

5510.2310 CHANGE IN EXCLUSIVE REPRESENTATIVE STATUS.**Subpart 1. Change or transfer of exclusive representative.**

A. Except as otherwise provided under this part, a new exclusive representative assumes all rights and responsibilities as an exclusive representative the day after certification when an incumbent exclusive representative is replaced by the new exclusive representative as a result of:

- (1) a representation election; or
- (2) the transfer of status from one organization to another.

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

C. Except for a transfer, the employer must terminate all payroll deduction of dues for the prior exclusive representative effective with the first payroll period after the certification of the new exclusive representative. If the new exclusive representative has submitted signed authorizations from affected employees, the exclusive representative may begin deducting dues by payroll beginning with the first payroll period after certification.

D. When a new exclusive representative has been certified as the result of a transfer, the employer must continue previous payroll deductions of dues and send the 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 [Repealed, 12 SR 2623]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 179.02; 179.82; 179A.04; 179A.16; 626.892*

History: *9 SR 735; 12 SR 2623; 46 SR 1387*

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