

## CHAPTER 179A

## PUBLIC EMPLOYMENT LABOR RELATIONS

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## 179A.03 DEFINITIONS.

*[For text of subsds 1 to 6, see M.S.1998]*

Subd. 7. **Essential employee.** "Essential employee" means firefighters, peace officers subject to licensure under sections 626.84 to 626.863, 911 system and police and fire department public safety dispatchers, guards at correctional facilities, confidential employees, supervisory employees, assistant county attorneys, assistant city attorneys, principals, and assistant principals. However, for state employees, "essential employee" means all employees in law enforcement, health care professionals, correctional guards, professional engineering, and supervisory collective bargaining units, irrespective of severance, and no other employees. For University of Minnesota employees, "essential employee" means all employees in law enforcement, nursing professional and supervisory units, irrespective of severance, and no other employees. "Firefighters" means salaried employees of a fire department whose duties include, directly or indirectly, controlling, extinguishing, preventing, detecting, or investigating fires. Employees for whom the state court administrator is the negotiating employer are not essential employees.

*[For text of subsds 8 to 11, see M.S.1998]*

Subd. 12. **Principal.** "Principal" and "assistant principal" means any person so licensed by the commissioner of children, families, and learning who devotes more than 50 percent of the time to administrative or supervisory duties.

*[For text of subd 13, see M.S.1998]*

Subd. 14. **Public employee or employee.** "Public employee" or "employee" means any person appointed or employed by a public employer except:

- (a) elected public officials;
- (b) election officers;
- (c) commissioned or enlisted personnel of the Minnesota national guard;
- (d) emergency employees who are employed for emergency work caused by natural disaster;
- (e) part-time employees whose service does not exceed the lesser of 14 hours per week or 35 percent of the normal work week in the employee's appropriate unit;
- (f) employees whose positions are basically temporary or seasonal in character and: (1) are not for more than 67 working days in any calendar year; or (2) are not for more than 100 working days in any calendar year and the employees are under the age of 22, are full-time students enrolled in a nonprofit or public educational institution prior to being hired by the employer, and have indicated, either in an application for employment or by being enrolled at an educational institution for the next academic year or term, an intention to continue as students during or after their temporary employment;

(g) employees providing services for not more than two consecutive quarters to the board of trustees of the Minnesota state colleges and universities under the terms of a professional or technical services contract as defined in section 16C.08, subdivision 1;

(h) employees of charitable hospitals as defined by section 179.35, subdivision 3;

(i) full-time undergraduate students employed by the school which they attend under a work-study program or in connection with the receipt of financial aid, irrespective of number of hours of service per week;

(j) an individual who is employed for less than 300 hours in a fiscal year as an instructor in an adult vocational education program;

(k) an individual hired by the board of trustees of the Minnesota state colleges and universities to teach one course for three or fewer credits for one semester in a year;

(l) with respect to court employees:

(1) personal secretaries to judges;

(2) court reporters;

(3) law clerks;

(4) managerial employees;

(5) confidential employees; and

(6) supervisory employees.

The following individuals are public employees regardless of the exclusions of clauses (e) and (f):

(i) An employee hired by a school district or the board of trustees of the Minnesota state colleges and universities except at the university established in section 136F.13 or for community services or community education instruction offered on a noncredit basis: (A) to replace an absent teacher or faculty member who is a public employee, where the replacement employee is employed more than 30 working days as a replacement for that teacher or faculty member; or (B) to take a teaching position created due to increased enrollment, curriculum expansion, courses which are a part of the curriculum whether offered annually or not, or other appropriate reasons; and

(ii) An employee hired for a position under clause (f)(1) if that same position has already been filled under clause (f)(1) in the same calendar year and the cumulative number of days worked in that same position by all employees exceeds 67 calendar days in that year. For the purpose of this paragraph, "same position" includes a substantially equivalent position if it is not the same position solely due to a change in the classification or title of the position.

