

1.1 **Senator McEwen from the Committee on Labor, to which was referred**

1.2 **S.F. No. 5266:** A bill for an act relating to state government; modifying supplemental
1.3 appropriations and other provisions related to the Bureau of Mediation Services; amending
1.4 Minnesota Statutes 2022, section 626.892, subdivision 10; Laws 2023, chapter 53, article
1.5 19, section 4; repealing Minnesota Statutes 2022, sections 179.81; 179.82; 179.83,
1.6 subdivision 1; 179.84, subdivision 1; 179.85; Minnesota Rules, parts 5520.0100; 5520.0110;
1.7 5520.0120; 5520.0200; 5520.0250; 5520.0300; 5520.0500; 5520.0520; 5520.0540;
1.8 5520.0560; 5520.0600; 5520.0620; 5520.0700; 5520.0710; 5520.0800.

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

1.10 Delete everything after the enacting clause and insert:

1.11 **"ARTICLE 1**
1.12 **APPROPRIATIONS**

1.13 Section 1. **APPROPRIATIONS.**

1.14 The sums shown in the columns marked "Appropriations" are appropriated to the agencies
1.15 and for the purposes specified in sections 2 to 6. The appropriations are from the general
1.16 fund, or another named fund, and are available for the fiscal years indicated for each purpose.
1.17 The figures "2024" and "2025" used in this article mean that the appropriations listed under
1.18 them are available for the fiscal year ending June 30, 2024, or June 30, 2025, respectively.
1.19 "The first year" is fiscal year 2024. "The second year" is fiscal year 2025. "The biennium"
1.20 is fiscal years 2024 and 2025.

<u>APPROPRIATIONS</u>				
<u>Available for the Year</u>				
<u>Ending June 30</u>				
		<u>2024</u>		<u>2025</u>
1.25	Sec. 2. <u>DEPARTMENT OF HEALTH</u>	<u>\$</u>	<u>-0-</u>	<u>\$ 174,000</u>
1.26	<u>\$174,000 the second year is for technical</u>			
1.27	<u>assistance for rulemaking for acceptable blood</u>			
1.28	<u>lead levels for workers. This appropriation is</u>			
1.29	<u>onetime and is available until June 30, 2026.</u>			
1.30	Sec. 3. <u>ATTORNEY GENERAL'S OFFICE</u>	<u>\$</u>	<u>-0-</u>	<u>\$ 120,000</u>
1.31	<u>\$120,000 the second year is for enforcement</u>			
1.32	<u>of compensation for internet content creators</u>			
1.33	<u>under Minnesota Statutes, section 181A.13.</u>			
1.34	<u>This appropriation is available until June 30,</u>			
1.35	<u>2026. The base for this appropriation is</u>			

2.1	<u>\$120,000 for fiscal year 2026 and \$240,000</u>			
2.2	<u>for fiscal year 2027 and each year thereafter.</u>			
2.3	<u>Sec. 4. BOARD OF REGENTS OF THE</u>			
2.4	<u>UNIVERSITY OF MINNESOTA</u>	<u>\$</u>	<u>-0-</u> <u>\$</u>	<u>.....</u>
2.5	<u>\$..... the second year is for labor relations</u>			
2.6	<u>staffing costs. The base for this appropriation</u>			
2.7	<u>is \$..... for fiscal year 2026 and \$..... for</u>			
2.8	<u>fiscal year 2027 and each year thereafter.</u>			
2.9	<u>Sec. 5. BOARD OF TRUSTEES OF THE</u>			
2.10	<u>MINNESOTA STATE COLLEGES AND</u>			
2.11	<u>UNIVERSITIES</u>	<u>\$</u>	<u>-0-</u> <u>\$</u>	<u>.....</u>
2.12	<u>\$..... the second year is for labor relations</u>			
2.13	<u>staffing costs.</u>			
2.14	<u>Sec. 6. DEPARTMENT OF LABOR AND</u>			
2.15	<u>INDUSTRY</u>	<u>\$</u>	<u>-0-</u> <u>\$</u>	<u>.....</u>
2.16	<u>(a) \$..... the second year is for a grant to</u>			
2.17	<u>Tending the Soil, a 501(c)(3) nonprofit</u>			
2.18	<u>organization, to redevelop a building located</u>			
2.19	<u>at 2808 Hennepin Avenue South in</u>			
2.20	<u>Minneapolis, for use as the Rise Up Center to</u>			
2.21	<u>house a workforce development and job</u>			
2.22	<u>training center, office spaces for the</u>			
2.23	<u>administration of workforce development</u>			
2.24	<u>programs, and a public gathering space. The</u>			
2.25	<u>center, when complete, shall be capable of</u>			
2.26	<u>training up to 3,000 low-income workers</u>			
2.27	<u>annually from diverse backgrounds in the</u>			
2.28	<u>fields of green energy, construction, food</u>			
2.29	<u>processing, and other stable careers through</u>			
2.30	<u>preapprenticeships and job readiness training,</u>			
2.31	<u>in partnership with labor and grassroots</u>			
2.32	<u>organizations. This is a onetime appropriation</u>			
2.33	<u>and is available until the project is completed</u>			
2.34	<u>or abandoned, subject to Minnesota Statutes,</u>			
2.35	<u>section 16A.642.</u>			

3.1 (b) Beginning January 15, 2025, the
3.2 commissioner of labor and industry must
3.3 annually report to the legislative committees
3.4 with jurisdiction over economic development,
3.5 workforce development, jobs, and labor
3.6 regarding the uses of funds in this grant. The
3.7 report must include how much of the grant
3.8 funds remain unspent. The report must also
3.9 detail the number of workers served by the
3.10 grant. A final report is due the January 15
3.11 immediately following the cancellation or
3.12 exhaustion of this grant. As a condition of
3.13 receiving the grant, Tending the Soil must
3.14 agree to provide the commissioner any
3.15 information needed to complete this report.

3.16 Sec. 7. Laws 2023, chapter 53, article 14, section 1, is amended to read:

3.17 Section 1. **EARNED SICK AND SAFE TIME APPROPRIATIONS.**

3.18 (a) \$1,445,000 in fiscal year 2024 and ~~\$2,209,000~~ \$1,899,000 in fiscal year 2025 are
3.19 appropriated from the general fund to the commissioner of labor and industry for enforcement
3.20 and other duties regarding earned sick and safe time under Minnesota Statutes, sections
3.21 181.9445 to 181.9448, and chapter 177. ~~The base for this appropriation is \$1,899,000 for~~
3.22 ~~fiscal year 2026 and each year thereafter.~~

3.23 (b) \$300,000 in fiscal year 2024 and \$300,000 in fiscal year 2025 are appropriated from
3.24 the general fund to the commissioner of labor and industry for grants to community
3.25 organizations under Minnesota Statutes, section 177.50, subdivision 4. This is a onetime
3.26 appropriation.

3.27 (c) \$310,000 in fiscal year 2025 is appropriated from the general fund to the commissioner
3.28 of labor and industry for rulemaking related to earned sick and safe time under Minnesota
3.29 Statutes, sections 181.9445 to 181.9448, and chapter 177. This is a onetime appropriation
3.30 and is available until June 30, 2027.

3.31 **EFFECTIVE DATE.** This section is effective the day following final enactment.

4.1 Sec. 8. Laws 2023, chapter 53, article 19, section 2, subdivision 1, is amended to read:

4.2				44,044,000
4.3	Subdivision 1. Total Appropriation	\$	47,710,000	\$ <u>44,464,000</u>

4.4	Appropriations by Fund			
4.5		2024	2025	
4.6				4,889,000
4.7	General	7,200,000		<u>5,030,000</u>
4.8	Workers'			32,390,000
4.9	Compensation	30,599,000		<u>32,669,000</u>
4.10	Workforce			
4.11	Development	9,911,000	6,765,000	

4.12 The amounts that may be spent for each
4.13 purpose are specified in the following
4.14 subdivisions. The general fund base for this
4.15 appropriation is ~~\$4,936,000~~ \$5,077,000 in
4.16 fiscal year 2026 and ~~\$4,958,000~~ \$5,030,000
4.17 in fiscal year 2027 and each year thereafter.

4.18 The workers compensation fund base is
4.19 ~~\$32,749,000~~ \$32,892,000 in fiscal year 2026
4.20 and \$32,458,000 in fiscal year 2027 and each
4.21 year thereafter. The workforce development
4.22 fund base is \$6,765,000 in fiscal year 2026
4.23 and each year thereafter.

4.24 Sec. 9. Laws 2023, chapter 53, article 19, section 2, subdivision 3, is amended to read:

4.25				6,270,000
4.26	Subd. 3. Labor Standards		6,520,000	<u>6,411,000</u>

4.27	Appropriations by Fund			
4.28				4,635,000
4.29	General	4,957,000		<u>4,776,000</u>
4.30	Workforce			
4.31	Development	1,563,000	1,635,000	

4.32 The general fund base for this appropriation
4.33 is ~~\$4,682,000~~ \$4,823,000 in fiscal year 2026
4.34 and ~~\$4,704,000~~ \$4,776,000 in fiscal year 2027
4.35 and each year thereafter.

5.1 (a) \$2,046,000 each year is for wage theft

5.2 prevention.

5.3 (b) \$1,563,000 the first year and \$1,635,000

5.4 the second year are from the workforce

5.5 development fund for prevailing wage

5.6 enforcement.

5.7 (c) \$134,000 the first year and \$134,000 the

5.8 second year are for outreach and enforcement

5.9 efforts related to changes to the nursing

5.10 mothers, lactating employees, and pregnancy

5.11 accommodations law.

5.12 (d) \$661,000 the first year and \$357,000 the

5.13 second year are to perform work for the

5.14 Nursing Home Workforce Standards Board.

5.15 The base for this appropriation is \$404,000 in

5.16 fiscal year 2026 and \$357,000 in fiscal year

5.17 2027.

5.18 (e) \$225,000 the first year and \$169,000 the

5.19 second year are for the purposes of the Safe

5.20 Workplaces for Meat and Poultry Processing

5.21 Workers Act.

5.22 (f) \$27,000 the first year is for the creation

5.23 and distribution of a veterans' benefits and

5.24 services poster under Minnesota Statutes,

5.25 section 181.536.

5.26 (g) \$141,000 the second year is to inform and

5.27 educate employers relating to Minnesota

5.28 Statutes, section 181.960.

5.29 Sec. 10. Laws 2023, chapter 53, article 19, section 2, subdivision 5, is amended to read:

5.30

5.31 Subd. 5. **Workplace Safety**

8,644,000

~~7,559,000~~
7,838,000

6.1	Appropriations by Fund		
6.2	General	2,000,000	-0-
6.3	Workers'		7,559,000
6.4	Compensation	6,644,000	<u>7,838,000</u>

6.5 The workers compensation fund base for this
6.6 appropriation is ~~\$7,918,000~~ \$8,061,000 in
6.7 fiscal year 2026 and \$7,627,000 in fiscal year
6.8 2027 and each year thereafter.

6.9 \$2,000,000 the first year is for the ergonomics
6.10 safety grant program. This appropriation is
6.11 available until June 30, 2026. This is a onetime
6.12 appropriation.

6.13 Sec. 11. Laws 2023, chapter 53, article 19, section 4, is amended to read:

6.14 Sec. 4. **BUREAU OF MEDIATION SERVICES** \$ 3,707,000 \$ 3,789,000

6.15 ~~(a) \$750,000 each year is for purposes of the~~
6.16 ~~Public Employment Relations Board under~~
6.17 ~~Minnesota Statutes, section 179A.041.~~

6.18 ~~(b) \$68,000 each year is for grants to area~~
6.19 ~~labor management committees. Grants may~~
6.20 ~~be awarded for a 12-month period beginning~~
6.21 ~~July 1 each year. Any unencumbered balance~~
6.22 ~~remaining at the end of the first year does not~~
6.23 ~~cancel but is available for the second year.~~

6.24 ~~(c) \$47,000 each year is for rulemaking,~~
6.25 ~~staffing, and other costs associated with peace~~
6.26 ~~officer grievance procedures.~~

6.27 **EFFECTIVE DATE.** This section is effective retroactively from July 1, 2023.

7.1 **ARTICLE 2**

7.2 **COMBATIVE SPORTS - DEPARTMENT OF LABOR AND INDUSTRY**

7.3 Section 1. Minnesota Statutes 2023 Supplement, section 341.25, is amended to read:

7.4 **341.25 RULES.**

7.5 (a) The commissioner may adopt rules that include standards for the physical examination
7.6 and condition of combatants and referees.

7.7 (b) The commissioner may adopt other rules necessary to carry out the purposes of this
7.8 chapter, including, but not limited to, the conduct of all combative sport contests and their
7.9 manner, supervision, time, and place.

7.10 (c) The most recent version of the Unified Rules of Mixed Martial Arts, as promulgated
7.11 by the Association of Boxing Commissions, is incorporated by reference and made a part
7.12 of this chapter except as qualified by this chapter and Minnesota Rules, chapter 2202. In
7.13 the event of a conflict between this chapter and the Unified Rules, this chapter must govern.

7.14 (d) The most recent version of the Unified Rules of Boxing, as promulgated by the
7.15 Association of Boxing Commissions, is incorporated by reference and made a part of this
7.16 chapter except as qualified by this chapter and Minnesota Rules, chapter 2201. In the event
7.17 of a conflict between this chapter and the Unified Rules, this chapter must govern.

7.18 (e) The most recent version of the Unified Rules of Kickboxing and Unified Rules of
7.19 Muay Thai, as promulgated by the Association of Boxing Commissions, ~~is~~ are incorporated
7.20 by reference and made a part of this chapter except as qualified by this chapter and any
7.21 applicable Minnesota Rules. In the event of a conflict between this chapter and ~~the Unified~~
7.22 ~~Rules~~ those rules, this chapter must govern. If a promoter seeks to hold a kickboxing event
7.23 governed by a different set of kickboxing rules, the promoter must send the commissioner
7.24 a copy of the rules under which the proposed bouts will be conducted at least 45 days before
7.25 the event. The commissioner may approve or deny the use of the alternative rules at the
7.26 commissioner's discretion. If the alternative rules are approved for an event, this chapter
7.27 and any applicable Minnesota Rules, except of those incorporating the Unified Rules of
7.28 Kickboxing and Unified Rules of Muay Thai, must govern if there is a conflict between the
7.29 rules and Minnesota law.

