

Subject Labor relations

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### Overview

This bill modifies public labor provisions under the Public Employment Labor Relations Act (PELRA) and Minnesota Government Data Practices Act (MGDPA).

## Summary

Section	Description
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| 1 | <p><b>Access by labor organizations.</b></p> <p>Amends the MGDPA to allow access to personnel data to labor organizations as needed to conduct elections, notify employees of fair share fees, and implement labor and public labor statutes, if the labor organization responsible authority determines it's necessary. Notes other personnel data access provisions in sections 4 and 5 of the bill.</p> <p>Makes certain information private data including home addresses, phone numbers, and email addresses, among other information.</p>  |
| 2 | <p><b>Dues checkoff, deduction, and authorization.</b></p> <p>Requires an employee to make any request to cancel or change their deduction to the employee organization. Provides that a deduction authorized by an employee is effective whether or not an applicable collective bargaining agreement authorizes the deduction.</p>   |
| 3 | <p><b>Liability.</b></p> <p>Provides a complete defense to fair share fee challenges for fees permitted under state law to be paid as a condition of public employment prior to the <i>Janus v. AFSCME</i> decision on June 27, 2018. Applies to pending claims and future actions challenging the deduction, receipt, retention, or requirement of fair share fees from public employees prior to June 27, 2018. Finds that public employers and organizations are not liable for refunds of fair share fees required as a condition of public employment pre-Janus. A fair share or agency fee is the amount paid by non-union members of a bargaining unit to cover the union's services and costs of</p> |

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	representing them. In Janus, the U.S. Supreme Court ruled that fair share fees could not be charged to non-consenting public sector employees.
4	<b>Member data and access.</b> Requires public employers to allow union representatives to have access to and meetings with bargaining unit members on work premises before or after the work day or on break times, and 30-minute meetings with newly hired employees. Also allows union representatives to use government facilities and e-mail systems for bargaining unit communications and meetings; investigations into grievances and workplace issues; administration of collective negotiations; and internal union matters. Meetings cannot interfere with government operations or promote partisan activity and associated costs may be charged to the union representative organization.
5	<b>Bargaining unit information.</b> Requires public employers to provide union representatives the contact information for newly hired employees within ten days of hire and represented employees every 120 days. Information includes: name; job title; date of hire; home and work addresses; home, work, and cell numbers; and personal and work email addresses.
6	<b>Deduction and authorization.</b> Requires public employers to administer payroll deductions that are authorized by employees. Allows the public employer to rely on a certification from the employee organization requesting the deduction by the employee. No copy is required for the public employer unless a dispute arises. Prohibits a public employer from making changes or cancellations to deductions based on a request from an individual employee and requires the public employer to rely on information from the employee organization. Requires the employee organization to hold the public employer harmless for any unauthorized deductions made in reliance on the certification. Makes disputes subject to unfair labor practice proceedings.
7	<b>Witnesses; subpoenas; depositions; discovery.</b> Allows an arbitrator to protect disclosure of nonpublic or private data during arbitration proceedings. Nonpublic data under the MGDPA is data on a business or entity only available to the subject or with the subject's consent. Private data under the MGDPA includes personnel data such as an employee's personal contact information or date of birth.



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