

**SENATE  
STATE OF MINNESOTA  
NINETY-THIRD SESSION**

**S.F. No. 2742**

(SENATE AUTHORS: GRUENHAGEN, Green, Lucero, Drazkowski and Bahr)  
DATE 03/08/2023 D-PG Introduction and first reading OFFICIAL STATUS Referred to Labor

1.1 A bill for an act  
1.2 relating to labor; modifying teacher strike provisions; amending Minnesota Statutes  
1.3 2022, section 179A.18, subdivision 2, by adding a subdivision.

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

1.5 Section 1. Minnesota Statutes 2022, section 179A.18, subdivision 2, is amended to read:

1.6 Subd. 2. **School district requirements.** Except as otherwise provided by section 179A.17,  
1.7 subdivision 1, teachers employed by a local school district, other than principals and assistant  
1.8 principals, may strike only under the following circumstances:

1.9 (1)(i) the collective bargaining agreement between their exclusive representative and  
1.10 their employer has expired or, if there is no agreement, impasse under section 179A.17,  
1.11 subdivision 1, has occurred; and

1.12 (ii) the exclusive representative and the employer have participated in mediation over  
1.13 a period of at least 30 days. For the purposes of this item the mediation period commences  
1.14 on the day that a mediator designated by the commissioner first attends a conference with  
1.15 the parties to negotiate the issues not agreed upon; ~~and~~

1.16 (iii) neither party has requested interest arbitration or a request for binding interest  
1.17 arbitration has been rejected; ~~or~~ and

1.18 (iv) the employer has not offered a collective bargaining agreement that increases future  
1.19 district costs for salaries and benefits by at least the maximum increase available in  
1.20 accordance with subdivision 2a; or

1.21 (2) the employer violates section 179A.13, subdivision 2, clause (9).

2.1 **EFFECTIVE DATE.** This section is effective for collective bargaining agreements  
2.2 effective July 1, 2023, and thereafter.

2.3 Sec. 2. Minnesota Statutes 2022, section 179A.18, is amended by adding a subdivision to  
2.4 read:

2.5 Subd. 2a. **School district increased salary and benefits cap.** (a) For purposes of this  
2.6 section, the "maximum increase available" means the total increase in cost of terms in a  
2.7 collective bargaining agreement, including salary and benefits, compared to the previous  
2.8 collective bargaining agreement.

2.9 (b) Before beginning negotiations with an exclusive representative of school district  
2.10 employees, the employer must determine the maximum increase available for a collective  
2.11 bargaining agreement based on the change in the state's gross domestic product and  
2.12 population growth in the district during the previous two years. The employer must provide  
2.13 notice to the exclusive representative of district employees of this maximum salary and  
2.14 benefits increase. If the final collective bargaining agreement between the board and an  
2.15 exclusive representative includes salary, benefit, or other terms that collectively exceed the  
2.16 maximum increase available, the employer must provide notice to residents in the district  
2.17 of the increase, and explain the reasons for exceeding the maximum increase available at  
2.18 an open meeting.

2.19 (c) Notwithstanding any law to the contrary, school district employees are not authorized  
2.20 to strike if the employer has offered a collective bargaining agreement, the costs of which  
2.21 would meet or exceed the maximum increase available identified under paragraph (b).

2.22 (d) The commissioner of management and budget must issue guidance to school boards  
2.23 on how to calculate the maximum increase available based on changes in the state's gross  
2.24 domestic product and population changes.

2.25 **EFFECTIVE DATE.** This section is effective for collective bargaining agreements  
2.26 effective July 1, 2023, and thereafter.