Subd. 15. **Public employer or employer.** "Public employer" or "employer" means:

(a) the state of Minnesota for employees of the state not otherwise provided for in this subdivision or section 179A.10 for executive branch employees;

(b) the board of regents of the University of Minnesota for its employees;

(c) the state court administrator for court employees;

(d) the state board of public defense for its employees; and

(e) notwithstanding any other law to the contrary, the governing body of a political subdivision or its agency or instrumentality which has final budgetary approval authority for its employees. However, the views of elected appointing authorities who have standing to initiate interest arbitration, and who are responsible for the selection, direction, discipline, and discharge of individual employees shall be considered by the employer in the course of the discharge of rights and duties under sections 179A.01 to 179A.25.

When two or more units of government subject to sections 179A.01 to 179A.25 undertake a project or form a new agency under law authorizing common or joint action, the employer is the governing person or board of the created agency. The governing official or body of the cooperating governmental units shall be bound by an agreement entered into by the created agency according to sections 179A.01 to 179A.25.

"Public employer" or "employer" does not include a "charitable hospital" as defined in section 179.35, subdivision 2.

Nothing in this subdivision diminishes the authority granted pursuant to law to an appointing authority with respect to the selection, direction, discipline, or discharge of an individual employee if this action is consistent with general procedures and standards relating to selection, direction, discipline, or discharge which are the subject of an agreement entered into under sections 179A.01 to 179A.25.

*[For text of subds 16 and 17, see M.S.1998]*

Subd. 18. **Teacher.** "Teacher" means any public employee other than a superintendent or assistant superintendent, principal, assistant principal, or a supervisory or confidential employee, employed by a school district:

- (1) in a position for which the person must be licensed by the board of teaching or the commissioner of children, families, and learning; or
- (2) in a position as a physical therapist or an occupational therapist.

*[For text of subd 19, see M.S.1998]*

Subd. 20. **Court employee.** "Court employee" means a public employee employed by the supreme court, court of appeals, or a judicial district that is under section 480.181, subdivision 1, paragraph (b).

**History:** 1998 c 398 art 5 s 55; 1999 c 216 art 7 s 3-6; 1999 c 221 s 5

## 179A.04 COMMISSIONER'S POWER, AUTHORITY, AND DUTIES.

*[For text of subds 1 and 2, see M.S.1998]*

Subd. 3. **Other duties.** (a) The commissioner shall:

- (1) provide mediation services as requested by the parties until the parties reach agreement, and may continue to assist parties after they have submitted their final positions for interest arbitration;
- (2) issue notices, subpoenas, and orders required by law to carry out duties under sections 179A.01 to 179A.25;
- (3) assist the parties in formulating petitions, notices, and other papers required to be filed with the commissioner;
- (4) conduct elections;
- (5) certify the final results of any election or other voting procedure conducted under sections 179A.01 to 179A.25;
- (6) adopt rules relating to the administration of this chapter and the conduct of hearings and elections;
- (7) receive, catalogue, file, and make available to the public all decisions of arbitrators and panels authorized by sections 179A.01 to 179A.25, all grievance arbitration decisions, and the commissioner's orders and decisions;
- (8) adopt, subject to chapter 14, a grievance procedure that fulfills the purposes of section 179A.20, subdivision 4, does not provide for the services of the bureau of mediation services and is available to any employee in a unit not covered by a contractual grievance procedure;
- (9) maintain a schedule of state employee classifications or positions assigned to each unit established in section 179A.10, subdivision 2;
- (10) collect fees established by rule for empanelment of persons on the labor arbitrator roster maintained by the commissioner or in conjunction with fair share fee challenges;
- (11) provide technical support and assistance to voluntary joint labor-management committees established for the purpose of improving relationships between exclusive representatives and employers, at the discretion of the commissioner;
- (12) provide to the parties a list of arbitrators as required by section 179A.16, subdivision 4; and
- (13) maintain a list of up to 60 arbitrators for referral to employers and exclusive representatives for the resolution of grievance or interest disputes. Each person on the list must be knowledgeable about collective bargaining and labor relations in the public sector, well versed in state and federal labor law, and experienced in and knowledgeable about labor arbitration. To the extent practicable, the commissioner shall appoint members to the list so that the list is gender and racially diverse.

