

## Chapter ERC 3

### ELECTIONS TO DETERMINE BARGAINING REPRESENTATIVE FOR PRIVATE SECTOR EMPLOYEES

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**Note:** Chapter ERB 3 was renumbered chapter ERC 3 under s. 13.93 (2m) (b) 1., Stats., Register, December, 1994, No. 468; **Chapter ERC 3 as it existed on June 30, 2006, was repealed and a new chapter ERC 3 was created, Register June 2006 No. 606, effective July 1, 2006.**

**ERC 3.01 Scope.** This chapter governs the general procedure for filing and processing of a petition to determine a collective bargaining representative or an appropriate collective bargaining unit under s. 111.05, Stats., involving employees of private sector employers.

**History:** CR 02-037: cr. Register June 2006 No. 606, eff. 7-1-06.

**ERC 3.02 Petition for election.** A petition for a representation or unit-determination election may be filed by an employee or employees, or by a labor organization acting on their behalf, or by the employer or anyone authorized to act on its behalf. Practice and procedures for filing and processing of a petition to determine a collective bargaining representative or an appropriate collective bargaining unit shall otherwise be as set forth in s. ERC 11.02.

**History:** CR 02-037: cr. Register June 2006 No. 606, eff. 7-1-06.

**ERC 3.03 Withdrawal of petition.** Practice and procedures for withdrawal of an election petition shall be as set forth in s. ERC 11.03.

**History:** CR 02-037: cr. Register June 2006 No. 606, eff. 7-1-06.

**ERC 3.04 Stipulation for election.** Where an employer, and one or more individual employees or a labor organization acting on their behalf, and the exclusive representative, if any, of an existing unit agree that a question of representation or unit determination has arisen concerning employees of the employer, those parties may jointly file a stipulation for an election to resolve that question. Practice and procedures concerning a stipulation for an election shall be as set forth in s. ERC 11.04.

**History:** CR 02-037: cr. Register June 2006 No. 606, eff. 7-1-06.

**ERC 3.05 Commission pre-hearing action on petition.** Practice and procedures regarding commission pre-hearing action on a petition for an election shall be as set forth in s. ERC 11.05.

**History:** CR 02-037: cr. Register June 2006 No. 606, eff. 7-1-06.

**ERC 3.06 Motions.** Practice and procedures concerning motions in election proceedings shall be as set forth in s. ERC 11.06.

**History:** CR 02-037: cr. Register June 2006 No. 606, eff. 7-1-06.

**ERC 3.07 Hearings.** Practice and procedures concerning hearings in election proceedings shall be as set forth in s. ERC 11.07.

**History:** CR 02-037: cr. Register June 2006 No. 606, eff. 7-1-06.

**ERC 3.08 Direction of election or other dispositional order.** Practice and procedures regarding a commission direction of election or other dispositional order in an election proceeding shall be as set forth in s. ERC 11.08.

**History:** CR 02-037: cr. Register June 2006 No. 606, eff. 7-1-06.

**ERC 3.09 Elections.** Practice and procedures for conducting elections shall be as set forth in s. ERC 11.09, except that the statutory reference in ERC 11.09 (6) shall be to s. 111.05, Stats.

**History:** CR 02-037: cr. Register June 2006 No. 606, eff. 7-1-06.

**ERC 3.10 Certification of results of election.** Practice and procedures for certification of results of an election shall be as set forth in s. ERC 11.10.

**History:** CR 02-037: cr. Register June 2006 No. 606, eff. 7-1-06.

**ERC 3.11 Objections to election.** Practice and procedures for filing objections to the conduct of an election shall be as set forth in s. ERC 11.11.

**History:** CR 02-037: cr. Register June 2006 No. 606, eff. 7-1-06.

**ERC 3.12 Commission action on challenges or objections.** Practice and procedures for commission action on challenges or objections in election proceedings shall be as set forth in s. ERC 11.12.

**History:** CR 02-037: cr. Register June 2006 No. 606, eff. 7-1-06.

**ERC 3.13 Petition for rehearing.** Any person aggrieved by a final order of the commission may, within 20 days after service of the order, file a written petition for rehearing which shall specify in detail the grounds for the relief sought and supporting authorities. Practice and procedures for filing and processing a petition for rehearing shall be as set forth in s. ERC 11.13.

**History:** CR 02-037: cr. Register June 2006 No. 606, eff. 7-1-06.