

13 NCAC 04D .0102 CARD-CHECKS/CERTIFICATIONS

(a) Upon mutual consent and request of the parties, a card-check/certification will be conducted, by the division, to determine whether or not a union possesses majority status in a defined bargaining unit. Prior to the card-check/certification, the appropriate bargaining unit, payroll period ending dates to be used in determining employee members of the appropriate bargaining unit, and the date, time, and location of the card-check/certification must be agreed upon by the parties. A check is made of the signed cards submitted by the union against the list of employees submitted by the employer and thereby, certification made either for or against union majority status.

(b) The forms used in this procedure are those of the department. The following stipulations are shown on these forms:

- (1) agreement by the parties to use card-check/certification procedure to clarify or dismiss union's alleged majority status,
- (2) appropriate bargaining unit and payroll period ending dates to be used in determining employees comprising the appropriate unit,
- (3) employer responsibility in the event that it is ascertained that union possesses majority status,
- (4) union responsibility and agreement in the event that it is ascertained that union does not possess majority status,
- (5) certification (either for or against union majority status).

History Note: *Authority G.S. 95-36; 29 U.S.C. sec. 159;*
Eff. February 1, 1976;
Readopted Eff. September 30, 1977;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 22,
2018.