

6-405. METHOD OF DESIGNATING EXCLUSIVE EMPLOYEE REPRESENTATIVE.

(A) DESIGNATION AS PROVIDED IN THIS SECTION.

THE DESIGNATION OF AN EMPLOYEE ORGANIZATION AS AN EXCLUSIVE REPRESENTATIVE SHALL BE MADE AS PROVIDED IN THIS SECTION.

(B) REQUEST FOR RECOGNITION.

IF AN EMPLOYEE ORGANIZATION CERTIFIES TO THE PUBLIC SCHOOL EMPLOYER THAT IT HAS A MEMBERSHIP ENROLLMENT OF AT LEAST 30 PERCENT OF THE TOTAL NUMBER OF PUBLIC SCHOOL EMPLOYEES IN A SPECIFIED UNIT IN A COUNTY AS OF JUNE 1 OF THE YEAR IN WHICH CERTIFICATION IS MADE, THIS CERTIFICATION IS A REQUEST FOR RECOGNITION AS EXCLUSIVE REPRESENTATIVE OF ALL PUBLIC SCHOOL EMPLOYEES IN THE SPECIFIED UNIT IN THE COUNTY.

(C) ELECTION IF ANOTHER ORGANIZATION REQUESTS RECOGNITION.

IF ANOTHER EMPLOYEE ORGANIZATION CERTIFIES THAT IT HAS A MEMBERSHIP ENROLLMENT OF AT LEAST 10 PERCENT OF THE TOTAL NUMBER OF PUBLIC SCHOOL EMPLOYEES IN THE UNIT AS OF THE SAME JUNE 1, AN ELECTION SHALL BE HELD IN WHICH THE PUBLIC SCHOOL EMPLOYEES IN THE UNIT SHALL BE OFFERED THE OPPORTUNITY TO CHOOSE:

(1) ONE OF THE EMPLOYEE ORGANIZATIONS AS THE EXCLUSIVE REPRESENTATIVE OF ALL PUBLIC SCHOOL EMPLOYEES IN THE UNIT; OR

(2) NOT TO HAVE EXCLUSIVE REPRESENTATION.

(D) ELECTION IF NO OTHER ORGANIZATION REQUESTS RECOGNITION.

IF NO OTHER EMPLOYEE ORGANIZATION CERTIFIES THAT IT HAS A MEMBERSHIP ENROLLMENT OF AT LEAST 10 PERCENT OF THE TOTAL NUMBER OF PUBLIC SCHOOL EMPLOYEES IN THE UNIT, ON THE REQUEST OF THE CERTIFIED EMPLOYEE ORGANIZATION UNDER SUBSECTION (B) OF THIS SECTION, AN ELECTION SHALL BE HELD AND THE BALLOT SHALL OFFER A CHOICE BETWEEN:

(1) EXCLUSIVE REPRESENTATION BY THE ORGANIZATION; AND

(2) NOT TO HAVE EXCLUSIVE REPRESENTATION.

(E) DESIGNATION WITHOUT AN ELECTION.

THE PUBLIC SCHOOL EMPLOYER SHALL DESIGNATE THE EMPLOYEE ORGANIZATION DESCRIBED IN SUBSECTION (B) OF THIS SECTION AS THE EXCLUSIVE REPRESENTATIVE OF ALL PUBLIC SCHOOL EMPLOYEES IN THE SPECIFIED UNIT IN A COUNTY IF: