

# **DRAFT The Election Accountability for Municipal Employee Union Representatives Act**

## ***Summary***

This Act ensures that employees' choice of representation is a priority by requiring that the state labor board regularly conduct an election to ensure that the representative of a collective bargaining unit that contains a general municipal employee accurately represents the choice of employees.

## ***Model Legislation***

**{Title, enacting clause, etc.}**

### **Section 1. {Definitions}**

- (A) "The Commission" refers to the state labor board or any body that oversees labor relations in the state.

### **Section 2. {Representation Elections}**

- (A) The Commission shall conduct an election every [three to five] years to certify the representative of the collective bargaining unit that contains a general municipal employee.
- (B) The election shall occur no later than December 1 for a collective bargaining unit containing school district employees and no later than May 1 for a collective bargaining unit containing general municipal employees who are not school district employees.
- (C) The Commission shall certify any representative that receives at least 51 percent of the votes of all the general municipal employees in the collective bargaining unit.
- (D) If no representative receives at least 51 percent of the votes of all of the general municipal employees in the collective bargaining unit, at the expiration of the collective bargaining agreement, the Commission shall decertify the current representative and the general municipal employees shall be nonrepresented.
- (E) If a representative is decertified under Subsection (D) of this Section, the affected general municipal employees may not be included in a substantially similar collective bargaining unit for 12 months from the date of decertification.

### **Section 3. {Severability Clause}**

### **Section 4. {Repealer Clause}**

### **Section 5. {Effective Date}**