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SURVEY OF FEDERAL AND STATE LAW REQUIREMENTS TO CHALLENGE INCUMBENT UNION
 (Railway Labor Act; National Labor Relations Act; Federal Labor Management Relations Statute)

(32 States with Public Employee Collective Bargaining; District of Columbia and Puerto Rico; Does Not Include Nevada)

FILING OF PETITION OR OTHER WRITTEN REQUEST REQUIRED	THRESHOLD SHOWING OF SUPPORT FROM BARGAINING UNIT REQUIRED WITH PETITION	UPON FILING OF PETITION, INDEPENDENT INVESTIGATION/REVIEW AND/OR HEARING TO VERIFY SUPPORT OF BARGAINING UNIT	UPON VERIFICATION OF SUPPORT OF BARGAINING UNIT, ELECTION TO BE HELD	MINIMUM PERCENTAGE OF EMPLOYEES REQUIRED TO PARTICIPATE FOR VALID ELECTION	ELECTION OUTCOME
RLA; NLRA; FLMRS; AK; CA; CT; DE; DC; FL; HI; IL; IN; IA; KS; ME; MD; MA; MI; MN; MO; MT; NE; NH; NJ; NM*; NY; OH; OK; OR; PA; RI; SD; TN; VT; WA; WI; PR	20%: CT (educ); IN; PR 30%: NLRA; FLMRS; AK; CA (local, auth. cards), (educ); CT (state); DE; DC; FL; IL; IN; IA; KS; ME; MD; MI; MN (signed auth.); MO; MT; NE; NH (sep. form per employee); NJ; NM*; NY (auth. cards); OH; OK (fire/police); OR; PA; RI (auth. cards); SD; WA; WI (state); VT 35%: OK 50%: RLA (auth. cards); HI; TN (signatures) Substantial #: CT (muni); MA	RLA; NLRA; FLMRS; AK; CA; CT; DE; DC; FL; HI; IL; IN; IA; KS; MD; ME; MA; MI; MN; MO; MT; NE; NH; NJ; NY; OH; OK; OR; PA; SD; VT; WA; PR	RLA; NLRA; FLMRS; AK; CA; CT; DE; DC; FL; HI; IL; IN; IA; KS; ME; MD; MA; MN; MT; NE; NH; NM*; NY; OH; OK; OR; PA; SD; VT; WA; WI; PR	Majority of Bargaining Unit: RLA; KS (educ.); WI (state) 40%: NM*	Majority of Votes Cast: RLA; NLRA; FLMRS; AK; CA; CT; DE; DC; FL; HI; IL; IN; IA; KS; ME; MA; MI; MN; MO; MT; NE; NH; NJ; NY; OH; OK; OR; PA; RI; VT; WA; WI Majority of Bargaining Unit: TN Silent re: Outcome: MD; NM; SD, PR
Tally: Federal (3/3); States (34/34)	Tally: Federal (3/3); States 30/34, although remaining 4 are silent re: independent review, requirement is implied because all four (NM, RI, WI & TN) require showing of interest through individual employees' signatures or written request.	Tally: Federal (3/3); States 30/34, although remaining 4 are silent re: independent review, requirement is implied because all four (NM, RI, WI & TN) require showing of interest through individual employees' signatures or written request.	Tally: Federal (3/3); States (30/34), support verification is implied in NM, RI, WI & TN, all of which provide for election after petition submitted with required showing of interest		

* Newly Enacted, effective July 1, 2003.

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ASSEMBLY GOVERNMENT AFFAIRS

DATE: 5/14/03 ROOM: 3143 EXHIBIT E. 1021

SUBMITTED BY: Mike Dyer