

# IBT ELECTION SUPERVISOR'S MANUAL

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## PLANNING & CONDUCTING LOCAL UNION DELEGATE ELECTIONS

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## INTRODUCTION

In 2000, the IBT Election Administrator prepared a guide for conducting IBT delegate elections and distributed that guide to IBT locals for use by election committees or whatever other entities were conducting local union delegate elections. During three subsequent election cycles, the guide was updated by the IBT Election Supervisor. This guide updates the previous guides and contains new information for preparing and submitting a Local Union Election Plan (“LUEP”) using the online system introduced by the Election Supervisor in 2010, and for conducting elections in accordance with the LUEP and the Rules for the 2020–2021 IBT International Union Delegate and Officer Election (“*Rules*”). It complements the *Rules*. It does not replace them.

The *Rules* provide that the Election Supervisor (“ES”) is responsible for supervising these delegate elections. The *Rules* also provide that the responsibility for the conduct of a Local Union’s delegate election lies with the Local. You may contract with an outside agency to conduct your delegate election but that does not relieve you from the ultimate responsibility to meet the requirement of the *Rules*. We are providing this Manual to guide you step-by-step through the election process and outline the procedures that comply with the *Rules*. The Manual provides detailed instructions that will enable your union itself to conduct the delegate election itself, rather than contracting with an outside entity to do it. If you do elect to contract with a third party to conduct your election, you must advise the Election Supervisor by submitting a signed, fully completed Election Supervisor Certification of Third Party Election Agency (Tab 34 and also available as *Forms 34 and 34B* at the OES website, [www.ibtvote.org](http://www.ibtvote.org)). You must also provide the third-party agency with a copy of this Manual, the *Rules* and, when available, the approved Local Union Election Plan for your local.

At the back of the cover page of this Manual is a list of the Election Supervisor’s Regional Directors and the geographic areas they administer. Contact your Regional Director if you have questions about this Manual or if you need any other election-related assistance. In addition, the website of the IBT Election Supervisor, [www.ibtvote.org](http://www.ibtvote.org), contains copies of this Manual and its attachments, the *Rules* and other information about the 2020-21 International Brotherhood of Teamsters delegate and officer election process. The Election Supervisor has published a number of official forms on the website. We will identify official forms related to the delegate election process at relevant points in the text; each form can be found at and downloaded from [www.ibtvote.org](http://www.ibtvote.org).

Some of you, particularly those from large locals, will either need or want more detail than we are providing in the main text on certain aspects of the election process. For that reason, we have provided appendices (identified at relevant points in the text) that provide additional detail about some aspects of the election process.

This Manual starts at the point where you are prepared to submit your local union election plan to the Office of the Election Supervisor for review and approval. The first step in the process is to create an account you will use to complete and submit the local union election plan through the OES on-line system.

## I. LOCAL UNION OFFICER ELECTIONS

This Manual relates only to the election of delegates and alternate delegates to the 30<sup>th</sup> IBT International Convention scheduled for June, 2021 in Las Vegas, Nevada. Nevertheless, we also want to give you the opportunity to use this Manual as your local's reference guide to conducting elections generally. For that reason we are enclosing under Tab 1 the IBT's current guidelines for conducting local union elections and its rules for mail referendum balloting. In addition, under Tab 2 you will find a handout prepared and distributed by the IBT Legal Department concerning the holding of concurrent elections for Local Union officers and delegates to the IBT convention. Tab 3 contains a 2018 Advisory from the IBT regarding the formatting of envelopes used in a mail ballot elections. These materials are included as a convenience to you.

**Remember: You must follow the *Rules* in conducting your delegate election even where your practices or bylaws are different for your local union officer election.**

## II. PREPARING AND SUBMITTING A LOCAL UNION ELECTION PLAN TO THE ELECTION SUPERVISOR

Prepare Your Local Union Election Plan. Each Local Union of the IBT and the GCC, each System Federation of the BMWED and each General Committee of Adjustment of the BLETD must submit to the Election Supervisor a Local Union Election Plan. These plans are to be prepared and submitted using the electronic election plan filing system on the Election Supervisor's website, [www.ibtvote.org](http://www.ibtvote.org). To begin the process:

- Communicate with the Election Supervisor's Office. You will receive emails or calls from your OES Regional Director., as well as a general email instructing you how to set up an appointment to establish an account in the system for your local. You should set aside approximately 15 minutes to establish the account and have a brief walk through of the system with Election Office staff.
- You will be given a username and password to access the system. Please write down your assigned username and password and keep them in a safe place.
- Your OES Regional Director is available to help you complete and submit your Election Plan. Do not hesitate to contact him or her with any questions you may have. Your Regional Director's contact information is printed on the back of the first page of this Manual and is also available under the "Contact Us" tab at [www.ibtvote.org](http://www.ibtvote.org).
- Use your 2015-16 Election Plan as a guide. With minor exceptions, the 2020-2021 Election Plan remains the same as the Election Plans your local filed in 2015. If you don't have a copy of your election plan from 2015, you may request an electronic copy by emailing the Election Supervisor at [electionsupervisor@ibtvote.org](mailto:electionsupervisor@ibtvote.org).
- Prepare your 2020-21 Election Plan on the OES website. With your prior election plan as an example, go to the Election Supervisor's website, [www.ibtvote.org](http://www.ibtvote.org). Click on "Delegate Elections" on the list at the left side of the

home page, then on the page that appears next, click on “Submit an Election Plan.” On the page that appears next, enter the username and password you received from the Election Office staff. You must enter this information to Log In the system and continue.

