Article 34 - Unit Clarification Petition

Section 34.1   Petition Filing

A petition for clarification of an existing bargaining unit may be filed by a collective bargaining representative or an employer where no question concerning the majority status of the exclusive bargaining representative is pending at the time the unit clarification petition is filed. Such a petition may be filed where 1) there is a dispute over the unit inclusion or exclusion of employee(s), or 2) there has been an accretion to or reorganization of the workforce, or 3) the collective bargaining representative or employer seeks a reorganization of the existing structure of a bargaining unit or units.

Section 34.2   Contents of Petition

A petition for clarification shall contain the following:

(A)   The names of the employer and the collective bargaining representative, and their addresses;

(B)   The general nature of the employer's business;

(C)   A description of the existing bargaining unit, and if the bargaining unit is certified, an identification of existing certification;

(D)   A statement by the petitioner setting forth the composition of the proposed bargaining unit and reasons why the petitioner seeks clarification of the unit;

(E)   The names and addresses of any other individuals or employee organizations who claim to represent any employee affected by the proposed clarification, and a copy of any collective bargaining agreement covering any such employees; and

(F)   The number of employees in the present bargaining unit and in the unit proposed under the clarification.

Section 34.3   Response to Petition

Upon receipt of the petition for clarification, the Board shall notify the other party involved and require the party to file a response to the petition within a specified time, but not less than 15 days. The response shall include a specific admission or denial of each claim made in the petition and a concise statement setting forth the reasons in support of or in opposition to the unit clarification proposed by the petitioner.