



# Electing Local Union Officers by Mail

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This pamphlet has been developed by the Office of Labor-Management Standards (OLMS) to help election officials conduct union officer elections by mail in accordance with the requirements of the Labor-Management Reporting and Disclosure Act of 1959. Many unions conduct officer elections by mail because their members are dispersed over a wide geographic area making travel to polling sites difficult. In addition, some unions that conduct their elections at polling places also allow absentee voting by mail.

If questions arise about mail balloting procedures or other election requirements not covered in this pamphlet (such as nomination procedures, candidate eligibility, and campaign rights and restrictions), election officials should contact the union's parent body or the nearest OLMS field office listed on the last page of this publication.

If your union conducts its election at a polling site, election officials should read the OLMS pamphlet entitled *Checklist for Conducting Local Union Officer Elections*, which is designed to serve as a reminder of the various tasks that should be completed during the nomination and election process.

## Preparations

- Develop a time schedule for each step of the mail ballot election (ballot printing, mailing, return deadline, and counting) which allows adequate time for completing each phase. As a general rule, allow 3 to 4 weeks for members to mark and return their ballots.
- Establish a date and time by which voted ballots must be received in order to be counted and clearly announce this deadline in the voting instructions. Do not use a postmark date for the ballot return deadline date because a significant percentage of mail is not postmarked.
- Update the union's membership address list to insure that the address for each member is correct. Review the union's most recent mailing to all members to determine if any pieces of mail were returned undelivered, make a list of members for whom new addresses are needed, and attempt to obtain updated addresses for those members. For additional guidance, read the OLMS publication entitled *Updating Your Union's Membership Mailing List*.
- Arrange with postal officials for a special restricted-access post office box to be used solely for the receipt and storage of voted ballots. Do not use the union's regular post office box or union office for the receipt of voted ballots. Instruct postal officials that ballots must be released only at a specified time on the ballot return deadline date and only to authorized union election officials.
- Arrange with postal officials for a second post office box for ballot packages returned undelivered. This post office box will serve as the return address on the ballot package mailed to members.
- Notify candidates of all election and campaign rules including the right to inspect, once within 30 days before the election, a list of all members (subject to a collective bargaining agreement which requires union membership as a condition of employment) and the right to have the union distribute campaign literature to members at each candidate's expense. Also advise candidates and current officers about the prohibition against the use of union and employer funds (including facilities, equipment, supplies, and campaigning on time paid for by the union or employer) to support any person's candidacy in a union officer election.

- Advise candidates of the date, time, and place for the preparation and mailing of ballot packages; information about any ballot package remaining; the date, time, and place of the ballot pickup at the post office and tally; and their right to have observers at each of these activities.
- Prepare an accurate voter eligibility list with up-to-date member addresses. In order to facilitate ballot sorting and voter identification at the tally of ballots, election officials should assign a sequential number to each member's name on the eligibility list. This same "voter identification number" should be placed in the lower left corner of the voter's corresponding return ballot envelope before mailing the ballot packages.
- Obtain the necessary materials and prepare a mail ballot package for each member which provides for ballot secrecy, using a double envelope system.

## The Mail Ballot Package

The five mail ballot package items illustrated below include recommended formats and dimensions of the three different size envelopes needed. Each member should receive the following items:

### Item 1: Secret Ballot Envelope

<p><b>Secret Ballot Envelope</b></p> <p>(Do not write your name or other identifying information on this envelope.)</p>
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3 5/8" x 6 1/2" (No. 6 1/2 envelope)

This small envelope, either blank or printed with the words "Secret Ballot Envelope," will be used by the voter to enclose the marked ballot. Advise members not to place any identifying information on this envelope.

### Item 2: Return Ballot Envelope

<p>Name _____ (Please print.)</p> <p>Address _____</p> <p style="text-align: center;">Factory Workers Local 999 Election Committee P.O. Box 146 Columbia, MO 65203</p> <p>#651</p>
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3 7/8" x 8 7/8" (No. 9 envelope)

This envelope will be used by the voter to return the secret ballot envelope with the marked ballot sealed inside. It should be pre-addressed to the post office box for returned voted ballots and contain space for the voter to print his or her name and address in the upper left corner. If a voter identification number has been assigned (which corresponds to the voter's number on the voter eligibility list), it should appear in the lower left corner of this envelope.

### Item 3: Large Mailing Envelope

<p>Factory Workers Local 999 Election Committee P.O. Box 122 Columbia, MO 65203</p> <p style="text-align: center;">John Doe 1018 Bradshaw Avenue Columbia, MO 65203</p>
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4 1/8" x 9 1/2" (No. 10 envelope)

This large envelope will be used to mail the other four mail ballot items to each member. The return address should be a post office box designated solely for the receipt of ballot packages returned undelivered so that they can be remailed by election officials after obtaining correct addresses.