- After logging in, you will see an Index page that will show the status of each section of your local union’s Election Plan.
  - Sections that have yet to be reviewed will be marked “Untouched” in the Status field.
  - Sections where information has been entered in all the required fields will be marked “Complete” in the Status field.
- Begin your review of the election plan. Each section of the plan has three sub-sections
  - Introductory Remarks
  - Instructions for Answering the Plan Questions
  - Plan Questions
- Each time you complete the Plan Questions in a section, Click on the button marked “Save” that appears at the bottom of the sect.
- When your plan is complete, follow the prompt to submit it to the Election Supervisor.
- Post a notice of plan submission and wait for your plan to be reviewed and approved. After submitting your plan, the Rules require you to complete and post a Notice of Local Union Election Plan Submission on all Local Union bulletin boards. The notice form, Election Supervisor Form 2, *Notice of Local Union Plan Submission*, is available on [www.ibtvote.org](http://www.ibtvote.org) under the “Official Forms” tab. Instructions for making the required posting appear in Section III below.
- The Election Office will review your submitted Election Plan. During the review period, your plan will be locked in the system and you will not be able to edit or change your plan until an Election Office staff member has unlocked the plan. If you wish to make a change to the submitted Election Plan while it is under review, contact your Regional Director for assistance in addressing your proposed change. The Election Supervisor may email you to request changes in your plan if it does not meet the requirements of the *Election Rules*. You may wish to consult with your Regional Director if you have questions about any requested modifications.
- Post your Local Union Election Plan Summary. When your plan is approved by the Election Supervisor, you will receive notification by email. The notification of approval will be accompanied by a Local Union Election Plan Summary prepared by the Election



Office. Depending on your answers to Section 10 of the Election Plan, you may also receive a French or Spanish language versions of the LUEP Summary.


- Translation of the LUEP Summary. If your local union needs the LUEP Summary to be translated into other languages, those will be created upon request. Within 7 days of receipt of approval, the LUEP Summary (and any applicable translations) must be posted in accordance with the requirements of Section III of this Manual.

### III. POSTINGS AND DECLARATIONS



Postings. You are required to post on all union bulletin boards certain documents after each significant step during the election process. A union bulletin board is any bulletin board to which you have access for the purpose of posting information, including those at the local's office as well as on the employers' premises. If your local publishes a newsletter, maintains a website, a facebook page, a twitter feed, or other social media account used to communicate with the membership, the material must also be posted to that medium. After making a required posting, you must submit a sworn declaration that you have completed the posting to the Election Supervisor via the OES website. Election Supervisor Form 15, *Postings and Declarations Checklist* is available in the "Forms" section of [www.ibtvote.org](http://www.ibtvote.org). It is also attached as Tab 4. The postings and declarations checklist tells you what needs to be posted and when posting is required. Use it to track your compliance with the posting requirements.

When posting an official announcement, use local union letterhead, but without the names or signatures of officers or staff.


Declarations. After each posting your Secretary-Treasurer, or other designated principal officer, must submit a sworn declaration that the required posting has been accomplished, using Election Supervisor Form 3, *Declaration of Posting Required Notice*, available in the "Forms" section of [www.ibtvote.org](http://www.ibtvote.org). (See also on Tab 5 of this Manual) You may complete and submit the declaration form in one of four ways:

- e-filing, by clicking the clipboard icon  under "Complete Online", completing the required fields, and attaching a file containing any other documents requested (e.g., worksite lists, bulletin board lists, literature table lists, etc.), then clicking the "Sign and Confirm" button.

After submission, you will be able to print a copy of the form and will have a choice to enter an email address to which the copy will be sent. Due to the specific nature of some forms, E-filing is not available for some forms because of what those forms require.

- as an attachment to email, by clicking the clipboard icon  under "Complete Online", completing the required fields, then printing/saving the form as a .pdf file, attaching that file, as well as a file containing any other documents requested (e.g., the material posted, as well as the list of bulletin board sites at which it was posted), to an email addressed to the OES, [election supervisor @ibtvote.org](mailto:election_supervisor@ibtvote.org).
- fax transmission, by clicking the clipboard icon  under "Complete Online", completing the required fields, then printing the form as a .pdf file and faxing that file, as

well as hard copies of any other documents requested (e.g., the material posted, as well as the list of bulletin board sites at which it was posted), to the OES, at 202-925-8922 or

- U.S. mail or UPS delivery, by clicking the clipboard icon  under “Complete Online”, completing the required fields, then printing the form as a .pdf file and sending that file, as well as hard copies of any other documents requested (e.g., the material posted, as well as the list of bulletin board sites at which it was posted), by mail or delivery service to the Office of the Election Supervisor, 1990 M Street, N.W., Suite 650, Washington DC 20036.

