

5530.0700 INITIAL AND RENEWAL APPOINTMENTS TO ROSTER.

Subpart 1. **Roster size.** The roster is not fewer than 25 nor more than 60 arbitrators.

Subp. 2. **Procedure; initial appointments.**

A. If the commissioner must increase the size of the roster, the commissioner must:

(1) publish notice on the bureau's website for at least 30 calendar days, indicating that applications for appointment are being accepted and establishing a deadline for the applications;

(2) together with the advisory committee, assess an applicant's qualifications and suitability for appointment to the roster according to subpart 6;

(3) advise each applicant in writing on the commissioner's final determination on the applicant's application;

(4) actively solicit qualified applicants who will help provide balance in the roster's racial and gender composition; and

(5) conduct an initial review of applications received and select or reject applicants for further consideration based on the:

(a) information provided in the application and reference checks; and

(b) arbitrator qualification requirements under part 5530.0600.

B. If the commissioner determines that additional information is needed after reviewing the information under item A, subitems (2) and (5), the applicant must provide additional information on the applicant's:

(1) qualifications according to subpart 6; and

(2) arbitrator qualification requirements under part 5530.0600, application, and reference checks.

Subp. 3. **Procedure; renewal appointments.**

A. The commissioner must notify all roster members at least 120 calendar days before their appointment expires of the procedures necessary for a renewal appointment.

B. A roster member seeking a renewal appointment must submit a written application and a fee to the commissioner at least 60 calendar days before the roster member's appointment expires.

C. After receiving a renewal application under item B, the commissioner must review the roster member's performance measures under part 5530.1200 and evaluate the roster member according to subpart 6.

Subp. 4. **Application forms.**

A. An applicant or a roster member seeking a renewal appointment must complete an application on forms available from the bureau.

B. Writing samples must accompany the application.

Subp. 5. Application and renewal fees.

A. Application and renewal fees are as provided under Minnesota Statutes, section 179A.04, subdivision 3, paragraph (a), clause (10).

B. The fee must be in the form of a check or money order made payable to "State of Minnesota, Bureau of Mediation Services."

Subp. 6. Standards for appointment.

A. When determining whether to appoint or reappoint a member to the roster, the commissioner must evaluate each application for evidence of the applicant's competence, proficiency, and qualifications in the following areas:

(1) knowledge and understanding of labor relations systems and collective bargaining processes and dynamics;

(2) knowledge and understanding of applicable contract, employment, and labor relations law;

(3) ability to hear and decide complex labor relations issues fairly and objectively;

(4) ability to communicate clearly and concisely in writing and orally;

(5) ability to conduct orderly and effective arbitration hearings in various settings and locations throughout Minnesota; and

(6) reputation in the labor-management community for high professional standards of competence, ethics, and integrity.

B. In addition to meeting the standards under item A, a roster member seeking a renewal appointment must satisfy the requirements under part 5530.1200, subparts 2, 3, and 7.

Subp. 7. Appointing applicants.

A. If the commissioner determines that the applicant or roster member has satisfied the requirements of subparts 3 to 6, if applicable, the commissioner must appoint the applicant or reappoint the roster member to the roster.

B. If the applicant or roster member fails to satisfy the requirements of subparts 3 to 6, the commissioner must reject the application in writing, including the reasons for the rejection. If there are more qualified applicants than vacancies on the roster, the commissioner must appoint applicants in rank order of their qualifications or by lottery where qualifications are relatively equal.

Subp. 8. Term of appointment. An appointment to the roster is for a term of three years.

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

History: *14 SR 1383; 21 SR 583; 46 SR 1387*

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