7.30 Sec. 2. Minnesota Statutes 2023 Supplement, section 341.28, subdivision 5, is amended
7.31 to read:

7.32 Subd. 5. **Regulatory authority; martial arts and amateur boxing.** (a) Unless this
7.33 chapter specifically states otherwise, contests or exhibitions for martial arts and amateur

8.1 boxing are exempt from the requirements of this chapter and officials at these events are
8.2 not required to be licensed under this chapter.

8.3 (b) Martial arts and amateur boxing contests, unless subject to the exceptions set forth
8.4 in subdivision 6 or 7, must be regulated by a nationally recognized organization approved
8.5 by the commissioner. The organization must have a set of written standards, procedures, or
8.6 rules used to sanction the combative sports it oversees.

8.7 (c) Any regulatory body overseeing a martial arts or amateur boxing event must submit
8.8 bout results to the commissioner within 72 hours after the event. If the regulatory body
8.9 issues suspensions, the regulatory body must submit to the commissioner a list of any
8.10 suspensions resulting from the event within 72 hours after the event. Regulatory bodies that
8.11 oversee combative sports or martial arts contests under subdivision 6 or 7 are not subject
8.12 to this paragraph.

8.13 Sec. 3. Minnesota Statutes 2022, section 341.28, is amended by adding a subdivision to
8.14 read:

8.15 Subd. 7. **Regulatory authority; youth competition.** Combative sports or martial arts
8.16 contests between individuals under the age of 18 years are exempt from the requirements
8.17 of this chapter and officials at these events are not required to be licensed under this chapter.
8.18 A contest under this subdivision must be regulated by (1) a widely recognized organization
8.19 that regularly oversees youth competition, or (2) a local government.

8.20 Sec. 4. Minnesota Statutes 2022, section 341.29, is amended to read:

8.21 **341.29 JURISDICTION OF COMMISSIONER.**

8.22 The commissioner shall:

8.23 (1) have sole direction, supervision, regulation, control, and jurisdiction over all
8.24 combative sport contests that are held within this state unless a contest is exempt from the
8.25 application of this chapter under federal law;

8.26 (2) have sole control, authority, and jurisdiction over all licenses required by this chapter;

8.27 (3) grant a license to an applicant if, in the judgment of the commissioner, the financial
8.28 responsibility, experience, character, and general fitness of the applicant are consistent with
8.29 the public interest, ~~convenience, or necessity~~ and in the best interests of combative sports
8.30 and conforms with this chapter and the commissioner's rules;

(4) deny, suspend, or revoke a license using the enforcement provisions of section 326B.082, except that the licensing reapplication time frames remain within the sole discretion of the commissioner; and

(5) serve final nonlicensing orders in performing the duties of this chapter which are subject to the contested case procedures provided in sections 14.57 to 14.69.

Sec. 5. Minnesota Statutes 2023 Supplement, section 341.30, subdivision 4, is amended to read:

Subd. 4. Prelicensure requirements. (a) Before the commissioner issues a promoter's license to an individual, corporation, or other business entity, the applicant shall complete a licensing application on the Office of Combative Sports website or on forms prescribed by the commissioner and shall:

(1) show on the licensing application the owner or owners of the applicant entity and the percentage of interest held by each owner holding a 25 percent or more interest in the applicant;

(2) provide the commissioner with a copy of the latest financial statement of the applicant;

(3) provide proof, where applicable, of authorization to do business in the state of Minnesota; and

(4) deposit with the commissioner a surety bond in an amount set by the commissioner, which must not be less than \$10,000. The bond shall be executed in favor of this state and shall be conditioned on the faithful performance by the promoter of the promoter's obligations under this chapter and the rules adopted under it.

(b) Before the commissioner issues a license to a combatant, the applicant shall:

(1) submit to the commissioner the results of current medical examinations on forms prescribed by the commissioner that state that the combatant is cleared to participate in a combative sport contest. The applicant must undergo and submit the results of the following medical examinations, which do not exempt a combatant from the requirements in section 341.33:

(i) a physical examination performed by a licensed medical doctor, doctor of osteopathic medicine, advance practice nurse practitioner, or a physician assistant. Physical examinations are valid for one year from the date of the exam;

(ii) an ophthalmological examination performed by an ophthalmologist or optometrist that includes dilation designed to detect any retinal defects or other damage or a condition

10.1 of the eye that could be aggravated by combative sports. Ophthalmological examinations
10.2 are valid for one year from the date of the exam;

10.3 (iii) blood work results for HBsAg (Hepatitis B surface antigen), HCV (Hepatitis C
10.4 antibody), and HIV. Blood work results are good for one year from the date blood was
10.5 drawn. The commissioner shall not issue a license to an applicant submitting positive test
10.6 results for HBsAg, HCV, or HIV; and

10.7 (iv) other appropriate neurological or physical examinations before any contest, if the
10.8 commissioner determines that the examination is desirable to protect the health of the
10.9 combatant;

10.10 (2) complete a licensing application on the Office of Combative Sports website or on
10.11 forms prescribed by the commissioner; and

10.12 (3) provide proof that the applicant is 18 years of age. Acceptable proof is a photo driver's
10.13 license, state photo identification card, passport, or birth certificate combined with additional
10.14 photo identification.

10.15 (c) Before the commissioner issues an amateur combatant license to an individual, the
10.16 applicant must submit proof of qualifications that includes at a minimum: (1) an applicant's
10.17 prior bout history and evidence showing that the applicant has completed at least six months
10.18 of training in a combative sport; or (2) a letter of recommendation from a coach or trainer.

10.19 (d) Before the commissioner issues a professional combatant license to an individual,
10.20 the applicant must submit proof of qualifications that includes an applicant's prior bout
10.21 history showing the applicant has competed in at least four sanctioned combative sports
10.22 contests. If the applicant has not competed in at least four sanctioned combative sports
10.23 contests, the commissioner may still grant the applicant a license if the applicant provides
10.24 evidence demonstrating that the applicant has sufficient skills and experience in combative
10.25 sports or martial arts to compete as a professional combatant.

10.26 ~~(e)~~ (e) Before the commissioner issues a license to a referee, judge, or timekeeper, the
10.27 applicant must submit proof of qualifications that may include certified training from the
10.28 Association of Boxing Commissions, licensure with other regulatory bodies, professional
10.29 references, or a log of bouts worked.

10.30 ~~(d)~~ (f) Before the commissioner issues a license to a ringside physician, the applicant
10.31 must submit proof that they are licensed to practice medicine in the state of Minnesota and
10.32 in good standing.

11.1 Sec. 6. Minnesota Statutes 2023 Supplement, section 341.321, is amended to read:

11.2 **341.321 FEE SCHEDULE.**

11.3 (a) The fee schedule for professional and amateur licenses issued by the commissioner
11.4 is as follows:

11.5 (1) referees, \$25;

11.6 (2) promoters, \$700;

11.7 (3) judges and knockdown judges, \$25;

11.8 (4) trainers and seconds, \$40;

11.9 (5) timekeepers, \$25;

11.10 (6) professional combatants, \$70;

11.11 (7) amateur combatants, \$35; and

11.12 (8) ringside physicians, \$25.

11.13 All license fees shall be paid no later than the weigh-in prior to the contest. No license may
11.14 be issued until all prelicensure requirements in section 341.30 are satisfied and fees are
11.15 paid.

11.16 (b) A promoter or event organizer of an event regulated by the Department of Labor and
11.17 Industry must pay, per event, a combative sport contest fee of.

11.18 (c) If the promoter sells tickets for the event, the event fee is \$1,500 per event or four
11.19 percent of the gross ticket sales, whichever is greater. The fee must be paid as follows:

11.20 (1) \$500 at the time the combative sport contest is scheduled, which is nonrefundable;

11.21 (2) \$1,000 at the weigh-in prior to the contest;

11.22 (3) if four percent of the gross ticket sales is greater than \$1,500, the balance is due to
11.23 the commissioner within 14 days of the completed contest; and

11.24 (4) the value of all complimentary tickets distributed for an event, to the extent they
11.25 exceed five percent of total event attendance, counts toward gross tickets sales for the
11.26 purposes of determining a combative sports contest fee. For purposes of this clause, the
11.27 lowest advertised ticket price shall be used to calculate the value of complimentary tickets.

11.28 (d) If the promoter does not sell tickets and receives only a flat payment from a venue
11.29 to administer the event, the event fee is \$1,500 per event or four percent of the flat payment,
11.30 whichever is greater. The fee must be paid as follows:

- 12.1 (1) \$500 at the time the combative sport contest is scheduled, which is nonrefundable;
12.2 (2) \$1,000 at the weigh-in prior to the contest; and
12.3 (3) if four percent of the flat payment is greater than \$1,500, the balance is due to the
12.4 commissioner within 14 days of the completed contest.

- 12.5 ~~(e)~~ (e) All fees and penalties collected by the commissioner must be deposited in the
12.6 commissioner account in the special revenue fund.

- 12.7 Sec. 7. Minnesota Statutes 2023 Supplement, section 341.33, is amended by adding a
12.8 subdivision to read:

- 12.9 Subd. 3. **Medical records.** The commissioner may, if the commissioner determines that
12.10 doing so would be desirable to protect the health of a combatant, provide the combatant's
12.11 medical information collected under this chapter to the physician conducting a prebout exam
12.12 under this section or to the ringside physician or physicians assigned to the combatant's
12.13 combative sports contest.

- 12.14 Sec. 8. Minnesota Statutes 2023 Supplement, section 341.355, is amended to read:

- 12.15 **341.355 CIVIL PENALTIES.**

- 12.16 When the commissioner finds that a person has violated one or more provisions of any
12.17 statute, rule, or order that the commissioner is empowered to regulate, enforce, or issue, the
12.18 commissioner may impose, for each violation, a civil penalty of up to \$10,000 for each
12.19 violation, or a civil penalty that deprives the person of any economic advantage gained by
12.20 the violation, or both. The commissioner may also impose these penalties against a person
12.21 who has violated section 341.28, subdivision 5, paragraph (b) or (c), or subdivision 7.

- 12.22 **ARTICLE 3**

- 12.23 **BUREAU OF MEDIATION SERVICES**

- 12.24 Section 1. Minnesota Statutes 2022, section 626.892, subdivision 10, is amended to read:

- 12.25 Subd. 10. **Training.** (a) A person appointed to the arbitrator roster under this section
12.26 must complete training as required by the commissioner during the person's appointment.
12.27 At a minimum, an initial training must include:

- 12.28 (1) at least six hours on the topics of cultural competency, racism, implicit bias, and
12.29 recognizing and valuing community diversity and cultural differences; and

(2) at least six hours on topics related to the daily experience of peace officers, which may include ride-alongs with on-duty officers or other activities that provide exposure to the environments, choices, and judgments required of officers in the field.

(b) The commissioner may adopt rules establishing training requirements consistent with this subdivision.

~~(b) An arbitrator appointed to the roster of arbitrators in 2020 must complete the required initial training by July 1, 2021.~~ (c) An arbitrator appointed to the roster of arbitrators after 2020 must complete the required initial training within six months of the arbitrator's appointment.

~~(e)~~ (d) The Bureau of Mediation Services must pay for all costs associated with the required training ~~must be borne by the arbitrator.~~

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 2. **REPEALER.**

(a) Minnesota Statutes 2022, sections 179.81; 179.82; 179.83, subdivision 1; 179.84, subdivision 1; and 179.85, are repealed.

(b) Minnesota Rules, parts 5520.0100; 5520.0110; 5520.0120; 5520.0200; 5520.0250; 5520.0300; 5520.0500; 5520.0520; 5520.0540; 5520.0560; 5520.0600; 5520.0620; 5520.0700; 5520.0710; and 5520.0800, are repealed.

ARTICLE 4

PUBLIC EMPLOYEE LABOR RELATIONS (PELRA)

Section 1. Minnesota Statutes 2023 Supplement, section 13.43, subdivision 6, is amended to read:

Subd. 6. **Access by labor organizations, Bureau of Mediation Services, Public Employment Relations Board.** (a) Notwithstanding classification by any other provision of this chapter, personnel data must be disseminated to labor organizations and the Public Employment Relations Board to the extent necessary to conduct elections, investigate and process grievances, and implement the provisions of chapters 179 and 179A. Personnel data shall be disseminated to labor organizations, the Public Employment Relations Board, and the Bureau of Mediation Services to the extent the dissemination is ordered or authorized by the commissioner of the Bureau of Mediation Services or the Public Employment Relations Board or its employees or agents. Employee Social Security numbers are not necessary to implement the provisions of chapters 179 and 179A.

14.1 (b) Personnel data described under section 179A.07, subdivision 8, must be disseminated
14.2 to an exclusive representative under the terms of that subdivision.

14.3 (c) An employer who disseminates personnel data to a labor organization pursuant to
14.4 this subdivision shall not be subject to liability under section 13.08. Nothing in this paragraph
14.5 shall impair or limit any remedies available under section 325E.61.

14.6 (d) The home addresses, nonemployer issued phone numbers and email addresses, dates
14.7 of birth, and emails or other communications between exclusive representatives and their
14.8 members, prospective members, and nonmembers are private data on individuals.