Include the name and title of the individual with responsibility for posting the notice at each site.

#### IV. NOMINATION NOTICE

- Update your membership mailing list in advance. An accurate list of member home addresses, kept current, is important to the effective distribution of election materials to the membership. If you have any union-wide mailings in the three months before you send out your nomination notices, use the union-wide mailing as an occasion to update your address information. Review all mail returned as undeliverable. Have your TITAN operator (or the person responsible for membership records, if you are not on the TITAN system) update address information for the returned, undeliverable mail as needed. Your TITAN operator or membership clerk should be able to obtain updated address information from employers, phone books or other sources. Also use this period to become familiar with any problems with dues remittances by employers or large-scale transfers or withdrawals.
- When and how to mail the notice. You must mail a nomination notice by first-class mail to all local members at least 21 days before the nomination meeting. You must, under the *Rules*, use Election Supervisor Form 7 – *Nomination Notice* – available on the EOS website, [www.ibtvote.org](http://www.ibtvote.org) (see Tab 6 for a copy). Fill in the blanks based on the information in your approved local union election plan and your posted plan summary.
- OES review. Before printing the nomination notice, a draft should be provided to your Regional Director for review and approval. After approval, print your nomination notices on local union letterhead. The names of officers or staff should not appear on the letterhead used for notices and postings.
- Foreign languages. If your approved local union plan requires mailing out the nomination notices in a language in addition to English, OES will provide a translation for you. Request a translation as soon as you have posted your plan summary.
- Mailing labels/list. If your local is on the TITAN system, you can request a mailing list (whether in the form of printed labels or in electronic format) from the International General Secretary-Treasurer. A request form is located under Tab 7.

You can also prepare your own mailing list. If you do, include the following TITAN status codes to generate the mailing list:

- 00 (active member),
- 01 (officer),
- 02 (steward),
- 04 (dues cash member),
- 09 (alternate steward),
- 10 (new applicant check-off),
- 11 (new applicant cash),
- 12 (cash steward),
- 15 (casual),
- 18 (unlisted on check-off), and
- 19 (cash alternate steward).

If yours is a non-TITAN local, remember to include all active members and new applicants on your mailing list.

- Continue to update membership mailing information. The nomination notice mailing provides another opportunity to improve the accuracy of your mailing list. Keep each notice returned by the post office as undeliverable. Attempt to obtain a current address for the member addressee on any returned piece of mail. Continually updating the union's mailing list will provide the most current member address data for mailing out the ballots.
- At least 21 days before the nomination meeting, post the nomination notice on all union bulletin boards and on your website and on any social media account the local union may have. Within three days of this posting, provide OES with a sworn declaration as described in Section III, above.

## V. ELIGIBILITY

Eligibility requirements to nominate, second, or run for delegate or alternate delegate are set out in the nomination notice. They are taken directly from the IBT Constitution.

- To be eligible to nominate or second a candidate, a member must have paid dues through the month before the month of the nomination meeting.
- To be eligible to run for delegate or alternate delegate, a member must:
  - Be a member in good standing with dues paid for a period of 24 consecutive months prior to the month of nomination
  - Have no interruptions in membership due to suspensions, expulsions, withdrawals, transfers or failure to pay fines or assessments
  - Be employed at the craft within the jurisdiction of the local for 24 consecutive months prior to the month of nomination

- Be otherwise eligible to serve if elected.

Meeting attendance requirements are not enforceable as a condition of eligibility.

Advance verification by OES. The Election Supervisor encourages prospective candidates, nominators, and seconders to request advance verification of eligibility from OES. A sample *Request for Eligibility Verification* is contained in Tab 8. That form may be found at [www.ibtvote.org/forms](http://www.ibtvote.org/forms) as Election Supervisor Form ES 17. Generally, OES will not verify eligibility more than 30 days before a local union's nomination meeting. We must receive the request at least five days before the date of the nomination meeting.

## VI. SLATES

Candidates have a right to seek nomination, campaign and appear on the ballot as part of a slate.

- Number of candidates on a slate. A slate can consist of two or more candidates, provided that there are no more slate members than the number of candidates that the local can elect. For example, if your local can send five delegates, a slate can have two, three, four or five members. No candidate is permitted to run on more than one slate. A candidate cannot be required to run as a member of a slate.
- Slate names. Slates may choose slate names that are associated with IBT international office candidates. Slates may not choose names that designate incumbency.
- Slate declaration. A slate is formed when each candidate on the slate signs a declaration of intent to be part of a slate. A sample Slate Declaration (Election Supervisor Form 10) is included in Tab 9 and can be found at [www.ibtvote.org/forms](http://www.ibtvote.org/forms)
- Filing and filing deadlines. Slate declaration forms must be submitted to the Secretary-Treasurer of the local union. A copy should be sent to OES. Slate declaration forms should be filed at the earliest possible date. The last day a slate declaration will be accepted is the third day after the nomination meeting. Amended declarations may be filed adding additional candidates, provided that the above deadline is met.
- Once a candidate declares his/her intent to run as a member of a slate, he/she cannot retract this declaration. Should one or more members of a slate be found ineligible to run, this will not affect the eligibility of the remaining members of the slate.

