staff or
1.8 commissioner of the Bureau of Mediation Services during the course of providing
1.9 mediation services to the parties to a labor dispute under chapter 179 are classified as
1.10 protected nonpublic data or confidential data on individuals, except to the extent the
1.11 commissioner of the Bureau of Mediation Services determines access to data is necessary
1.12 to fulfill the requirements of section 179A.16 or to identify the general nature of or parties
1.13 to a labor dispute.

1.14 (b) Notwithstanding paragraph (a), an offer by the commissioner of management
1.15 and budget to resolve issues related to a proposed collective bargaining agreement with a
1.16 state bargaining unit is public data once that offer is made available by an exclusive
1.17 representative to its members.

1.18 **EFFECTIVE DATE.** This section is effective the day following final enactment,
1.19 and applies to offers made on or after July 1, 2011.

1.20 Sec. 2. Minnesota Statutes 2010, section 179.22, is amended by adding a subdivision
1.21 to read:

1.22 Subd. 5. **Memorandum of understanding.** The commissioner of management
1.23 and budget must, at least five days prior to executing a memorandum of understanding

2.1 in which the terms apply to more than one bargaining unit defined in section 179A.10,
2.2 subdivision 2, submit that memorandum to the chair and director of the Legislative
2.3 Coordinating Commission, or to the chair and director of a subcommittee created by
2.4 the Legislative Coordinating Commission to carry out the duties under section 3.855.
2.5 The director must provide the memorandum to each member of the commission or
2.6 subcommittee. The chair, after consulting the members, may provide comments to the
2.7 commissioner regarding the memorandum.

2.8 Sec. 3. Minnesota Statutes 2010, section 179A.22, is amended by adding a subdivision
2.9 to read:

2.10 Subd. 5. **Unpaid leave to avoid layoffs.** If the commissioner of management
2.11 and budget determines that layoffs of executive branch employees may be required,
2.12 the commissioner may request exclusive representatives to negotiate amendments to
2.13 collective bargaining agreements that would allow appointing authorities to implement
2.14 unpaid leave and reductions in hours, instead of imposing layoffs.

2.15 Sec. 4. **MANAGEMENT PROPOSALS.**

2.16 Notwithstanding Minnesota Statutes, section 13.7908, subdivision 2, or other
2.17 law to the contrary, during the biennium ending June 30, 2013, the commissioner of
2.18 management and budget must provide copies of its management proposals related to
2.19 collective bargaining with state bargaining units to the chair and director of the Legislative
2.20 Coordinating Commission Subcommittee on Employee Relations. The director must share
2.21 these proposals with the other members of the subcommittee, and with the staff assigned
2.22 to the subcommittee. If the management proposals are considered by the commissioner to
2.23 be nonpublic data, the commissioner must provide the proposals and notify the director
2.24 that the commissioner considers them to be nonpublic, and the chair, the members, and
2.25 the staff must also treat the proposals in the same manner.

2.26 **EFFECTIVE DATE.** This section is effective the day following final enactment,
2.27 and applies to offers made on or after July 1, 2011.