

5229.0030 REVIEW AND NOTIFICATION BY COMMISSIONER.

Subpart 1. **Commissioner's review of a request for recognition.** Within 21 days after receiving a request for recognition of a collective bargaining agreement, the commissioner shall either:

- A. determine that all required information has been provided and so notify the parties; or
- B. determine that additional information is necessary to complete the request for recognition and so notify the parties.

If additional information is necessary, the commissioner's review of the request for recognition shall be suspended until the additional information is received.

Subp. 2. **Commissioner's decision on a request for recognition.** Within 21 days after the date that the commissioner has determined that a request for recognition is complete, the commissioner shall either:

- A. issue a letter of recognition; or
- B. issue a letter of the commissioner's decision refusing recognition.

If recognition is refused, the commissioner shall inform the parties of the reasons for the refusal. For good cause and upon written notice to the parties, the commissioner may extend the period for issuing letters of recognition or refusing recognition. The agreement is null and void from its purported effective date if the commissioner refuses recognition.

Subp. 3. **Commissioner's letter of recognition.** The letter of recognition issued by the commissioner, based upon the review of all documents and materials submitted as required by the commissioner and parts 5229.0010 to 5229.0060, means the following:

- A. the employer or group of employers and the labor representative meet the eligibility requirements of Minnesota Statutes, section 176.1812; and
- B. the collectively bargained agreement for workers' compensation is in compliance with parts 5229.0010 to 5229.0060 and the benefit provisions of Minnesota Statutes, chapter 176.

Subp. 4. **Effective dates of collectively bargained agreements.** A fully signed agreement is in effect on the date specified in the agreement as the effective date, however, no agreement shall be effective sooner than 15 days before the date that the commissioner received the request for recognition of the collectively bargained agreement. The commissioner's letter of recognition shall state the effective date.

Subp. 5. **Agreements with effective dates prior to recognition.** In the case of agreements having effective dates prior to a request for recognition or prior to the issuance of a commissioner's decision on recognition, the parties to the agreement must provide all

information requested by the commissioner within 14 days of the commissioner's request in order for the agreement to remain in effect. Failure to provide the information will result in a letter from the commissioner refusing recognition.

Statutory Authority: *MS s 176.1812*

History: *21 SR 1246*

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