Article VIII of the *Rules* contains all of the provisions regarding slates.

## VII. NOMINATION MEETING

Aside from an accurate ballot count, the nomination meeting is the most critical part of the election process. The Election Officer conducted nomination meetings in 1991 and 1996. Under the *Rules*, locals now conduct their own nomination meetings. Your nomination meeting must be open, fair, and democratic. It also must be seen as open, fair, and democratic. No-member who is a candidate for delegate or alternate delegate may chair the nomination meeting.

There are three possible outcomes to a nomination meeting:

- Contested Election. If the number of candidates nominated for a position exceeds the number of available positions (for example, for a local allocated two delegates to the convention, three or more individuals are nominated for delegate), the election is contested, and ballots must be mailed for members to vote.
- White Ballot. If there is only one nomination for each position (for example, for a local allocated two delegates to the convention, only two individuals are nominated), the nominees are declared elected.
- No nominations. It is important for each Local Union to be represented at the IBT Convention. The least favorable outcome of your Local's nomination meeting is for no member to be nominated and accept nomination, for each delegate and alternate delegate position available.

Candidate's meeting. Whether your nomination meeting results in a contested election or a white ballot, a meeting of nominated candidates should be held immediately after nominations. (Even with a white ballot, you will need to determine the ranking of elected delegates and alternates.)

**The following outlines should help you conduct proper nomination and candidate meetings.**

#### NOMINATION MEETING OUTLINE

The 2020-2021 IBT International Union Delegate and Officer Election is beginning during the ongoing response to the COVID-19 pandemic. States and localities may have laws, regulations, or guidelines that limit groups from gathering, or impose other social distancing requirements. When scheduling your nomination meeting, check with government authorities for relevant restrictions.

A candidate must not chair the meeting. If all of your officers are running for convention delegate, another member must be named to chair the meeting (for example a member of the election committee may be named).

Keep accurate, readable records. Under Tab 10 you will find a schedule that can be used to record the names of all nominators, seconders and candidates.

Materials on hand. The chair should have multiple copies of the following materials on hand and should announce that the materials are available for distribution to or review by members, including candidates:

- The *Rules* (print the *Rules* from [www.ibtvote.org](http://www.ibtvote.org) or request a copy from OES)
- Candidate information sheet (see Tab 11)
- Slate Declaration (Tab 9 - Election Supervisor Form 10)

- Candidate Ballot Placement (Tab 12 - Election Supervisor Form 18)
- Candidate & observer rights information handout (Tab 13)
- Credentialed Representative Form (Tab 14 - Election Supervisor Form 19)

Additionally, the chair should have one or more copies of the following materials for the nominations meeting and/or the candidates' meeting:

- IBT Local Union Manual for Conducting Delegate Elections
- Approved Local Union Plan
- *Nomination Meeting Report* (Tab 15 -- Election Supervisor Form 9)
- Your local's written procedures for distributing candidate literature.

Member attendance. If your local has a screening process at the door to ensure that attendees are members, take steps to avoid wrongful exclusions. In the event of a dispute, err on the side of inclusion.

Language translation. If 5% or more of the members of your local are literate (both speak and write) only in a language other than English, have a translator present at the meeting. (Begin the meeting, by asking in the designated language whether anyone needs the meeting to be translated.)

Written nominations. Before the start of nominations, the chair should determine whether the Secretary-Treasurer has received any written nominations, seconds or acceptances. Remember, under the *Rules* you must allow written nominations, seconds or acceptances even if your bylaws or normal practices do not provide for this practice. In light of the ongoing response to the COVID-19 pandemic, members are encouraged to submit nominations and seconds in writing by the deadline stated in your local union's election plan.

E-nominations, seconds and acceptances received by email that otherwise meet the requirements of the *Rules* should be treated the same as those received by mail or hand delivery. For example, a member may submit a valid nomination by writing and signing the nomination and emailing to the Secretary-Treasurer a scan or a photo of the writing. The same is true for a second and an acceptance. If an emailed nomination, second, or acceptance is received that lacks a signature, the writing should nonetheless be accepted, subject to the filing of a timely protest that asserts it is invalid because it is unsigned.

Announce nomination practices. At the beginning of the meeting, the chair should state the following:

- The local will now conduct nominations for delegates and alternate delegates to the international convention in June, 2021.
- Delegate nominations and elections are being conducted pursuant to the *Rules* for the 2020-2021 IBT International Delegate and Officer Election. Copies of the *Rules* are available for review.
- The number of delegates this local is entitled to send to the convention is \_\_\_\_\_. The

number of alternate delegates this local is entitled to send is \_\_\_\_\_. The local will/will not pay the expenses of \_\_\_\_\_ alternate delegates.

