**Section 1110.190 Disclaimer of Interest Petitions**

a) An employee organization that has been certified by the Board or recognized pursuant to Section 2 of the Act as the exclusive representative of a bargaining unit but wishes to terminate this representation may file a disclaimer of interest petition with the Board.

b) The petition shall contain the following information:

1) the name, address and telephone number of the petitioning employee organization;

2) the name, address and telephone number of the employer;

3) a brief description of the bargaining unit;

4) the approximate number of employees in the bargaining unit;

5) the date that the employee organization was recognized as the exclusive representative and the method of recognition, if known;

6) a brief description of any collective bargaining agreement covering employees in the bargaining unit, together with its expiration date; and

7) a statement that the employee organization waives and disclaims the authority and duty to represent the employees in the bargaining unit.

c) The Board shall provide the employer with a notice of the disclaimer of interest petition that shall be posted, by the day after the employer receives the notice, on bulletin boards or other places where notices for employees in the bargaining unit are customarily posted, or in conspicuous places in the absence of a customary posting location. If the posting would occur during a seasonal break or other period when a substantial number of employees are not working, notice shall be provided to bargaining unit members through alternative means agreed to by the parties and the Executive Director or Board agent. This notice shall be posted and maintained for 21 calendar days.

d) Bargaining unit members may object to the petition. The employer may object to the petition if the collective bargaining agreement has not expired. Objections to the petition must be filed with the Board and served on the employee organization and the employer within 21 days of the posting or other delivery of the notice, as determined by the certification of the posting.

e) The Executive Director shall approve the petition if the disclaimer is made in good faith, is clear and leaves no doubt that a matter relating to the employee organization's representation does not exist with respect to the bargaining unit. If the petition is approved by the Executive Director, the Board shall revoke the certification, and the authority and duty of the employee organization to represent the bargaining unit shall cease, and any collective bargaining agreement then in effect shall become void as of the expiration of the notice posting period. Any bars to the certification under Section 1110.70 shall no longer be in effect.

f) If the Executive Director dismisses the petition, the petitioning employee organization may file exceptions to the Executive Director's recommendation to dismiss and briefs in support of those exceptions no later than 14 days after receipt of the recommendation to dismiss with the General Counsel, 160 N. LaSalle Street, Suite N-400 Chicago, Illinois 60601 or elrb.mail@illinois.gov. Copies of all exceptions and briefs shall be served on all other parties and a certificate of service shall be attached. Any party to the proceeding may file a response to any exceptions and brief within 14 days from receipt of a party's exceptions and supporting brief. The response shall be filed with the General Counsel served on all parties, and a certificate of service shall be attached. If no exceptions have been filed within the 14 day period, the parties will be deemed to have waived their exceptions. If a party has filed exceptions, the Board will review the Executive Director's recommendation and will issue and serve upon the parties a written decision giving its reasons for its decision. The Board's decision will be a final order.

(Source: Added at 47 Ill. Reg. 19307, effective December 21, 2023)