



Ohio Administrative Code Rule 4117-5-09 Determining results of election.

Effective: August 6, 2015

(A) In order to prevail in an election, a choice must receive more than fifty per cent of the total number of valid ballots cast. In any representation election in which the choices are an employee organization and "no representative," and the resulting vote is equally divided, it will be determined that "no representative" has prevailed. In a decertification election in which the resulting vote is equally divided between the incumbent representative and "no representative," it will be determined that the incumbent has prevailed.

(B) When an election in which the ballot provided for three or more choices results in no choice receiving a majority of the valid ballots cast, the board shall direct a runoff election. The ballot in a runoff election shall be between the two choices receiving the highest and the second highest number of votes in the first election. Only employees who were eligible to vote in the first election and who remain eligible on the date of the runoff election shall be eligible to vote in the runoff election, unless the board directs otherwise.

(C) In a runoff election between two employee organizations, with one of the employee organizations being the incumbent, and where the results of the runoff election are equally divided between the employee organizations, the incumbent prevails.