14.9 Sec. 2. Minnesota Statutes 2023 Supplement, section 179A.03, subdivision 14, is amended
14.10 to read:

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

14.13 (1) elected public officials;

14.14 (2) election officers;

14.15 (3) commissioned or enlisted personnel of the Minnesota National Guard;

14.16 (4) emergency employees who are employed for emergency work caused by natural
14.17 disaster;

14.18 (5) part-time employees whose service does not exceed the lesser of 14 hours per week
14.19 or 35 percent of the normal work week in the employee's appropriate unit;

14.20 (6) employees, other than employees working for a Minnesota school district or charter
14.21 school in a position for which no license is required by the Professional Educator Licensing
14.22 Standards Board, whose positions are basically temporary or seasonal in character and: (i)
14.23 are not for more than 67 working days in any calendar year; or (ii) ~~are not working for a~~
14.24 ~~Minnesota school district or charter school; or~~ (iii) are not for more than 100 working days
14.25 in any calendar year and the employees are under the age of 22, are full-time students
14.26 enrolled in a nonprofit or public educational institution prior to being hired by the employer,
14.27 and have indicated, either in an application for employment or by being enrolled at an
14.28 educational institution for the next academic year or term, an intention to continue as students
14.29 during or after their temporary employment;

14.30 (7) employees providing services for not more than two consecutive quarters to the
14.31 Board of Trustees of the Minnesota State Colleges and Universities under the terms of a
14.32 professional or technical services contract as defined in section 16C.08, subdivision 1;

15.1 (8) employees of charitable hospitals as defined by section 179.35, subdivision 3, except
15.2 that employees of charitable hospitals as defined by section 179.35, subdivision 3, are public
15.3 employees for purposes of sections 179A.051, 179A.052, and 179A.13;

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

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

15.9 (11) with respect to court employees:

15.10 (i) personal secretaries to judges;

15.11 (ii) law clerks;

15.12 (iii) managerial employees;

15.13 (iv) confidential employees; and

15.14 (v) supervisory employees; or

15.15 (12) with respect to employees of Hennepin Healthcare System, Inc., managerial,
15.16 supervisory, and confidential employees.

15.17 (b) The following individuals are public employees regardless of the exclusions of
15.18 paragraph (a), clauses (5) to (7):

15.19 (1) an employee hired by a school district or the Board of Trustees of the Minnesota
15.20 State Colleges and Universities except at the university established in the Twin Cities
15.21 metropolitan area under section 136F.10 or for community services or community education
15.22 instruction offered on a noncredit basis: (i) to replace an absent teacher or faculty member
15.23 who is a public employee, where the replacement employee is employed more than 30
15.24 working days as a replacement for that teacher or faculty member; or (ii) to take a teaching
15.25 position created due to increased enrollment, curriculum expansion, courses which are a
15.26 part of the curriculum whether offered annually or not, or other appropriate reasons;

15.27 (2) an employee hired for a position under paragraph (a), clause (6), item (i), if that same
15.28 position has already been filled under paragraph (a), clause (6), item (i), in the same calendar
15.29 year and the cumulative number of days worked in that same position by all employees
15.30 exceeds 67 calendar days in that year. For the purpose of this paragraph, "same position"
15.31 includes a substantially equivalent position if it is not the same position solely due to a
15.32 change in the classification or title of the position;

(3) an early childhood family education teacher employed by a school district; and

(4) an individual hired by the Board of Trustees of the Minnesota State Colleges and Universities as the instructor of record to teach (i) one class for more than three credits in a fiscal year, or (ii) two or more credit-bearing classes in a fiscal year.

Sec. 3. Minnesota Statutes 2023 Supplement, section 179A.03, subdivision 18, is amended to read:

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 Professional Educator Licensing and Standards Board or the commissioner of education;

(2) in a position as a physical therapist, occupational therapist, art therapist, music therapist, or audiologist; or

(3) in a position creating and delivering instruction to children in a preschool, school readiness, school readiness plus, or prekindergarten program or other school district or charter school-based early education program, except that ~~an employee~~ employees in a bargaining unit certified before January 1, 2023, may remain in a bargaining unit that does not include teachers unless an exclusive representative files a petition for a unit clarification ~~or to transfer exclusive representative status.~~

Sec. 4. Minnesota Statutes 2022, section 179A.041, subdivision 2, is amended to read:

Subd. 2. **Alternate members.** (a) The appointing authorities shall appoint alternate members to serve ~~only~~ in the ~~case~~ event of a member having a conflict of interest or being unavailable for a meeting under subdivision 9, as follows:

(1) one alternate, appointed by the governor, who is an officer or employee of an exclusive representative of public employees, to serve as an alternate to the member appointed by the governor who is an officer or employee of an exclusive representative of public employees. This alternate must not be an officer or employee of the same exclusive representative of public employees as the member for whom the alternate serves;

(2) one alternate, appointed by the governor, who is a representative of public employers, to serve as an alternate to the member appointed by the governor who is a representative of public employers. This alternate must not represent the same public employer as the member for whom the alternate serves; and

(3) one alternate, appointed by the member who is an officer or employee of an exclusive representative of public employees and the member who is a representative of public employers, who is not an officer or employee of an exclusive representative of public employees, or a representative of a public employer, to serve as an alternate for the member that represents the public at large.

(b) Each alternate member shall serve a term that is coterminous with the term of the member for whom the alternate member serves as an alternate.

Sec. 5. Minnesota Statutes 2023 Supplement, section 179A.041, subdivision 10, is amended to read:

Subd. 10. **Open Meeting Law; exceptions.** Chapter 13D does not apply to meetings of ~~the~~ a board meeting when it the board is:

(1) deliberating on the merits of an unfair labor practice ~~charges~~ charge under sections 179.11, 179.12, and 179A.13;

(2) reviewing a hearing officer's recommended decision and order ~~of a hearing officer~~ under section 179A.13; or

(3) reviewing ~~decisions of the~~ a commissioner of the Bureau of Mediation Services relating to decision on an unfair labor ~~practices~~ practice under section 179A.12, subdivision 11.

Sec. 6. Minnesota Statutes 2023 Supplement, section 179A.06, subdivision 6, is amended to read:

Subd. 6. **Payroll deduction, authorization, and remittance.** (a) ~~Public employees have the right to~~ A public employee may request and be allowed payroll deduction for the exclusive representative that represents the employee's position and the its associated political fund associated with the exclusive representative and registered pursuant to under section 10A.12. If no exclusive representative represents an employee's position, the public employee may request payroll deduction for the organization of the employee's choice. A public employer must provide payroll deduction according to any public employee's request under this paragraph.

(b) A public employer must rely on a certification from any an exclusive representative requesting remittance of a deduction that the organization has and will maintain an authorization, signed, either by hand or electronically according to section 325L.02, paragraph (h), by the public employee from whose salary or wages the deduction is to be made, ~~which~~

~~may include an electronic signature by the public employee as defined in section 325L.02, paragraph (h). An exclusive representative making such a certification must not be is not required to provide the public employer a copy of the authorization unless a dispute arises about the authorization's existence or terms of the authorization. The exclusive representative must indemnify the public employer for any successful claims made by the employee for unauthorized deductions in reliance on the certification.~~

~~(b) (c) A dues payroll deduction authorization remains in effect is effective until the exclusive representative notifies the employer receives notice from the exclusive representative that a public employee has changed or canceled their the employee's authorization in writing in accordance with the terms of the original authorizing document, and authorization. When determining whether deductions have been properly changed or canceled, a public employer must rely on information from the exclusive representative receiving remittance of the deduction regarding whether the deductions have been properly changed or canceled. The exclusive representative must indemnify the public employer, including any reasonable attorney fees and litigation costs, for any successful claims made by the employee for unauthorized deductions made in reliance on such information.~~

~~(e) (d)~~ Deduction authorization under this section is:

~~(1)~~ independent from the public employee's membership status in the organization to which payment is remitted; and is

~~(2)~~ effective regardless of whether a collective bargaining agreement authorizes the deduction.

~~(d) Employers (e) An employer must commence:~~

~~(1) begin deductions within 30 days of notice of authorization from the after an exclusive representative submits a certification under paragraph (b); and must~~

~~(2) remit the deductions to the exclusive representative within 30 days of the deduction. The failure of an employer to comply with the provisions of this paragraph shall be an unfair labor practice under section 179A.13, the relief for which shall be reimbursement by the employer of deductions that should have been made or remitted based on a valid authorization given by the employee or employees.~~

~~(e) In the absence of an exclusive representative, public employees have the right to request and be allowed payroll deduction for the organization of their choice.~~

~~(f) An exclusive representative must indemnify a public employer:~~

(1) for any successful employee claim for unauthorized employer deductions made by relying on an exclusive representative's certification under paragraph (b); and

(2) for any successful employee claim for unauthorized employer deductions made by relying on information for changing or canceling deductions under paragraph (c), with indemnification including any reasonable attorney fees and litigation costs.

~~(f)~~ (g) Any dispute under this subdivision must be resolved through an unfair labor practice proceeding under section 179A.13. It is an unfair labor practice if an employer fails to comply with paragraph (e), and the employer must reimburse deductions that should have been made or remitted based on a valid authorization given by the employee or employees.

Sec. 7. Minnesota Statutes 2023 Supplement, section 179A.07, subdivision 8, is amended to read:

Subd. 8. **Bargaining unit information.** (a) Within 20 calendar days ~~from the date of hire of~~ after a bargaining unit employee is hired, a public employer must provide the following ~~contact~~ information on the employee to an ~~the~~ unit's exclusive representative or its affiliate in an Excel file format or other format agreed to by the exclusive representative:

(1) name;

(2) job title;

(3) worksite location, including location ~~within~~ in a facility when appropriate;

(4) home address;

(5) work telephone number;

(6) home and personal cell phone numbers on file with the public employer;

(7) date of hire; and

(8) work email address and personal email address on file with the public employer.

(b) Every 120 calendar days ~~beginning on January 1, 2024~~, a public employer must provide to ~~an~~ a bargaining unit's exclusive representative in an Excel file or similar format agreed to by the exclusive representative the ~~following~~ information under paragraph (a) for all bargaining unit employees: ~~name; job title; worksite location, including location within a facility when appropriate; home address; work telephone number; home and personal cell phone numbers on file with the public employer; date of hire; and work email address and personal email address on file with the public employer.~~

(c) ~~A public employer must notify an exclusive representative within 20 calendar days of the separation of~~ If a bargaining unit employee separates from employment or transfer transfers out of the bargaining unit of a bargaining unit employee, the employee's public employer must notify the employee's exclusive representative within 20 calendar days after the separation or transfer, including whether the unit departure was due to a transfer, promotion, demotion, discharge, resignation, or retirement.

Sec. 8. Minnesota Statutes 2023 Supplement, section 179A.07, subdivision 9, is amended to read:

Subd. 9. **Access.** (a) A public employer must allow an exclusive representative or the representative's agent to meet in person with a newly hired employees, without charge to the pay or leave time of the employees, for 30 minutes, employee within 30 calendar days from the date of hire; during new employee orientations or, if the employer does not conduct new employee orientations, at individual or group meetings arranged by the employer in coordination with the exclusive representative or the representative's agent during the newly hired employees' regular working hours. For an orientation or meeting under this paragraph, an employer must allow the employee and exclusive representative up to 30 minutes to meet and must not charge the employee's pay or leave time during the orientation or meeting, or the pay or leave time of an employee of the public employer acting as an agent of the exclusive representative using time off under subdivision 6. An orientation or meeting may be held virtually or for longer than 30 minutes only by mutual agreement of the employer and exclusive representative.

(b) An exclusive representative ~~shall~~ must receive ~~no less than~~ at least ten days' notice ~~in advance~~ of an orientation, ~~except that~~ but a shorter notice may be provided ~~where~~ if there is an urgent need critical to the employer's operations ~~of the public employer~~ that was not reasonably foreseeable. Notice of and attendance at new employee orientations and other meetings under this paragraph ~~must be~~ and paragraph (a) are limited to the public employer;

(1) the employees;

(2) the exclusive representative, and;

(3) any vendor contracted to provide a service for purposes of the meeting. Meetings may be held virtually or for longer than 30 minutes; and

(4) the public employer or its designee, who may attend only by mutual agreement of the public employer and exclusive representative.

21.1 ~~(b)~~ (c) A public employer must allow an exclusive representative to communicate with
 21.2 bargaining unit members ~~using their employer-issued email addresses regarding~~ by email
 21.3 on:

21.4 (1) collective bargaining;

21.5 (2) the administration of collective bargaining agreements;

21.6 (3) the investigation of grievances; and other workplace-related complaints and issues;
 21.7 and

21.8 (4) internal matters involving the governance or business of the exclusive representative;
 21.9 ~~consistent with the employer's generally applicable technology use policies.~~

21.10 (d) An exclusive representative may communicate with bargaining unit members under
 21.11 paragraph (c) via the members' employer-issued email addresses, but the communication
 21.12 must be consistent with the employer's generally applicable technology use policies.

21.13 ~~(e)~~ (e) A public employer must allow an exclusive representative to meet with bargaining
 21.14 unit members in facilities owned or leased by the public employer ~~regarding~~ to communicate
 21.15 on:

21.16 (1) collective bargaining;

21.17 (2) the administration of collective bargaining agreements;

21.18 (3) the investigation of grievances and other workplace-related complaints and issues;
 21.19 and

21.20 (4) internal matters involving the governance or business of the exclusive representative;
 21.21 ~~provided the use does not interfere with governmental operations and the exclusive~~
 21.22 ~~representative complies with worksite security protocols established by the public employer.~~
 21.23 ~~Meetings conducted.~~

21.24 (f) The following applies for a meeting under paragraph (e):

21.25 (1) a meeting cannot interfere with government operations;

21.26 (2) the exclusive representative must comply with employer-established worksite security
 21.27 protocols;

21.28 (3) a meeting in a government buildings pursuant to this paragraph must not building
 21.29 cannot be for the purpose of supporting or opposing any candidate for partisan political
 21.30 office or for the purpose of distributing literature or information ~~regarding~~ on partisan
 21.31 elections; and

22.1 (4) an exclusive representative conducting a meeting in a government building or other
22.2 government facility ~~pursuant to this subdivision~~ may be charged for maintenance, security,
22.3 and other costs related to ~~the use of~~ using the government building or facility that would
22.4 not otherwise be incurred by the government entity.

