

## REPRESENTATION FACTS and FABLES

### **Certification Without an Election**

A labor organization files a certification without an election petition. The petition seeks to clarify unrepresented employees into the labor organization's existing bargaining unit. Is this a valid petition?

### **"Managerial" Employees**

A city or county files a unit clarification seeking to exclude "managerial" employees from the existing bargaining unit. Is this a valid petition?

### **Showing of Interest**

The employer challenges the validity of the showing of interest. Can they do this?

### **Consent Election Agreements**

An employer or labor organization fails or refuses to sign the consent election agreement. What happens?

### **Disclaimer**

An incumbent labor organization wishes to have their name removed from the ballot. When is the latest they can do so?

### **Voting & Tallies**

Voter A hand delivers Voter B's ballot to the ERB offices. What happens to Voter B's ballot?

Employee D is retiring on the day ballots are to be counted. Will his vote count?

There is a tie between the labor organization and the designation "No Representation." What happens?

At an ERB tally, does the elections coordinator reveal in any way the name of the person as their vote is recorded?

### **Redesignation**

An employer files a redesignation petition seeking to remove strike-prohibited employees from a bargaining unit of strike-permitted employees. When should the petition be filed?

The redesignation petition is granted - are the strike-prohibited employees represented? Who represents them?