(b) From the names provided by representative organizations, the commissioner shall maintain a list of arbitrators to conduct teacher discharge or termination hearings according

to section 122A.40 or 122A.41. The persons on the list must meet at least one of the following requirements:

- (1) be a former or retired judge;
- (2) be a qualified arbitrator on the list maintained by the bureau;
- (3) be a present, former, or retired administrative law judge; or
- (4) be a neutral individual who is learned in the law and admitted to practice in Minnesota, who is qualified by experience to conduct these hearings, and who is without bias to either party.

Each year, education Minnesota shall provide a list of up to 14 names and the Minnesota school boards association a list of up to 14 names of persons to be on the list. The commissioner may adopt rules about maintaining and updating the list.

*[For text of subd 4, see M.S.1998]*

**History:** 1999 c 221 s 6

## 179A.06 RIGHTS AND OBLIGATIONS OF EMPLOYEES.

*[For text of subd 1, see M.S.1998]*

Subd. 2. **Right to organize.** Public employees have the right to form and join labor or employee organizations, and have the right not to form and join such organizations. Public employees in an appropriate unit have the right by secret ballot to designate an exclusive representative to negotiate grievance procedures and the terms and conditions of employment with their employer. Confidential employees of the state, confidential court employees, and confidential University of Minnesota employees are excluded from bargaining. Supervisory and managerial court employees are excluded from bargaining. Other confidential employees, supervisory employees, principals, and assistant principals may form their own organizations. An employer shall extend exclusive recognition to a representative of or an organization of supervisory or confidential employees, or principals and assistant principals, for the purpose of negotiating terms or conditions of employment, in accordance with sections 179A.01 to 179A.25, applicable to essential employees.

Supervisory or confidential employee organizations shall not participate in any capacity in any negotiations which involve units of employees other than supervisory or confidential employees. Except for organizations which represent supervisors who are: (1) firefighters, peace officers subject to licensure under sections 626.84 to 626.863, guards at correctional facilities, or employees at hospitals other than state hospitals; and (2) not state or University of Minnesota employees, a supervisory or confidential employee organization which is affiliated with another employee organization which is the exclusive representative of nonsupervisory or nonconfidential employees of the same public employer shall not be certified, or act as, an exclusive representative for the supervisory or confidential employees. For the purpose of this subdivision, affiliation means either direct or indirect and includes affiliation through a federation or joint body of employee organizations.

*[For text of subs 3 to 6, see M.S.1998]*

**History:** 1999 c 216 art 7 s 7

## 179A.10 STATE UNITS.

Subdivision 1. **Exclusions.** The commissioner of employee relations shall meet and negotiate with the exclusive representative of each of the units specified in this section, except as provided in section 43A.06, subdivision 1, paragraph (c). The units provided in this section are the only appropriate units for executive branch state employees. The following employees shall be excluded from any appropriate unit:

- (1) the positions and classes of positions in the classified and unclassified services defined as managerial by the commissioner of employee relations in accordance with section 43A.18, subdivision 3, and so designated in the official state compensation schedules;
- (2) unclassified positions in the Minnesota state colleges and universities defined as managerial by the board of trustees;

- 4;
- (3) positions of physician employees compensated under section 43A.17, subdivision 4;
  - (4) positions of all unclassified employees appointed by a constitutional officer;
  - (5) positions in the bureau;
  - (6) positions of employees whose classification is pilot or chief pilot;
  - (7) administrative law judge and compensation judge positions in the office of administrative hearings; and
  - (8) positions of all confidential employees.

The governor may upon the unanimous written request of exclusive representatives of units and the commissioner direct that negotiations be conducted for one or more units in a common proceeding or that supplemental negotiations be conducted for portions of a unit or units defined on the basis of appointing authority or geography.