#### **Item 4: Election Notice and Voting Instructions**

If election notices were not mailed to members previously, the ballot package may serve as the election notice provided it is mailed at least 15 days prior to the date when ballots must be mailed back in order to be counted and contains voting instructions which are clear and complete such as those in the following example for a fictitious union - Factory Workers Local 999.

### **Factory Workers Local 999 Election Notice**

A secret ballot election for the offices of president, vice president, secretary-treasurer, recording secretary, and three (3) executive board members is being conducted by mail. Ballots for this election are being mailed to members on July 12, 2007. Any eligible member who has not received a ballot in the mail at home by July 17, 2007 or any member who spoils a ballot may request a new ballot by contacting Election Chairperson Dennis Ricci at 555-1234. If you request and return another ballot, only the replacement ballot will be counted.

#### **Instructions For Mail Voting**

Please read the following instructions carefully before marking and mailing your ballot:

- Mark an "x" or place a "√" in the box next to the name of the candidates of your choice. Do not place your name, initials, or any other identifying information on the ballot. Ballots containing any identifying information will be voided.
- Place your marked ballot in the small envelope labeled "Secret Ballot Envelope" and seal it. Do not write on this envelope. You must use the secret ballot envelope to insure that ballot secrecy is maintained. Failure to use the secret ballot envelope will result in your ballot being voided when the ballots are counted. If your ballot package does not contain a secret ballot envelope, you may obtain one by contacting Election Chairperson Dennis Ricci at 555-1234.
- Insert the sealed secret ballot envelope containing your marked ballot into the return envelope pre-addressed to the Local 999 Election Committee and seal it. Print your name and address in the return address space on the return ballot envelope.
- Your name on the return ballot envelope will identify you as an eligible voter. The number in the lower left corner of the return ballot envelope will be used by the Election Committee for sorting ballots and determining voter eligibility at the ballot count. Your vote will remain secret because the secret ballot envelope containing your ballot will be separated from the return ballot envelope and mixed with other secret ballot envelopes before it is opened and the ballot counted.
- Ballot secrecy can only be preserved if you personally mark and mail your ballot. Do not allow anyone else to mark or handle your ballot or see how you vote. Do not give your ballot to anyone else for mailing. Do not hand deliver your ballot to the union office.

**Important:** Mail your ballot in sufficient time for it to be received at P.O. Box 146, Columbia, MO 65203 no later than 3:00 p.m. on August 6, 2007.

## Item 5: Unmarked Ballot

Official Ballot	
Factory Workers Local 999	
President	
██████████ ██████████	<input type="checkbox"/>
██████████ ██████████	<input type="checkbox"/>
██████████ ██████████	<input type="checkbox"/>
Vice President	
██████████ ██████████	<input type="checkbox"/>
██████████ ██████████	<input type="checkbox"/>
Secretary-Treasurer	
██████████ ██████████	<input type="checkbox"/>
██████████ ██████████	<input type="checkbox"/>

Election officials should insure that each voter is sent a blank ballot. Ballots should be checked (before and after printing) to insure that each candidate's preferred name is used and correctly spelled, each office indicates the correct number of positions to be filled, and each candidate is listed for the proper office in the correct order.

- Check the mail ballot packages carefully after they are prepared to make sure that all necessary items are enclosed, the envelopes are properly addressed, and that any assigned voter identification number on the return ballot envelope in each member's ballot package matches the number assigned to that member on the voter eligibility list.
- Retain custody of the ballot packages until mailing and safeguard blank ballots throughout the balloting period. Election officials must be able to account for all ballots printed. The number of ballots printed minus the number of ballots issued to members (in the initial mailing as well as any additional mailing) must equal the number of unused ballots on hand at the end of the election.
- Mail a ballot package to every member. If a separate election notice is not mailed, ballot packages must be sent to all members, not only to members in good standing. Ballot packages should be mailed to members at least 15 days prior to the date when they must be mailed back in order to be counted. Members must be given a reasonable time to receive, mark, and return ballots.
- Send ballot packages by first class mail to insure that all members receive ballots in a timely manner. Obtain a statement from the post office indicating the number of ballot packages mailed.