- Any member in good standing with dues paid through \_\_\_\_\_ may nominate or second a nomination.
- Any member may nominate more than one candidate.
- A member may be nominated by more than one person to guard against the nominator proving to be ineligible.
- Nominations and seconds can be made in writing received by 5:00 p.m. the day before the meeting (5:00 p.m. the day of the meeting if the meeting is scheduled for the evening of a day that the local union office is open for business) and will be read at the beginning of the floor nominations.
- Advise the attendees if no written nominations were received before the deadline.
- Acceptances can be in writing received not later than the time of the member's nomination today.
- No one may be a candidate for both delegate and alternate delegate.
- To be a candidate one must be a member in continuous good standing of this local union for 24 months with dues paid through \_\_\_\_\_.
- When you rise to nominate, second, or accept, please state your name, spell your last name and give your complete mailing address, including zip code. You may also elect to state the last four digits of your social security or social insurance number.
- The order of candidates' names on the ballot will be determined by lot after the meeting, not by the order of nomination.
- Nominees should remain after the close of nominations for a candidates' meeting. At that meeting, each nominee must provide the local with the names and complete mailing addresses, including zip code, of all his or her nominators and seconds. If they consent, the candidate will also provide the last four digits of the social security or social insurance number of each nominator and seconder. (Use the *Candidate Information Sheet* mentioned above – See Tab 11 for the sheet)
- Slates may be formed by filing a slate declaration form within three days of the candidates' meeting. The chair has (or should have) slate declaration forms available at the meeting. Slate forms must be filed with the Secretary-Treasurer with a copy sent to the Election Supervisor.
- If a member has a dispute concerning the conduct of this meeting or the eligibility of any nominator, second, or candidate, he/she must file a written protest with the Election Supervisor within two working days.

After explaining the above process, the chair should open nominations by reading any written nominations before floor nominations are taken.

After each nomination, ask for a second and ask if the candidate accepts.

Ask for nominations until it is clear that no more are forthcoming. (Ask three times with no response before closing nominations.)

After closing nominations for delegate, open nominations for alternate delegate, starting with written nominations.

The chair should allow nominations, seconds and acceptances even if there is a question as to eligibility. Unlike officer elections at which the Secretary-Treasurer is responsible for determining the eligibility of candidates, nominators and seconders, the only way to challenge the eligibility of candidates, nominators and seconders, is to file an eligibility protest with the Election Supervisor within two working days of the nomination meeting.

At the close of nominations:

- If nominations result in a white ballot, the chair should inform the membership that the nominees are deemed elected.
- If the number of nominees exceeds the number to which the local is entitled, the chair should inform the members of:
  - the dates of the ballot mailing and tally of ballots and
  - the identity of the election committee if there is one.

The chair should remind candidates to remain after the meeting adjourns for the lottery to determine either ballot placement or (in the case of a white ballot) ranking of delegates and alternates.

## **CANDIDATES' MEETING OUTLINE**

- A. This meeting should be chaired by the election committee or its designee.
- B. Have candidates fill out an information form. (Tab 11). Keep in mind that you will be required to attach to your nomination meeting report a list of nominators, seconders and candidates with complete mailing address information and, if permitted, last four digits of the social security or social insurance number for each nominator, seconder and candidate.
- C. Provide candidates with slate declaration forms (Tab 9 and explain:
  - Slate forms must be submitted to the local Secretary-Treasurer within three days of the nomination meeting, with a copy to the Election Supervisor.
  - A slate must have at least two members, but may have up to the maximum number of delegates and alternate delegates the local is entitled to send to the convention.
  - Names on the slate forms should be in the same order and spelling as candidates want them to appear on the ballot.
  - To amend a slate, you must submit a new slate declaration form.
- D. Next, conduct a lottery to determine ballot placement. The lottery can be conducted by



any fair, random method. You can draw lots, flip a coin, etc.

