

5510.1510 FAIR SHARE FEE CHALLENGE PETITION.

Subpart 1. **Filing petition.** A petition challenging a fair share fee assessment may be filed by individual employees and must include:

- A. the name, address, and phone number of the petitioner and agent, if any;
- B. the name, address, and phone number of the exclusive representative and agent, if any;
- C. the name, address, and phone number of the employer and agent, if any;
- D. the amount of regular membership dues in the unit;
- E. the amount of the fair share fee assessment;
- F. the specific activities or expenditures of the exclusive representative which the petitioner believes are not in conformance with the statutory prerequisites of Minnesota Statutes, section 179A.06, subdivision 3;
- G. the date on which the petitioner received notice of the fair share fee assessment;
- H. the percent of regular membership dues which the fair share fee represents;
- I. the amount by which the fair share fee assessment should be adjusted to conform to the statutory prerequisites of Minnesota Statutes, section 179A.06, subdivision 3;
- J. the specific activities or expenditures of the exclusive representative which the challenger believes are not in conformance with the statutory prerequisites of Minnesota Statutes, section 179A.06, subdivision 3; and
- K. the date on which the petitioner received notice of the fair share fee assessment.

Subp. 2. **Filing petition.** A petition challenging the fair share fee assessment must be filed in person or by mail with the commissioner.

Subp. 3. **Filing fee.** The challenge petition must be accompanied by a certified check or other guaranteed form of payment in the amount of \$10, made payable to "Bureau of Mediation Services." A challenge petition filed without the proper filing fee shall be returned to the individual filing the petition.

Subp. 4. **Receipt of petition.** Upon receipt of the challenge petition and fee, the commissioner shall provide the petitioner with an acknowledgment and receipt, along with a copy of the rules governing such challenge.

Subp. 5. **Service on exclusive representative and employer.** A copy of the challenge petition shall be served by the petitioner upon the exclusive representative and the employer,

in person or by mail, within the 30-calendar-day challenge period. Failure to serve a copy of a challenge petition upon the exclusive representative or employer in a timely manner shall be grounds for dismissing the petition.

Subp. 6. **Computing time.** For purposes of computing time, a petition shall be considered filed on the day it is received by the commissioner.

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

History: *9 SR 735; 11 SR 669; L 1987 c 186 s 15; 15 SR 1226; 23 SR 1564*

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