

WHICH FORM DO I USE?

Representation Forms

Request for Recognition (ERB 1007) (requires showing of interest) *

- Filed by an employee organization to request that the employer voluntarily recognize it, and that SERB certify it, as exclusive representative without an election. See Ohio Revised Code [O.R.C.] Section 4117.05 and Ohio Administrative Code [O.A.C.] Rules 4117-3-01 through 4117-3-03. Create a new Bargaining Unit.

Opt-in Request for Recognition (ERB 1027) (requires showing of interest) *

- Filed by an employee organization to add employees to an existing unit and to request that the employer voluntarily recognize it, and that SERB certify it, as exclusive representative without an election. See Ohio Revised Code [O.R.C.] Section 4117.05 and Ohio Administrative Code [O.A.C.] Rules 4117-3-01 through 4117-3-03.

Petition for Representation Election - Employee Organization (ERB 1010) (requires showing of interest) *

- Filed with SERB by employees or an employee organization on their behalf seeking a representation election. See O.R.C. Section 4117.07 and O.A.C. Rule 4117-5-02.
- Utilizes SERB-conducted election.

Petition for Representation Election - Employer (ERB 1024)

- Filed with SERB by the employer in response to a request for recognition, to petition for an election as an alternative to certification via the request. See O.R.C. Sections 4117.05 and 4117.07 and O.A.C. Rules 4117-3-01 through 4117-3-03, and 4117-5-02(B).
- Utilizes SERB-conducted election.

Opt-in Petition for Representation Election – Employee Organization (ERB 1028) (requires showing of interest) *

- Filed with SERB by employees or an employee organization on their behalf seeking to add employees to an existing unit through a representation election. See O.R.C. Section 4117.07 and O.A.C. Rule 4117-5-02.
- Utilizes SERB-conducted election.

Petition for Decertification Election (ERB 1011) (requires showing of interest) *

- Filed with SERB by employees or an individual petitioner authorized to act on their behalf seeking an election to determine whether an incumbent employee organization has the support of a majority of employees. See O.R.C. Section 4117.07 and O.A.C. Rules 4117-5-01 and 4117-5-02.
- Cannot file if a deemed-certified unit.

* **Requires original form submission via hard copy by mail or hand delivery for initial filing only.**

Petition for Amendment of Certification (ERB 1019)

- Filed by the employer, the employee organization, or both parties jointly seeking a change in the description of the bargaining unit contained in the certification of the employee organization as exclusive representative. See O.A.C. Rules 4117-5-01 and 4117-5-02.
- Alter/Change the composition of the unit.
- Change the Description of the unit (by adding or deleting positions).
- Change the name of the Employer or the Union.
- Must be joint-filed for Deemed-Certified bargaining units.

Petition for Clarification of Bargaining Unit (ERB 1020)

- Filed by the employer, the employee organization, or both parties jointly seeking a clarification by the Board of the representation status of employees not clearly included or excluded in the description of the bargaining unit contained in the certification of the employee organization as exclusive representative. See O.A.C. Rules 4117-5-01 and 4117-5-02.
- Does not change Bargaining Unit Description.

Objection to Request for Recognition (ERB 1009)

- Filed with SERB by any party wishing to object to certification via the request for recognition. See O.R.C. Section 4117.05 and O.A.C. Rules 4117-3-01 through 4117-3-03.

Certificate of Posting (ERB 1001)

- Filed by the employer with SERB to certify that the above notice has been posted. See O.R.C. Section 4117.05 and O.A.C. Rules 4117-3-01 through 4117-3-03.

Petition to Challenge Rebate Determination (ERB 1006)

- Filed with SERB by an employee challenging an employee organization's determination of the rebate amount by which membership dues are reduced to determine the amount the employee must pay as a fair share fee. See O.R.C. Section 4117.09(C) and O.A.C. Rule 4117-11-01.

Mediation Forms

Notice to Negotiate (ERB 1014)

- Filed by either party wishing to open collective bargaining negotiations. See O.R.C. Section 4117.14(B) and O.A.C. Rule 4117-09-02.

Notice of Intent to Strike or Picket (ERB 1016)

- Filed by an employee organization to notify SERB, with at least 10 days advance notice, of the date, time and other particulars of an intended strike. See O.R.C. Sections 4117.14(D)(2) and 4117.11(B)(8), O.A.C. Rule 4117-13-01 and related SERB unauthorized strike determinations.

Request for Determination of Unauthorized Strike (ERB 1015)

- Filed by an employer when it believes that its employees are engaged in an unauthorized strike. See O.R.C. Section 4117.23 and O.A.C. Rule 4117-13-02.

Certification of Fact-Finding Vote – Employee Organization (ERB 1021)

- Filed by an employee organization to certify the result of membership balloting on rejection or acceptance of a fact-finding report, including an attestation of the number eligible to vote and the number of ballots cast for each alternative. See O.R.C. Section 4117.14(C) and O.A.C. Rule 4117-09-05.

Certification of Fact-Finding Vote – Employer (ERB 1022)

- Filed by an employer to certify the result of balloting by the legislative body on rejection or acceptance of a fact-finding report, including an attestation of the number eligible to vote and the number of ballots cast for each alternative. See O.R.C. Section 4117.14(C) and O.A.C. Rule 4117-09-05.

Request for Determination of Clear and Present Danger (ERB 1000)

- Filed by an employer when a court of common pleas has issued a temporary restraining order enjoining a strike and has found probable cause to believe that the strike poses a clear and present danger to public health and safety. A Board determination of clear and present danger establishes the court's jurisdiction to extend the injunction for up to 60 additional days. See O.R.C. Section 4117.16 and O.A.C. Rules 4117-13-06 and 4117-13-07.

Unfair Labor Practice Forms

Unfair Labor Practice (ERB 1005) *

- Filed by any person with standing to allege that an employer, an employee organization or a public employee has violated one or more of the unfair labor practice provisions set forth in O.R.C. Section 4117.11. See O.R.C. Sections 4117.11, 4117.12 and 4117.13, and O.A.C. Rules 4117-7-01 through 4117-7-08.

Employee Organization Forms

Registration Report (ERB 1017)

- Filed by an employee organization to comply with registration provisions of O.R.C. Section 4117.19. Failure to file may result in revocation of certification. See O.R.C. Section 4117.19 and O.A.C. Rule 4117-15-01(A).

Employee Organization Annual Report

- Filed on a fiscal year basis by an employee organization to comply with reporting provisions of O.R.C. Section 4117.19. Failure to file may result in revocation of certification. See O.R.C. Section 4117.19 and O.A.C. Rule 4117-15-01(B).

*** Requires original form submission via hard copy by mail or hand delivery for initial filing only.**

Non-Compliance Complaint (ERB 1023)

- Filed by any person to allege violation by an employee organization of provisions of O.R.C. Section 4117.19. See O.R.C. Section 4117.19(E) and O.A.C. Rule 4117-15-02.

Notice of Appearance (MED/REP/ULP) Forms

Notice of Appearance (ERB 1004)

- Filed in each new or pending case by any person who is the representative of a party to the case, including parties who represent themselves. If the representative changes during the processing of the case, a new Notice of Appearance must be filed. All Board communications regarding a case are directed to the representative named on the most recent notice of appearance in the case. See O.A.C. Rule 4117-1-06.