

1.1 **Senator Murphy from the Committee on State and Local Government and Veterans,**
1.2 **to which was re-referred**

1.3 **S.F. No. 303:** A bill for an act relating to labor; modifying Public Employment Relations
1.4 Board data; appropriating money; amending Minnesota Statutes 2022, sections 13.43,
1.5 subdivision 6; 179A.041, by adding a subdivision; proposing coding for new law in
1.6 Minnesota Statutes, chapter 13.

1.7 Reports the same back with the recommendation that the bill be amended as follows:

1.8 Page 1, line 16, delete "designee" and insert "employees or agents"

1.9 Page 1, delete subdivision 2 and insert:

1.10 "Subd. 2. Charge and complaint data. (a) Except as provided in paragraphs (b) and
1.11 (c), all data maintained by the board about a charge of unfair labor practices and appeals of
1.12 determinations of the commissioner under section 179A.12, subdivision 11, are classified
1.13 as protected nonpublic data or confidential data prior to being admitted into evidence at a
1.14 hearing conducted pursuant to section 179A.13. Data that are admitted into evidence at a
1.15 hearing conducted pursuant to section 179A.13 are public unless subject to a protective
1.16 order as determined by the board or a hearing officer.

1.17 (b) Statements by individuals that are provided to the board are private data on
1.18 individuals, as defined by section 13.02, subdivision 12, prior to being admitted into evidence
1.19 at a hearing conducted pursuant to section 179A.13, and become public once admitted into
1.20 evidence.

1.21 (c) The following data are public at all times:

1.22 (1) the filing date of unfair labor practice charges;

1.23 (2) the status of unfair labor practice charges as an original or amended charge;

1.24 (3) the names and job classifications of charging parties and charged parties;

1.25 (4) the provisions of law alleged to have been violated in unfair labor practice charges;

1.26 (5) the complaint issued by the board; and

1.27 (6) unless subject to a protective order:

1.28 (i) the full and complete record of an evidentiary hearing before a hearing officer,
1.29 including the hearing transcript, exhibits admitted into evidence, and posthearing briefs;

1.30 (ii) recommended decisions and orders of hearing officers pursuant to section 179A.13,
1.31 subdivision 1, paragraph (i);

2.1 (iii) exceptions to the hearing officer's recommended decision and order filed with the
2.2 board pursuant to section 179A.13, subdivision 1, paragraph (k);

2.3 (iv) party and nonparty briefs filed with the board; and

2.4 (v) decisions and orders issued by the board.

2.5 (d) The board may make any data classified as private, protected nonpublic, or
2.6 confidential pursuant to this subdivision accessible to any person or party if the access will
2.7 aid the implementation of chapters 179 and 179A or ensure due process protection of the
2.8 parties."

2.9 And when so amended the bill do pass and be re-referred to the Committee on Judiciary
2.10 and Public Safety. Amendments adopted. Report adopted.

2.11 
2.12
(Committee Chair)

2.13 February 9, 2023.....
2.14 (Date of Committee recommendation)