

5505.1000 ELECTION PROCEDURE; SECRET BALLOT.**Subpart 1. Taking secret ballot.**

A. The commissioner may take a secret ballot of employees, as provided under Minnesota Statutes, section 179.16, subdivision 2, to be conducted by a commissioner-designated agent.

B. After the secret-ballot election, the agent must prepare a report containing a tally of the ballots and the election results.

Subp. 2. Designating challenger. The employer and each person or organization claiming the right to act as representative of the employees may designate one individual as a challenger. Each designated challenger may observe the casting and counting of ballots.

Subp. 3. Sealing ballots. Immediately after tallying the ballots, the agent conducting the election must place all ballots and a copy of the tally sheet in an envelope, which must be:

A. immediately sealed;

B. endorsed across the seal by a challenger for each party, if any; and

C. kept by the commissioner for no less than 30 calendar days.

Subp. 4. Furnishing tally and election results. The parties to the proceedings must be furnished with a tally of the ballots and the election results.

Statutory Authority: *MS s 179.02; 179.82; 179A.04; 179A.16; 626.892*

History: *L 1987 c 186 s 15; 17 SR 1279; 46 SR 1387*

Published Electronically: *July 27, 2022*