

# MINNESOTA RULES 1989

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ARBITRATION OF GRIEVANCES 7310.0500

## CHAPTER 7310 PUBLIC EMPLOYMENT RELATIONS BOARD ARBITRATION OF GRIEVANCES

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### 7310.0100 DEFINITIONS.

Subpart 1. **Other words, terms, and phrases.** Except as otherwise provided in this chapter, the words, terms, and phrases in this chapter shall have the same meaning and definition as defined in part 7300.0100.

Subp. 2. **Arbitrator.** "Arbitrator" means a single arbitrator.

Subp. 3. **Party.** "Party" means any person authorized by contract or law to select the arbitrator of a grievance.

**Statutory Authority:** *MS s 179A.04 subd 3*

**History:** 8 SR 293

### 7310.0200 SCOPE.

This chapter shall apply to the arbitration of grievances pursuant to Minnesota Statutes, chapter 179A.

**Statutory Authority:** *MS s 179A.04 subd 3*

**History:** 8 SR 293

### 7310.0300 POLICY.

Parts 7310.0100 to 7310.0600 shall be liberally construed to effectuate the purposes and provisions of the Public Employment Labor Relations Act.

**Statutory Authority:** *MS s 179A.04 subd 3*

### 7310.0400 PETITION.

Subpart 1. **Authority to petition.** A party may petition the board in writing for a list of five arbitrators. The petitioner shall provide all parties a copy of the petition at the time of filing with the board.

Subp. 2. **Contents of petition.** The petition shall include:

- A. the name and address of the petitioner;
- B. the names and addresses of the adverse parties;
- C. a concise statement of the nature of the grievance and the relief requested; and
- D. a copy of the provisions of the contract applicable to the grievance.

**Statutory Authority:** *MS s 179A.04 subd 3*

**History:** 8 SR 293

### 7310.0500 SELECTION OF THE ARBITRATOR.

Upon receipt of a petition, the board shall submit to the parties a list of five names for the selection of an arbitrator. Within five days after receipt of the list of arbitrators, the parties shall alternately strike names from the list until one name remains. If the parties are unable to agree on who shall strike the first name, the question shall be decided by the flip of a coin.

After selection, the parties shall immediately notify the board in writing of the name of the arbitrator.

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## 7310.0500 ARBITRATION OF GRIEVANCES

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**Statutory Authority:** *MS s 179A.04 subd 3*

**History:** 8 SR 293

### 7310.0550 UNIFORM ARBITRATION ACT.

The procedures and authority of the Uniform Arbitration Act in Minnesota Statutes, sections 572.08 to 572.30 shall apply to the arbitration proceedings except as they are inconsistent with the Public Employment Labor Relations Act.

**Statutory Authority:** *MS s 179A.04 subd 3*

**History:** 8 SR 293

### 7310.0600 PROFESSIONAL RESPONSIBILITY.

In arbitrating grievances pursuant to Minnesota Statutes, chapter 179A, arbitrators shall conform to the standards and procedures set forth in the Code of Professional Responsibility for Arbitrators of Labor-Management Disputes as approved by the National Academy of Arbitrators, American Arbitration Association, and Federal Mediation and Conciliation Service on April 28, 1975, incorporated herein by reference, to the extent not inconsistent with the provisions of the Public Employment Labor Relations Act, this chapter, or other applicable law or rule, provided that:

A. part 5(B)(1)(c), paragraph 112, of the Code of Professional Responsibility shall not be construed as limiting the right of the parties to order a copy of the hearing transcript; and

B. part 6(A)(1)(b), paragraph 124, of the Code of Professional Responsibility shall not be construed as limiting the right of the parties to submit written briefs to the arbitrator.

**Statutory Authority:** *MS s 179A.04 subd 3*

**History:** 8 SR 293