

5510.0410 FILING PETITION.

Subpart 1. **Conditions.** To file a petition an employee organization or exclusive representative must:

- A. have a written constitution or bylaws that provides for:
 - (1) election of officers;
 - (2) filling of vacancies in elected offices; and
 - (3) a purpose which, in whole or in part, must be to deal with public employers concerning grievances and terms and conditions of employment; and
- B. have the petition signed by an authorized representative of the employee organization.

To file a petition an employer must have the petition signed by an authorized representative of the employer.

To file a petition a public employee must be included in an appropriate unit for which there is an exclusive representative, or be subject to a fair share fee assessment by the exclusive representative.

Subp. 2. Eligibility; single-party petition.

- A. An employee organization may file petitions for:
 - (1) certification of exclusive representative;
 - (2) challenge of affiliation; and
 - (3) representation.
- B. An employer may file petitions for:
 - (1) certification of exclusive representative;
 - (2) unit clarification;
 - (3) amendment of certification; and
 - (4) challenge of affiliation.
- C. An exclusive representative may file petitions for:
 - (1) unit clarification;
 - (2) amendment of certification;
 - (3) transfer of exclusive representative status; and
 - (4) abandonment of exclusive representative status.

- D. A public employee may file petitions for:
- (1) decertification of exclusive representative;
 - (2) challenge of fair share fee assessment; and
 - (3) challenge of affiliation.

Subp. 3. Eligibility; joint-party petition.

A. One or more employee organizations and an employer may file a joint petition for certification of exclusive representative.

B. An exclusive representative and an employer may file a joint petition for unit clarification and amendment of certification.

C. Two or more employee organizations may jointly file any petition which a single employee organization has the right to file.

Subp. 4. Petition requirements. A petition must be in writing and shall contain the name, address, and telephone number of:

- A. the petitioner;
- B. the petitioner's representative, if any;
- C. the other party; and
- D. the other party's representative, if any.

Statutory Authority: *MS s 179A.04*

History: *9 SR 735; 23 SR 1564*

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