

**5510.1110 CHALLENGE TO AFFILIATION PETITION.**

Subpart 1. **Filing petition.** A petition challenging affiliation under Minnesota Statutes, section 179A.06, subdivision 2 must include:

- A. a statement of the reasons the affiliation is improper;
- B. the name of the employee organization involved;
- C. the date the petition is signed; and
- D. the name and title of the person signing the petition.

Subp. 2. **Status of certification.** If the affiliation of an employee organization is determined to be improper, the commissioner shall withdraw the certification of the involved employee organization as the exclusive representative for the unit for which the challenge was raised, and dismiss any matters pending before the bureau involving questions of representation or mediation.

If the affiliation of an employee organization is determined to be proper, the commissioner shall affirm its standing as a proper employee organization and dismiss the challenge petition.

Subp. 3. **Status of contract.** Upon the withdrawal of the status of exclusive representative pursuant to a determination of improper affiliation, any labor contract within the meaning of Minnesota Statutes, section 179A.20, which covers employees of the unit for which withdrawal was ordered and to which the involved organization is a party is null and void as of the date of the commissioner's determination.

**Statutory Authority:** *MS s 179A.04*

**History:** *9 SR 735; L 1987 c 186 s 15*

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