

(II) AN EMPLOYEE, A GROUP OF EMPLOYEES, OR AN EMPLOYEE ORGANIZATION THAT DEMONSTRATES THAT 35 PERCENT OF THE EMPLOYEES CERTIFY THAT THE DESIGNATED EXCLUSIVE REPRESENTATIVE IS NO LONGER THE REPRESENTATIVE OF THE MAJORITY OF THE EMPLOYEES; OR

(III) THE MNCPPC DEMONSTRATING THAT 1 OR MORE EMPLOYEE ORGANIZATIONS HAS PRESENTED TO IT A CLAIM, SUPPORTED BY SUBSTANTIAL PROOF, TO BE CERTIFIED AS THE EXCLUSIVE REPRESENTATIVE, AND THE COMMISSIONER FINDS, ON INVESTIGATION OF THE PETITION, THAT A VALID QUESTION OF REPRESENTATION EXISTS.

(3) THERE SHALL BE ON THE BALLOT:

(I) THE NAME OR NAMES OF THE EMPLOYEE ORGANIZATION SUBMITTING THE VALID PETITION;

(II) THE NAME OF ANY OTHER EMPLOYEE ORGANIZATION OR ORGANIZATIONS DESIGNATED ON A VALID PETITION SIGNED BY MORE THAN 10 PERCENT OF THE BARGAINING UNIT; AND

(III) A PROVISION FOR "NO REPRESENTATION".

(4) IN AN ELECTION WHERE NONE OF THE CHOICES ON THE BALLOT RECEIVES A MAJORITY OF THE VOTES CAST, A RUNOFF ELECTION SHALL BE CONDUCTED, WITH THE BALLOT PROVIDING FOR A SELECTION BETWEEN THE 2 CHOICES RECEIVING THE HIGHEST NUMBER OF BALLOTS CAST IN THE ELECTION. AN EMPLOYEE ORGANIZATION THAT RECEIVES A MAJORITY OF VOTES CAST IN AN ELECTION SHALL BE CERTIFIED BY THE COMMISSIONER AS THE EXCLUSIVE REPRESENTATIVE FOR COLLECTIVE BARGAINING PURPOSES. AN EMPLOYEE ORGANIZATION MAY NOT BE CERTIFIED AS AN EXCLUSIVE REPRESENTATIVE, EXCEPT PURSUANT TO THE PROVISIONS OF THIS SECTION.

(5) ALL ELECTIONS SHALL BE CONDUCTED:

(I) BY SECRET BALLOT; AND

(II) BY THE COMMISSIONER.

(6) ELECTIONS MAY NOT BE CONDUCTED IF A VALID ELECTION HAS BEEN HELD WITHIN THE PRECEDING 2 YEARS.

(D) (1) THE MNCPPC SHALL EXTEND TO AN EMPLOYEE ORGANIZATION CERTIFIED AS THE EXCLUSIVE REPRESENTATIVE THE RIGHT TO REPRESENT THE EMPLOYEES IN COLLECTIVE BARGAINING AND IN THE SETTLEMENT OF GRIEVANCES.

(2) AN EMPLOYEE ORGANIZATION CERTIFIED AS THE EXCLUSIVE REPRESENTATIVE SHALL SERVE AS THE BARGAINING AGENT FOR THE BARGAINING UNIT. THE ORGANIZATION SHALL REPRESENT FAIRLY AND WITHOUT DISCRIMINATION ALL PUBLIC EMPLOYEES WITHOUT REGARD TO WHETHER THE EMPLOYEES ARE MEMBERS OF THE EMPLOYEE ORGANIZATION.

(3) EVERY EMPLOYEE ORGANIZATION WHICH HAS OR SEEKS CERTIFICATION AS AN EXCLUSIVE REPRESENTATIVE SHALL FILE WITH THE