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State of Minnesota  
**HOUSE OF REPRESENTATIVES**

**EIGHTY-FIFTH  
SESSION**

**HOUSE FILE No. 17**

January 8, 2007

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The bill was read for the first time and referred to the Committee on Commerce and Labor

1.1 A bill for an act  
1.2 relating to state government; including the house of representatives in the  
1.3 public employment labor relations act; amending Minnesota Statutes 2006,  
1.4 section 179A.03, subdivisions 7, 15; proposing coding for new law in Minnesota  
1.5 Statutes, chapter 3.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. [3.3051] LABOR NEGOTIATOR.

1.8 The house Committee on Rules and Legislative Administration shall designate a  
1.9 labor negotiator to act as employer for the house of representatives under chapter 179A.

1.10 Sec. 2. Minnesota Statutes 2006, section 179A.03, subdivision 7, is amended to read:

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

2.1 employees, "essential employees" means all employees. For employees of the house  
 2.2 of representatives, "essential employee" means an employee in a position classified as  
 2.3 managerial by the house Committee on Rules and Legislative Administration.

2.4 Sec. 3. Minnesota Statutes 2006, section 179A.03, subdivision 15, is amended to read:

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

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

2.8 (b) the Board of Regents of the University of Minnesota for its employees;

2.9 (c) the state court administrator for court employees;

2.10 (d) the state Board of Public Defense for its employees;

2.11 (e) Hennepin Healthcare System, Inc.; ~~and~~

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

2.18 (g) the labor negotiator designated under section 3.3051 for employees of the house  
 2.19 of representatives.

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

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

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