

RCW 41.58.090 Organizing petitions—Offer of proof—Existing bargaining units. (1) For any new organizing petition to form a new bargaining unit of currently unrepresented workers or to add unrepresented workers to an existing bargaining unit, regardless of whether the election is by mail ballot or cross-check, the public employment relations commission must require employers and employee organizations to submit an offer of proof on challenged employees, either concurrent with the employer's submission of a list of employees or at a date determined by the commission after a showing of interest.

(2) If an employee organization files a petition to represent a unit of currently unrepresented employees, and the commission determines the petitioned-for unit is inappropriate, but that the bargaining unit would be appropriate if it included employees currently represented by another employee organization, the commission must determine whether the bargaining unit currently represented by the other employee organization is an appropriate bargaining unit and:

(a) If the commission determines the bargaining unit represented by the other employee organization is appropriate, the commission must dismiss the petition; or

(b) If the commission determines the bargaining unit represented by the other employee organization is inappropriate, the commission must determine the new bargaining unit and hold an election. [2025 c 387 s 1.]