*[For text of subds 2 and 3, see M.S.1998]*

Subd. 4. **Other assignments.** The commissioner shall assign state employee classifications, court employee classifications, University of Minnesota employee classifications, and supervisory positions to the appropriate units when the classifications or positions have not been assigned under subdivision 2 or section 179A.101 or 179A.11 or have been significantly modified in occupational content subsequent to assignment under these sections. The assignment of the classes shall be made on the basis of the community of interest of the majority of employees in these classes with the employees within the statutory units. All the employees in a class, excluding supervisory and confidential employees, shall be assigned to a single appropriate unit.

**History:** 1999 c 216 art 7 s 8; 1999 c 221 s 7

#### 179A.101 COURT UNITS.

Subdivision 1. **Court employee units.** (a) The state court administrator shall meet and negotiate with the exclusive representative of each of the units specified in this section. The units provided in this section are the only appropriate units for court employees. Court employees, unless otherwise excluded, are included within the units which include the classifications to which they are assigned for purposes of compensation. Initial assignment of classifications to bargaining units shall be made by the state court administrator by August 15, 1999. An exclusive representative may appeal the initial assignment decision of the state court administrator by filing a petition with the commissioner within 45 days of being certified as the exclusive representative for a judicial district. The units in this subdivision are the appropriate units of court employees.

(b) The judicial district unit consists of clerical, administrative, and technical employees of a judicial district under section 480.181, subdivision 1, paragraph (b), or of two or more of these districts that are represented by the same employee organization or one or more subordinate bodies of the same employee organization. The judicial district unit includes individuals, not otherwise excluded, whose work is typically clerical or secretarial in nature, including nontechnical data recording and retrieval and general office work, and individuals, not otherwise excluded, whose work is not typically manual and which requires specialized knowledge or skills acquired through two-year academic programs or equivalent experience or on-the-job training.

(c) The appellate courts unit consists of clerical, administrative, and technical employees of the court of appeals and clerical, administrative, and technical employees of the supreme court. The appellate courts unit includes individuals, not otherwise excluded, whose work is typically clerical or secretarial in nature, including nontechnical data recording and retrieval and general office work, and individuals, not otherwise excluded, whose work is not typically manual and which requires specialized knowledge or skills acquired through two-year academic programs or equivalent experience or on-the-job training.

(d) The court employees professional employee unit consists of professional employees, not otherwise excluded, that are employed by the supreme court, the court of appeals, or a judicial district under section 480.181, subdivision 1, paragraph (b).

(e) Copies of collective bargaining agreements entered into under this section must be submitted to the legislative coordinating commission for the commission's information.

**Subd. 2. Exclusions.** The following employees are excluded from the appropriate units under subdivision 1:

- (1) personal secretaries to judges;
- (2) court reporters;
- (3) law clerks;
- (4) managerial employees;
- (5) confidential employees; and
- (6) supervisory employees.

**Subd. 3. Employee organizations representing more than one judicial district unit.**

Whenever an employee organization or one or more subordinate bodies of the same employee organization is certified as the exclusive representative of the employees in more than one judicial district unit, all judicial district units for which the employee organization or one or more subordinate bodies of the same employee organization has been certified will be combined into one unit and the employee organization certified as exclusive representative of the employees of the new, combined unit. The commissioner shall issue a certification within 45 days of receipt of a petition demonstrating that an employee organization or one or more subordinate bodies of the same employee organization is certified as the exclusive representative of employees in more than one judicial district unit.

**History:** 1999 c 216 art 7 s 9

#### **179A.102 TRANSITION TO NEW BARGAINING UNIT STRUCTURE.**

**Subdivision 1. Application of section.** Notwithstanding the provisions of section 179A.12 or any other law, this section governs, where contrary to other law, the initial certification and decertification, if any, of exclusive representatives for the appropriate units established by section 179A.101. Subsequent to the initial certification and decertification, if any, pursuant to this section, this section does not apply.