22.5 Sec. 9. Minnesota Statutes 2022, section 179A.09, is amended by adding a subdivision to
22.6 read:

22.7 Subd. 4. **Unit mergers.** Upon the request of an exclusive representative for bargaining
22.8 units other than those defined in section 179A.10, subdivision 2, the commissioner must
22.9 designate as a single unit two bargaining units represented by the exclusive representative,
22.10 subject to subdivision 2 of this section as well as any other statutory bargaining unit
22.11 designation.

22.12 Sec. 10. Minnesota Statutes 2022, section 179A.09, is amended by adding a subdivision
22.13 to read:

22.14 Subd. 5. **Position classifications.** For the purpose of determining whether a new position
22.15 should be included in an existing bargaining unit, the position shall be analyzed with respect
22.16 to its assigned duties, without regard to title or telework status.

22.17 Sec. 11. Minnesota Statutes 2023 Supplement, section 179A.10, subdivision 2, is amended
22.18 to read:

22.19 Subd. 2. **State employees.** (a) Unclassified employees, unless otherwise excluded, are
22.20 included within the units ~~which~~ that include the classifications to which they are assigned
22.21 for purposes of compensation. Supervisory employees ~~shall only~~ can be assigned only to
22.22 ~~units~~ unit 12 ~~and~~ or 16. The following units are the appropriate units of executive branch
22.23 state employees:

22.24 (1) law enforcement unit;

22.25 (2) craft, maintenance, and labor unit;

22.26 (3) service unit;

22.27 (4) health care nonprofessional unit;

22.28 (5) health care professional unit;

22.29 (6) clerical and office unit;

22.30 (7) technical unit;

- 23.1 (8) correctional guards unit;
- 23.2 (9) state university instructional unit;
- 23.3 (10) state college instructional unit;
- 23.4 (11) state university administrative unit;
- 23.5 (12) professional engineering unit;
- 23.6 (13) health treatment unit;
- 23.7 (14) general professional unit;
- 23.8 (15) professional state residential instructional unit;
- 23.9 (16) supervisory employees unit;
- 23.10 (17) public safety radio communications operator unit;
- 23.11 (18) licensed peace officer special unit; and
- 23.12 (19) licensed peace officer leader unit.

23.13 ~~Each unit consists of the classifications or positions assigned to it in the schedule of~~
23.14 ~~state employee job classification and positions maintained by the commissioner. The~~
23.15 ~~commissioner may only make changes in the schedule in existence on the day prior to~~
23.16 ~~August 1, 1984, as required by law or as provided in subdivision 4.~~

23.17 (b) The following positions are included in the licensed peace officer special unit:

- 23.18 (1) State Patrol lieutenant;
- 23.19 (2) NR district supervisor - enforcement;
- 23.20 (3) assistant special agent in charge;
- 23.21 (4) corrections investigation assistant director 2;
- 23.22 (5) corrections investigation supervisor; and
- 23.23 (6) commerce supervisor special agent.

23.24 (c) The following positions are included in the licensed peace officer leader unit:

- 23.25 (1) State Patrol captain;
- 23.26 (2) NR program manager 2 enforcement; and
- 23.27 (3) special agent in charge.

24.1 (d) Each unit consists of the classifications or positions assigned to it in the schedule of
24.2 state employee job classification and positions maintained by the commissioner. The
24.3 commissioner may make changes in the schedule in existence on the day before August 1,
24.4 1984, only:

24.5 (1) as required by law; or

24.6 (2) as provided in subdivision 4.

24.7 Sec. 12. Minnesota Statutes 2023 Supplement, section 179A.12, subdivision 2a, is amended
24.8 to read:

24.9 Subd. 2a. **Majority verification procedure.** ~~(a) Notwithstanding any other provision~~
24.10 ~~of this section,~~ An employee organization may file a petition with the commissioner
24.11 requesting certification as the exclusive representative of ~~an~~ a proposed appropriate unit
24.12 ~~based on a verification that~~ for which there is no currently certified exclusive representative.
24.13 The petition must verify that over 50 percent of the employees in the proposed appropriate
24.14 unit wish to be represented by the petitioner organization. ~~The commissioner shall require~~
24.15 ~~dated representation authorization signatures of affected employees as verification of the~~
24.16 ~~employee organization's claim of majority status.~~

24.17 ~~(b) Upon receipt of an employee organization's petition, accompanied by employee~~
24.18 ~~authorization signatures under this subdivision, the commissioner shall investigate the~~
24.19 ~~petition.~~ If the commissioner determines that over 50 percent of the employees in ~~an~~ the
24.20 appropriate unit have provided authorization signatures designating the petitioning employee
24.21 organization ~~specified in the petition~~ as their exclusive representative, the commissioner
24.22 ~~shall not order an election but shall~~ must certify the employee organization as the employees'
24.23 exclusive representative without ordering an election under this section.

24.24 Sec. 13. Minnesota Statutes 2022, section 179A.12, subdivision 5, is amended to read:

24.25 Subd. 5. **Commissioner to investigate.** ~~The commissioner shall,~~ Upon receipt of an
24.26 ~~employee organization's receiving a petition to the commissioner~~ under subdivision 3 1a
24.27 or 2a, the commissioner must:

24.28 (1) investigate to determine if sufficient evidence of a question of representation exists;
24.29 and

24.30 (2) hold hearings necessary to determine the appropriate unit and other matters necessary
24.31 to determine the representation rights of the affected employees and employer.

25.1 Sec. 14. Minnesota Statutes 2023 Supplement, section 179A.12, subdivision 6, is amended
25.2 to read:

25.3 Subd. 6. **Authorization signatures.** ~~In (a) When~~ determining the numerical status of
25.4 an employee organization for purposes of this section, the commissioner ~~shall~~ must require
25.5 a dated representation authorization signatures of affected employees signature of each
25.6 affected employee as verification of the statements contained in the ~~joint request or petitions~~
25.7 petition. ~~These~~

25.8 (b) ~~An authorization signatures shall be~~ signature is privileged and confidential
25.9 information available to the commissioner only. ~~An electronic signatures signature,~~ as
25.10 defined in section 325L.02, paragraph (h), ~~shall be~~ is valid as an authorization signatures
25.11 signature.

25.12 (c) ~~An authorization signatures shall be~~ signature is valid for ~~a period of~~ one year
25.13 following the signature date ~~of signature~~.

25.14 Sec. 15. Minnesota Statutes 2023 Supplement, section 179A.12, subdivision 11, is amended
25.15 to read:

25.16 Subd. 11. **Unfair labor practices.** The commissioner may void the result of an election
25.17 or majority verification procedure and order a new election or procedure if the commissioner
25.18 finds ~~that~~ one of the following:

25.19 (1) there was an unfair labor practice that:

25.20 (i) was committed by an employer or, a representative candidate or, an employee, or a
25.21 group of employees; and ~~that the unfair labor practice~~

25.22 (ii) affected the result of an the election or the majority verification procedure pursuant
25.23 to subdivision 2a; or ~~that~~

25.24 (2) procedural or other irregularities in the conduct of the election or majority verification
25.25 procedure may have substantially affected its the results; ~~the commissioner may void the~~
25.26 ~~result and order a new election or majority verification procedure.~~

25.27 Sec. 16. Minnesota Statutes 2022, section 179A.13, subdivision 1, is amended to read:

25.28 Subdivision 1. **Actions.** (a) The practices specified in this section are unfair labor
25.29 practices. Any employee, employer, employee or employer organization, exclusive
25.30 representative, or any other person or organization aggrieved by an unfair labor practice as
25.31 defined in this section may file an unfair labor practice charge with the board.

(b) Whenever it is charged that any party has engaged in or is engaging in any unfair labor practice, an investigator designated by the board shall promptly conduct an investigation of the charge. Unless after the investigation the board finds that the charge has no reasonable basis in law or fact, the board shall promptly issue a complaint and cause to be served upon the party a complaint stating the charges, accompanied by a notice of hearing before a qualified hearing officer designated by the board at the offices of the bureau or other location as the board deems appropriate, ~~not less than five days nor more than 20 days~~ more than 30 days after serving the complaint absent mutual agreement of the parties, provided that no complaint shall be issued based upon any unfair labor practice occurring more than six months prior to the filing of a charge. A complaint issued under this subdivision may be amended by the board at any time prior to the issuance of an order based thereon. The party who is the subject of the complaint has the right to file an answer to the original or amended complaint prior to hearing and to appear in person or by a representative and give testimony at the place and time fixed in the complaint. In the discretion of the hearing officer conducting the hearing or the board, any other party may be allowed to intervene in the proceeding and to present testimony. The board or designated hearing officers shall not be bound by the rules of evidence applicable to courts, except as to the rules of privilege recognized by law.

(c) Designated investigators must conduct the investigation of charges.

(d) Hearing officers ~~must be licensed to practice law in the state of Minnesota~~ have a juris doctor and must conduct the hearings and issue recommended decisions and orders.

(e) The board or its designees shall have the power to issue subpoenas and administer oaths. If any party willfully fails or neglects to appear or testify or to produce books, papers, and records pursuant to the issuance of a subpoena, the board may apply to a court of competent jurisdiction to request that the party be ordered to appear to testify or produce the requested evidence.

(f) A full and complete record shall be kept of all proceedings before the board or designated hearing officer and shall be transcribed by a reporter appointed by the board.

(g) The party on whom the burden of proof rests shall be required to sustain the burden by a preponderance of the evidence.

(h) At any time prior to the close of a hearing, the parties may by mutual agreement request referral to mediation, at which time the commissioner shall appoint a mediator, and the hearing shall be suspended pending the results of the mediation.

(i) If, upon a preponderance of the evidence taken, the hearing officer determines that any party named in the charge has engaged in or is engaging in an unfair labor practice,

then a recommended decision and order shall be issued stating findings of fact and conclusions, and requiring the party to cease and desist from the unfair labor practice, to post a cease-and-desist notice in the workplace, and ordering any appropriate relief to effectuate the policies of this section, including but not limited to reinstatement, back pay, and any other remedies that make a charging party whole. If back pay is awarded, the award must include interest at the rate of seven percent per annum. The order further may require the party to make reports from time to time, and demonstrate the extent to which the party has complied with the order.

(j) If there is no preponderance of evidence that the party named in the charge has engaged in or is engaging in the unfair labor practice, then the hearing officer shall issue a recommended decision and order stating findings of fact and dismissing the complaint.

(k) Parties may file exceptions to the hearing officer's recommended decision and order with the board no later than 30 days after service of the recommended decision and order. The board shall review the recommended decision and order upon timely filing of exceptions or upon its own motion. If no timely exceptions have been filed, the parties must be deemed to have waived their exceptions. Unless the board reviews the recommended decision and order upon its own motion, it must not be legal precedent and must be final and binding only on the parties to the proceeding as issued in an order issued by the board. If the board does review the recommended decision and order, the board may adopt all, part, or none of the recommended decision and order, depending on the extent to which it is consistent with the record and applicable laws. The board shall issue and serve on all parties its decision and order. The board shall retain jurisdiction over the case to ensure the parties' compliance with the board's order. Unless overturned by the board, the parties must comply with the recommended decision and order.

(l) Until the record has been filed in the court of appeals or district court, the board at any time, upon reasonable notice and in a manner it deems appropriate, may modify or set aside, in whole or in part, any finding or order made or issued by it.

(m) Upon a final order that an unfair labor practice has been committed, the board or the charging party may petition the district court for the enforcement of the order and for appropriate temporary relief or a restraining order. When the board petitions the court, the charging party may intervene as a matter of right.

(n) Whenever it appears that any party has violated a final order of the board issued pursuant to this section, the board must petition the district court for an order directing the party and its officers, agents, servants, successors, and assigns to comply with the order of

the board. The board shall be represented in this action by its general counsel, who has been appointed by the board. The court may grant or refuse, in whole or in part, the relief sought, provided that the court also may stay an order of the board pending disposition of the proceedings. The court may punish a violation of its order as in civil contempt.

(o) The board shall have power, upon issuance of an unfair labor practice complaint alleging that a party has engaged in or is engaging in an unfair labor practice, to petition the district court for appropriate temporary relief or a restraining order. Upon the filing of any such petition, the court shall cause notice thereof to be served upon such parties, and thereupon shall have jurisdiction to grant to the board or commissioner temporary relief or a restraining order as it deems appropriate. Nothing in this paragraph precludes a charging party from seeking injunctive relief in district court after filing the unfair labor practice charge.

(p) The proceedings in paragraphs (m), (n), and (o) shall be commenced in the district court for the county in which the unfair labor practice which is the subject of the order or administrative complaint was committed, or where a party alleged to have committed the unfair labor practice resides or transacts business.

Sec. 17. Minnesota Statutes 2022, section 179A.13, subdivision 2, is amended to read:

Subd. 2. **Employers.** Public employers, their agents and representatives are prohibited from:

(1) interfering, restraining, or coercing employees in the exercise of the rights guaranteed in sections 179A.01 to 179A.25;

(2) dominating or interfering with the formation, existence, or administration of any employee organization or contributing other support to it;

(3) discriminating in regard to hire or tenure to encourage or discourage membership in an employee organization;

(4) discharging or otherwise discriminating against an employee because the employee has signed or filed an affidavit, petition, or complaint or given information or testimony under sections 179A.01 to 179A.25;

(5) refusing to meet and negotiate in good faith with the exclusive representative of its employees in an appropriate unit;

(6) refusing to comply with grievance procedures contained in an agreement;

(7) distributing or circulating a blacklist of individuals exercising a legal right or of members of a labor organization for the purpose of preventing blacklisted individuals from obtaining or retaining employment;

(8) violating rules established by the commissioner regulating the conduct of representation elections;

(9) refusing to comply with a valid decision of a binding arbitration panel or arbitrator;

(10) violating or refusing to comply with any lawful order or decision issued by the commissioner or the board;

(11) refusing to provide, upon the request of the exclusive representative, all information pertaining to the public employer's budget both present and proposed, revenues, and other financing information provided that in the executive branch of state government this clause may not be considered contrary to the budgetary requirements of sections 16A.10 and 16A.11; ~~or~~

(12) granting or offering to grant the status of permanent replacement employee to a person for performing bargaining unit work for the employer during a lockout of employees in an employee organization or during a strike authorized by an employee organization that is an exclusive representative;

(13) failing or refusing to provide information that is relevant to enforcement or negotiation of a contract within a reasonable time from receiving a request by an exclusive representative, not to exceed ten days for information relevant to contract enforcement or 30 days for information relevant to contract negotiation;

(14) refusing to reassign a position after the commissioner has determined the position was not placed into the correct bargaining unit; or

(15) refusing to restore a position to classified service after determination that the position was incorrectly placed into unclassified service under section 43A.08.