- If, after nomination, both slates and independent candidates are to appear on the ballot, you must conduct two lotteries. Conduct the slate lottery first, as slates appear first on the ballot. Treat full and partial slates the same in the lottery for ballot placement.
- Once you have conducted your lotteries, fill out the *Candidate Ballot Placement* form. This form records the official slate name of each slate and the order of candidate names within each slate and is used as a record for printing the ballots. (Election Supervisor Form 18 is under Tab 12.)
- Advise candidates that subsequent slate declarations submitted within three days of the nomination meeting would require a second lottery to be conducted at \_\_\_\_\_ *insert location*] on \_\_\_\_\_ *[insert date & time]* .
- Explain the candidates' right to designate observers to observe at all events described on the observer rights information handout. (See Tab 13).
- Pass out copies of the *Rules*, observer rights information handout and *Credentialed Representative Form*. (Tab 14 -- Election Supervisor Form 19) Explain that a candidate uses this form to authorize a fellow member of his/her local to serve as his/her representative.
- Advise candidates of dates, times, and places of printing, mailing, pick-up of undeliverable ballot mail, pick-up of voted ballot mail, and the count (or just distribute the completed observer rights information handout to all candidates).
- Explain how to:
  - Request mailing of campaign literature (See Section VII, page 13)
  - Inspect the membership list (See Section VII, page 13)
  - Obtain a work site list (See Section VII, page 13)
  - Arrange for placement of literature at the Local's literature table or bulletin board (See Section VII, page 15)
- Pass out a copy of your local's written procedure for complying with candidates' requests for distribution of literature. (The *Rules* require you to have such a procedure in place.)
- In the event of a white ballot, determine ranking of delegates and alternates by lot or the unanimous agreement of the candidates. (This ranking is necessary in case the number of delegates that your local is entitled to send to the convention changes after your election is completed.)

#### Reporting and Posting Requirements after the Nomination Meeting

1. Complete and submit a nomination meeting report to OES not later than three days after the nomination meeting (Election Supervisor Form 9; a copy can be found in Tab 15). This report enables you to provide a complete list of nominators, seconders and candidates with the mailing information and, if permitted, last four digits of the SSN or SIN for each. If you have

filled out this information on forms such as those under Tabs 9 and 10, provide copies of these forms along with your nomination meeting report.

2. Also send us the completed candidate ballot placement form (Tab 12). Keep a copy as a record for printing the ballots.

3. Remember that if there is more than one delegate or more than one alternate delegate, you must rank them even if there will be a white ballot. The ranking may be done by lottery or by the unanimous agreement of the candidates. List the order of slates based on the results of your lottery. (The members of each slate determine the order of each candidate's name within the slate listing.) Then list the order of individual candidates based on the lottery.

4. Within five days after the nomination meeting, your Secretary-Treasurer must post on all union bulletin boards (and on the local's website and social media outlets, if applicable) a list of all nominated candidates, by name and slate affiliation, if known at the time. When the number of nominees for delegate or for alternate delegate does not exceed the number to be elected for that position, the posted list shall state that such nominees have been declared elected, and the delegate (or alternate delegate) election scheduled for \_\_\_\_\_ is cancelled.

5. Send a copy of this posting to OES immediately. Additionally, within three days of this posting, your Secretary-Treasurer must provide OES with a confirmation attesting to the posting as described in Section II, above.

## VIII. CAMPAIGNING AND ACCESS

**The *Rules* contain detailed information regarding the rights of candidates and members to campaign and express political opinions. The general theme is one of fairness and equality of treatment.**

A. Collective Bargaining Agreements. Each delegate and alternate candidate has a right to inspect and make notes from all collective bargaining agreements covering local union members. Requests for access to these agreements should be made in writing to the local's Secretary-Treasurer or principal officer. The local must honor them within five days. Delegate and alternate candidates may only request these inspections from the local in which they are candidates. A candidate need not have been formally nominated to have the right to inspect collective bargaining agreements. All candidates must be treated equally.

B. Work Site Lists. Candidates also have a right to a list of all sites where local union members work. Again, these requests should be made in writing. Locals must honor them within five days. Locals must arrange worksite lists by employer name.

C. Membership Lists. Every candidate has the right to inspect, once within 30 days before the mailing of ballots, a list of the names and addresses of all local members. Candidates may only inspect, not copy, this information. A candidate can compare the membership lists with his/her personal list. If any candidate is accorded copying rights, all candidates must be accorded copying rights.

D. Membership Meetings. There is no requirement that a local permit any candidate access to address membership meetings. However, if that right is afforded to any candidate, it must be afforded to all.

E. Candidate Literature and Mailings. Each candidate has the right to have literature distributed by the local, at the candidate's expense.

- Each candidate has the right to a reasonable number of mailings.
- To exercise the right to a literature mailing, the candidate must be able and willing to pay reasonable costs.
- The local has the obligation to treat all candidates the same with regard to conditions and costs.
- The local must honor requests for distribution to a portion of the membership if practical.
- The candidate requesting a mailing must be permitted to use the least expensive method available to the local.
- The candidates' request for distribution of literature should be in writing to the Secretary-Treasurer of the local and specify what portion of the membership is to receive the mailing and what type of mail or postage is desired.
- There is no time limit on a candidate's right to request literature distribution.
- A candidate need not have been formally nominated to have literature distributed.
- The local may not censor, regulate, alter, inspect, or refuse to process or distribute the candidates' literature.
- The local must adopt a procedure for complying with candidates' requests for distribution and so advise the candidates. (This is mandatory under the *Rules*.)
- The local may arrange for a mailing service to process and distribute candidates' literature.

F. Union-Financed Publications. Should not be used for campaigning. However, if at any time after July 1, 2019, the local union accepted paid advertising in the publication, candidates must be permitted similar access at similar advertising rates.

