

(2) If a dispute exists that concerns the eligibility of an employee in the bargaining unit, the dispute shall be submitted to [a neutral 3rd party who is mutually agreed on from a list provided by the American Arbitration Association or the Federal Mediation and Conciliation Service] THE LABOR RELATIONS ADMINISTRATOR for a final and binding arbitration.

(c) (1) After July 1, 1986, an election for an exclusive representative shall be conducted by the Commissioner.

(2) A petition for an election may be submitted by:

(i) An employee organization that demonstrates that 30 percent of the police officers in a bargaining unit wish to be represented for collective bargaining by an exclusive representative;

(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.