Sec. 18. Minnesota Statutes 2022, section 179A.40, subdivision 1, is amended to read:

Subdivision 1. **Units.** The following are the appropriate employee units of the Hennepin Healthcare System, Inc. All units shall exclude supervisors, managerial employees, and confidential employees. No additional units of Hennepin Healthcare System, Inc., shall be eligible to be certified for the purpose of meeting and negotiating with an exclusive representative. The units include all:

(1) registered nurses;

- 30.1 (2) physicians except those employed as interns, residents, or fellows;
- 30.2 (3) professionals except for registered nurses and physicians;
- 30.3 (4) technical and paraprofessional employees;
- 30.4 (5) carpenters, electricians, painters, and plumbers;
- 30.5 (6) health general service employees;
- 30.6 (7) interpreters;
- 30.7 (8) emergency medical technicians/emergency medical dispatchers (EMT/EMD), and
- 30.8 paramedics;
- 30.9 (9) bioelectronics specialists, bioelectronics technicians, and electronics technicians;
- 30.10 (10) skilled maintenance employees; ~~and~~
- 30.11 (11) clerical employees-; and
- 30.12 (12) physicians employed as interns, residents, and fellows.

30.13 Sec. 19. Minnesota Statutes 2022, section 179A.54, subdivision 5, is amended to read:

30.14 Subd. 5. ~~Legislative action on~~ Collective bargaining agreements. ~~Any agreement~~
 30.15 ~~reached between the state and the exclusive representative of individual providers under~~
 30.16 ~~chapter 179A shall be submitted to the legislature to be accepted or rejected in accordance~~
 30.17 ~~with sections 3.855 and 179A.22~~ The commissioner of management and budget is authorized
 30.18 to enter into and implement agreements, including interest arbitration decisions, with the
 30.19 exclusive representative of individual providers as provided in section 179A.22, subdivision
 30.20 4, except for terms and conditions requiring appropriations, changes to state law, or approval
 30.21 from the federal government which shall be contingent upon and executed following receipt
 30.22 of appropriations and state and federal approval.

30.23 Sec. 20. RULEMAKING.

30.24 The commissioner of the Bureau of Mediation Services must adopt rules on petitions
 30.25 for majority verification, including technical changes needed for consistency with Minnesota
 30.26 Statutes, section 179A.12, and the commissioner may use the expedited rulemaking process
 30.27 under Minnesota Statutes, section 14.389.

31.1 Sec. 21. **REVISOR INSTRUCTION.**

31.2 The revisor of statutes must renumber Minnesota Statutes, section 179A.12, subdivision
31.3 3, as Minnesota Statutes, section 179A.12, subdivision 1a.

31.4 **ARTICLE 5**

31.5 **EARNED SICK AND SAFE TIME MODIFICATIONS**

31.6 Section 1. Minnesota Statutes 2023 Supplement, section 177.27, subdivision 4, is amended
31.7 to read:

31.8 Subd. 4. **Compliance orders.** The commissioner may issue an order requiring an
31.9 employer to comply with sections 177.21 to 177.435, 177.50, 179.86, 181.02, 181.03,
31.10 181.031, 181.032, 181.101, 181.11, 181.13, 181.14, 181.145, 181.15, 181.165, 181.172,
31.11 paragraph (a) or (d), 181.214 to 181.217, 181.275, subdivision 2a, 181.635, 181.722, 181.79,
31.12 181.85 to 181.89, 181.939 to 181.943, 181.9445 to 181.9448, 181.987, 181.991, 268B.09,
31.13 subdivisions 1 to 6, and 268B.14, subdivision 3, with any rule promulgated under section
31.14 177.28, 181.213, or 181.215. The commissioner shall issue an order requiring an employer
31.15 to comply with sections 177.41 to 177.435, 181.165, or 181.987 if the violation is repeated.
31.16 For purposes of this subdivision only, a violation is repeated if at any time during the two
31.17 years that preceded the date of violation, the commissioner issued an order to the employer
31.18 for violation of sections 177.41 to 177.435, 181.165, or 181.987 and the order is final or
31.19 the commissioner and the employer have entered into a settlement agreement that required
31.20 the employer to pay back wages that were required by sections 177.41 to 177.435. The
31.21 department shall serve the order upon the employer or the employer's authorized
31.22 representative in person or by certified mail at the employer's place of business. An employer
31.23 who wishes to contest the order must file written notice of objection to the order with the
31.24 commissioner within 15 calendar days after being served with the order. A contested case
31.25 proceeding must then be held in accordance with sections 14.57 to 14.69 or 181.165. If,
31.26 within 15 calendar days after being served with the order, the employer fails to file a written
31.27 notice of objection with the commissioner, the order becomes a final order of the
31.28 commissioner. For the purposes of this subdivision, an employer includes a contractor that
31.29 has assumed a subcontractor's liability within the meaning of section 181.165.

31.30 **EFFECTIVE DATE.** This section is effective the day following final enactment.

32.1 Sec. 2. Minnesota Statutes 2023 Supplement, section 177.50, is amended by adding a
32.2 subdivision to read:

32.3 Subd. 6. **Rulemaking authority.** The commissioner may adopt rules to carry out the
32.4 purposes of this section and sections 181.9445 to 181.9448.

32.5 **EFFECTIVE DATE.** This section is effective the day following final enactment.

32.6 Sec. 3. Minnesota Statutes 2023 Supplement, section 177.50, is amended by adding a
32.7 subdivision to read:

32.8 Subd. 7. **Remedies.** (a) If an employer does not provide earned sick and safe time
32.9 pursuant to section 181.9446, or does not allow the use of earned sick and safe time pursuant
32.10 to section 181.9447, the employer is liable to all employees who were not provided or not
32.11 allowed to use earned sick and safe time for an amount equal to all earned sick and safe
32.12 time that should have been provided or could have been used, plus an additional equal
32.13 amount as liquidated damages.

32.14 (b) If the employer does not possess records sufficient to determine the earned sick and
32.15 safe time an employee should have been provided pursuant to paragraph (a), the employer
32.16 is liable to the employee for an amount equal to 48 hours of earned sick and safe time for
32.17 each year earned sick and safe time was not provided, plus an additional equal amount as
32.18 liquidated damages.

32.19 **EFFECTIVE DATE.** This section is effective the day following final enactment.

32.20 Sec. 4. Minnesota Statutes 2023 Supplement, section 181.032, is amended to read:

32.21 **181.032 REQUIRED STATEMENT OF EARNINGS BY EMPLOYER; NOTICE**
32.22 **TO EMPLOYEE.**

32.23 (a) At the end of each pay period, the employer shall provide each employee an earnings
32.24 statement, either in writing or by electronic means, covering that pay period. An employer
32.25 who chooses to provide an earnings statement by electronic means must provide employee
32.26 access to an employer-owned computer during an employee's regular working hours to
32.27 review and print earnings statements, and must make statements available for review or
32.28 printing for a period of three years.

32.29 (b) The earnings statement may be in any form determined by the employer but must
32.30 include:

32.31 (1) the name of the employee;

33.1 (2) the rate or rates of pay and basis thereof, including whether the employee is paid by
 33.2 hour, shift, day, week, salary, piece, commission, or other method;

33.3 (3) allowances, if any, claimed pursuant to permitted meals and lodging;

33.4 (4) the total number of hours worked by the employee unless exempt from chapter 177;

33.5 ~~(5) the total number of earned sick and safe time hours accrued and available for use~~
 33.6 ~~under section 181.9446;~~

33.7 ~~(6) the total number of earned sick and safe time hours used during the pay period under~~
 33.8 ~~section 181.9447;~~

33.9 ~~(7)~~ (5) the total amount of gross pay earned by the employee during that period;

33.10 ~~(8)~~ (6) a list of deductions made from the employee's pay;

33.11 ~~(9)~~ (7) any amount deducted by the employer under section 268B.14, subdivision 3, and
 33.12 the amount paid by the employer based on the employee's wages under section 268B.14,
 33.13 subdivision 1;

33.14 ~~(10)~~ (8) the net amount of pay after all deductions are made;

33.15 ~~(11)~~ (9) the date on which the pay period ends;

33.16 ~~(12)~~ (10) the legal name of the employer and the operating name of the employer if
 33.17 different from the legal name;

33.18 ~~(13)~~ (11) the physical address of the employer's main office or principal place of business,
 33.19 and a mailing address if different; and

33.20 ~~(14)~~ (12) the telephone number of the employer.

33.21 (c) An employer must provide earnings statements to an employee in writing, rather
 33.22 than by electronic means, if the employer has received at least 24 hours notice from an
 33.23 employee that the employee would like to receive earnings statements in written form. Once
 33.24 an employer has received notice from an employee that the employee would like to receive
 33.25 earnings statements in written form, the employer must comply with that request on an
 33.26 ongoing basis.

33.27 (d) At the start of employment, an employer shall provide each employee a written notice
 33.28 containing the following information:

33.29 (1) the rate or rates of pay and basis thereof, including whether the employee is paid by
 33.30 the hour, shift, day, week, salary, piece, commission, or other method, and the specific
 33.31 application of any additional rates;

- 34.1 (2) allowances, if any, claimed pursuant to permitted meals and lodging;
- 34.2 (3) paid vacation, sick time, or other paid time-off accruals and terms of use;
- 34.3 (4) the employee's employment status and whether the employee is exempt from minimum
- 34.4 wage, overtime, and other provisions of chapter 177, and on what basis;
- 34.5 (5) a list of deductions that may be made from the employee's pay;
- 34.6 (6) the number of days in the pay period, the regularly scheduled pay day, and the pay
- 34.7 day on which the employee will receive the first payment of wages earned;
- 34.8 (7) the legal name of the employer and the operating name of the employer if different
- 34.9 from the legal name;
- 34.10 (8) the physical address of the employer's main office or principal place of business, and
- 34.11 a mailing address if different; and
- 34.12 (9) the telephone number of the employer.

34.13 (e) The employer must keep a copy of the notice under paragraph (d) signed by each

34.14 employee acknowledging receipt of the notice. The notice must be provided to each employee

34.15 in English. The English version of the notice must include text provided by the commissioner

34.16 that informs employees that they may request, by indicating on the form, the notice be

34.17 provided in a particular language. If requested, the employer shall provide the notice in the

34.18 language requested by the employee. The commissioner shall make available to employers

34.19 the text to be included in the English version of the notice required by this section and assist

34.20 employers with translation of the notice in the languages requested by their employees.

34.21 (f) An employer must provide the employee any written changes to the information

34.22 contained in the notice under paragraph (d) prior to the date the changes take effect.

34.23 **EFFECTIVE DATE.** This section is effective the day following final enactment.

34.24 Sec. 5. Minnesota Statutes 2023 Supplement, section 181.9445, subdivision 4, is amended

34.25 to read:

34.26 Subd. 4. **Earned sick and safe time.** "Earned sick and safe time" means leave, including

34.27 paid time off and other paid leave systems, that is paid at the same ~~hourly~~ base rate as an

34.28 employee earns from employment that may be used for the same purposes and under the

34.29 same conditions as provided under section 181.9447, but in no case shall this ~~hourly~~ base

34.30 rate be less than that provided under section 177.24 or an applicable local minimum wage.

34.31 **EFFECTIVE DATE.** This section is effective the day following final enactment.

35.1 Sec. 6. Minnesota Statutes 2023 Supplement, section 181.9445, is amended by adding a
35.2 subdivision to read:

35.3 Subd. 4a. **Base rate.** "Base rate" means:

35.4 (1) for employees paid on an hourly basis, the same rate received per hour of work;

35.5 (2) for employees paid on an hourly basis who receive multiple hourly rates, the rate
35.6 the employee would have been paid for the period of time in which leave was taken;

35.7 (3) for employees paid on a salary basis, the same rate guaranteed to the employee as if
35.8 the employee had not taken the leave; and

35.9 (4) for employees paid solely on a commission, piecework, or any basis other than hourly
35.10 or salary, a rate no less than the applicable local, state, or federal minimum wage, whichever
35.11 is greater.

35.12 For purposes of this section and section 181.9446, base rate does not include commissions;
35.13 shift differentials that are in addition to an hourly rate; premium payments for overtime
35.14 work; premium payments for work on Saturdays, Sundays, holidays, or scheduled days off;
35.15 bonuses; or gratuities as defined by section 177.23.

35.16 **EFFECTIVE DATE.** This section is effective the day following final enactment.

35.17 Sec. 7. Minnesota Statutes 2023 Supplement, section 181.9445, subdivision 5, is amended
35.18 to read:

35.19 Subd. 5. **Employee.** "Employee" means any person who is employed by an employer,
35.20 including temporary and part-time employees, who ~~performs~~ is anticipated by the employer
35.21 to perform work for at least 80 hours in a year for that employer in Minnesota. Employee
35.22 does not include:

35.23 (1) an independent contractor; ~~or~~

35.24 (2) an individual who is a paid on-call member of a department charged with the
35.25 prevention or suppression of fires within the boundaries of the state; or

35.26 (3) an individual employed by a farmer, family farm, or a family farm corporation to
35.27 provide physical labor on or management of a farm if:

35.28 (i) the farmer, family farm, or family farm corporation employs five or fewer employees;
35.29 or

35.30 (ii) the farmer, family farm, or family farm corporation employs the individual to perform
35.31 work for 28 days or less each year.

