

Article 64 - Unit Clarification Petition

Section 64.1 Petition Filing

A petition for clarification of an existing bargaining unit may be filed by a collective bargaining representative or the State 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 there is a dispute over the unit inclusion or exclusion of employee(s), or where there has been an accretion to or reorganization of the work force.

Section 64.2 Contents of Petition

A petition for clarification shall contain the following:

- (A) The names of the State and the collective bargaining representative, and their addresses;
- (B) The general nature of the State's operation;
- (C) A description of the existing bargaining unit, and 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 number of independent direct support providers in the present bargaining unit and in the unit proposed under the clarification.

Section 64.3 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 for support of or in opposition to the unit clarification proposed by the petitioner.