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Mediation Services, Bureau of

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mn.gov/bms/

AT A GLANCE

- The Bureau of Mediation Services (BMS) oversees the collective bargaining relationship between all public sector employers, charitable hospitals and nursing homes, some private sector employers and their unionized employees.
- Of the 310,600+ MN Public Employees; over 2/3 work under nearly 4,000 union contracts.
- In FY20 the BMS received 2,854 requests for service and during the same period there were two strikes, fifty-nine arbitrations (of which 12 were contract arbitrations) and six veterans' preference hearings.
- While the BMS did not have a chance to mediate every case presented to arbitration; including cases arbitrated but not mediated, a 97% success rate was achieved.
- The BMS conducted in FY20, 1,196 mediation meetings, 120 trainings and facilitations, 35 election tabulations and 30 representation hearings and pre-hearings.

PURPOSE

The BMS mission is to promote orderly and constructive labor-management relations and to advance the use of alternative dispute resolution and collaborative processes.

Labor-Management Relations

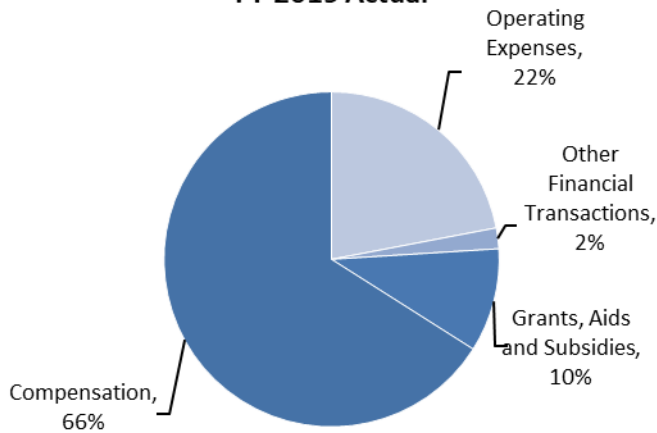
1. The BMS monitors collective bargaining disputes and works to prevent strikes and arbitration by directly mediating labor negotiations and grievances and by providing labor-management training.
2. Representation rights (employee's right to unionize or refrain from such) are regulated through a quasi-judicial administrative process including administrative investigations, hearings and elections.
3. BMS clients are: employers, labor organizations, employees, elected officials, labor attorneys and other labor relations professionals.

Training and Facilitation

1. The BMS has absorbed regional labor -management committee training previously conducted by Area Labor Management Committee consortiums.
2. The BMS provides committee effectiveness and co-chair training, conflict resolution training, Interest Based Bargaining Training, training on the Minnesota Public Employment Labor Relations Act, and training for Contract and Grievance Mediation.
3. For established labor-management committees and interest based bargaining groups, the BMS will provide facilitation for difficult issues.

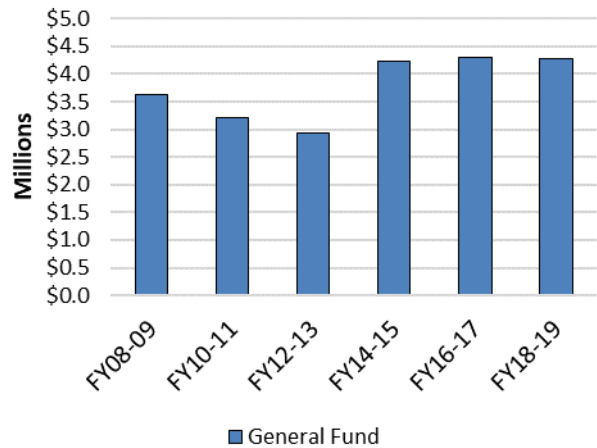
BUDGET

**Spending by Category
FY 2019 Actual**



Source: Budget Planning & Analysis System (BPAS)

Historical Spending



Source: Consolidated Fund Statement

STRATEGIES

The BMS contributes to statewide outcomes by:

- Mediating collective bargaining and grievance disputes and promoting voluntary resolution of representation questions.
- Promoting cooperation among labor and management through worksite labor management committees.
- Administering a statewide labor-management grant program.
- Maintaining a roster of qualified neutral arbitrators to hear and decide contract and grievance disputes that cannot be resolved through mediation.
- Training labor and management representatives in the skills of negotiation, mediation, conflict resolution, relationship management and interest focused bargaining.
- Ensuring the sustainable resolution of matters of disputes by providing collaborative problem-solving services to state and local government.

RESULTS

In FY20 BMS resolved a total of 439 grievance and contract cases improving the efficiency and effectiveness of the public and private sector due to stable labor management relations. This resulted in dollars and work hours saved by the prevention of strikes, arbitration, and litigation, and contributed to improved productivity and higher employee morale.

