

5229.0020 FILING OF AGREEMENT AND RELATED DOCUMENTS.

Subpart 1. **Request for recognition.** Every employer or employer group and labor representative proposing to establish any program permitted by Minnesota Statutes, section 176.1812, shall jointly file with the commissioner a request to recognize an agreement under parts 5229.0010 to 5229.0060. Recognition includes a determination by the commissioner of the eligibility of the parties to enter into the agreement and whether the agreement is in compliance with parts 5229.0010 to 5229.0060, and the benefit provisions of Minnesota Statutes, chapter 176.

Subp. 2. **Required documents to be filed.** At the time of filing the original request for recognition, and annually thereafter if required in part 5229.0040, subpart 3, the employer or group of employers and the labor representative shall submit the following documents to the commissioner.

A. A copy of the fully signed underlying or master collective bargaining agreement and the approximate number of employees who will be covered by the agreement. The collective bargaining agreement shall be complete, including side letters and all appendices and other documents referred to in the agreement that relate to the program permitted by Minnesota Statutes, section 176.1812. This shall include but not be limited to the following if included in the agreement: trust documents; a description of how the alternative dispute resolution system will operate from the point a dispute arises through review or reconsideration by the court selected; a description of the manner in which the limited lists of health care providers, independent medical examiners, rehabilitation consultants, and retraining programs were compiled and the actual lists including names and addresses of the individuals and programs; and a description of the method of informing covered employees of the procedures applicable to them under the collectively bargained workers' compensation program. The documents submitted shall include a copy of the written materials used to inform the covered employees of the procedures in the program.

B. Evidence that the employer or each member of a group of employers meets all the criteria of parts 5229.0010 to 5229.0060, and Minnesota Statutes, section 176.1812.

C. Evidence that the employer or the group of employers shall, on behalf of its individual members, provide the data required by parts 5229.0010 to 5229.0060, and Minnesota Statutes, section 176.1812, subdivision 2.

D. If the request for recognition is on behalf of a group of employers, the group shall maintain records of its membership which include the approximate number of employees for each individual member of the group who is bound by the collective bargaining agreement. Copies of membership records shall be delivered to the commissioner on request. The request for recognition shall clearly identify each member in

the group and shall state whether all the members of the group are bound by the agreement, or whether each member must individually agree to be bound.

Subp. 3. **Additional information to be filed.** The following additional information shall be filed with the commissioner upon filing the original request for recognition, and annually thereafter as required in part 5229.0040, subpart 3:

A. name, address, and telephone number of the contact person for the employer or group of employers, and the resolution or other instrument conferring authority to that person to act on behalf of the employer or group of employers;

B. name, address, and telephone number of the contact person for the labor representative, and the resolution or other instrument conferring authority to that person to act on behalf of the labor representative;

C. a copy of the most recent Labor Organization Annual Report filing with the United States Department of Labor, along with a statement signed by the labor representative under penalty of perjury that the document is a true and correct copy;

D. if the employer or group of employers is insured under Minnesota Statutes, chapter 176, a copy of the certificate of insurance verifying coverage and a specific endorsement for coverage for a workers' compensation program authorized under Minnesota Statutes, section 176.1812 that was filed with the Department of Commerce; and

E. if the employer or group of employers is self insured under Minnesota Statutes, chapter 79A, a copy of the certificate to self insure of the employer or group of employers from the department of commerce.

Statutory Authority: *MS s 176.1812*

History: *21 SR 1246*

Published Electronically: *June 11, 2008*