- 36.1 ~~(2) an individual employed by an air carrier as a flight deck or cabin crew member who:~~
36.2 ~~(i) is subject to United States Code, title 45, sections 181 to 188;~~
36.3 ~~(ii) works less than a majority of their hours in Minnesota in a calendar year; and~~
36.4 ~~(iii) is provided with paid leave equal to or exceeding the amounts in section 181.9446.~~

36.5 **EFFECTIVE DATE.** This section is effective the day following final enactment.

36.6 Sec. 8. Minnesota Statutes 2023 Supplement, section 181.9446, is amended to read:

36.7 **181.9446 ACCRUAL OF EARNED SICK AND SAFE TIME.**

36.8 (a) An employee accrues a minimum of one hour of earned sick and safe time for every
36.9 30 hours worked up to a maximum of 48 hours of earned sick and safe time in a year.
36.10 Employees may not accrue more than 48 hours of earned sick and safe time in a year unless
36.11 the employer agrees to a higher amount.

36.12 (b)(1) Except as provided in clause (2), employers must permit an employee to carry
36.13 over accrued but unused sick and safe time into the following year. The total amount of
36.14 accrued but unused earned sick and safe time for an employee must not exceed 80 hours at
36.15 any time, unless an employer agrees to a higher amount.

36.16 (2) In lieu of permitting the carryover of accrued but unused sick and safe time into the
36.17 following year as provided under clause (1), an employer may provide an employee with
36.18 earned sick and safe time for the year that meets or exceeds the requirements of this section
36.19 that is available for the employee's immediate use at the beginning of the subsequent year
36.20 as follows: (i) 48 hours, if an employer pays an employee for accrued but unused sick and
36.21 safe time at the end of a year at the same hourly base rate as an employee earns from
36.22 employment and in no case at a rate less than that provided under section 177.24 or an
36.23 applicable local minimum wage; or (ii) 80 hours, if an employer does not pay an employee
36.24 for accrued but unused sick and safe time at the end of a year ~~at the same or greater hourly~~
36.25 ~~rate as an employee earns from employment. In no case shall this hourly rate be less than~~
36.26 ~~that provided under section 177.24, or an applicable local minimum wage.~~

36.27 (c) Employees who are exempt from overtime requirements under United States Code,
36.28 title 29, section 213(a)(1), as amended through January 1, 2024, are deemed to work 40
36.29 hours in each workweek for purposes of accruing earned sick and safe time, except that an
36.30 employee whose normal workweek is less than 40 hours will accrue earned sick and safe
36.31 time based on the normal workweek.

37.1 (d) Earned sick and safe time under this section begins to accrue at the commencement
37.2 of employment of the employee.

37.3 (e) Employees may use earned sick and safe time as it is accrued.

37.4 Sec. 9. Minnesota Statutes 2023 Supplement, section 181.9447, subdivision 1, is amended
37.5 to read:

37.6 Subdivision 1. **Eligible use.** An employee may use accrued earned sick and safe time
37.7 for:

37.8 (1) an employee's:

37.9 (i) mental or physical illness, injury, or other health condition;

37.10 (ii) need for medical diagnosis, care, or treatment of a mental or physical illness, injury,
37.11 or health condition; ~~or~~

37.12 (iii) need for preventive medical or health care; or

37.13 (iv) need to make arrangements for or attend funeral services or a memorial, or address
37.14 financial or legal matters that arise after the death of a family member;

37.15 (2) care of a family member:

37.16 (i) with a mental or physical illness, injury, or other health condition;

37.17 (ii) who needs medical diagnosis, care, or treatment of a mental or physical illness,
37.18 injury, or other health condition; or

37.19 (iii) who needs preventive medical or health care;

37.20 (3) absence due to domestic abuse, sexual assault, or stalking of the employee or
37.21 employee's family member, provided the absence is to:

37.22 (i) seek medical attention related to physical or psychological injury or disability caused
37.23 by domestic abuse, sexual assault, or stalking;

37.24 (ii) obtain services from a victim services organization;

37.25 (iii) obtain psychological or other counseling;

37.26 (iv) seek relocation or take steps to secure an existing home due to domestic abuse,
37.27 sexual assault, or stalking; or

37.28 (v) seek legal advice or take legal action, including preparing for or participating in any
37.29 civil or criminal legal proceeding related to or resulting from domestic abuse, sexual assault,
37.30 or stalking;

(4) closure of the employee's place of business due to weather or other public emergency or an employee's need to care for a family member whose school or place of care has been closed due to weather or other public emergency;

(5) the employee's inability to work or telework because the employee is: (i) prohibited from working by the employer due to health concerns related to the potential transmission of a communicable illness related to a public emergency; or (ii) seeking or awaiting the results of a diagnostic test for, or a medical diagnosis of, a communicable disease related to a public emergency and such employee has been exposed to a communicable disease or the employee's employer has requested a test or diagnosis; and

(6) when it has been determined by the health authorities having jurisdiction or by a health care professional that the presence of the employee or family member of the employee in the community would jeopardize the health of others because of the exposure of the employee or family member of the employee to a communicable disease, whether or not the employee or family member has actually contracted the communicable disease.

For the purposes of this subdivision, a public emergency shall include a declared emergency as defined in section 12.03 or a declared local emergency under section 12.29.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 10. Minnesota Statutes 2023 Supplement, section 181.9447, subdivision 3, is amended to read:

Subd. 3. **Documentation.** (a) When an employee uses earned sick and safe time for more than three consecutive scheduled work days, an employer may require reasonable documentation that the earned sick and safe time is covered by subdivision 1.

(b) For earned sick and safe time under subdivision 1, clauses (1), (2), (5), and (6), reasonable documentation may include a signed statement by a health care professional indicating the need for use of earned sick and safe time. However, if the employee or employee's family member did not receive services from a health care professional, or if documentation cannot be obtained from a health care professional in a reasonable time or without added expense, then reasonable documentation for the purposes of this paragraph may include a written statement from the employee indicating that the employee is using or used earned sick and safe time for a qualifying purpose covered by subdivision 1, clause (1), (2), (5), or (6).

(c) For earned sick and safe time under subdivision 1, clause (3), an employer must accept a court record or documentation signed by a volunteer or employee of a victims

services organization, an attorney, a police officer, or an antiviolence counselor as reasonable documentation. If documentation cannot be obtained in a reasonable time or without added expense, then reasonable documentation for the purposes of this paragraph may include a written statement from the employee indicating that the employee is using or used earned sick and safe time for a qualifying purpose covered under subdivision 1, clause (3).

(d) For earned sick and safe time to care for a family member under subdivision 1, clause (4), an employer must accept as reasonable documentation a written statement from the employee indicating that the employee is using or used earned sick and safe time for a qualifying purpose as reasonable documentation.

(e) An employer must not require disclosure of details relating to domestic abuse, sexual assault, or stalking or the details of an employee's or an employee's family member's medical condition as related to an employee's request to use earned sick and safe time under this section.

(f) Written statements by an employee may be written in the employee's first language and need not be notarized or in any particular format.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 11. Minnesota Statutes 2023 Supplement, section 181.9447, subdivision 5, is amended to read:

Subd. 5. **Increment of time used.** Earned sick and safe time may be used in the ~~smallest increment of time tracked by the employer's payroll system, provided such increment is not more than four hours~~ same increment of time for which employees are paid, provided an employer is not required to provide leave in less than 15-minute increments nor can the employer require use of earned sick and safe time in more than four-hour increments.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 12. Minnesota Statutes 2023 Supplement, section 181.9447, subdivision 10, is amended to read:

Subd. 10. **Employer records and required statement to employees.** (a) Employers shall retain accurate records documenting hours worked by employees and earned sick and safe time taken and comply with all requirements under section 177.30.

(b) At the end of each pay period, the employer shall provide, in writing or electronically, information stating the employee's current amount of:

40.1 (1) the total number of earned sick and safe time hours available to the employee for
40.2 use under section 181.9446; and

40.3 (2) the total number of earned sick and safe time hours used during the pay period under
40.4 section 181.9447.

40.5 Employers may choose a reasonable system for providing this information, including
40.6 but not limited to listing information on or attached to each earnings statement or an
40.7 electronic system where employees can access this information. An employer who chooses
40.8 to provide this information by electronic means must provide employee access to an
40.9 employer-owned computer during an employee's regular working hours to review and print.

40.10 ~~(b)~~ (c) An employer must allow an employee to inspect records required by this section
40.11 and relating to that employee at a reasonable time and place.

40.12 (d) The records required by this section must be kept for three years.

40.13 (e) All records required to be kept under this section must be readily available for
40.14 inspection by the commissioner upon demand. The records must be either kept at the place
40.15 where employees are working or kept in a manner that allows the employer to comply with
40.16 this paragraph within 72 hours.

40.17 Sec. 13. Minnesota Statutes 2023 Supplement, section 181.9447, subdivision 11, is amended
40.18 to read:

40.19 Subd. 11. **Confidentiality and nondisclosure.** (a) If, in conjunction with this section,
40.20 an employer possesses:

40.21 (1) health or medical information regarding an employee or an employee's family
40.22 member;

40.23 (2) information pertaining to domestic abuse, sexual assault, or stalking;

40.24 (3) information that the employee has requested or obtained leave under this section; or

40.25 (4) any written or oral statement, documentation, record, or corroborating evidence
40.26 provided by the employee or an employee's family member, the employer must treat such
40.27 information as confidential.

40.28 Information given by an employee may only be disclosed by an employer if the disclosure
40.29 is requested or consented to by the employee, when ordered by a court or administrative
40.30 agency, or when otherwise required by federal or state law.

(b) Records and documents relating to medical certifications, recertifications, or medical histories of employees or family members of employees created for purposes of section 177.50 or sections 181.9445 to 181.9448 must be maintained as confidential medical records separate from the usual personnel files. At the request of the employee, the employer must destroy or return the records required by sections 181.9445 to 181.9448 that are older than three years prior to the current calendar year, unless state or federal law, rule, or regulation requires the employer to retain such records.

(c) Employers may not discriminate against any employee based on records created for the purposes of section 177.50 or sections 181.9445 to 181.9448.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 14. Minnesota Statutes 2023 Supplement, section 181.9447, is amended by adding a subdivision to read:

Subd. 12. **Weather event exception.** Notwithstanding subdivision 1, an employee may not use sick and safe time under the conditions in subdivision 1, clause (4), if:

(1) the employee's preassigned or foreseeable work duties during a public emergency or weather event would require the employee to respond to the public emergency or weather event;

(2) the employee is a firefighter; a peace officer subject to licensure under sections 626.84 to 626.863; a 911 telecommunicator as defined in section 403.02, subdivision 17c; a guard at a correctional facility; or a public employee holding a commercial driver's license; and

(3) one of the following two conditions are met:

(i) the employee is represented by an exclusive representative under section 179A.03, subdivision 8, and the collective bargaining agreement or memorandum of understanding governing the employee's position explicitly references section 181.9447, subdivision 1, clause (4), and clearly and unambiguously waives application of that section for the employee's position; or

(ii) the employee is not represented by an exclusive representative, the employee is needed for the employer to maintain minimum staffing requirements, and the employer has a written policy explicitly referencing section 181.9447, subdivision 1, clause (4), that is provided to such employees in a manner that meets the requirements of other earned sick and safe time notices under section 181.9447, subdivision 9.

42.1 Sec. 15. Minnesota Statutes 2023 Supplement, section 181.9448, subdivision 1, is amended
42.2 to read:

42.3 Subdivision 1. **No effect on more generous sick and safe time policies.** (a) Nothing
42.4 in sections 181.9445 to 181.9448 shall be construed to discourage employers from adopting
42.5 or retaining earned sick and safe time policies that meet or exceed, and do not otherwise
42.6 conflict with, the minimum standards and requirements provided in sections 181.9445 to
42.7 181.9448, provided that all time provided to an employee by an employer for absences from
42.8 work due to personal illness or injury, but not including short-term or long-term disability
42.9 or other salary continuation benefits, meet or exceed the minimum standards and requirements
42.10 provided in sections 181.9445 to 181.9448.

42.11 (b) Nothing in sections 181.9445 to 181.9448 shall be construed to limit the right of
42.12 parties to a collective bargaining agreement to bargain and agree with respect to earned sick
42.13 and safe time policies or to diminish the obligation of an employer to comply with any
42.14 contract, collective bargaining agreement, or any employment benefit program or plan that
42.15 meets or exceeds, and does not otherwise conflict with, the minimum standards and
42.16 requirements provided in this section.

42.17 (c) Nothing in sections 181.9445 to 181.9448 shall be construed to preempt, limit, or
42.18 otherwise affect the applicability of any other law, regulation, requirement, policy, or
42.19 standard that provides for a greater amount, accrual, or use by employees of paid sick and
42.20 safe time or that extends other protections to employees.

42.21 (d) Nothing in sections 181.9445 to 181.9448 shall be construed or applied so as to
42.22 create any power or duty in conflict with federal law.

42.23 (e) Employers who provide earned sick and safe time to their employees under a paid
42.24 time off policy or other paid leave policy that may be used for the same purposes and under
42.25 the same conditions as earned sick and safe time, and that meets or exceeds, and does not
42.26 otherwise conflict with, the minimum standards and requirements provided in sections
42.27 181.9445 to 181.9448 are not required to provide additional earned sick and safe time.

42.28 (f) The provisions of sections 181.9445 to 181.9448 may be waived by a collective
42.29 bargaining agreement with a bona fide building and construction trades labor organization
42.30 that has established itself as the collective bargaining representative for the affected building
42.31 and construction industry employees, provided that for such waiver to be valid, it shall
42.32 explicitly reference sections 181.9445 to 181.9448 and clearly and unambiguously waive
42.33 application of those sections to such employees.