**Subd. 2. Existing majority.** The commissioner shall certify an employee organization as exclusive representative for an appropriate unit established under section 179A.101 upon a petition filed with the commissioner by the organization within 30 days of the effective date of the judicial district coming under section 480.181, subdivision 1, paragraph (b), demonstrating that the petitioner is certified pursuant to section 179A.12 as the exclusive representative of a majority of the employees included within the unit established by section 179A.101 as of that effective date. Two or more employee organizations that represent the employees in a unit established by section 179A.101 may petition jointly under this subdivision, provided that any organization may withdraw from a joint certification in favor of the remaining organizations on 30 days' notice to the remaining organizations, the employer, and the commissioner, without affecting the rights and obligations of the remaining organizations or the employer. The commissioner shall make a determination on a timely petition within 45 days of its receipt.

**Subd. 3. No existing majority.** (a) If no exclusive representative is certified under subdivision 2, the commissioner shall certify an employee organization as exclusive representative for an appropriate unit established under section 179A.101 upon a petition filed by the organization within the time period provided in subdivision 2 demonstrating that the petitioner is certified under section 179A.12 as the exclusive representative of fewer than a majority of the employees included within the unit established by section 179A.101, if no other employee organization so certified has filed a petition within the time period provided in subdivision 2 and a majority of the employees in the unit established by section 179A.101 are represented by employee organizations under section 179A.12 on the effective date of the judicial district coming under section 480.181, subdivision 1, paragraph (b). Two or more employee organizations, each of which represents employees included in the unit established by section 179A.101, may petition jointly under this paragraph, provided that any organization may withdraw from a joint certification in favor of the remaining organizations on 30 days' notice to the remaining organizations, the employer, and the commissioner without af-

fecting the rights and obligations of the remaining organizations or the employer. The commissioner shall make a determination on a timely petition within 45 days of its receipt.

(b) If no exclusive representative is certified under subdivision 2 or paragraph (a), and an employee organization petitions the commissioner within 90 days of the effective date of the judicial district coming under section 480.181, subdivision 1, paragraph (b), demonstrating that a majority of the employees included within a unit established by section 179A.101 wish to be represented by the petitioner, where this majority is evidenced by current dues deduction rights, signed statements from court employees in counties within the district that are not currently represented by any employee organization plainly indicating that the signatories wish to be represented for collective bargaining purposes by the petitioner rather than by any other organization, or a combination of those, the commissioner shall certify the petitioner as exclusive representative of the employees in the unit established by section 179A.101. The commissioner shall make a determination on a timely petition within 45 days of its receipt.

(c) If no exclusive representative is certified under subdivision 2 or paragraph (a) or (b), and an employee organization petitions the commissioner subsequent to the effective date of the judicial district coming under section 480.181, subdivision 1, paragraph (b), demonstrating that at least 30 percent of the employees included within a unit established by section 179A.101 wish to be represented by the petitioner, where this 30 percent is evidenced by current dues deduction rights, signed statements from court employees in counties within the district that are not currently represented by any employee organization plainly indicating that the signatories wish to be represented for collective bargaining purposes by the petitioner rather than by any other organization, or a combination of those, the commissioner shall conduct a secret ballot election to determine the wishes of the majority. The election must be conducted within 45 days of receipt or final decision on any petitions filed pursuant to subdivision 2, whichever is later. The election is governed by section 179A.12, where not inconsistent with other provisions of this section.

**Subd. 4. Decertification.** The commissioner may not consider a petition for decertification of an exclusive representative certified under this section for one year after certification. After that time a petition must be considered under the provisions of section 179A.12.

**Subd. 5. Existing collective bargaining agreements.** The terms and conditions of collective bargaining agreements covering judicial district employees in districts that come under section 480.181, subdivision 1, paragraph (b), remain in effect until a successor agreement becomes effective.

