



IN THE MATTER OF A PETITION FOR
INVESTIGATION AND DETERMINATION
OF PUBLIC EMPLOYEES' APPROPRIATE
UNIT AND EXCLUSIVE REPRESENTATIVE

April 20, 2020

Law Enforcement Labor Services, Inc., Brooklyn Center, Minnesota

- and -

City of Truman, Minnesota

BMS Case No. 20PCE1761

CERTIFICATION UNIT DETERMINATION

- and -

CERTIFICATION OF EXCLUSIVE REPRESENTATIVE

INTRODUCTION

On February 21, 2020, the State of Minnesota, Bureau of Mediation Services (Bureau), received a petition filed by the Law Enforcement Labor Services, Inc., Brooklyn Center, Minnesota (LELS). The petition requested determination of an appropriate unit and certification as exclusive representative for a certain employee employed by the City of Truman, Minnesota.

ISSUES

1. Is a unit of one employee an appropriate unit for collective bargaining purposes?
2. Does the necessity for an election exist for a petition requesting certification for one employee?
3. Has LELS submitted the proper showing of interest to warrant certification without a representation election?

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DISCUSSION

With respect to the issue of single-person units, the Bureau has, by policy, established that such units are appropriate under the Public Employment Labor Relations Act (PELRA) in order to ensure to employees, the full benefits of their right to be represented and to bargain collectively. There are no legal, professional, public policy or common-sense reasons to contend that single-person units are inappropriate under PELRA.

Having found single-person units appropriate, the Bureau turns its attention to the matter of determining majority preference for purposes of designating an exclusive representative. In a single-person unit, majority preference is easily determined--yet secret ballot elections are impossible. The petition in this case was accompanied by a signed statement of authorization and desire for the petitioning organization to represent the employee. Such evidence is sufficient to ascertain the employee's preference in designating a bargaining agent. Pursuant to the powers vested in the Commissioner, a certification will, therefore, be issued without further investigation or conduct of an election.

FINDINGS

1. A single-employee unit is appropriate.
2. There is no need to conduct an election to resolve the question of representation.
3. LELS has submitted the required showing of interest to warrant certification without an election.

ORDERS

1. The appropriate unit is described as:

All licensed Peace Officers of the City of Truman Police Department, Truman, Minnesota who are public employees within the meaning of Minn. Stat. 179A.03, subd. 14, excluding confidential, supervisory, and all other employees.

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2. Law Enforcement Labor Services, Inc., Brooklyn Center, Minnesota is the certified exclusive representative for the employees falling within the above-described appropriate unit.
3. The Maintenance of Status Quo order issued on February 24, 2020, is hereby vacated.

STATE OF MINNESOTA
Bureau of Mediation Services

JANET L. JOHNSON
Commissioner

/s/ SHAINA-MARIE STEVENSON
Representation Specialist

cc: Lynn Brownlee
Connie Deans
Sean Gormley

POSTING

THE EMPLOYER SHALL MAKE COPIES OF THIS ORDER AND POST AT THE WORK LOCATIONS OF ALL EMPLOYEES INVOLVED.