

## Chapter ERC 21

### ELECTIONS TO DETERMINE BARGAINING REPRESENTATIVES FOR STATE SECTOR PERSONNEL

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**Note:** Chapter ERB 21 was renumbered chapter ERC 21 under s. 13.93 (2m) (b) 1., Stats., Register, December, 1994, No. 468. Chapter ERC 21 as it existed on June 30, 2006 was repealed and a new chapter ERC 21 was created, Register June 2006 No. 606, effective July 1, 2006.

**Note:** See s. 111.83, Stats.

**ERC 21.01 Scope.** This chapter governs the general procedure relating to elections under s. 111.83, Stats., affecting bargaining units of state employees specified in s. 111.825, Stats., or bargaining units of supervisors specified in s. 111.825 (5), Stats. This chapter also governs the general procedure relating to unit-determination elections under s. 111.83 (5), Stats.

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

**ERC 21.02 Petition for election.** A petition to determine a collective bargaining representative or an appropriate collective bargaining unit may be filed by one or more state employees specified in s. 111.825, Stats., or by one or more supervisors specified in s. 111.825 (5), Stats., or by a labor organization acting on their behalf, or by the employer or anyone authorized to act on its behalf. Practice and procedure for filing and processing a petition under this chapter 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; CR 10-019: am. Register June 2010 No. 654, eff. 7-1-10.

**ERC 21.03 Withdrawal of petition.** Practice and procedure 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; CR 10-019: am. Register June 2010 No. 654, eff. 7-1-10.

**ERC 21.04 Stipulation for election.** Where the employer, and one or more individual employees or supervisors or a labor organization acting on their behalf, and the exclusive representative, if any, of an existing unit agree that a question of representation has arisen concerning employees or concerning supervisors, those parties may jointly file a stipulation for an election to resolve that question. Practice and procedure concerning a stipulation for an election shall otherwise be as set forth in s. ERC 11.04.

**History:** CR 02-037: cr. Register June 2006 No. 606, eff. 7-1-06; CR 10-019: am. Register June 2010 No. 654, eff. 7-1-10.

**ERC 21.05 Commission pre-hearing action on petition.** Practice and procedure 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; CR 10-019: am. Register June 2010 No. 654, eff. 7-1-10.

**ERC 21.06 Motions.** Practice and procedure regarding motions in election proceedings shall be as set forth in s. ERC 18.06.

**History:** CR 02-037: cr. Register June 2006 No. 606, eff. 7-1-06; CR 10-019: am. Register June 2010 No. 654, eff. 7-1-10.

**ERC 21.07 Hearings.** Practice and procedure regarding 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; CR 10-019: am. Register June 2010 No. 654, eff. 7-1-10.

**ERC 21.08 Direction of election or other dispositional order.** Practice and procedure 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; CR 10-019: am. Register June 2010 No. 654, eff. 7-1-10.

**ERC 21.09 Elections.** Practice and procedure for conducting elections shall be as set forth in s. ERC 11.09, except that the statutory reference in s. ERC 11.09 (6) shall be to s. 111.83 (4), Stats.

**History:** CR 02-037: cr. Register June 2006 No. 606, eff. 7-1-06; CR 10-019: am. Register June 2010 No. 654, eff. 7-1-10.

**ERC 21.10 Certification of results of election.** Practice and procedure 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; CR 10-019: am. Register June 2010 No. 654, eff. 7-1-10.

**ERC 21.11 Objections to election.** Practice and procedure 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; CR 10-019: am. Register June 2010 No. 654, eff. 7-1-10.

**ERC 21.12 Commission action on challenges or objections.** Practice and procedure 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; CR 10-019: am. Register June 2010 No. 654, eff. 7-1-10.

**ERC 21.13 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 procedure for filing and processing a petition for rehearing shall be as set forth in s. ERC 18.11.

**History:** CR 02-037: cr. Register June 2006 No. 606, eff. 7-1-06; CR 10-019: am. Register June 2010 No. 654, eff. 7-1-10.