

# MINNESOTA STATUTES 1977 SUPPLEMENT

## EMPLOYMENT; WAGES, CONDITIONS 181.06

ses and costs of the arbitrator shall also be shared and assessed equally by the parties to the dispute.

[For text of subds 7 to 12, see M.S.1976]

[ 1977 c 284 s 1 ]

### 179.74 State and its employees; negotiations; appropriate units.

[For text of subds 1 to 3, see M.S.1976]

Subd. 4. The commissioner of personnel shall meet and negotiate with the exclusive representative of appropriate units in the manner prescribed by sections 179.61 to 179.77; provided, however, that the director of mediation services shall define appropriate units of state employees as all the employees under the same appointing authority except where professional, geographical or other considerations affecting employment relations clearly require appropriate units of some other composition. The positions and classes of positions in the classified and unclassified services defined as managerial by the commissioner of personnel in accordance with the provisions of section 43.326 and so designated in the official state compensation schedules, all unclassified positions in the state university system and the community college system defined as managerial by their respective boards, all positions in the bureau of mediation services, employees who work in the personnel offices of an appointing authority in the executive branch and who have access to information subject to use by the appointing authority in meeting and negotiating or who actively participate in the meeting and negotiating on behalf of state employees, shall be excluded from any appropriate unit. Regardless of unit determination, the governor may upon the unanimous written request of exclusive representatives of units and appointing authorities direct that negotiations be conducted for one or more appointing authorities in a common proceeding.

Subd. 5. The commissioner of personnel is authorized to and may enter into agreements. The provisions of said agreements which establish wages and economic fringe benefits shall be submitted to the legislature to be accepted, rejected or modified. A state employee whose exclusive representative, as defined by section 179.63, subdivision 6, has not executed an agreement with the state covering wages and economic fringe benefits on or before May 15 of each odd numbered year shall not receive the wage and economic fringe benefit increases provided pursuant to an agreement executed under this subdivision.

[ 1977 c 206 s 1; 1977 c 452 s 31 ]

## CHAPTER 181. EMPLOYMENT; WAGES, CONDITIONS, HOURS, RESTRICTIONS

Sec.	Sec.
181.06 Assignment of wages; payroll deductions.	181.79 Wages deductions for faulty workman-
181.78 Agreements; terms relating to inventions.	ship, loss, theft or damage. [New]
[New]	181.80 Union notice of injury or death. [New]

### 181.06 Assignment of wages; payroll deductions.

Subdivision 1. **Assignment of wages.** Every assignment, sale, or transfer, however made or attempted, of wages or salary to be earned or to become due, in whole or in part, more than 60 days from and after the date of making such transfer, sale or assignment shall be absolutely void; provided however, that the foregoing restriction against transfer, sale or assignment shall not apply to any assignment, sale or transfer of that portion of wages or salary to be earned or to become due in excess of the first \$1,500 per month where such assignment is for less than five years.

Subd. 2. **Payroll deductions.** A written contract may be entered into between an employer and an employee wherein the employee authorizes the employer to make payroll deductions for the purpose of paying union dues, premiums of any life insurance, hospitalization and surgical insurance, group accident and health insurance, group term life insurance, group annuities or contributions to credit unions

## 181.06 EMPLOYMENT; WAGES, CONDITIONS

or a community chest fund, a local arts council, a local science council or a local arts and science council, or Minnesota benefit association, or participation in any employee stock purchase plan or savings plan for periods longer than 60 days.

[ 1977 c 231 s 1 ]

### 181.78 Agreements; terms relating to inventions.

Subdivision 1. Any provision in an employment agreement which provides that an employee shall assign or offer to assign any of his rights in an invention to his employer shall not apply to an invention for which no equipment, supplies, facility or trade secret information of the employer was used and which was developed entirely on the employee's own time, and (1) which does not relate (a) directly to the business of the employer or (b) to the employer's actual or demonstrably anticipated research or development, or (2) which does not result from any work performed by the employee for the employer. Any provision which purports to apply to such an invention is to that extent against the public policy of this state and is to that extent void and unenforceable.

Subd. 2. No employer shall require a provision made void and unenforceable by subdivision 1 as a condition of employment or continuing employment.

