

### 3.855 EMPLOYEE RELATIONS.

Subdivision 1. [Repealed, 1995 c 248 art 2 s 8]

Subd. 1a. **Definition.** "Commission" means the Legislative Coordinating Commission or a legislative commission established by the coordinating commission, as provided in section 3.305, subdivision 6, to exercise the powers and discharge the duties of the coordinating commission under this section or other law requiring action by the coordinating commission on matters of public employment or compensation.

Subd. 2. **Unrepresented state employee compensation.** (a) The commissioner of management and budget shall submit to the chair of the commission any compensation plans or salaries prepared under section 43A.18, subdivisions 2, 3, 3b, and 4. The chancellor of the Minnesota State Colleges and Universities shall submit any compensation plan under section 43A.18, subdivision 3a. If the commission disapproves a compensation plan or salary, the commission shall specify in writing to the parties those portions with which it disagrees and its reasons. If the commission approves a compensation plan or salary, it shall submit the matter to the legislature to be accepted or rejected under this section.

(b) When the legislature is not in session, the commission may give interim approval to a salary or compensation plan. The commission shall submit the salaries and compensation plans for which it has provided approval to the entire legislature for ratification at a special legislative session called to consider them or at its next regular legislative session as provided in this section. Approval or disapproval by the commission is not binding on the legislature.

(c) When the legislature is not in session, the proposed salary or compensation plan must be implemented upon its approval by the commission, and state employees covered by the proposed plan or salary do not have the right to strike while the interim approval is in effect.

Subd. 3. **Other salaries and compensation plans.** The commission shall:

(1) review and approve or reject a plan for compensation and terms and conditions of employment prepared and submitted by the commissioner of management and budget under section 43A.18, subdivision 2, covering all state employees who are not represented by an exclusive bargaining representative and whose compensation is not provided for by chapter 43A or other law;

(2) review and approve or reject a plan for total compensation and terms and conditions of employment for employees in positions identified as being managerial under section 43A.18, subdivision 3, whose salaries and benefits are not otherwise provided for in law or other plans established under chapter 43A;

(3) review and approve or reject recommendations for salary range of officials of higher education systems under section 15A.081, subdivision 7c;

(4) review and approve or reject plans for compensation, terms, and conditions of employment proposed under section 43A.18, subdivisions 3a, 3b, and 4; and

(5) review and approve or reject the plan for compensation, terms, and conditions of employment of classified employees in the office of the legislative auditor under section 3.971, subdivision 2.

Subd. 4. **Other duties.** The commission shall:

(1) continually monitor the state's civil service system provided for in chapter 43A, rules of the commissioner of management and budget, and the collective bargaining process provided for in chapter 179A, as applied to state employees;

(2) research and analyze the need for improvements in those statutory sections;

(3) adopt rules consistent with this section relating to the scheduling and conduct of commission business and other organizational and procedural matters; and

(4) perform other related functions delegated to it by the legislature.

**Subd. 5. Information required.** The commissioner of management and budget must submit to the Legislative Coordinating Commission the following information with the submission of a compensation plan under subdivision 2:

(1) for each agency and for each proposed plan, a comparison of biennial compensation costs under the current plan to the projected biennial compensation costs under the proposed plan, paid with funds appropriated from the general fund;

(2) for each agency and for each proposed plan, a comparison of biennial compensation costs under the current plan to the projected biennial compensation costs under the proposed plan, paid with funds appropriated from each fund other than the general fund;

(3) for each agency and for each proposed plan, an identification of the amount of the additional biennial compensation costs that are attributable to salary and wages and to the cost of nonsalary and nonwage benefits; and

(4) for each agency, for clauses (1) to (3), the impact of the aggregate of all plans being submitted to the commission.

**Subd. 6. Information required; collective bargaining agreements, memoranda of understanding, and interest arbitration awards.** Within 14 days after the implementation of a collective bargaining agreement, memorandum of understanding, or receipt of an interest arbitration award, the commissioner of management and budget must submit to the Legislative Coordinating Commission the following:

(1) a copy of the collective bargaining agreement showing changes from previous agreements and a copy of the executed agreement;

(2) a copy of any memorandum of understanding that has a fiscal impact or interest arbitration award;

(3) a comparison of biennial compensation costs under the current agreement to the projected biennial compensation costs under the new agreement, memorandum of understanding, or interest arbitration award; and

(4) a comparison of biennial compensation costs under the current agreement to the projected biennial compensation costs for the following biennium under the new agreement, memorandum of understanding, or interest arbitration award.

**History:** 1979 c 332 art 1 s 2; 1980 c 617 s 1; 1981 c 314 s 1; 1982 c 560 s 1; 1983 c 299 s 2; 1984 c 462 s 27; 1986 c 444; 1988 c 469 art 1 s 1; 1993 c 4 s 3; 1994 c 560 art 2 s 1-3; 1995 c 239 s 1; 1995 c 248 art 2 s 4; 1996 c 425 s 1; 1997 c 156 s 1; 2Sp1997 c 3 s 1; 1Sp2001 c 10 art 2 s 9; 2008 c 194 s 1; 2008 c 204 s 42; 2009 c 101 art 2 s 109; 2013 c 142 art 6 s 1; 2015 c 3 s 1; 2016 c 158 art 1 s 1; 1Sp2019 c 10 art 2 s 1; 2023 c 62 art 2 s 13-16; 2023 c 69 s 7