

AT A GLANCE

- Beginning July 1, 2017, the Minnesota Public Employment Relations Board (PERB) will receive, investigate and resolve unfair labor practice charges for all public employers and their employees across the State of Minnesota.
- Unfair labor practices are defined as violations of the Minnesota Public Employment Labor Relations Act ⁽²⁾. This law gives certain rights to public employees throughout the State of Minnesota. It prohibits certain conduct by public employers and the labor organizations that represent public employees that interferes with these rights.
- The PERB has three members: one member represents public employees and is appointed by the governor; one member represents public employers and is also appointed by the governor; and the third represents the public at large and is appointed by the other two members. The board selects one of its members to serve as chair July 1st of each year.

PURPOSE

- The Minnesota Public Employment Relations Board (PERB) was created by the Legislature in 2014 to investigate, hear, and resolve unfair labor practice charges and complaints in the public sector. ⁽¹⁾
- The PERB will promote orderly and constructive relationships between all public employers and their employees.
- Prior to creation of the PERB, parties pursuing or defending unfair labor practice charges in the public sector proceeded in litigation in state district court.
- The PERB appoints hearing officers to hear unfair labor practice allegations.
- Upon appeal, the PERB reviews unfair labor practice decisions for the public sector ⁽³⁾, for those involving charitable hospitals ⁽⁴⁾ ⁽⁵⁾, and from the Commissioner of Bureau of Mediation Services ⁽⁶⁾.

BUDGET

Funding in FY 2015 through FY 2017 was appropriated to the Bureau of Mediation Services for purposes of the PERB in the amount of \$125,000 per year from the general fund.

STRATEGIES

- Adopted rules governing the procedures of investigations, hearings, and appeals of unfair labor practices
- Will provide training to labor and management representatives on existing Minnesota labor law and procedures for investigations and hearings before the PERB
- Will provide training to Hearing Officers on hearings before PERB and PERB procedure
- Unfair labor practices may be filed with the PERB in person, by mail, facsimile or an attachment to an e-mail. The PERB has adopted an unfair labor practice form and case numbering system.
- The PERB will conduct a prompt investigation of charges, and issue complaints and conduct hearings in those cases where it determines that the charge involves a material issue of law or fact.
- Hearings will be conducted within 5-20 days of the date the complaint is served on the parties to a case.
- Hearing Officers will issue prompt decisions and recommended orders, either that the complaint be dismissed or finding that the Respondent had engaged in unfair labor practices and recommending certain action to remedy those practices.
- The PERB will issue prompt decisions on the appeal of Hearing Officer recommendations.
- The PERB will place strong emphasis on the voluntary resolution of unfair labor practice cases by the parties involved.

RESULTS

Results will be measured after the first year of implementation.

- (1) MS 179A.041 (<https://www.revisor.mn.gov/statutes/?id=179A.041>)
- (2) MS 179A.01 (<https://www.revisor.mn.gov/statutes/?id=179A.01>)
- (3) MS 179A.13 (<https://www.revisor.mn.gov/statutes/?id=179A.13>)
- (4) MS 179.11 (<https://www.revisor.mn.gov/statutes/?id=179.11>)
- (5) MS 179.12 (<https://www.revisor.mn.gov/statutes/?id=179.12>)
- (6) MS 179A.12, Subd. 11 (<https://www.revisor.mn.gov/statutes/?id=179A.12>)