

5510.2710 NEGOTIATION NOTICE.

Subpart 1. **Content of notice.** A written notification of the desire to meet and negotiate an original contract, renewal of a contract, or a reopener of a contract must be served on the other party and the commissioner. The notice must be served on forms available from the bureau and must include:

- A. the exclusive representative's name, address, email address, and telephone number;
- B. the name, address, email address, and telephone number of the exclusive representative's representative;
- C. the employer's name, address, email address, and telephone number;
- D. the employer's representative's name, address, email address, and telephone number;
- E. a description of the appropriate unit for which the notice is being given;
- F. the date that the effective labor contract expires, if a contract exists;
- G. the total number of employees employed by the employer;
- H. the number of employees in the appropriate unit covered by the notice;
- I. the date the notice is signed; and
- J. the name and title of the person signing the notice.

Subp. 2. [Repealed, 46 SR 1387]

Subp. 3. [Repealed, 46 SR 1387]

Subp. 4. **Late notice; fine.**

A. Upon request by a party adversely affected by another party's failure to provide timely notice according to Minnesota Statutes, section 179A.14, subdivision 1, paragraph (b), or by the commissioner's motion, the party failing to give timely notice is subject to a fine according to Minnesota Statutes, section 179A.14, subdivision 1, paragraph (b).

B. A request or motion to assess a fine must be made in writing and served on the commissioner and the other party to the labor contract:

(1) within ten calendar days of the requesting party's first knowledge of the other party's desire to negotiate; or

(2) in the case of the commissioner's motion, within 15 calendar days of receiving a request for mediation assistance involving the parties and their contract.

C. A request from a party or motion by the commissioner must:

(1) specify the date of first knowledge of the desire to negotiate and the expiration date of the effective labor contract; and

(2) include a brief statement of the adverse results or impact of the late notice.

D. Upon receiving a written request or after the commissioner's motion to assess a fine for late notice, the commissioner must investigate the request or motion according to part 5510.1910. The commissioner may waive the fine according to Minnesota Statutes, section 179A.14, subdivision 1, paragraph (b).

E. The fine must be credited to the state's general fund. The fine amount or its waiver is not subject to appeal.

Statutory Authority: *MS s 179.02; 179.82; 179A.04; 179A.16; 626.892*

History: *9 SR 735; 10 SR 997; L 1987 c 186 s 15; 23 SR 1564; 46 SR 1387*

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