**Subd. 6. Contract and representation responsibilities.** (a) Notwithstanding the provisions of section 179A.101, the exclusive representatives of units of court employees certified prior to the effective date of the judicial district coming under section 480.181, subdivision 1, paragraph (b), remain responsible for administration of their contracts and for other contractual duties and have the right to dues and fair share fee deduction and other contractual privileges and rights until a contract is agreed upon with the state court administrator for a new unit established under section 179A.101 or until June 30, 2001, whichever is earlier. Exclusive representatives of court employees certified after the effective date of this section in the judicial district are immediately upon certification responsible for bargaining on behalf of employees within the unit. They are also responsible for administering grievances arising under previous contracts covering employees included within the unit which remain unresolved on June 30, 2001, or upon agreement with the state court administrator on a contract for a new unit established under section 179A.101, whichever is earlier. Where the employer does not object, these responsibilities may be varied by agreement between the outgoing and incoming exclusive representatives. All other rights and duties of representation begin on July 1, 2001, except that exclusive representatives certified after the effective date of this section shall immediately, upon certification, have the right to all employer information and all forms of access to employees within the bargaining unit which would be permitted to the current contract holder, including the rights in section 179A.07, subdivision 6. This section does not affect an existing collective bargaining contract. Incoming exclusive representatives of court employees from judicial districts that come under section 480.181, subdivision 1, paragraph (b), are immediately, upon certification, responsible for bargaining on be-

half of all previously unrepresented employees assigned to their units. All other rights and duties of exclusive representatives begin on July 1, 2001.

(b) Nothing in Laws 1999, chapter 216, article 7, sections 3 to 15 prevents an exclusive representative certified after the effective date of sections 3 to 15 from assessing fair share or dues deductions immediately upon certification for employees in a unit established under section 179A.101 if the employees were unrepresented for collective bargaining purposes before that certification.

**History:** 1999 c 216 art 7 s 10

### 179A.103 GENERAL PROVISIONS FOR COURT EMPLOYEES.

Subdivision 1. **Contracts.** Contracts for the period commencing July 1, 2000, for the judicial district court employees of judicial districts that are under section 480.181, subdivision 1, paragraph (b), must be negotiated with the state court administrator. Negotiations for those contracts may begin any time after July 1, 1999, and may be initiated by either party notifying the other of the desire to begin the negotiating process. Negotiations are subject to this chapter.

Subd. 2. **Date of employment.** The date of first employment by the state court system is the date on which services were first performed by the employee for the employer from which the employee is being transferred.

Subd. 3. **Probationary periods.** Except as otherwise provided in a successor contract, probationary periods are not affected by the transfer of employees to the state court system.

Subd. 4. **Wage protection.** Court employees in judicial districts coming under section 480.181, subdivision 1, paragraph (b), may not have a decrease in wages as a result of their transfer to state employment. Wage scales negotiated in a judicial district contract are not to be applied to a court employee of a judicial district who was a court employee of a county within the judicial district at the time the judicial district came under section 480.181, subdivision 1, paragraph (b), until the wage for the employee under the scale is equal to or greater than the wage the employee was receiving on the date the judicial district came under section 480.181, subdivision 1, paragraph (b).

**History:** 1999 c 216 art 7 s 11

### 179A.104 BOARD OF PUBLIC DEFENSE.

Subdivision 1. **Board of public defense employee units.** The state board of public defense shall meet and negotiate with the exclusive representative of each of the statewide units specified in this section. The units provided in this section are the only appropriate statewide units for state employees of the board. Employees of the state board of public defense, unless otherwise excluded, are included within the units which include the classifications to which they are assigned for purposes of compensation. The following are the appropriate statewide units of state employees of the board:

- (1) assistant district and assistant state public defender unit; and
- (2) clerical and support staff unit.

Each unit consists of the classifications or positions assigned to it in the schedule of job classifications and positions maintained by the state board of public defense.

Subd. 2. **Exclusions.** The following employees are excluded from the appropriate statewide units under subdivision 1:

- (1) the positions of state public defender, deputy state public defender, and chief district public defender;
- (2) the positions of managing attorney and managing legal secretary in judicial district public defender offices and in the state public defender's office;
- (3) positions of all employees in the administrative services office of the state board of public defense;
- (4) positions of all part-time and temporary employees as defined under section 179A.03, subdivision 14, clauses (e) and (f).

