**Section 1110.70 Timeliness of Petitions and Bars to Elections**

a) Election bar: With respect to any bargaining unit, *no election may be conducted in a bargaining unit, or subdivision thereof, in which a valid election has been held within the preceding 12 month period* (Section 7(d) of the Act). The Board will dismiss majority interest petitions for a bargaining unit, or subdivision thereof, in which a valid election has been held within the proceeding 12 month period. However, petitions seeking an election filed within the last three months of the 12 month period will be processed, and any resulting election will be conducted after the 12 month period has elapsed. Petitions seeking an election filed in the first 9 months of the 12 month period will be dismissed.

b) Certification bar: With respect to any bargaining unit, absent unusual circumstances the Board will dismiss a representation or decertification petition filed within 12 months following the date of Board certification of an exclusive representative for all or some of the employees in the bargaining unit, as a result of voluntary certification, majority interest proceeding or representation election. Unusual circumstances include when the exclusive representative dissolves or becomes defunct; when as a result of a schism, substantially all of the members and officers of the exclusive representative transfer their affiliation to a new local or international; or the size of the bargaining unit fluctuates radically within a short time.

c) Representation and decertification petitions may not be filed whenever there is in effect a collective bargaining agreement of three years or shorter duration covering all or some of the employees in the bargaining unit. Collective bargaining agreements of longer than three years duration shall serve as a bar for the first three years of their existence. In all cases, representation and decertification petitions may be filed between January 15 and March 1 of the year in which the collective bargaining agreement is due to expire or in the third year of an agreement of more than three years duration. However, no such petition may be filed if it would otherwise be barred by subsection (a) or (b).

d) A collective bargaining agreement shall not bar the filing of a representation or decertification petition if the agreement is between an employer and an employee organization recognized by the employer after the effective date of this Part without having used the voluntary recognition, majority interest or representation election procedures specified in the Act and this Part.

(Source: Amended at 35 Ill. Reg. 14447, effective August 12, 2011)