

5510.0410 FILING PETITION.**Subpart 1. Conditions.**

- A. To file a petition, an employee organization or exclusive representative must have:
- (1) a written constitution or bylaws that provide for:
 - (a) election of officers;
 - (b) filling of vacancies in elected offices; and
 - (c) a purpose, in whole or in part, of dealing with public employers concerning grievances and terms and conditions of employment; and
 - (2) the petition signed by an authorized representative of the employee organization.
- B. To file a petition, an employer must have the petition signed by the employer's authorized representative.
- C. To file a petition, a public employee must be included in an appropriate unit for which there is an exclusive representative.

Subp. 2. Eligibility; single-party petition.

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

- (1) decertification of exclusive representative; and
- (2) challenge of affiliation.

Subp. 3. Eligibility; joint-party petition.

A. As provided under Minnesota Statutes, section 179A.12, subdivision 2, 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 a petition that a single employee organization is entitled to file.

Subp. 4. Petition requirements. A petition must include the name, address, e-mail 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 179.02; 179.82; 179A.04; 179A.16; 626.892*

History: *9 SR 735; 23 SR 1564; 46 SR 1387*

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