- On or before September 30, 2020, unions must provide an original of each publication produced between January 1 and September 30, 2020 to OES.
- From October 1, 2020 through July 31, 2021, unions must send a copy of the publication to OES after publication.
- From August 1, 2021 through November 30, 2021, unions must send a copy of the publication to OES for review and approval before publication.

G. Financial Disclosure. All candidates for delegate or alternate delegate must keep accurate records of their campaign contributions and expenses.

- Candidates for delegate and alternate delegate are not required to file financial reports with the OES, as are candidates for International Office.

- However, delegate campaign finance records are subject to OES review and audit.

H. Political Rights.<sup>1</sup> Members have the right to participate in campaign activities.

- Members have the right to make campaign contributions with certain limits set forth in the *Rules*.
- Candidates have a right to have observers observe the delegate and alternate delegate election process.
- Candidates and members may distribute or receive literature or otherwise solicit support in any parking lot used in connection with their employment, regardless of any employer rule or policy to the contrary.
- No member may campaign during his/her working hours.
- Campaigning incidental to work or on paid break or vacation time is permitted.
- The right to campaign does not extend to activity involving any member on working time or to campaign activity that would materially interfere with the normal business operations of the employer.
- On the job access to members may be had only in parking lots, only for the purpose of campaigning, and only during hours when the parking lot is normally open to IBT members.
- An employer may require reasonable identification by a member seeking access.
- No employer funds may be used in campaigning.
- No union funds may be used in campaigning.

I. Literature Table/Bulletin Board. OES has published an Advisory on the Use of Literature Tables or Bulletin Boards for the Distribution of Campaign Literature inside Union Hall, available at [www.ibtvote.org](http://www.ibtvote.org). Consult the Advisory for details on the requirements of maintaining a literature table. In brief:

- Each union must establish a literature table and/or a bulletin board in a public area of your offices that is open to members.
- Any candidate or slate may distribute or display campaign literature for the 2021 IBT International Union Officer Election at these locations.
- If space limitations are necessary to fit candidates' material on the literature table or bulletin board, each candidate and slate must be afforded the same space, in a position of similar visibility to the members.
- The candidate or slate responsible for the literature distributed or displayed under this subsection is responsible for paying any copying and distribution costs relating to the distribution or display of campaign materials.

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<sup>1</sup> Rights usually exercised in public gatherings may be affected by government laws, regulations, or guidelines responding to the COVID-19 pandemic.

## IX. PREPARING FOR THE ELECTION

A. Notice of Election. As soon as you know that your local will be having a contested election, you should post a *Notice of Election* on all union bulletin boards and the local's website, if applicable. (Election Supervisor Form 11 at [www.ibtvote.org](http://www.ibtvote.org); see copy at Tab 16.) The *Rules* provide that you must use this form. You can post this notice at the same time that you post the names of the nominated candidates. Within three days of posting, your Secretary-Treasurer must send a confirmation to OES attesting to the posting as described in Section III, above.

### B. Order Mailing Labels or Data and an Election Control Roster

- *Mailing Data*. If the local is on the TITAN system, order ballot mailing data from IBT Headquarters. The TITAN system assigns an alphanumeric sequence number to each member on the mailing list. These numbers are valuable sorting guides in the ballot count process. The IBT data will also contain a unique number for each member in your local union. These numbers are a security measure that prevents duplication of the mailing information. The IBT will provide the mailing data with a standard membership roster in a format that will be helpful when dealing with processing returned ballots and requests for duplicate ballots. (A TITAN election roster order form is located under Tab 7.) You want the most current information possible so you should request that the IBT deliver the data immediately before you will be using the information.
- *Mailing Data Format*. In order to comply with the IBT mail ballot advisory (Tab 3), you will need to request the mailing data in one of two ways:
  - *Mailing Labels*. If you have a small local and intend to Manually prepare the ballot mail packets, you will need two sets of mailing labels for each packet. When you prepare member's ballot packets, you will affix a label for a member to the middle of the face of the outside envelope AND a second label for the same member on the top left corner of the reply envelope in which that member is to return his or her voted ballot;
  - *Mailing Data File*. If your local has a large number of members or you just wish to have a mail house prepare the ballot packets, you must:
    - verify that the mail house is equipped to prepare and simultaneously print address information on both the outside envelope and return envelope; and
    - ask the mail house to advise you of the file format in which the IBT mailing data is to be provided in order to be usable by the mail house.
- If you prefer (or if your local is not on the TITAN system), you can produce mailing data and an election control roster at the local. If you do so, include the following TITAN status codes (or, for non-TITAN locals, include the same categories of members):
  - 00 (Active Member),
  - 01 (Officer),
  - 02 (Steward),
  - 04 (Cash Dues Member),

- 09 (Alternate Steward),
  - 10 (New Applicant),
  - 11 (New Applicant - cash),
  - 12 (Cash Steward),
  - 15 (Casual),
  - 18 (Unlisted on Checkoff) and
  - 19 (Cash Alternate Steward).
- Election Control Roster. At the same time that you order the ballot mailing list data, request that the IBT prepare an Election Control Roster (“ECR”) for delivery at the ballot count. The ECR is a report generated by the TITAN system in a format designed specifically for elections. Each member’s name is labeled with either an “E” or a “C” indicator, which indicates the clearly eligible members and those whose right to vote is challenged. These indicators are presumptive, based upon dues payment data contained in the TITAN system. The ECR contains the same alphanumeric sequence number for each member as was assigned to the member when the ballot mailing list was prepared. This acts as a security measure. (Order the ECR with the form under Tab 7.)

