



MASHANTUCKET EMPLOYMENT RIGHTS OFFICE

Instructions for filing Petition

**For Elections under Section 12 of Title 32, M.P.T.L.,
the Mashantucket Pequot Labor Relations Law**

**PLEASE REVIEW THE FOLLOWING IMPORTANT INFORMATION
BEFORE SUBMITTING A PETITION**

- Each Petition consists of two components that must be filed with the MERO Director. In each case, the Petition Form (MERO Form 32-2010), must be completed, signed, dated and delivered to the MERO Director. In addition, each case requires the filing of a showing of interest or other submission, depending on the type of petition being filed. The chart below provides select summary information. Please refer to the Procedures Manual for Processing Representation Cases or contact the MERO for additional information about the required submission.

Type of Petition	What must be filed with the MERO in addition to Form 32-2010	When the petition may be filed with the MERO
Certification (RC)	Original signed and dated showing of interest (e.g., petition or authorization cards) from 30% of the employees in the unit sought to be represented indicating they wish the petitioner to be their exclusive bargaining representative	Any time if the employees are currently unrepresented
Decertification (RD)	Original signed and dated showing of interest (e.g., petition) from 30% of the bargaining unit employees indicating they do not wish to be represented by their union.	The filing with the MERO must occur 45-90 days prior to the expiration of the collective bargaining agreement (CBA) within first three years of the CBA, or any time thereafter, or after expiration of the CBA and prior to a new CBA.
Deauthorization (UD)	Original signed and dated petition from 30% of the bargaining unit requesting rescission of a union security provision in the CBA.	Any time a union security provision is in effect
Employer (RM)	Proof of demand for recognition by a labor organization or evidence of objective considerations to support the petition	Only upon demand for recognition or receipt of objective considerations to support the petition.
Unit Clarification (UC)	Statement explaining basis for requested clarification.	If there are changed circumstances that give rise to an ambiguity in unit placement that may be resolved without an election.
Amendment of Certification (AC)	Statement explaining basis for requested amendment.	If there are changed circumstances that require the revision of an existing certification but not an election.

- The case will be deemed filed on the date that the MERO Director receives a fully-completed and originally signed Petition and the showing of interest or other required submission.
- The person filing the Petition must deliver to the other party a copy of the completed Petition for receipt by the other party on the same date as the submission of the forms to the MERO. Important: Only completed Form 32-2010 must be delivered to the other party. Any showing of interest should not be forwarded to the other party.
- Petitions under Section 12 of the MPLRL are, except as described below, referred to the Mashantucket Pequot Tribal Court for processing by an impartial special master with substantial experience in labor relations and labor law and experience or advanced training in Tribal Law.

The MPLRL provides that, within five (5) days of a Petition being filed under Section 12, any party may request processing of the Petition by a Three-Member MERO Board. If such a request is filed, a panel shall be established consisting of three members appointed at the outset of the case. Within five (5) days of the request for a MERO Board, the Tribal Employer and the Labor Organization (or if a petition is filed by a Tribal Employee, the Tribal Employee), will each appoint one member of the Board. The Board members appointed by each of the parties shall confer and jointly appoint a third member, who shall be the presiding officer of that MERO Board. If the members appointed by the parties cannot agree within five (5) days upon a third member, the MERO shall request from the American Arbitration Association a random panel of seven (7) arbitrators who are members of the National Academy of Arbitrators and the members appointed by the Tribal Employer and the Labor Organization shall select a presiding officer from said list within five (5) days of receipt of the list. The costs of the MERO Board and any fees associated with the proceedings shall be shared equally by the parties.

Requests for a Three-Member MERO Board must be filed with the MERO Director no later than five (5) days after a Petition is filed. Please use MERO Form 32-0300.

The information contained in these instructions is summary in nature and is not a substitute for review of the Mashantucket Pequot Labor Relations Law (MPLRL), the Procedures Manual for Processing Representation Cases, and other relevant information and guidance issued by the MERO. The MPLRL, forms and guidance are available on the MERO's web site at www.mptnlaw.org/MERO.htm. If you require assistance to file a petition, please contact the MERO.