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  - 2422.33 Relief obtainable under Part 2423.
  - 2422.34 Rights and obligations during the pendency of representation proceedings.
- Authority: 5 U.S.C. 7134.

#### **§ 2422.1 Purposes of a petition.**

A petition may be filed for the following purposes:

- (a) *Elections or Eligibility for dues allotment.* To request:
  - (1) (i) An election to determine if employees in an appropriate unit wish to be represented for the purpose of collective bargaining by an exclusive representative, and/or
  - (ii) A determination of eligibility for dues allotment in an appropriate unit without an exclusive representative; or
  - (2) an election to determine if employees in a unit no longer wish to be represented for the purpose of collective bargaining by an exclusive representative.
- (3) Petitions under this subsection must be accompanied by an appropriate showing of interest.
- (b) *Clarification or Amendment.* To clarify, and/or amend:
  - (1) A recognition or certification then in effect; and/or
  - (2) Any other matter relating to representation.
- (c) *Consolidation.* To consolidate two or more units, with or without an election, in an agency and for which a labor organization is the exclusive representative.

#### **§ 2422.2 Standing to file a petition.**

A representation petition may be filed by: an individual; a labor organization; two or more labor organizations acting as a joint-petitioner; an individual acting on behalf of any employee(s); an agency or activity; or a combination of the above: *Provided, however,* that

- (a) only a labor organization has standing to file a petition pursuant to section 2422.1(a)(1);
- (b) only an individual has standing to file a petition pursuant to section 2422.1(a)(2); and
- (c) only an agency or a labor organization may file a petition pursuant to section 2422.1(b) or (c).

#### **§ 2422.3 Contents of a petition.**

(a) *What to file.* A petition must be filed on a form prescribed by the Authority and contain the following information:

- (1) The name and mailing address for each agency or activity affected by issues raised in the petition, including street number, city, state and zip code.
- (2) The name, mailing address and work telephone number of the contact person for each agency or activity affected by issues raised in the petition.
- (3) The name and mailing address for each labor organization affected by issues raised in the petition, including street number, city, state and zip code. If a labor organization is affiliated with a national organization, the local designation and the national affiliation should both be included. If a labor organization is an exclusive representative of any of the employees affected by issues raised in the petition, the date of the recognition or certification and the date any collective bargaining agreement covering the unit will expire or when the most recent agreement did expire should be included, if known.
- (4) The name, mailing address and work telephone number of the contact person for each labor organization affected by issues raised in the petition.
- (5) The name and mailing address for the petitioner, including street number, city, state and zip code. If a labor organization petitioner is affiliated with a national organization, the local designation and the national affiliation should both be included.
- (6) A description of the unit(s) affected by issues raised in the petition. The description should generally indicate the geographic locations and the classifications of the employees included (or sought to be included) in, and excluded (or sought to be excluded) from, the unit.

(7) The approximate number of employees in the unit(s) affected by issues raised in the petition.

(8) A clear and concise statement of the issues raised by the petition and the results the petitioner seeks.

(9) A declaration by the person signing the petition, under the penalties of the Criminal Code (18 U.S.C. 1001), that the contents of the petition are true and correct to the best of the person's knowledge and belief.

(10) The signature, title, mailing address and telephone number of the person filing the petition.

(b) *Compliance with 5 U.S.C. 7111(e).* A labor organization/petitioner complies with 5 U.S.C. 7111(e) by submitting to the agency or activity and to the Department of Labor a roster of its officers and representatives, a copy of its constitution and bylaws, and a statement of its objectives. By signing the petition form, the labor organization/petitioner certifies that it has submitted these documents to the activity or agency and to the Department of Labor.

(c) *Showing of interest supporting a representation petition.* When filing a petition requiring a showing of interest, the petitioner must:

- (1) So indicate on the petition form;
- (2) Submit with the petition a showing of interest of not less than thirty percent (30%) of the employees in the unit involved in the petition; and
- (3) Include an alphabetical list of the names constituting the showing of interest.

(d) *Petition seeking dues allotment.* When there is no exclusive representative, a petition seeking certification for dues allotment shall be accompanied by a showing of membership in the petitioner of not less than ten percent (10%) of the employees in the unit claimed to be appropriate. An alphabetical list of names constituting the showing of membership must be submitted.

#### **§ 2422.4 Service requirements.**

Every petition, motion, brief, request, challenge, written objection, or application for review shall be served on all parties affected by issues raised in the filing. The service shall include all documentation in support thereof, with the exception of a showing of interest, evidence supporting challenges to the validity of a showing of interest, and evidence supporting objections to an election. The filer must submit a written statement of service to the Regional Director.

#### **§ 2422.5 Filing petitions.**

(a) *Where to file.* Petitions must be filed with the Regional Director for the