§ 695-d. Procedure for recognition. 1. For the purpose of this article, New York state shall recognize as the representative of the child care providers in any unit set forth in section six hundred ninety-five-c of this article each representative as is designated by a majority of the providers in the unit pursuant to the following procedure: A perspective representative may demonstrate majority designation upon submission of authorization cards, approved within twelve months of this submission, by the majority of providers in the unit, to the state employment relations board (SERB) or any successor agency for the purpose of review. The SERB and/or its designee shall review the cards and if it determines that the cards constitute at least fifty percent plus one of the providers in the unit at issue, then the SERB shall certify the party making application as the designated representative of the unit. If the SERB determines that cards submitted constitute at least thirty percent of providers in the unit at issue, but not more than fifty percent, it shall conduct an election in a manner directed by the SERB and consistent with its standard election procedure to determine if a majority of members designate the prospective representative.

2. Any relevant state agency, including the office of children and family services shall provide the SERB with information necessary to determine the size of the units and the identities of members of said unit subject to any limitations or dissemination of information as the agency believes necessary to protect confidentiality, or as otherwise required by law.