

STATE OF OREGON, EMPLOYMENT RELATIONS BOARD

For ERB Use Only

**PUBLIC EMPLOYER PETITION FOR REPRESENTATION OR
UNIT CHANGES**

Case No. _____

This form can be filed *only by a public employer*. Petition forms for employees and labor organizations are available on the Employment Relations Board Website.

Date Filed _____

Check one: Original Petition OR Amended Petition

1. PURPOSE OF PETITION

UC-Petition to Clarify Public Employee Status (OAR 115-025-0050(6)): Petitioner seeks to clarify whether certain employees are supervisory, confidential, or managerial employees under ORS 243.650, and, as a result, whether they can be included in the existing bargaining unit. This type of petition can be filed at any time, unless the petition seeks to exclude a position that is expressly included in the existing certification or recognition clause; in such cases, a petition may be filed only during the open period under OAR 115-025-0015.

UC-Petition to Clarify Whether Certain Employees are in an Existing Bargaining Unit Based on Certification or Contract Language (OAR 115-025-0050(7)): Petitioner seeks to clarify whether certain employees are included in an existing bargaining unit based on the express terms of a certification or collective bargaining agreement. Before the Board considers this type of petition, the parties may be required to exhaust any grievance in process.

UC-Petition to Revoke Existing Certification or Recognition (OAR 115-025-0050(12)): A group of petitioner’s employees are represented by a labor organization that has been certified or recognized as the exclusive representative of those employees. Petitioner seeks an order revoking the certification or recognition because the labor organization is defunct or has disclaimed its interest in representing the petitioner’s employees. This type of petition may be filed at any time when no collective bargaining agreement is in effect, but the Board will order revocation only if (1) no collective bargaining agreement is in effect and (2) the labor organization is defunct or disclaims any further interest in representing the employees.

UC-Petition for Redesignation of Bargaining Unit (OAR 115-025-0050(9)): Employer seeks to remove employees from the existing bargaining unit that it believes are inappropriately included under the criteria in ORS 243.682(1)(a).

- This type of petition is subject to the certification, contract, and election bars under Board rules. For an explanation of these timelines, see the attached instructions and OAR 115-025-0015(1), (2) and (3).
- If a contract is in place for three years or less, then a petition may be filed within 150-180 days before the expiration of the contract. If a contract is in place for more than three years, a petition may be filed any time after three years.

UC-Petition to Amend Certification or Recognition (OAR 115-025-0050(11)): The employer wishes to amend the certification or recognition for certain reasons where no question of representation exists (for example, to reflect a change to its name, or a change in the name of the labor organization representing its employees).

RC-Petition for an Election to Certify a Public Employee Representative (OAR 115-025-0031(2)): The employer is asserting that one or more labor organizations have presented a claim for recognition, or continued recognition, as the exclusive bargaining representative of a group of its employees, but the employer has a good faith doubt as to the continued majority status of the incumbent labor organization based on reasonable objective standards. By filing the petition, the employer requests an election to determine whether the group of employees will be or will continue to be represented by a particular labor organization.

2. Name and address of employer:

Contact information for the Employer’s representative:

Name: _____

Address: _____

Phone: _____ Fax: _____

Email: _____

<p>3. Name and address of labor organization that currently represents or seeks to represent affected employees:</p>	<p>Contact Information for the Labor Organization's representative:</p> <p>Name: _____</p> <p>Address: _____</p> <p>Phone: _____ Fax: _____</p> <p>Email: _____</p>
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4. Describe the existing or proposed bargaining unit, briefly summarizing any proposed changes:

<p>5. Effective Dates of Any Collective Bargaining Agreement (please attach a copy of agreement):</p> <p>Beginning Date: _____</p> <p>Expiration Date: _____</p> <p>N/A <input type="checkbox"/></p>	<p>6. Number of Employees -</p> <p>In Existing or Proposed Unit: _____</p> <p>To be Added to Existing Unit: _____</p>
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7. Any additional relevant facts (may be included as an attachment):

I certify that the statements in this petition are true to the best of my knowledge and information.

Petitioner's Primary Representative: _____ Date: _____

Representative's Signature: _____ Title: _____

Address: _____

Phone: _____ Fax: _____ Email: _____