

~~THE MAJORITY OF EMPLOYEES IN THE UNIT; OR~~

~~(II) BY THE EMPLOYER DEMONSTRATING THAT ONE OF MORE EMPLOYEE ORGANIZATIONS HAS PRESENTED TO IT A CLAIM, SUPPORTED BY SUBSTANTIAL PROOF, TO BE CERTIFIED AS THE EXCLUSIVE REPRESENTATIVE; AND THE BOARD FINDS, ON INVESTIGATION OF THE PETITION, THAT A VALID QUESTION OF REPRESENTATION EXISTS.~~

~~(2) THERE SHALL BE ON THE BALLOT:~~

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

~~(II) THE NAME OF ANY EMPLOYEE ORGANIZATIONS DESIGNATED ON A VALID PETITION SIGNED BY MORE THAN 10 PERCENT OF THE EMPLOYEES IN THE APPROPRIATE BARGAINING UNIT;~~

~~(III) A PROVISION FOR "NO REPRESENTATION".~~

~~(3) IN ANY ELECTION WHERE NONE OF THE CHOICES RECEIVES A MAJORITY OF THE VOTES CAST, A RUN-OFF ELECTION SHALL BE CONDUCTED, WITH THE BALLOT PROVIDING FOR A SELECTION BETWEEN THE TWO CHOICES RECEIVING THE HIGHEST NUMBER OF BALLOTS CAST IN THE ELECTION. AN EMPLOYEE ORGANIZATION RECEIVING 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.~~

~~(4) ALL ELECTIONS SHALL BE CONDUCTED BY SECRET BALLOT.~~

~~(5) ELECTIONS MAY NOT BE CONDUCTED IN ANY UNIT WITHIN WHICH A VALID ELECTION HAS BEEN HELD WITHIN THE PRECEDING 12 MONTHS, OR A VALID COLLECTIVE BARGAINING AGREEMENT IS IN FORCE AND EFFECT, EXCEPT UPON A PETITION SUBMITTED, NOT MORE THAN 90 DAYS, BUT NOT LESS THAN 60 DAYS, PRIOR TO THE EXPIRATION OF THE AGREEMENT.~~

~~(E) (1) A PUBLIC EMPLOYER SHALL EXTEND TO AN EMPLOYEE ORGANIZATION CERTIFIED AS EXCLUSIVE REPRESENTATIVE THE RIGHT TO REPRESENT THE PUBLIC EMPLOYEES OF THE UNIT INVOLVED 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 ALL PUBLIC EMPLOYEES IN THE BARGAINING UNIT. THE ORGANIZATION SHALL REPRESENT 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~~