**History:** 1999 c 216 art 7 s 12



**179A.12 EXCLUSIVE REPRESENTATION; ELECTIONS; DECERTIFICATION.**

*[For text of subs 1 to 3, see M.S.1998]*

Subd. 4. **State unit elections.** The commissioner shall not consider a petition for a decertification election during the term of a contract covering employees of the executive or judicial branches of the state of Minnesota except for a period from not more than 270 to not less than 210 days before its date of termination.

*[For text of subs 5 to 12, see M.S.1998]*

**History:** 1999 c 216 art 7 s 13

**179A.16 INTEREST ARBITRATION.**

*[For text of subd 1, see M.S.1998]*

Subd. 2. **Essential employees.** An exclusive representative or employer of a unit of essential employees may petition for binding interest arbitration by filing a written request with the other party and the commissioner. The written request must specify the items which that party wishes to submit to binding arbitration. Within 15 days of the request, the commissioner shall determine whether further mediation of the dispute would be appropriate and shall only certify matters for arbitration in cases where the commissioner believes that both parties have made substantial, good-faith bargaining efforts and that an impasse has occurred.

*[For text of subs 3 to 7, see M.S.1998]*

Subd. 7a. **Decision affecting firefighters.** (a) For firefighters, subdivision 7 governs, except that the arbitrator or panel is restricted to selecting between the final offer total packages of the parties as submitted to the commissioner at impasse, unless conventional arbitration is agreed to by both parties in writing. However, the arbitrator or panel has no jurisdiction or authority to entertain any matter or issue that is not a term and condition of employment or protected by section 179A.07, subdivision 1, unless the matter or issue was included in the employer's final position.

(b) This subdivision expires June 30, 2003.

*[For text of subs 8 and 9, see M.S.1998]*

**History:** 1999 c 166 s 1; 1999 c 221 s 8

**179A.22 STATE AND ITS EMPLOYEES; NEGOTIATIONS.**

*[For text of subd 1, see M.S.1998]*

Subd. 2. **Employer.** The employer of state executive branch employees shall be, for purposes of sections 179A.01 to 179A.25, the commissioner of employee relations or the commissioner's representative.

Subd. 3. **Duties.** In all negotiations between the executive branch of the state and exclusive representatives, the state executive branch shall be represented by the commissioner of employee relations or the commissioner's representative. The attorney general, and each appointing authority shall cooperate with the commissioner of employee relations in conducting negotiations and shall make available any personnel and other resources necessary to enable the commissioner to conduct effective negotiations.

*[For text of subd 4, see M.S.1998]*

**History:** 1999 c 216 art 7 s 14, 15

**179A.225 COURT EMPLOYEES; NEGOTIATIONS.**

Subdivision 1. **Employer.** The employer of court employees is, for purposes of sections 179A.01 to 179A.25, the state court administrator or designated representative.

Subd. 2. **Duties.** In all negotiations between the state court system and exclusive representatives of court employees, the state court system must be represented by the state court administrator or designated representative. All judges and managerial, confidential, and supervisory personnel of the supreme court, the court of appeals, and the judicial districts that are under section 480.181, subdivision 1, paragraph (b), shall cooperate with the designated representative of the state court administrator in conducting negotiations and shall make available any personnel and other resources necessary to enable the representative of the state court administrator to conduct effective negotiations.

Subd. 3. **Agreements.** The state court administrator is authorized to enter into agreements with exclusive representatives.

**History:** 1999 c 216 art 7 s 16

#### **179A.226 BOARD OF PUBLIC DEFENSE EMPLOYEES; NEGOTIATIONS.**

Subdivision 1. **Duties.** In all negotiations between the state board of public defense and exclusive representatives, the board must be represented by the chief administrator of the board or the chief administrator's designee. Each appointing authority shall cooperate with the chief administrator in conducting negotiations and shall make available any personnel and other resources necessary to enable the chief administrator to conduct effective negotiations. For purposes of this subdivision, "appointing authority" means the state public defender, the deputy state public defender, or the chief public defender of the judicial district, as appropriate.

Subd. 2. **Agreements.** The state board of public defense is authorized to enter into agreements with exclusive representatives.

**History:** 1999 c 216 art 7 s 17