

(1) NO OTHER EMPLOYEE ORGANIZATION CERTIFIES THAT IT HAS A MEMBERSHIP ENROLLMENT OF AT LEAST 10 PERCENT OF THE TOTAL NUMBER OF PUBLIC SCHOOL EMPLOYEES IN THE UNIT;

(2) THE ~~CERTIFIED~~ EMPLOYEE ORGANIZATION DOES NOT REQUEST AN ELECTION UNDER SUBSECTION (D) OF THIS SECTION; AND

(3) THE EMPLOYEE ORGANIZATION CERTIFIES THAT IT HAS A MEMBERSHIP ENROLLMENT OF THE MAJORITY OF THE PUBLIC SCHOOL EMPLOYEES IN THE UNIT IN THE COUNTY.

(F) RULES AND REGULATIONS; ELECTIONS.

(1) THE STATE BOARD SHALL ADOPT RULES AND REGULATIONS FOR:

(I) VERIFYING THE NUMBER OF CERTIFICATED EMPLOYEES OF THE PUBLIC SCHOOL EMPLOYER OR INDIVIDUALS OF EQUIVALENT STATUS IN BALTIMORE CITY WHO ARE MEMBERS IN GOOD STANDING OF AN EMPLOYEE ORGANIZATION ON THE DATE OF THE CERTIFICATION OR WHO HAVE SIGNED A PETITION UNDER THIS SECTION; AND

(II) HOLDING ELECTIONS UNDER THIS SECTION AND THE CERTIFICATION OF THEIR RESULTS.

(2) THE STATE BOARD SHALL PROVIDE FOR SUPERVISION OF THESE ELECTIONS.

(3) THE ELECTIONS SHALL BE HELD:

(I) IN EACH SCHOOL FACILITY WHERE PUBLIC EMPLOYEES ARE ASSIGNED ON A REGULARLY SCHEDULED SCHOOL DAY;

(II) IN A MANNER ASSURING THE SECRECY OF THE BALLOT; AND

(III) ON A REGULAR WORKING DAY FOR PUBLIC SCHOOL EMPLOYEES, BETWEEN JUNE 1 AND JUNE 15, INCLUSIVE, EXCEPT IN BALTIMORE CITY WHERE THE ELECTIONS SHALL BE HELD BETWEEN NOVEMBER 1 AND NOVEMBER 15 FOLLOWING THE DATE ON WHICH CERTIFICATION OF REQUIRED MEMBERSHIP ENROLLMENT IS MADE.

(4) IN ANY ELECTION HELD UNDER THIS SECTION, THE EMPLOYEE ORGANIZATION THAT RECEIVES THE LARGEST NUMBER OF VOTES CAST IN A UNIT SHALL BE DECLARED TO BE THE EXCLUSIVE REPRESENTATIVE OF ALL PUBLIC SCHOOL EMPLOYEES IN THE UNIT. IF THE LARGEST NUMBER OF VOTES IN THE ELECTION IS CAST NOT TO HAVE EXCLUSIVE REPRESENTATION, A REPRESENTATIVE MAY NOT BE DESIGNATED FOR THE UNIT.

(5) THE PUBLIC SCHOOL EMPLOYER SHALL PROVIDE ANY ASSISTANCE REQUIRED IN HOLDING THE ELECTIONS.

REVISOR'S NOTE: This section presently appears as Art. 77, §160(e).