(g) An individual provider, as defined in section 256B.0711, subdivision 1, paragraph (d), who provides services through a consumer support grant under section 256.476, consumer-directed community supports under section 256B.4911, or community first services and supports under section 256B.85, to a family member who is a participant, as defined in section 256B.0711, subdivision 1, paragraph (e), may individually waive the provisions of sections 181.9445 to 181.9448 for the remainder of the participant's service plan year, provided that the funds are returned to the participant's budget. Once an individual provider has waived the provisions of sections 181.9445 to 181.9448, they may not accrue earned sick and safe time until the start of the participant's next service plan year.

~~(g)~~ (h) Sections 181.9445 to 181.9448 do not prohibit an employer from establishing a policy whereby employees may donate unused accrued sick and safe time to another employee.

~~(h)~~ (i) Sections 181.9445 to 181.9448 do not prohibit an employer from advancing sick and safe time to an employee before accrual by the employee.

EFFECTIVE DATE. This section is effective the day following final enactment, except paragraph (a) is effective January 1, 2025.

Sec. 16. Minnesota Statutes 2023 Supplement, section 181.9448, subdivision 2, is amended to read:

Subd. 2. **Termination; separation; transfer.** Sections 181.9445 to 181.9448 do not require financial or other reimbursement to an employee from an employer upon the employee's termination, resignation, retirement, or other separation from employment for accrued earned sick and safe time that has not been used. If an employee is transferred to a separate division, entity, or location, but remains employed by the same employer, the employee is entitled to all earned sick and safe time accrued at the prior division, entity, or location and is entitled to use all earned sick and safe time as provided in sections 181.9445 to 181.9448. When there is a separation from employment and the employee is rehired within 180 days of separation by the same employer, previously accrued earned sick and safe time that had not been used or otherwise disbursed to the benefit of the employee upon separation must be reinstated. An employee is entitled to use accrued earned sick and safe time and accrue additional earned sick and safe time at the commencement of reemployment.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 17. Minnesota Statutes 2023 Supplement, section 181.9448, subdivision 3, is amended to read:

Subd. 3. **Employer succession.** (a) When a different employer succeeds or takes the place of an existing employer, all employees of the original employer who remain employed by the successor employer are entitled to all earned sick and safe time accrued but not used when employed by the original employer, and are entitled to use all earned sick and safe time previously accrued but not used.

(b) If, ~~at the time of transfer of the business,~~ employees are terminated by the original employer and hired within 30 days by the successor employer following the transfer employer succession, those employees are entitled to all earned sick and safe time accrued but not used when employed by the original employer, and are entitled to use all earned sick and safe time previously accrued but not used.

EFFECTIVE DATE. This section is effective the day following final enactment.

ARTICLE 6

MISCELLANEOUS LABOR PROVISIONS

Section 1. **[181.912] UNDERGROUND TELECOMMUNICATIONS INFRASTRUCTURE.**

Subdivision 1. Definitions. For the purposes of this section:

(1) "directional drilling" means a drilling method that utilizes a steerable drill bit to cut a bore hole for installing underground utilities;

(2) "safety-qualified underground telecommunications installer" means a person who has completed underground utilities installation certification under subdivision 3;

(3) "underground telecommunications utilities" means buried broadband, telephone and other telecommunications transmission, distribution and service lines, and associated facilities; and

(4) "underground utilities" means buried electric transmission and distribution lines, gas and hazardous liquids pipelines and distribution lines, sewer and water pipelines, telephone or telecommunications lines, and associated facilities.

Subd. 2. **Installation requirements.** The installation of underground telecommunications infrastructure that is located within ten feet of existing underground utilities or that crosses said utilities must be performed by safety-qualified underground telecommunications installers as follows:

45.1 (1) the location of existing utilities by hand or hydro excavation or other accepted methods
45.2 must be performed by a safety-qualified underground telecommunications installer;

45.3 (2) where telecommunications infrastructure is installed by means of directional drilling,
45.4 the monitoring of the location and depth of the drill head must be performed by a
45.5 safety-qualified underground telecommunications installer; and

45.6 (3) no less than two safety-qualified underground telecommunications installers must
45.7 be present at all times at any location where telecommunications infrastructure is being
45.8 installed by means of directional drilling.

45.9 Subd. 3. **Certification standards.** (a) The commissioner of labor and industry shall
45.10 approve standards for a safety-qualified underground telecommunications installer
45.11 certification program that requires a person to:

45.12 (1) complete a 40-hour initial course that includes classroom and hands-on instruction
45.13 covering proper work procedures for safe installation of underground utilities, including:

45.14 (i) regulations applicable to excavation near existing utilities;

45.15 (ii) identification, location, and verification of utility lines using hand or hydro excavation
45.16 or other accepted methods;

45.17 (iii) response to line strike incidents;

45.18 (iv) traffic control procedures;

45.19 (v) use of a tracking device to safely guide directional drill equipment along a drill path;
45.20 and

45.21 (vi) avoidance and mitigation of safety hazards posed by underground utility installation
45.22 projects;

45.23 (2) demonstrate knowledge of the course material by successfully completing an
45.24 examination approved by the commissioner; and

45.25 (3) complete a four-hour refresher course within three years of completing the original
45.26 course and every three years thereafter in order to maintain certification.

45.27 (b) The commissioner must develop an approval process for training providers under
45.28 this subdivision, and may suspend or revoke the approval of any training provider that fails
45.29 to demonstrate consistent delivery of approved curriculum or success in preparing participants
45.30 to complete the examination.

46.1 Sec. 2. Minnesota Statutes 2022, section 181.960, subdivision 3, is amended to read:

46.2 Subd. 3. **Employer.** "Employer" means a person who has ~~20~~ one or more employees.

46.3 Employer does not include a state agency, statewide system, political subdivision, or advisory
46.4 board or commission that is subject to chapter 13.

46.5 Sec. 3. Minnesota Statutes 2022, section 181A.03, subdivision 1, is amended to read:

46.6 Subdivision 1. **General.** As used in sections 181A.01 to ~~181A.12~~ 181A.13, the terms
46.7 defined in this section shall have the following meanings.

46.8 Sec. 4. Minnesota Statutes 2022, section 181A.03, is amended by adding a subdivision to
46.9 read:

46.10 Subd. 5a. **Online platform.** "Online platform" means any public-facing website, web
46.11 application, or digital application, including a mobile application. Online platform includes
46.12 a social network, advertising network, mobile operating system, search engine, email service,
46.13 monetization platform to sell digital services, streaming service, paid subscription, or Internet
46.14 access service.

46.15 Sec. 5. Minnesota Statutes 2022, section 181A.03, is amended by adding a subdivision to
46.16 read:

46.17 Subd. 8. **Content creation.** "Content creation" means content shared on an online
46.18 platform that generates compensation.

46.19 Sec. 6. Minnesota Statutes 2022, section 181A.03, is amended by adding a subdivision to
46.20 read:

46.21 Subd. 9. **Content creator.** "Content creator" means an individual or individuals 18 years
46.22 of age or older, including family members, who create content performed in Minnesota that
46.23 generates compensation, and includes any proprietorship, partnership, company, or other
46.24 corporate entity assuming the name or identity of a particular individual or individuals, or
46.25 family members, for the purposes of that content creator.

46.26 Sec. 7. [181A.13] COMPENSATION FOR INTERNET CONTENT CREATION.

46.27 Subdivision 1. **Minors featured in content creation.** (a) Except as otherwise provided
46.28 in this section, a minor is considered engaged in the work of content creation when the
46.29 following criteria are met at any time during the previous 12-month period:

(1) at least 30 percent of the content creator's compensated content produced within a 30-day period included the likeness, name, or photograph of any minor. Content percentage is measured by the percentage of time the likeness, name, or photograph of a minor or, if more than one minor regularly appears in the creator's content, any of the minors, visually appears or is the subject of an oral narrative in a segment as compared to the total length of the segment; and

(2) the number of views received on any online platform met the online platform's threshold for generating compensation or the content creator received actual compensation for content equal to or greater than \$0.01 per view.

(b) A minor under the age of 14 is prohibited from engaging in the work of content creation as provided in paragraph (a). If a minor under the age of 14 is featured by a content creator, the minor shall receive 100 percent of the proceeds of the creator's compensation for the content the minor has appeared in, less any amount owed to another minor.

(c) A minor who is under the age of 18 and over the age of 13 may produce, create, and publish their own content and are entitled to all compensation for their own content creation. A minor engaged in the work of content creation as the producer, creator, and publisher of content must also follow the requirements in paragraph (b).

(d) A minor who appears incidentally in a video that depicts a public event that a reasonable person would know to be a broadcast, including a concert, competition, or sporting event, and is published by a content creator is not considered a violation of this section.

Subd. 2. **Records required.** (a) All content creators whose content features a minor engaged in the work of content creation shall maintain the following records and retain the records until the minor reaches the age of 21:

(1) the name and documentary proof of the age of the minor engaged in the work of content creation;

(2) the amount of content creation that generated compensation as described in subdivision 1 during the reporting period;

(3) the total number of minutes of content creation for which the content creator received compensation during the reporting period;

(4) the total number of minutes a minor was featured in content creation during the reporting period;

(5) the total compensation generated from content creation featuring a minor during the reporting period; and

(6) the amount deposited into the trust account for the benefit of the minor engaged in the work of content creation as required by subdivision 3.

(b) The records required by this subdivision must be readily accessible to the minor for review. The content creator shall provide notice to the minor of the existence of the records.

Subd. 3. **Trust required.** (a) A minor who is engaged in the work of content creation consistent with this section must be compensated by the content creator. The content creator must set aside gross earnings on the content that includes the likeness, name, or photograph of the minor in a trust account to be preserved for the benefit of the minor until the minor reaches the age of majority, according to the following distribution:

(1) if only one minor meets the content threshold described in subdivision 1, the percentage of total gross earnings on any segment, including the likeness, name, or photograph of the minor that is equal to or greater than half of the content percentage that includes the minor as described in subdivision 1; or

(2) if more than one minor meets the content threshold described in subdivision 1 and a segment includes more than one of those minors, the percentage described in clause (1) for all minors in any segment must be equally divided between the minors regardless of differences in percentage of content provided by the individual minors.

(b) A trust account required under this section must, at a minimum, provide that:

(1) the money in the account is available only to the minor engaged in the work of content creation;

(2) the account is held by a bank, corporate fiduciary, or trust company, as those terms are defined in chapter 48A;

(3) the money in the account becomes available to the minor engaged in the work of content creation upon the minor attaining the age of 18 years or upon a declaration that the minor is emancipated; and

(4) that the account meets the requirements of chapter 527, the Uniform Transfers to Minors Act.

Subd. 4. **Civil action; enforcement.** (a) If a content creator knowingly or recklessly violates this section, a minor or a person who was a minor at the time of the alleged violation may commence a civil action to enforce the provisions of this section regarding the trust

49.1 account. In any action brought in accordance with this paragraph, the court may award
49.2 actual damages, including any compensation owed under this section.

49.3 (b) Along with the civil action provided in paragraph (a), the minor may commence a
49.4 civil action against the content creator for damages, injunctive relief, and any other relief
49.5 the court finds just and equitable to enforce this section.

49.6 (c) The attorney general may enforce subdivision 1 of this section, pursuant to section
49.7 8.31, and may recover costs and fees.

49.8 (d) This section does not affect a right or remedy available under any other law of the
49.9 state.

49.10 (e) Nothing in this section shall be interpreted to have any effect on a party that is neither
49.11 the content creator nor the minor who engaged in the work of content creation.

49.12 Subd. 5. **Content deletion requests.** (a) A person 13 years of age or older who was
49.13 featured as a minor child in content of a content creator may request the permanent deletion
49.14 of the content from an online platform. An online platform must have an easily accessible
49.15 form available online for submission of the deletion request.

49.16 (b) An online platform that receives a deletion request shall remove and permanently
49.17 delete the content for which the request was made within seven days after the request was
49.18 submitted.

49.19 (c) Any contract between a content creator and an online platform that would reasonably
49.20 be anticipated to feature a minor child must include notification to the social media platform
49.21 of the rights under this subdivision.

49.22 Subd. 6. **Minimum age exemption.** A minor 14 years of age or older who is compensated
49.23 under this section is exempt from the minimum age provisions of section 181A.04,
49.24 subdivision 1.

49.25 **EFFECTIVE DATE.** This section is effective July 1, 2025.

49.26 Sec. 8. **RULEMAKING; ACCEPTABLE BLOOD LEAD LEVELS FOR WORKERS.**

49.27 The commissioner of labor and industry, in consultation with the commissioner of health,
49.28 shall adopt rules to:

49.29 (1) lower the acceptable blood lead levels above which require mandatory removal of
49.30 workers from the lead exposure; and

50.1 (2) lower the blood lead levels required before a worker is allowed to return to work.
50.2 The thresholds established must be based on the most recent public health information on
50.3 the safety of lead exposure.

50.4 ARTICLE 7

50.5 CONSTRUCTION CODES AND LICENSING

50.6 Section 1. Minnesota Statutes 2022, section 326B.89, subdivision 5, is amended to read:

50.7 Subd. 5. **Payment limitations.** The commissioner shall not pay compensation from the
50.8 fund to an owner or a lessee in an amount greater than ~~\$75,000~~ \$100,000 per licensee. The
50.9 commissioner shall not pay compensation from the fund to owners and lessees in an amount
50.10 that totals more than \$550,000 per licensee. The commissioner shall only pay compensation
50.11 from the fund for a final judgment that is based on a contract directly between the licensee
50.12 and the homeowner or lessee that was entered into prior to the cause of action and that
50.13 requires licensure as a residential building contractor or residential remodeler.

50.14 **EFFECTIVE DATE.** This section is effective July 1, 2024.

