

5505.1200 CONSENT ELECTION.

Subpart 1. **Agreement to hold election.** Whenever a question or controversy has arisen concerning the representation of the employees of an employer within the meaning of Minnesota Statutes, section 179.16, the parties to such controversy may agree in writing, subject to the approval of the commissioner, that an election may be held by said commissioner for the selection of a representative for the purposes of collective bargaining who may be certified by the commissioner as such representative without the necessity of a hearing concerning the controversy. Such agreement to hold a consent election must be in the form prescribed by the commissioner. The approval of such agreement by the commissioner shall be subject to the following conditions:

Subp. 2. **Notice of election.** A notice of the consent election in the form prescribed by the commissioner shall be posted in a conspicuous place at the place of employment of the employees therein referred to.

Subp. 3. **Objections to election.** Upon objection being filed with the commissioner as provided in the notice, the commissioner may, on deeming it proper, revoke the acceptance and approval of the agreement for a consent election. With the consent of the parties to said agreement and upon notice to the person or persons filing such objections, the commissioner may, on deeming it proper, amend, in such manner as the commissioner may determine, the provisions contained in said agreement for a consent election.

Subp. 4. **Filing objections.** All persons having any objections to such consent election must file their objections thereto in writing with the commissioner at the commissioner's office in St. Paul, Minnesota, either in person or by registered or certified mail, not later than the date prescribed in the posted notice of such consent election. Any person or persons failing to file their objections to such consent election within the time hereinabove prescribed shall not thereafter be permitted to question the holding of such election unless permitted to do so by the commissioner.

Statutory Authority: *MS s 179A.04*

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

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