## During the Balloting Period

- Ask postal officials not to release information to anyone about the number of ballots returned or the names of the voters prior to the time of the ballot pickup.
  - Pick up any ballot packages mailed to members which have been returned undelivered to the post office box obtained for this purpose. Attempt to obtain accurate addresses for these members. Ballot packages with updated addresses should be remailed as soon as possible. Observers have the right to be present for the pickup and remailing of ballot packages.
  - Advise members how to request another ballot if the ballot package is not received or if the ballot is spoiled while voting. Include this information in the election notice (as illustrated in the sample notice on page 4 of this pamphlet), post a copy of the election notice at the union hall and at work sites, and print an announcement in any union publication. Send a replacement ballot package to any eligible member who makes a request.
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- Keep a list of the names and addresses of any members who request replacement ballots. Replacement ballot return envelopes should be marked with a special designation (such as "D" for duplicate) to alert election officials at the tally that these members have been sent more than one ballot. A record must be kept of all replacement ballots sent in response to requests and all ballot packages which were remailed after being returned undelivered, including dates received and mailed.
- Plan for the pickup of ballots from the post office and the tally of ballots. Determine the ballot counting method and voiding rules to be used, and prepare tally sheets.

## Counting Ballots

- Pick up the envelopes containing the voted ballots from the post office box only at the scheduled date and time, allowing candidates to have an observer present. Under no circumstances should ballots be picked up before the ballot return deadline or by anyone other than election officials.
  - Verify voter eligibility at the tally site using the following recommended procedures:
    - Count and record the number of return ballot envelopes received at the post office box, removing any envelopes addressed to a different party.
    - Put the return ballot envelopes in the order (alphabetical, numerical, etc.) which corresponds to the voter eligibility list. Void (but do not open) any return ballot envelope which does not contain information that identifies the member as an eligible voter.
    - Call out the name of each voter and mark the name off the voter eligibility list to insure that no member casts more than one ballot. If a voter's name does not appear on the list, challenge the ballot, add the voter's name to the end of the voter eligibility list, and mark both the list and the envelope with a "C" for challenged ballot.
    - If a voter returns a replacement ballot in an envelope marked by election officials with a "D" for duplicate, indicate that fact on the voter eligibility list and on the list of replacement ballots maintained by election officials. If a voter returns two ballots, election officials must decide in advance which ballot to count. Usually the replacement ballot should be counted; the other returned ballot envelope should be voided.
    - If the return ballot envelope does not contain the voter's name or other required information but does contain information identifying the person as eligible to vote (such as a voter identification number), the ballot should be counted. For example, if a voter uses a pre-printed return address sticker rather than printing or signing his or her name as directed by the voting instructions, the ballot should be counted. (Voters should not be required to sign the ballot return envelope unless election officials are going to physically compare each signature to some other record, a task which is extremely difficult and time-consuming.)
  - Resolve any challenged ballots, if possible, before any ballot envelopes are opened and the counting begins. Election officials should keep a record of decisions made and explain the reason for each voter eligibility decision to observers.
  - Remove (but do not open) the secret ballot envelopes from the return ballot envelopes after voter eligibility is established and thoroughly mix all of the secret ballot envelopes together to preserve ballot secrecy. Observers should not be permitted to handle any envelopes or ballots.
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Prior to the tally, election officials should decide what to do if a voter has not used the secret ballot envelope. Election officials have two choices:

- 1) Election officials may decide to void a ballot if a voter has not used the secret ballot envelope. (If this policy is adopted, include a warning to members in the voting instructions as illustrated on page 4 of this pamphlet, that a ballot will be voided if it is not returned in the secret ballot envelope.) **or**
  - 2) Election officials may decide to count these ballots, but they must take necessary steps to preserve secrecy. (In such cases, carefully remove the ballot from the return ballot envelope without allowing anyone to see how it is marked. Immediately place the ballot face down and mix it together with the other ballots after they are removed from the secret ballot envelopes to preserve secrecy.)
- Open the secret ballot envelopes, remove and unfold the ballots, and place them face down. (If a secret ballot envelope does not contain a ballot, make a notation to that effect on the envelope and set it aside. Remember to account for any such envelopes when determining the total number of ballots returned.)
  - Begin the actual counting of ballots after completing the voter eligibility check and attempting to resolve any challenged ballots. Count the votes on each ballot and enter the results on tally sheets.
  - Void the entire ballot if it contains information identifying the voter. Void only the particular office involved if voter intent is not clear or if too many candidates have been selected for an office.
  - Announce the tally results for each office. Report the number of valid ballots counted, the number of totally void ballots, and the number of unresolved challenged ballots.
  - Pack and seal in boxes all return ballot envelopes, secret ballot envelopes, voter eligibility lists, tally sheets, and the used and unused ballots after the counting is completed and keep them for at least one year as required by federal law.
  - Publish and post the election results promptly.
  - Return to the post office at a later date and pick up any ballots received after the deadline. Void (but do not open) any ballots received after the ballot return deadline, marking the ballot envelopes "Void

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