

**5510.2110 UNFAIR ELECTION PRACTICES.**

Subpart 1. **Definition of charges.** The following acts are prohibited and constitute unfair election practices if committed by an employer or its agents, an employee organization or its agents, or an employee:

- A. campaigning on the day of the on-site election;
- B. congregating in or near the polling place during the time the polls are open;
- C. coercing or intimidating or otherwise unlawfully attempting to influence any eligible voter;
- D. committing an unfair practice as defined by Minnesota Statutes, section 179A.13; or
- E. violating an election order.

Subp. 2. **Filing charges.** A party to an election may file a charge of an unfair election practice with the commissioner. A copy of the charge shall be served by the charging party on all other parties to the election. A charge shall be filed within ten calendar days from the date of the certification of election results. The charge shall be in writing, be signed by the charging party, and state the name and address of the party against whom made. The charge shall specify the alleged unfair election practice and the facts supporting the charge. If a charge of an unfair election practice is filed, the commissioner may:

- A. stay the election results pending conduct of a hearing or investigation if the alleged unfair election practice appears to have materially affected the election results;
- B. conduct a hearing or investigation; and
- C. rescind the certification of exclusive representative or the certification of election results.

Subp. 3. **Determination.** Based on a hearing or investigation, the commissioner shall issue an order. If an unfair election practice is established, the election may be voided and a new election may be ordered.

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

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

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