

1 Bureau of Mediation Services

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3 Adopted Permanent Rules Relating to Public Employees; Exclusive
4 Representatives; Right to Strike

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6 Rules as Adopted

7 5510.2310 CHANGE IN EXCLUSIVE REPRESENTATIVE STATUS.

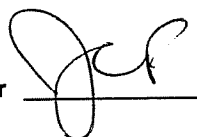
8 Subpart 1. Change or transfer of exclusive

9 representative. When an incumbent exclusive representative is
10 replaced by a new exclusive representative as a result of a
11 representation election or the transfer of status from one
12 organization to another, the new exclusive representative
13 assumes all rights and responsibilities as an exclusive
14 representative effective the day following certification, except
15 as otherwise provided by this part.

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

20 B. Except in the case of a transfer, the employer
21 shall terminate all payroll deduction of dues and fair share
22 fees for the prior exclusive representative effective with the
23 first payroll period following the certification of the new
24 exclusive representative. Payroll deduction of dues for the new
25 exclusive representative may begin with the first payroll period
26 following certification, if the new exclusive representative has
27 submitted signed authorizations for the deductions from affected
28 employees. Payroll deduction of fair share fees for the new
29 exclusive representative may begin once the requirements of part
30 5510.1410 have been satisfied. Where a new exclusive
31 representative has been certified as the result of a transfer,
32 the employer shall continue previous payroll deductions of dues
33 and fair share fees and transmit such deductions to the person
34 or place designated by the new exclusive representative.

35 Subp. 2. [Unchanged.]



1 Subp. 3. [See Repealer.]

2 5510.2910 RENEWAL OF EXISTING CONTRACT; MEDIATION PERIOD,
3 IMPASSE, ARBITRATION, AND STRIKE NOTICE FOR PUBLIC EMPLOYEES
4 EXCEPT CONFIDENTIAL, ESSENTIAL, SUPERVISORY EMPLOYEES, AND
5 PRINCIPALS AND ASSISTANT PRINCIPALS.

6 Subpart 1. to 3. [Unchanged.]

7 Subp. 4. Request for arbitration at impasse. A joint
8 request by the parties to submit the impasse to arbitration may
9 be served at any time during the negotiations, mediation period,
10 or thereafter. A joint request must be signed by the authorized
11 representatives of both parties and must contain a list of the
12 items in dispute and a statement agreeing to arbitrate the items.

13 A request by a single party to submit an impasse to
14 arbitration may be served at any time after the expiration of
15 the mediation period. The request must be in writing, signed by
16 an authorized representative, and contain a list of the items in
17 dispute.

18 A request to arbitrate is accepted by the other party only
19 upon receipt by the bureau and the offering party of a written
20 acceptance. A joint request satisfies this requirement.

21 A joint request or written acceptance of a request to
22 arbitrate is binding upon the parties except to the extent they
23 otherwise mutually agree in writing.

24 A single-party offer to arbitrate an impasse is rejected:

25 A. by serving written notice of rejection on the
26 bureau and the other party;

27 B. by failing to accept the offer in writing within
28 15 calendar days following service of the request;

29 C. if the exclusive representative serves a notice of
30 intent to strike following receipt by the bureau of an offer to
31 arbitrate; or

32 D. if the exclusive representative does not withdraw
33 a previously served notice of intent to strike by serving a
34 written acceptance of the offer.

35 An offer to arbitrate an impasse is considered to be

1 withdrawn if the offer is rejected by the other party in
2 accordance with parts 5510.2410 to 5510.3210.

3 Subp. 4a. to 6. [Unchanged.]

4 Subp. 7. Notice of intent to strike, other than teachers.

5 A. A notice of intent to strike must be in writing
6 and signed by an authorized representative of the exclusive
7 representative. The date the right to strike matures will be
8 established by the director in conformance with this part. The
9 notice must be served on the employer and the director by the
10 exclusive representative.

11 B. to E. [Unchanged.]

12 Subp. 8. Notice of intent to strike, teachers.

13 A. A notice of intent to strike must be in writing
14 and signed by an authorized representative of the exclusive
15 representative. The date the right to strike matures will be
16 established by the director in conformance with this part. The
17 notice must be served on the employer and the director by the
18 exclusive representative.

19 B. to F. [Unchanged.]

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21 REPEALER. Minnesota Rules, part 5510.2310, subpart 3, is
22 repealed.