Measures of BMS work are successful case settlement rates, timely resolution of representation petitions and the quantity of successful community mediations.

| <i>Type of Measure</i> | <i>Name of Measure</i> | <i>Previous</i> | <i>Current</i> | <i>Dates</i> |
|------------------------|--|-----------------|----------------|--------------|
| Quality | Percentage of collective bargaining contract and grievance disputes successfully settled through mediation | 92% | 97% | FY19, FY20 |
| Quality | Percentage of representation elections successfully completed within 90 days | 92% | 91% | FY19, FY20 |

| Type of Measure | Name of Measure | Previous | Current | Dates |
|------------------------|---|-----------------|----------------|--------------|
| Quantity | Number of Interest Based and Labor Management Cooperative Meetings Held | 101 | 138 | FY19, FY20 |

Bureau of Mediation Services Statutory Jurisdiction:

Minnesota Labor Relations Act – M.S. 179, <https://www.revisor.leg.state.mn.us/statutes/?id=179&view=chapter>

Public Employment Labor Relations Act – M.S. 179A, <https://www.revisor.leg.state.mn.us/statutes/?id=179A>

Data Practices Act – M.S. 13.37 – 13.43, <https://www.revisor.leg.state.mn.us/statutes/?id=13>

Mediation Services, Bureau of

Agency Expenditure Overview

(Dollars in Thousands)

| | Actual FY18 | Actual FY19 | Actual FY20 | Estimate FY21 | Forecast Base | |
|--|----------------|----------------|----------------|------------------|---------------|--------------|
| | | | | | FY22 | FY23 |
| <u>Expenditures by Fund</u> | | | | | | |
| 1000 - General | 2,101 | 2,168 | 1,761 | 2,829 | 2,281 | 2,281 |
| 2001 - Other Misc Special Revenue | 4 | 6 | | 10 | 10 | 10 |
| Total | 2,105 | 2,174 | 1,761 | 2,839 | 2,291 | 2,291 |
| Biennial Change | | | | 321 | | (18) |
| Biennial % Change | | | | 8 | | (0) |
| <u>Expenditures by Program</u> | | | | | | |
| Mediation Services | 2,105 | 2,174 | 1,761 | 2,839 | 2,291 | 2,291 |
| Total | 2,105 | 2,174 | 1,761 | 2,839 | 2,291 | 2,291 |
| <u>Expenditures by Category</u> | | | | | | |
| Compensation | 1,459 | 1,434 | 1,347 | 1,763 | 1,723 | 1,723 |
| Operating Expenses | 417 | 482 | 414 | 940 | 500 | 500 |
| Grants, Aids and Subsidies | 228 | 217 | | 136 | 68 | 68 |
| Other Financial Transaction | 2 | 42 | | | | |
| Total | 2,105 | 2,174 | 1,761 | 2,839 | 2,291 | 2,291 |
| <u>Full-Time Equivalent</u> | | | | | | |
| | 12.25 | 11.31 | 10.80 | 13.05 | 12.80 | 12.80 |

Mediation Services, Bureau of

Agency Financing by Fund

(Dollars in Thousands)

| | Actual FY18 | Actual FY19 | Actual FY20 | Estimate FY21 | Forecast Base | |
|-----------------------------------|----------------|----------------|----------------|------------------|---------------|--------------|
| | | | | | FY22 | FY23 |
| 1000 - General | | | | | | |
| Balance Forward In | | 323 | | 475 | | |
| Direct Appropriation | 2,417 | 2,525 | 2,641 | 2,761 | 2,290 | 2,290 |
| Transfers In | | | | 102 | | |
| Transfers Out | 10 | 10 | 405 | 509 | 9 | 9 |
| Cancellations | | 669 | | | | |
| Balance Forward Out | 306 | | 475 | | | |
| Expenditures | 2,101 | 2,168 | 1,761 | 2,829 | 2,281 | 2,281 |
| Biennial Change in Expenditures | | | | 321 | | (28) |
| Biennial % Change in Expenditures | | | | 8 | | (1) |
| Full-Time Equivalents | 12.25 | 11.31 | 10.80 | 13.05 | 12.80 | 12.80 |

2001 - Other Misc Special Revenue

| | | | | | | |
|-----------------------------------|----------|----------|----|-----------|-----------|-----------|
| Balance Forward In | 47 | 58 | 60 | 65 | 60 | 55 |
| Receipts | 15 | 6 | 5 | 5 | 5 | 5 |
| Balance Forward Out | 58 | 59 | 65 | 60 | 55 | 50 |
| Expenditures | 4 | 6 | | 10 | 10 | 10 |
| Biennial Change in Expenditures | | | | 0 | | 10 |
| Biennial % Change in Expenditures | | | | 3 | | |

(Dollars in Thousands)

| | FY21 | FY22 | FY23 | Biennium 2022-23 |
|--|--------------|--------------|--------------|---------------------|
| Direct | | | | |
| Fund: 1000 - General | | | | |
| FY2021 Appropriations | 2,761 | 2,761 | 2,761 | 5,522 |
| Base Adjustments | | | | |
| Current Law Base Change | | (73) | (73) | (146) |
| Transfer Between Agencies | | (398) | (398) | (796) |
| Forecast Base | 2,761 | 2,290 | 2,290 | 4,580 |
| Dedicated | | | | |
| Fund: 2001 - Other Misc Special Revenue | | | | |
| Planned Spending | 10 | 10 | 10 | 20 |
| Forecast Base | 10 | 10 | 10 | 20 |
| Revenue Change Summary | | | | |
| Dedicated | | | | |
| Fund: 2001 - Other Misc Special Revenue | | | | |
| Forecast Revenues | 5 | 5 | 5 | 10 |