



ADMINISTRATIVE RULES OF MONTANA



24.26.1048 PETITION TO REVOKE CERTIFICATION OR RECOGNITION

- (1) The employer or the exclusive representative of a bargaining unit may file a petition to revoke board certification or employer recognition of an exclusive representative (RC petition).
- (2) The board agent assigned to review the RC petition will order revocation only upon an unequivocal showing that:
 - (a) no CBA is in effect; and
 - (b) the exclusive representative disclaims further interest in representing the bargaining unit.
- (3) The board agent shall issue a written determination explaining their grant or denial of the revocation. If either party disagrees with the determination, they may submit additional information to the board agent within 14 days of service of the board agent's determination, and the board agent shall issue a redetermination.
- (4) If either party objects to the redetermination, they may file written exceptions with the board agent within 14 days of service of the board agent's redetermination. The board agent shall then refer the matter to a hearing officer pursuant to ARM 24.26.1008.

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.