



ADMINISTRATIVE RULES OF MONTANA



24.26.1038 DISAFFIRMANCE OF REPRESENTATION BY BARGAINING REPRESENTATIVE DURING DECERTIFICATION

- (1) An exclusive representative may file an affidavit of disaffirmance of representation with the board agent under the following circumstances:
 - (a) a minimum of 12 months has passed since the date of certification by the board or recognition by the employer of the exclusive representative; and
 - (b) a DC petition has been filed by an employee or group of employees.
- (2) The affidavit must be signed by the exclusive representative, dated, and notarized by a notary public of the state of Montana. Electronic notarization is acceptable under these rules.
- (3) Upon the filing of the affidavit, the board agent shall remove the exclusive representative's name from the ballot in the DC election. If no other bargaining representative appears on the ballot, no election shall be conducted.

Authorizing statute(s): 39-31-104, 39-32-103, MCA

Implementing statute(s): 39-31-207, 39-32-113, MCA

History: NEW, 2020 MAR p. 2422, Eff. 12/25/20.