

179A.13 UNFAIR LABOR PRACTICES.

Subdivision 1. **Actions.** The practices specified in this section are unfair labor practices. Any employee, employer, employee or employer organization, exclusive representative, or any other person or organization aggrieved by an unfair labor practice as defined in this section may bring an action for injunctive relief and for damages caused by the unfair labor practice in the district court of the county in which the practice is alleged to have occurred. A copy of any complaint alleging an unfair labor practice must be filed with the commissioner at the time it is brought in district court. The party bringing an unfair labor practice action in district court shall also transmit to the commissioner any orders or judgments of the court within ten days of the order or judgment.

Subd. 2. **Employers.** Public employers, their agents and representatives are prohibited from:

(1) interfering, restraining, or coercing employees in the exercise of the rights guaranteed in sections 179A.01 to 179A.25;

(2) dominating or interfering with the formation, existence, or administration of any employee organization or contributing other support to it;

(3) discriminating in regard to hire or tenure to encourage or discourage membership in an employee organization;

(4) discharging or otherwise discriminating against an employee because the employee has signed or filed an affidavit, petition, or complaint or given information or testimony under sections 179A.01 to 179A.25;

(5) refusing to meet and negotiate in good faith with the exclusive representative of its employees in an appropriate unit;

(6) refusing to comply with grievance procedures contained in an agreement;

(7) distributing or circulating a blacklist of individuals exercising a legal right or of members of a labor organization for the purpose of preventing blacklisted individuals from obtaining or retaining employment;

(8) violating rules established by the commissioner regulating the conduct of representation elections;

(9) refusing to comply with a valid decision of a binding arbitration panel or arbitrator;

(10) violating or refusing to comply with any lawful order or decision issued by the commissioner;

(11) refusing to provide, upon the request of the exclusive representative, all information pertaining to the public employer's budget both present and proposed, revenues, and other financing information provided that in the executive branch of state government this clause may not be considered contrary to the budgetary requirements of sections 16A.10 and 16A.11; or

(12) granting or offering to grant the status of permanent replacement employee to a person for performing bargaining unit work for the employer during a lockout of employees in an employee organization or during a strike authorized by an employee organization that is an exclusive representative.

Subd. 3. **Employees.** Employee organizations, their agents or representatives, and public employees are prohibited from:

- (1) restraining or coercing employees in the exercise of rights provided in sections 179A.01 to 179A.25;
- (2) restraining or coercing a public employer in the election of representatives to be employed to meet and negotiate or to adjust grievances;
- (3) refusing to meet and negotiate in good faith with a public employer, if the employee organization is the exclusive representative of employees in an appropriate unit;
- (4) violating rules established by the commissioner regulating the conduct of representation elections;
- (5) refusing to comply with a valid decision of an arbitration panel or arbitrator;
- (6) calling, instituting, maintaining, or conducting a strike or boycott against any public employer on account of any jurisdictional controversy;
- (7) coercing or restraining any person with the effect to:
 - (i) force or require any public employer to cease dealing or doing business with any other person;
 - (ii) force or require a public employer to recognize for representation purposes an employee organization not certified by the commissioner;
 - (iii) refuse to handle goods or perform services; or
 - (iv) prevent an employee from providing services to the employer;
- (8) committing any act designed to damage or actually damaging physical property or endangering the safety of persons while engaging in a strike;
- (9) forcing or requiring any employer to assign particular work to employees in a particular employee organization or in a particular trade, craft, or class rather than to employees in another employee organization or in another trade, craft, or class;
- (10) causing or attempting to cause a public employer to pay or deliver or agree to pay or deliver any money or other thing of value, in the nature of an exaction, for services which are not performed or not to be performed;
- (11) engaging in an unlawful strike;
- (12) picketing which has an unlawful purpose such as secondary boycott;
- (13) picketing which unreasonably interferes with the ingress and egress to facilities of the public employer;
- (14) seizing or occupying or destroying property of the employer;
- (15) violating or refusing to comply with any lawful order or decision issued by the commissioner.

History: 1984 c 462 s 14; 1986 c 444; 1987 c 186 s 15; 1989 c 255 s 5; 1991 c 239 s 2; 1992 c 582 s 11,12