

Subject Public Labor Relations

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Overview

This bill modifies the Public Employment Labor Relations Act (PELRA). It modifies definitions; requires collective bargaining over additional issues; requires public employers to give unions more access to employees; and modifies the teacher probationary periods, and eligibility for tenure.

Summary

Section	Description
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| 1 | Access by labor organizations. [Personnel data]
Requires personnel data to be disseminated to labor organizations to the extent necessary for certain public labor relations purposes. Also requires personnel data under section 179A.07, subdivision 8, to be disseminated to a union as provided under that subdivision. Clarifies data that is considered private data on individuals. |
| 2 | Employee salaries and benefits in event of state government shutdown.
Requires payment of lost salary and benefits to employees of an executive agency, the house of representatives, senate, Legislative Coordinating Commission, or another office or department of the legislature, or to a judicial branch agency, department, or court, if money for their operations has not been appropriated or enacted by July 1st of an odd-numbered year. Appropriates money for this purpose when necessary, requires certification of salary and benefit amounts from the appropriate entity, and specifies how subsequent appropriations would interact. |
| 3 | Plan. [E-learning days]
Requires a school board to meet and negotiate with the exclusive representative of teachers before adopting an e-learning day. |

Section	Description
4	Limitations on license. [Tier 1 license] Allows a teacher with a Tier 1 license to be in the teacher bargaining unit under PELRA.
5	Exceptions. [Community education teachers; licensure requirements] Allows community education and early childhood family education teachers to obtain tenure or continuing contract.
6	Probationary period. [Employment; contracts; termination] Reduces from 120 to 90 the number of days of teaching service a probationary teacher must complete during the probationary period.
7	Probationary period; discharge or demotion. [Teacher Tenure Act; cities of the first class; definitions] Modifies the teacher probationary period to be the same as it is for districts in cities not in the first class. Sets the probationary period in a subsequent district at one year for a teacher that completes the three-year period in the first district. Reduces from 120 to 90 the number of days of teaching service a probationary teacher must complete during the probationary period.
8	Public employee or employee. [Definitions] Modifies the definition of “public employee” for purposes of PELRA. Allows a temporary or seasonal school district or charter school employee to be counted as a “public employee,” for purposes of collective bargaining. Also adds an individual hired by the Board of Trustees of the Minnesota State Colleges and Universities as the instructor of record to teach (1) one class for more than three credits in a fiscal year, or (2) two or more credit bearing classes in a fiscal year as a “public employee” for collective bargaining purposes, and removes the existing exclusion under PELRA.
9	Teacher. [Definitions] Modifies the definition of “teacher” for purposes of PELRA, which determines what individuals can be in the teacher bargaining unit. Includes in the definition of teacher, a person creating and delivering instruction to children in a prekindergarten or early learning program but allows these teachers to stay in a different bargaining unit certified before January 1, 2023, with some exceptions.
10	Terms and conditions of employment. [Definitions] Requires collective bargaining over staffing ratios, and for school employees, bargaining over class sizes, student testing, and student-to-personnel ratios.

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11	<p>Payroll deduction, authorization, and remittance.</p> <p>Clarifies existing law to allow a payroll deduction for a union based on the union’s certification of a public employee’s signed authorization for the deduction. A public employee’s authorization may be made by electronic signature and remains in effect until the union notifies the employer of a change or cancellation. Specifies other requirements related to deduction timing, requests, and unfair labor practices.</p>
12	<p>Liability. [Rights and obligations of employees]</p> <p>Adds a subdivision establishing a defense to claims or actions based on agency or fair share fees against a public employer, union, or any of its employees or agents. Includes pending claims or actions and those filed after enactment.</p>
13	<p>Inherent managerial policy.</p> <p>Removes the number of personnel as a matter of inherent managerial policy that public employers are not required to meet and negotiate on.</p>
14	<p>Time off. [Rights and obligations of employers]</p> <p>Requires a public employer to give reasonable time off to elected or appointed officials of a union affiliate to conduct union duties.</p>
15	<p>Bargaining unit information. [Rights and obligations of employers]</p> <p>Requires a public employer to provide certain contact information for new employees to the union within 10 calendar days of hire. Requires the employer to provide the union certain contact information for all bargaining unit employees every 120 calendar days beginning on January 1, 2024.</p>
16	<p>Access. [Rights and obligations of employers]</p> <p>Requires a public employer to provide a union access to members of the bargaining unit in specific ways and at specified times, access to the public employer’s e-mail system to communicate with bargaining unit members, and access to facilities owned or leased by the public employer to conduct meetings with bargaining unit members for specific reasons. Requires a public employer to provide notice to a union of new hire orientation in advance, as well as providing access to new hires for in person meetings.</p>
17	<p>Majority verification procedure.</p> <p>Allows an employee organization to request certification as the union for a unit – without requiring an election – upon the commissioner’s verification that over 50 percent of employees in the proposed unit wish to be represented by that employee organization. Requires the employee organization to submit authorization signatures by affected employees as verification.</p>

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18	Authorization signatures. Provides that a public employee’s authorization signature is valid for one year and may be electronically signed.
19	Unfair labor practices. Adds majority verification procedures under section 179A.12, subdivision 2a, to the unfair labor practices provision under PELRA referencing elections.
20	Witnesses; subpoenas; depositions; discovery. Allows an arbitrator to issue a protective order to prevent disclosure of data classified as nonpublic or private under chapter 13.
21	Repealer. Repeals section 179A.12, subdivision 2, requiring certification upon joint request. Replaced by new subdivision 2a, majority verification procedure.



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