

ORDINANCE 2002-03

AN ORDINANCE OF THE RANCHO MURIETA COMMUNITY SERVICES DISTRICT AMENDING CHAPTER 7 EMPLOYER - EMPLOYEE RELATIONS OF THE DISTRICT CODE

BE IT ORDAINED by the Board of Directors of the Rancho Murieta Community Services District, Rancho Murieta, Sacramento County, California, as follows:

SECTION ONE:

Chapter 7, Employer – Employee Relations of the District Code, Section 6.06 is amended, in part, as follows:

6.06 Methods of Recognition Election Procedure

6.06.1 Voluntary Recognition. Where the petitioning employee organization provides showing of extraordinary support by means of employee signatures clearly indicating the employee's desire to be represented by the petitioning organization in his/her employment relationship with the District, voluntary recognition of the petitioning organization may occur.

- (a) Extraordinary support shall mean at least seventy-five percent (75%) of the employees in the unit.
- (b) Voluntary recognition shall be obtained by vote of the Board of Directors after recommendation by the Employee Relations Officer that the circumstances warrant such form of recognition.
- (c) Should any doubt be raised as to the validity of the proof of employee support or should there be indications of fraud or coercion in obtaining the signatures, this Voluntary Recognition method shall not be available.

6.06.2 Recognition by Election. The Employee Relations Officer shall arrange for a secret ballot election to be conducted by the State Mediation and Conciliation Service and verified by the Employee Relations Officer and one representative of each of the concerned employee organization(s), in accordance with its rules and procedures subject to the provisions of this Chapter.

- (a) All employee organizations which have duly submitted petitions which have been determined to be in conformance with this Section shall be included on the ballot, as shall be a choice designated as "No Organization" or "Represent Myself."
- (b) Employees entitled to vote in such election shall be those persons employed in regular ~~permanent~~ **full and part-time (employed twenty {20} hours or more per week)** positions within the designated appropriate unit who were employed during the pay period immediately prior to the date which ended at least fifteen (15) days before the date the election commences, including those who did not work during such period because of absence, and who are employed by the District in the same unit on the date of the election.
- (c) An employee organization receiving a majority of the valid votes cast shall be formally acknowledged as the Exclusive Recognized Employee Organization for the designated appropriate unit following an election or run-off election. In an election involving three or more choices, where none of the choices receives a majority of the valid votes cast, a run-off election shall be conducted between the

two choices receiving the largest number of valid votes cast with the rules governing an initial election being applicable to a run-off election.

- (d) There shall be no more than one valid election under this Chapter pursuant to any petition in a 12 month period affecting the same unit.
- (e) The cost, if any, of conducting the election shall be borne in equal share(s) by each employee organization appearing on the ballot.

6.06.3 Recognition by Statute. Where an Employee Organization has filed a valid petition for recognition according to Section 6.01 of this Chapter for an appropriate bargaining unit consisting of classifications that qualify under California Government Code Section 3507.1 (c), and that petition contains a valid showing of interest from those proposed to be represented sufficient to satisfy the requirements of the above Code section as verified by a neutral third party, and providing there is no other labor organization which claims support of at least thirty percent of the employees in the proposed bargaining unit, the Board of Directors shall grant majority recognition to the Employee Organization filing the petition following receipt of a determination from the neutral third party that majority status exists.

SECTION TWO:

To the extent the terms and conditions of this Ordinance may be inconsistent or in conflict with the terms and provisions of any prior District ordinances, resolutions, rules or regulations, the terms of this Ordinance shall prevail with respect to the terms and provisions thereof, and such inconsistent or conflicting terms and provisions of prior ordinances, resolutions, rules and regulations are hereby repealed.

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, no other provision of this ordinance shall be affected thereby.

SECTION THREE:

This Ordinance shall be in full force and effect 15 days after adoption.

PASSED AND ADOPTED by the Board of Directors of the Rancho Murieta Community Services District, Sacramento County, California, at a meeting duly held on August 14, 2002 by the following roll call vote:

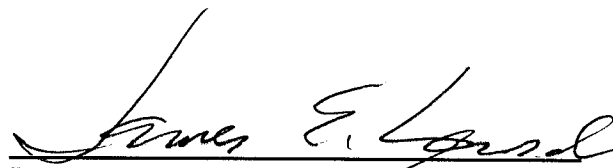
Ayes: ALL PRESENT (LENSCH, BRENNAN, CRAVENS, KUNTZ, WHITE)

Noes: NONE

Abstain: NONE

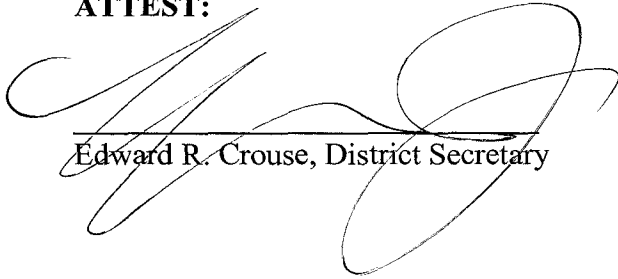
Absent: NONE

[seal]



James E. Lensch, President
Rancho Murieta Community Services District

ATTEST:



Edward R. Crouse, District Secretary