



5. Pursuant to K.S.A. 75-4327(d) a petition must be accompanied by a showing of interest of not less than 30% of the eligible employees in the unit. Here that 30% would equate to 100 employees.
6. Upon matching the Petitioner's showing of interest names with the names on the list provided by Respondent of all eligible employees in the unit resulted in a match of 74 names or 22.3%.

#### CONCLUSIONS

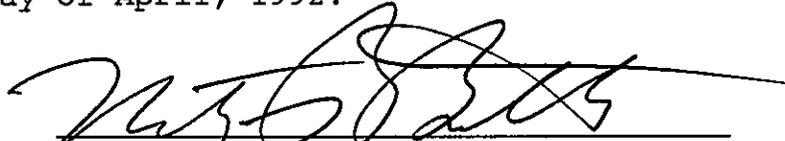
Before the Public Employee Relations Board can conduct an election to decertify an employee organization as the exclusive employee representative for the unit and certify a new employee organization, the requesting organization must petition the Board and provide a showing of interest that at least 30% of the employees in the unit want the certified organization decertified and the new employee organization certified. A failure to provide the necessary 30% showing of interest must result in a dismissal of the petition.

Here the Petitioner, while submitting petitions containing the names of 175 employees, only 74 could be verified as eligible employees in the unit. This was only a 22.3% showing of interest. Not meeting the 30% threshold required by K.S.A. 75-4327(d), Petitioner's petition must be dismissed.

ORDER

IT IS THEREFORE ORDERED that Petitioner's petition for a decertification election is dismissed.

Dated this 10th day of April, 1992.



Monty R. Bertelli  
Executive Director,  
Public Employee Relations Board  
512 W. 6th Street  
Topeka, Kansas 66603

CERTIFICATE OF SERVICE

I, Sharon Tunstall, Office Specialist for Employment Standards and Labor Relations, of the Kansas Department of Human Resources, hereby certify that on the 10<sup>th</sup> day of April, 1992, a true and correct copy of the above and foregoing Final Order was deposited in the U.S. mail, first class, postage prepaid, addressed to:

Brad Avery, Counsel  
Kansas Association of Public Employees  
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Topeka, Kansas 66607.

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members of the PERB.

Sharon Tunstall