

**5510.2905 CONFIDENTIAL INFORMATION.****Subpart 1. Mediation information; data classification.**

A. The following data are classified according to Minnesota Statutes, section 13.7908, subdivision 2:

- (1) information disclosed to the commissioner by a party during mediation; and
- (2) all files, records, reports, documents, or other papers received or prepared by the commissioner while performing duties and responsibilities related to mediating a dispute.

B. The commissioner may unclassify data under item A according to Minnesota Statutes, section 13.7908, subdivision 2.

**Subp. 2. Final positions; data classifications.**

A. Until both parties have filed their final positions with the commissioner under part 5510.2930, subpart 4, item A, final positions submitted by a party in conjunction with a dispute that has been referred to interest arbitration are regarded as:

- (1) protected nonpublic data regarding data not on individuals; and
- (2) confidential data on individuals.

B. The commissioner may release the information under item A to the arbitration panel or arbitrator to fulfill procedural requirements of the act and parts 5510.2410 to 5510.3005, but the information remains nonpublic and confidential until:

- (1) the commissioner has affirmed that final positions have been filed by both parties;  
or
- (2) an interest arbitration hearing is started by the arbitration panel or arbitrator.

C. The final positions are public data after a condition occurs under item B, subitem (1) or (2).

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

**History:** *13 SR 1275; 23 SR 1564; 46 SR 1387*

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