Subd. 3. If an employment agreement entered into after August 1, 1977 contains a provision requiring the employee to assign or offer to assign any of his rights in any invention to his employer, the employer must also, at the time the agreement is made, provide a written notification to the employee that the agreement does not apply to an invention for which no equipment, supplies, facility or trade secret information of the employer was used and which was developed entirely on the employee's own time, and (1) which does not relate (a) directly to the business of the employer or (b) to the employer's actual or demonstrably anticipated research or development, or (2) which does not result from any work performed by the employee for the employer.

[ 1977 c 47 s 1 ]

### 181.79 Wages deductions for faulty workmanship, loss, theft or damage.

Subdivision 1. No employer shall make any deduction from the wages due or earned by any employee, who is not an independent contractor, for lost or stolen property, damage to property, or to recover any other claimed indebtedness running from employee to employer, unless the employee, after the loss has occurred or the claimed indebtedness has arisen, voluntarily authorizes the employer in writing to make the deduction or unless the employee is held liable in a court of competent jurisdiction for the loss or indebtedness. Such authorization shall not be admissible as evidence in any civil or criminal proceeding. Any authorization for a deduction shall set forth the amount to be deducted from the employee's wages during each pay period.

A deduction, unless authorized in writing by the employee, may not be in excess of the amount established by law as subject to garnishment or execution on wages.

Any agreement entered into between an employer and an employee contrary to this section shall be void. This section shall not apply to the following:

(a) in cases where a contrary provision in a collective bargaining agreement exists; or

(b) any rules established by an employer for employees who are commissioned salespersons, where the rules are used for purposes of discipline, by fine or otherwise, in cases where errors or omissions in performing their duties exist.

Subd. 2. An employer who violates the provisions of this section shall be liable in a civil action brought by the employee for twice the amount of the deduction or credit taken.

[ 1977 c 227 s 1 ]

### 181.80 Union notice of injury or death.

If a work related death or work related injury which requires a report to the

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## THE MILITARY FORCES 190.06

commissioner of labor and industry in accordance with section 176.231, subdivision 1, occurs, a copy of the report shall be mailed by the employer to the employee's local union at the local union office within 48 hours after the employer receives notice of the occurrence.

[ 1977 c 230 s 1 ]

### CHAPTER 184. EMPLOYMENT AGENCIES

Sec.

184.38 Rules governing agencies.

**184.38 Rules governing agencies.**

[For text of subds 1 to 18, see M.S.1976]

Subd. 19. No person shall be required to pay a fee to an employment agency for a position, whether temporary or permanent, if the applicant withdraws acceptance of a position within three days, excluding Saturday, Sunday and legal holidays, of signing an acceptance form and notifies the agency in writing of the withdrawal, provided that the applicant did not actually start the job. The three day withdrawal period applies regardless of who is to pay the fee to the employment agency.

[ 1977 c 220 s 1 ]

### CHAPTER 186. UNFAIR PRACTICES AFFECTING PUBLIC HEALTH

Sec.

186.04 Assessments for expense.

**186.04 Assessments for expense.**

Every rule, regulation, or standard prescribed or approved by the governor shall contain provisions for assessing against and collecting from all persons, firms, and corporations, subject to the rules, regulations, or standards, as employer or employee, on a fair and equitable basis therein set forth, assessments sufficient for expenses incurred in connection with the promulgation of the rules, regulations, or standards, and administration, to be paid to the state treasurer and credited to the general fund, as may be prescribed. Expenses of promulgation and administration shall be paid from appropriations for that purpose.

[ 1977 c 455 s 80 ]

### CHAPTER 190. THE MILITARY FORCES

Sec.

190.05 Definitions.

Sec.

190.06 Militia; members; exemptions.

**190.05 Definitions.**

[For text of subds 1 and 2, see M.S.1976]

Subd. 3. The term "military forces" includes the national guard, the state guard, and any other organizations or components of the organized militia as may be authorized by state or federal law.

[For text of subds 4 to 7, see M.S.1976]

[ 1977 c 11 s 1 ]

**190.06 Militia; members; exemptions.**

[For text of subd 1, see M.S.1976]