**Section 1110.50 Representation Petitions**

a) A representation petition may be filed by:

1) an employee, a group of employees, or an employee organization; or

2) an employer *alleging that one or more labor organizations have presented a claim to be recognized as an exclusive bargaining representative of a majority of the employees in an appropriate unit and that it doubts the majority status of any of the organizations or that it doubts the majority status of an exclusive representative* (Section 7(c)(2) of the Act).

b) Representation petitions shall be signed by a representative of the petitioning party and shall contain:

1) the name and address of the employer;

2) the name, address, and affiliation, if any, of the employee organization;

3) a description of the proposed bargaining unit which petitioner claims to be appropriate;

4) the approximate number of employees in the proposed bargaining unit;

5) the name of any existing exclusive representative of any employees in the proposed bargaining unit;

6) a brief description of any collective bargaining agreements covering any employees in the proposed bargaining unit, and the expiration dates of the agreements;

7) the date that the employer recognized any existing exclusive representative of any employees in the proposed bargaining unit, and the method of recognition;

8) election and/or recognition history prior to January 1, 1984, to the extent known;

9) in the case of a petition filed by an employee, a group of employees, or an employee organization, a statement whether the petitioner intends to use the majority interest procedure or the election procedure;

10) in the case of a petition filed by an employer, a statement that one or more employee organizations has demanded recognition and that the employer doubts either their majority status or the continued majority status of the existing representative.

c) The Board shall serve the representation petition on the appropriate parties.

1) Employer petitions shall be served on the employee organizations that demanded recognition, and on the existing exclusive representative, if any.

2) Employee and employee organization petitions shall be served on the employer and on the existing exclusive representative, if any.

d) Employee and employee organization petitions seeking an election shall be accompanied by a showing of interest that at least 30 percent of the employees in the petitioned for bargaining unit wish to be represented by the employee organization. Employee and employee organization majority interest petitions shall be accompanied by a showing of a majority interest.

e) A petition may seek joint representation by two or more employee organizations if an instrument, such as a joint council, has been established to effectuate the joint representation. In such instances, the petition shall describe the instrument.

f) A petitioner may withdraw a representation petition seeking an election as follows:

1) If there are no intervenors, at any time prior to the direction of an election.

2) If there are no intervenors, at any time after the direction of an election, but prior to the election. However, such withdrawal shall bar the petitioner from petitioning for an election or filing a majority interest petition in a bargaining unit covering all or part of the petitioned for unit for one year following the withdrawal.

3) If there are intervenors, the employee organization may not withdraw its petition without the consent of all parties. However, the employee organization may file a statement signed by its authorized representative that it no longer wishes to appear on the ballot. The statement shall be filed no later than ten days prior to the election. Upon receipt of such a statement, the Board shall strike the employee organization's name from the ballot.

g) A petitioner may withdraw a majority interest petition as follows:

1) If there are no intervenors, at any time. However, if the petitioner withdraws the petition after the Board has determined that there is clear and convincing evidence of fraud or coercion in obtaining the showing of interest, such withdrawal shall bar the petitioner from filing a representation petition in a bargaining unit covering all or part of the petitioned for unit for one year following the withdrawal.

2) If there are intervenors that meet the requirements of Section 1110.105(q) and Section 1110.80(b) of this Part, the employee organization may not withdraw its petition without the consent of all parties. However, the employee organization may file a statement signed by its authorized representative that it no longer wishes to appear on the ballot. The statement shall be filed no later than 10 days prior to the election. Upon receipt of such a statement, the Board shall strike the employee organization's name from the ballot.

h) Failure to complete the petition by listing all of the information contained in subsection (b) of this Section shall not be grounds for dismissal of the petition so long as the unlisted information is available from any other party. A petition seeking an election may be revised by the filing party at any time prior to a hearing or agreement to a consent election. A majority interest petition may be revised by the filing party within 21 days after service of the petition. Notice of any revision shall be served upon all other parties.

(Source: Amended at 28 Ill. Reg. 7938, effective May 28, 2004)