50.15 ARTICLE 8

50.16 UNIVERSITY OF MINNESOTA COLLECTIVE BARGAINING

50.17 Section 1. Minnesota Statutes 2023 Supplement, section 179A.03, subdivision 14, is
50.18 amended to read:

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

50.21 (1) elected public officials;

50.22 (2) election officers;

50.23 (3) commissioned or enlisted personnel of the Minnesota National Guard;

50.24 (4) emergency employees who are employed for emergency work caused by natural
50.25 disaster;

50.26 (5) part-time employees whose service does not exceed the lesser of 14 hours per week
50.27 or 35 percent of the normal work week in the employee's appropriate unit;

50.28 (6) employees whose positions are basically temporary or seasonal in character and: (i)
50.29 are not for more than 67 working days in any calendar year; or (ii) are not working for a
50.30 Minnesota school district or charter school; ~~or (iii) are not for more than 100 working days~~
50.31 ~~in any calendar year and the employees are under the age of 22, are full-time students~~

51.1 ~~enrolled in a nonprofit or public educational institution prior to being hired by the employer,~~
 51.2 ~~and have indicated, either in an application for employment or by being enrolled at an~~
 51.3 ~~educational institution for the next academic year or term, an intention to continue as students~~
 51.4 ~~during or after their temporary employment;~~

51.5 (7) employees providing services for not more than two consecutive quarters to the
 51.6 Board of Trustees of the Minnesota State Colleges and Universities under the terms of a
 51.7 professional or technical services contract as defined in section 16C.08, subdivision 1;

51.8 (8) employees of charitable hospitals as defined by section 179.35, subdivision 3, except
 51.9 that employees of charitable hospitals as defined by section 179.35, subdivision 3, are public
 51.10 employees for purposes of sections 179A.051, 179A.052, and 179A.13;

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

51.14 ~~(10)~~ (9) an individual who is employed for less than 300 hours in a fiscal year as an
 51.15 instructor in an adult vocational education program;

51.16 ~~(11)~~ (10) with respect to court employees:

51.17 (i) personal secretaries to judges;

51.18 (ii) law clerks;

51.19 (iii) managerial employees;

51.20 (iv) confidential employees; and

51.21 (v) supervisory employees; or

51.22 ~~(12)~~ (11) with respect to employees of Hennepin Healthcare System, Inc., managerial,
 51.23 supervisory, and confidential employees.

51.24 (b) The following individuals are public employees regardless of the exclusions of
 51.25 paragraph (a), clauses (5) to (7):

51.26 (1) an employee hired by a school district or the Board of Trustees of the Minnesota
 51.27 State Colleges and Universities except at the university established in the Twin Cities
 51.28 metropolitan area under section 136F.10 or for community services or community education
 51.29 instruction offered on a noncredit basis: (i) to replace an absent teacher or faculty member
 51.30 who is a public employee, where the replacement employee is employed more than 30
 51.31 working days as a replacement for that teacher or faculty member; or (ii) 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;

(2) an employee hired for a position under paragraph (a), clause (6), item (i), if that same position has already been filled under paragraph (a), clause (6), item (i), 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;

(3) an early childhood family education teacher employed by a school district; ~~and~~

(4) an individual hired by the Board of Trustees of the Minnesota State Colleges and Universities or the University of Minnesota as the instructor of record to teach (i) one class for more than three credits in a fiscal year, or (ii) two or more credit-bearing classes in a fiscal year; and

(5) an individual who: (i) is paid by the Board of Regents of the University of Minnesota for work performed at the direction of the university or any of its employees or contractors; and (ii) is enrolled in three or more university credit-bearing classes or one semester as a full-time student or postdoctoral fellow during the fiscal year in which the work is performed. For purposes of this section, work paid by the university includes but is not limited to work that is required as a condition of receiving a stipend or tuition benefit, whether or not the individual also receives educational benefit from performing that work. Individuals who perform supervisory functions in regard to any of the aforementioned workers are not considered supervisory employees for the purpose of section 179A.06, subdivision 2.

Sec. 2. Minnesota Statutes 2022, section 179A.11, subdivision 1, is amended to read:

Subdivision 1. **Units.** (a) The following are the appropriate units of University of Minnesota employees. The listed units include, but are not limited to, the positions described. A position may be added to a unit if the commissioner makes a determination under section 179A.09 that the unit is appropriate for the position. All units shall exclude managerial and confidential employees. Supervisory employees shall only be assigned to unit 13. No additional units of University of Minnesota employees shall be recognized for the purpose of meeting and negotiating.

(1) The Law Enforcement Unit ~~consists of~~ includes the positions of all employees with the power of arrest.

53.1 (2) The Craft and Trades Unit ~~consists of~~ includes the positions of all employees whose
 53.2 work requires specialized manual skills and knowledge acquired through formal training
 53.3 or apprenticeship or equivalent on-the-job training or experience.

53.4 (3) The Service, Maintenance, and Labor Unit ~~consists of~~ includes the positions of all
 53.5 employees whose work is typically that of maintenance, service, or labor and which does
 53.6 not require extensive previous training or experience, except as provided in unit 4.

53.7 (4) The Health Care Nonprofessional and Service Unit ~~consists of~~ includes the positions
 53.8 of all nonprofessional employees of the University of Minnesota hospitals, dental school,
 53.9 and health service whose work is unique to those settings, excluding labor and maintenance
 53.10 employees as defined in unit 3.

53.11 (5) The Nursing Professional Unit ~~consists of~~ includes all positions which are required
 53.12 to be filled by registered nurses.

53.13 (6) The Clerical and Office Unit ~~consists of~~ includes the positions of all employees
 53.14 whose work is typically clerical or secretarial, including nontechnical data recording and
 53.15 retrieval and general office work, except as provided in unit 4.

53.16 (7) The Technical Unit ~~consists of~~ includes the positions of all employees whose work
 53.17 is not typically manual and which requires specialized knowledge or skills acquired through
 53.18 two-year academic programs or equivalent experience or on-the-job training, except as
 53.19 provided in unit 4.

53.20 ~~(8) The Twin Cities Instructional Unit consists of the positions of all instructional~~
 53.21 ~~employees with the rank of professor, associate professor, assistant professor, including~~
 53.22 ~~research associate or instructor, including research fellow, located on the Twin Cities~~
 53.23 ~~campuses.~~

53.24 ~~(9)~~ (8) The Outstate Instructional Unit ~~consists of~~ includes the positions of all instructional
 53.25 employees with the rank of professor, associate professor, assistant professor, including
 53.26 research associate or instructor, including research fellow, located at the Duluth campus,
 53.27 provided that the positions of instructional employees of the same ranks at the Morris,
 53.28 Crookston, or ~~Waseca~~ Rochester campuses shall be included within this unit if a majority
 53.29 of the eligible employees voting at a campus so vote during an election conducted by the
 53.30 commissioner, provided that the election or majority verification procedure shall not be
 53.31 held until the Duluth campus has voted in favor of representation. The election shall be held
 53.32 or majority verification procedure shall take place when an employee organization or group
 53.33 of employees petitions the commissioner stating that a majority of the eligible employees
 53.34 at one of these campuses wishes to join the unit and this petition is supported by a showing

54.1 of at least 30 percent support from eligible employees at that campus and is filed between
 54.2 September 1 and November 1.

54.3 ~~Should both units 8 and 9 elect exclusive bargaining representatives, those representatives~~
 54.4 ~~may by mutual agreement jointly negotiate a contract with the regents, or may negotiate~~
 54.5 ~~separate contracts with the regents. If the exclusive bargaining representatives jointly~~
 54.6 ~~negotiate a contract with the regents, the contract shall be ratified by each unit. For the~~
 54.7 purposes of this section, an "instructional employee" is an individual who spends 35 percent
 54.8 or more of their work time creating, delivering, and assessing the mastery of credit-bearing
 54.9 coursework.

54.10 (10) The Graduate Assistant Unit ~~consists of~~ includes the positions of all graduate
 54.11 assistants who are enrolled in the graduate school and who hold the rank of research assistant,
 54.12 teaching assistant, teaching associate I or II, project assistant, graduate school fellow,
 54.13 graduate school trainee, professional school fellow, professional school trainee, or
 54.14 administrative fellow I or II. The listed ranks do not coincide with the ranks that are
 54.15 categorized by the University of Minnesota as professionals in training, even though in
 54.16 some cases the job titles may be the same.

54.17 ~~(11) The Academic Professional and Administrative Staff Unit consists of all academic~~
 54.18 ~~professional and administrative staff positions that are not defined as included in an~~
 54.19 ~~instructional unit, the supervisory unit, the clerical unit, or the technical unit.~~

54.20 ~~(12) The Noninstructional Professional Unit consists of the positions of all employees~~
 54.21 ~~meeting the requirements of section 179A.03, subdivision 13, clause (1) or (2), which are~~
 54.22 ~~not defined as included within an instructional unit, the Academic Professional and~~
 54.23 ~~Administrative Staff Unit, or the supervisory unit.~~

54.24 ~~(13) The Supervisory Employees Unit consists of the positions of all supervisory~~
 54.25 ~~employees.~~

54.26 (b) An employee of the University of Minnesota whose position is not enumerated in
 54.27 paragraph (a) may petition the commissioner to determine an appropriate unit for the position.
 54.28 The commissioner must make a determination for an appropriate unit as provided in section
 54.29 179A.09 and the commissioner must give special weight to the desires of the petitioning
 54.30 employee or representatives of the petitioning employee.

54.31 Sec. 3. Minnesota Statutes 2022, section 179A.11, subdivision 2, is amended to read:

54.32 Subd. 2. **University of Minnesota employee severance.** (a) Each of the following
 54.33 groups of University of Minnesota employees has the right, as specified in this subdivision,

to separate from the instructional and supervisory units: (1) health sciences instructional employees at all campuses with the rank of professor, associate professor, assistant professor, including research associate, or instructor, including research fellow, (2) instructional employees of the law school with the rank of professor, associate professor, assistant professor, including research associate, or instructor, including research fellow, (3) instructional supervisors, (4) noninstructional professional supervisors, and (5) academic professional and administrative staff supervisors.

~~This~~ (b) The right to separate may be exercised:

(1) by petition between September 1 and November 1. If a group separates from its unit, it has no right to meet and negotiate, but retains the right to meet and confer with the appropriate officials on any matter of concern to the group. The right to separate must be exercised as follows: An employee organization or group of employees claiming that a majority of any one of these groups of employees on a statewide basis wish to separate from their unit may petition the commissioner for an election during the petitioning period. If the petition is supported by a showing of at least 30 percent support from the employees, the commissioner ~~shall~~ may hold an election on the separation issue or the petitioning group may proceed under the process set forth in section 179A.12. This election must be conducted within 30 days of the close of the petition period. If a majority of votes cast endorse severance from their unit, the commissioner shall certify that result; or

(2) by the group's exclusion from a proposed unit in a representation petition.

(c) Where not inconsistent with other provisions of this section, the election is governed by section 179A.12. If a group of employees severs, it may rejoin that unit by following the procedures for severance during the periods for severance.

Sec. 4. Minnesota Statutes 2022, section 179A.11, is amended by adding a subdivision to read:

Subd. 3. **Joint bargaining.** Units organized under this section that have elected exclusive bargaining representatives may by mutual agreement of the exclusive representatives jointly negotiate a contract with the regents or may negotiate separate contracts with the regents. If the exclusive bargaining representatives jointly negotiate a contract with the regents, the contract must be ratified by each unit."


Delete the title and insert:

"A bill for an act
relating to labor and industry; modifying combative sports regulations; modifying supplemental appropriations and other provisions related to the Bureau of Mediation

56.1 Services; making technical and policy changes to certain public employee labor
56.2 relations provisions; modifying earned sick and safe time; authorizing rulemaking;
56.3 providing compensation for minors appearing in Internet content creation;
56.4 modifying previous appropriations; appropriating money; amending Minnesota
56.5 Statutes 2022, sections 179A.041, subdivision 2; 179A.09, by adding subdivisions;
56.6 179A.11, subdivisions 1, 2, by adding a subdivision; 179A.12, subdivision 5;
56.7 179A.13, subdivisions 1, 2; 179A.40, subdivision 1; 179A.54, subdivision 5;
56.8 181.960, subdivision 3; 181A.03, subdivision 1, by adding subdivisions; 326B.89,
56.9 subdivision 5; 341.28, by adding a subdivision; 341.29; 626.892, subdivision 10;
56.10 Minnesota Statutes 2023 Supplement, sections 13.43, subdivision 6; 177.27,
56.11 subdivision 4; 177.50, by adding subdivisions; 179A.03, subdivisions 14, 18;
56.12 179A.041, subdivision 10; 179A.06, subdivision 6; 179A.07, subdivisions 8, 9;
56.13 179A.10, subdivision 2; 179A.12, subdivisions 2a, 6, 11; 181.032; 181.9445,
56.14 subdivisions 4, 5, by adding a subdivision; 181.9446; 181.9447, subdivisions 1,
56.15 3, 5, 10, 11, by adding a subdivision; 181.9448, subdivisions 1, 2, 3; 341.25;
56.16 341.28, subdivision 5; 341.30, subdivision 4; 341.321; 341.33, by adding a
56.17 subdivision; 341.355; Laws 2023, chapter 53, article 14, section 1; article 19,
56.18 sections 2, subdivisions 1, 3, 5; 4; proposing coding for new law in Minnesota
56.19 Statutes, chapters 181; 181A; repealing Minnesota Statutes 2022, sections 179.81;
56.20 179.82; 179.83, subdivision 1; 179.84, subdivision 1; 179.85; Minnesota Rules,
56.21 parts 5520.0100; 5520.0110; 5520.0120; 5520.0200; 5520.0250; 5520.0300;
56.22 5520.0500; 5520.0520; 5520.0540; 5520.0560; 5520.0600; 5520.0620; 5520.0700;
56.23 5520.0710; 5520.0800."

56.24 And when so amended the bill do pass and be re-referred to the Committee on Finance.

56.25 Amendments adopted. Report adopted.

56.26 
56.27
(Committee Chair)

56.28 April 12, 2024.....
56.29 (Date of Committee recommendation)