

EMPLOYMENT RELATIONS COMMISSION (EXCERPT)
Act 176 of 1939

423.27 Petition as to representation; investigation; hearing; election.

Sec. 27. When a petition is filed, in accordance with rules prescribed by the commission:

(a) By an employee or group of employees, or an individual or labor organization acting in their behalf, alleging that 30% or more of the employees within a unit claimed to be appropriate for such purpose wish to be represented for collective bargaining and that their employer declines to recognize their representative as the representative defined in section 26, or assert that the individual or labor organization, which was certified or is being currently recognized by their employer as the bargaining representative, is no longer a representative as defined in section 26; or

(b) By an employer or his representative alleging that 1 or more individuals or labor organizations have presented to him a claim to be recognized as the representative defined in section 26; the commission shall investigate the petition and, if it has reasonable cause to believe that a question of representation exists, shall provide an appropriate hearing after due notice. If the commission finds upon the record of the hearing that a question of representation exists, it shall direct an election by secret ballot and shall certify the results thereof. Nothing in this section shall be construed to prohibit the waiving of hearings by stipulation for the purpose of a consent election in conformity with the rules of the commission.

History: Add. 1965, Act 282, Imd. Eff. July 22, 1965;—Am. 1976, Act 17, Imd. Eff. Feb. 20, 1976.

Administrative rules: R 423.101 et seq. of the Michigan Administrative Code.