

5510.2310 CHANGE IN EXCLUSIVE REPRESENTATIVE STATUS.

Subpart 1. **Change or transfer of exclusive representative.** When an incumbent exclusive representative is replaced by a new exclusive representative as a result of a representation election or the transfer of status from one organization to another, the new exclusive representative assumes all rights and responsibilities as an exclusive representative effective the day following certification, except as otherwise provided by this part.

A. All rights and obligations of the collective bargaining agreement transfer to and are assumed by the new exclusive representative, including the processing of pending grievances made known to the new exclusive representative.

B. Except in the case of a transfer, the employer shall terminate all payroll deduction of dues and fair share fees for the prior exclusive representative effective with the first payroll period following the certification of the new exclusive representative. Payroll deduction of dues for the new exclusive representative may begin with the first payroll period following certification, if the new exclusive representative has submitted signed authorizations for the deductions from affected employees. Payroll deduction of fair share fees for the new exclusive representative may begin once the requirements of part 5510.1410 have been satisfied. Where a new exclusive representative has been certified as the result of a transfer, the employer shall continue previous payroll deductions of dues and fair share fees and transmit such deductions to the person or place designated by the new exclusive representative.

Subp. 2. **Decertification of exclusive representative.** When an exclusive representative is decertified, the labor contract remains in effect until its expiration. The decertified exclusive representative retains all its rights and obligations established by the act and the labor contract through the contract's expiration.

Subp. 3. [Repealed, 12 SR 2623]

Statutory Authority: *MS s 179A.04*

History: *9 SR 735; 12 SR 2623*

Published Electronically: *June 11, 2008*