**Section 1210.37 Bargaining Unit Determinations**

a) In determining the appropriateness of a unit for purposes of collective bargaining, the Administrative Law Judge and/or the Board shall consider all relevant factors, including, but not limited to, such factors as historical pattern of recognition; community of interest, including employee skills and functions; degree of functional integration; interchangeability and contact among employees; fragmentation of employee groups; common supervision, wages, hours and other working conditions of the employees involved; and the desires of the employees. If the employer alleges that the petitioned for unit is not appropriate, it shall submit a detailed statement explaining why the unit is not appropriate. The Administrative Law Judge may determine a unit other than the one petitioned for is an appropriate unit. The employer or union must inform the Administrative Law Judge whether it is willing to proceed to an election or a determination of majority status through the Board's card check procedures in a unit other than one petitioned for.

b) In describing the unit found appropriate for purposes of collective bargaining, the Board may, at the parties' request, describe the unit in job function terms rather than by job titles. Such unit descriptions may also include those currently existing job titles that perform the job functions.

c) A bargaining unit described as consisting of particular job titles shall also include any job titles later created that are successor job titles to the currently existing job titles or perform the same or substantially similar job functions as the currently existing job titles.

(Source: Amended at 28 Ill. Reg. 4172, effective February 19, 2004)