



STATE OF MINNESOTA

OFFICE OF THE GOVERNOR
130 STATE CAPITOL
SAINT PAUL 55155

ARNE H. CARLSON
GOVERNOR

May 24, 1993

The Honorable Allan Spear
President of the Senate
G-27 Capitol
Saint Paul, Minnesota 55155

Dear President Spear:

I have vetoed and am returning Chapter 359, Senate File 785/House File 349, a bill providing that certain acts are unfair labor practices.

Chapter 359 amends the Public Employee Labor Relations Act (PELRA) as well as laws governing private sector labor relations. This measure would make it an unfair labor practice for a public or private employer to refuse to allow a labor organization equal time during work hours to respond to an employer meeting intended to discourage employees from voting to unionize. This measure suffers from several infirmities.

First, I believe this bill would place an unfair burden on employers by requiring them, in effect, to pay for the unionization effort. This issue is best decided in the negotiation process.

Second, any and all changes to PELRA should be done only in the context of an overall review of this law. This would ensure that the interests of labor, management and the taxpayer are all appropriately considered.

Third, as drafted, this bill is very unclear and invites lawsuits. For example, how are we to determine when an "anti-union" meeting has occurred? Who determines when the response meeting should be held and which union representative will respond assuming more than one union is competing?

Finally, the legislature is again ignoring the issue of federal preemption. The National Labor Relations Act covers union organizing activity and Minnesota should take care to avoid placing an additional burden on our employers in areas that require national uniformity.

Warmest regards,

A handwritten signature in cursive script that reads "Arne H. Carlson".

ARNE H. CARLSON
Governor

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The Honorable Allan Spear
Veto Message Chapter 359
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c: Senator Roger Moe, Majority Leader
Senator Dean Johnson, Minority Leader
Representative Dee Long, Speaker of the House
Representative Irv Anderson, Majority Leader
Representative Steve Sviggum, Minority Leader
Senator Kevin Chandler, Chief Author
Representative Tom Rukavina, Chief Author
Mr. Patrick E. Flahaven, Secretary of the Senate
Mr. Edward A. Burdick, Chief Clerk of the House
Ms. Joan Anderson Growe, Secretary of State