

**5510.0610 WITHDRAWAL.**

Subpart 1. **Generally.** A certification, representation, or decertification petition or a showing of interest may be withdrawn by a party at any point prior to the fifth day following issuance of an appropriate unit determination by the commissioner. A clarification, transfer of exclusive representative status, fair share challenge, amendment of certification, or affiliation petition may be withdrawn at any time prior to the close of the hearing on the petition. A withdrawal must either be stated on the record at the hearing or be in writing and served as provided by parts 5510.0110 to 5510.2310.

Subp. 2. **Certification election.** If the employee organization withdraws, and no other employee organizations have petitioned or intervened, the petition shall be dismissed. If another employee organization has also petitioned or has intervened, the matter shall proceed, but the withdrawing organization shall not be listed on the ballot.

Subp. 3. **Representation election.** If the incumbent exclusive representative withdraws, the matter will be processed as though a certification petition had been filed by the challenging employee organization.

A challenging employee organization which withdraws in accordance with this chapter shall not be listed on the ballot. If all challengers have withdrawn, the petition shall be dismissed.

Subp. 4. **Decertification election.** If the petitioner withdraws and no other employee organization has petitioned or intervened, the petition shall be dismissed. If the petitioner withdraws, but another employee organization which has petitioned or intervened does not, the matter shall be processed as a representation petition.

**Statutory Authority:** *MS s 179A.04*

**History:** *9 SR 735; L 1987 c 186 s 15*

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