

# Memorandum of Understanding Election Agreement

## 1. Notice

The union shall provide the employer with an in writing "Notice of Intent" in order to commence organizing. The notice shall identify the non-represented classification or bargaining unit of employees that the union is seeking to organize.

## 2. Notice List

Within five business days of receiving notice, the employer shall provide a complete list for the requested employees. The list shall contain each employee, their telephone numbers, and hours worked the four previous pay periods.

## 3. NLRB Consent Election

If the union files a NLRB petition of election with at least 30% support as required by the NLRA for filing, the employer will agree to an expedited election process within fifteen calendar days by entering into a NLRB consent election agreement. The employer agrees to submit an Excelsior list for the NLRB, and to mutually agree to a date, time, and location(s) for the election within two business days of the consent election agreement being filed.

## 4. Post Election

If the majority of employees voting elect to be included into an existing bargaining unit, the parties will meet promptly to bargain any outstanding issues and determine how to best incorporate employees into the collective bargaining agreement. In these instances, the employees covered by the current bargaining unit will become members like all other employees covered by the collective bargaining agreement.

## 5. Access

Within twenty four hours of the management communication the employer will provide the union with access to nonwork areas (Consistent with Current Practice) for the purpose of communicating with employees on non-work time. Organizers will conduct themselves in a respectful manner and will not interrupt work time.

In accordance with current practice the employer will provide designated meeting rooms that will be granted with sufficient notice of request to human resources.

## 6. Arbitration

If the parties are unable to resolve a dispute arising under the terms of this agreement, either party may submit the unresolved dispute about compliance with or construction of this Agreement for final and binding resolution by a mutually agreed permanent arbitrator selected for deciding any dispute under the Agreement. The Arbitrator shall have discretion to establish procedures for the resolution of such

## ONA Proposal Package Article I, II, MOU Election Agreement

disputes that may include submission of evidence by the parties and is authorized to develop and order remedies. All such disputes shall be resolved within fourteen days of submission of the issue, unless the issue concerns an alleged violation pertaining to conduct raised before the election, in which case the Arbitrator shall rule within twenty-four hours of the submission of the issue to the Arbitrator. The parties waive any and all rights they might otherwise have to appeal or in any way contest the decision of the Arbitrator.