



Ohio Administrative Code

Rule 4117-3-03 Substantial evidence for the purpose of voluntary recognition.

Effective: May 18, 1987

(A) For the purposes of division (A)(2), (A)(2)(b)(ii), and (A)(2)(b)(iii) of section 4117.05 of the Revised Code, and rules 4117-3-01 and 4117-3-02 of the Administrative Code, "substantial evidence" shall consist of the following documentation that shall be filed only with the board:

(1) Original signed statements, with each signature dated not more than one year prior to the date of filing, including but not limited to cards and petitions, that clearly set forth the intent of the employee with respect to representation by the employee organization; or

(2) Dues deduction authorizations or employer-verified dues deduction lists in effect as of the payroll period immediately preceding the filing of the request for recognition with the board; or

(3) Current cash dues receipts.

(B) At its discretion, the board, in the interest of fairness, may waive the time limitations of paragraph (A)(1) of this rule. For the purpose of division (A)(2)(b)(iv) of section 4117.05 of the Revised Code, "substantial evidence" shall consist of a clear and concise statement of the reason the unit is not appropriate, such statement to be supported by documentation relating to the factors set forth in section 4117.06 of the Revised Code.

(C) The board may request from any party any information necessary to determine if evidence is substantial, including but not limited to an alphabetized, numbered payroll list of employees in the proposed unit.
