

~~(4) (1) IF NONE OF THE CHOICES ON THE BALLOT RECEIVES A MAJORITY OF THE VOTES CAST, THE STATE COMMISSIONER OF LABOR AND INDUSTRY OR THE NEUTRAL 3RD PARTY SHALL HOLD A RUNOFF ELECTION.~~

~~(II) IN THE RUNOFF ELECTION, THE BALLOT SHALL CONTAIN THE 2 CHOICES THAT RECEIVED THE HIGHEST NUMBER OF VOTES IN THE INITIAL ELECTION.~~

~~(5) AFTER THE ELECTION, THE STATE COMMISSIONER OF LABOR AND INDUSTRY OR THE NEUTRAL 3RD PARTY SHALL CERTIFY THE APPROPRIATE EMPLOYEE ORGANIZATION AS THE EXCLUSIVE REPRESENTATIVE.~~

~~(F) (1) IF THE COMMISSION AND AN EMPLOYEE ORGANIZATION DISPUTE THE ELIGIBILITY OF AN EMPLOYEE IN A BARGAINING UNIT, THE DISPUTE SHALL BE SUBMITTED TO AN ARBITRATOR WHO IS MUTUALLY SELECTED FROM A LIST PROVIDED BY THE AMERICAN ARBITRATION ASSOCIATION OR THE FEDERAL MEDIATION AND CONSOLIDATION SERVICE.~~

~~(2) IN DETERMINING WHETHER AN EMPLOYEE SHOULD BE INCLUDED IN A BARGAINING UNIT, THE ARBITRATOR SHALL CONSIDER THE:~~

~~(I) COLLECTIVE BARGAINING HISTORY;~~

~~(II) COMMUNITY OF INTEREST OF AFFECTED EMPLOYEES;~~

~~(III) DESIRES OF EMPLOYEES; AND~~

~~(IV) EFFECTIVENESS AND EFFICIENCY OF LABOR — MANAGEMENT RELATIONS IN THE UNIT.~~

~~(3) THE DECISION OF THE ARBITRATOR IS FINAL.~~

~~(4) THE COMMISSION AND THE EMPLOYEE ORGANIZATION SHALL SHARE EQUALLY THE COSTS OF THE ARBITRATION.~~

~~(G) (1) ELECTIONS MAY NOT BE CONDUCTED:~~

~~(I) WITHIN 2 YEARS FROM THE DATE OF A VALID ELECTION UNDER THIS SECTION; OR~~

~~(II) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, DURING THE TERM OF A COLLECTIVE BARGAINING AGREEMENT.~~

~~(2) DURING THE TERM OF A COLLECTIVE BARGAINING AGREEMENT, A PETITION FOR AN ELECTION MAY BE FILED ONLY DURING NOVEMBER OF THE FISCAL YEAR WHEN THE AGREEMENT EXPIRES.~~

~~(H) (1) THE COMMISSION AND AN EMPLOYEE ORGANIZATION CERTIFIED AS EXCLUSIVE REPRESENTATIVE SHALL MEET AND ENGAGE IN COLLECTIVE BARGAINING IN GOOD FAITH AND SHALL MAKE EVERY REASONABLE EFFORT TO CONCLUDE NEGOTIATIONS BEFORE THE COMMISSION'S BUDGET SUBMISSION DATE.~~