Contact the IBT’s Information Systems Department for details.

#### C. Post Office

- Renting Post Office Boxes. Immediately after the nomination meeting, when you are sure that a contested election will occur, rent two post office boxes of sufficient size to receive both mail returned by the post office as undeliverable as well as voted ballots returned by the members.
  - Returned Mail P.O. Box. Open a post office box for returned mail at a post office located near the office of the local, assuming the local is where ballot mail returned by the post office as undeliverable is to be processed. The size of the box need not be large, as returned mail will be removed from it for processing on a regular basis.
  - Voted Ballot P.O. Box. Post office boxes are seldom used to accumulate mail. Therefore, in most areas the largest individual box size is a No. 3, designed to hold not more than 2,000 pieces of mail. These boxes are hard to find.

An Alternatives for Larger Locals. Most larger locals will have to make arrangements for ballot mail to be bagged and held in a secure area within the post office until it is requested on the day of the count. This service is called “call service”, “counter service”, or “will call service”, depending on where in the country your local is located. In some areas, this sort of service seems never to have been required and you may have to describe your needs to the local postal authorities and suggest a “call service” type of arrangement.

- Limit Access to the Ballot Mail. Write the post office at the location where the voted ballot packets are to be accumulated instructing it to release the mail only after 9:00 a.m. on the day of the count and only to the person(s) named to conduct the election.
- Avoid Delivery Mix-Ups. If your local receives its regular mail at a post office box, do not have the election mail delivered to a box in that same postal facility, unless there is no other practical alternative.

D. Return Mail Options. Determine whether it is more economical for the voted ballot-holding mail packets to be returned to the post office by business reply mail or courtesy reply mail.

*Business Reply Mail (“BRM”)*

BRM is a type of mail by which the mail recipient (in this case, the local) pays the cost of postage. The post office requires that you apply for a BRM permit and pay an application fee and an accounting fee. The advantage of BRM is that the local is only charged postage for the actual number of ballot packets returned. When returned by the voting member, each BRM ballot packet will generate a charge to the permit holder equal to the usual first-class charge plus an added surcharge. For high volume users, whose business reply envelope passes certain tests for compatibility with machine sorting devices, the surcharge is reduced.

*Courtesy Reply Mail (“CRM”)*

For those locals where the membership is low and/or the expected turn out is high, pre-stamped return envelopes sent to all members, CRM will be the ballot return alternative of choice.

*Requesting Bar Code Copy.* Whichever method of returned mail you select, request that the post office provide you with a “camera ready” artwork template for the two bar codes which must be printed on the reply envelope in which voted ballots will be returned. Provide this template to the ballot envelope printer. Use of this artwork not only saves money, it speeds mail delivery.

E. Ballot Packet Design Considerations

Design Requirements. Once the candidates have been identified, the mode of mailing out and return mail has been determined, necessary permits obtained, and post office boxes rented, you will have all of the elements needed to design the ballot and the other parts of the ballot packet.

- *Secret Ballot Envelope or Security Sleeve (“SBE”)*

This envelope or sleeve protects the voter’s identity. It is the smallest of the three included in the ballot packet. If the ballot is printed on 8 ½x 11” (letter sized) stock, the SBE can be as small as No. 6 ½ (3-5/8 x 6 ½ ”); for ballots printed on 8 ½ x 14” (legal sized) or greater stock a No. 9 envelope (3-7/8” x 8-7/8”) will be required. The SBE should be clearly labeled and must contain a prohibition against placing identifying information on it. (An example is included in Tab 17.)

- *Ballot Return Envelope (“BRE”)*

This envelope is used by the voter to mail the ballot (contained inside the SBE) to the voted ballot post office box. It is pre-addressed with the number of that post office box. The BRE is the envelope on which the barcode artwork obtained from the post office is printed.

IMPORTANT. Pursuant to an IBT Advisory dated July 23, 2018 (See Tab 3) the voters’ address information is to be printed (or an address label affixed) only in the top, left corner of the face of the BRE. If the size of the SBE is a No. 6 ½, the BRE should be a No. 9 envelope; if the SBE is a No. 9 envelope, the BRE should be a No. 10 size (4 ½” x 9 ½”). (An example is included in Tab 18.)

- *Outer Envelope*

The address of the post office box rented to receive ballots returned as undeliverable should be printed as the return address, in the upper left-hand corner of the face of this envelope. The member’s address information should be printed ((or an address label affixed) in the middle of the face of this envelope. A No. 10 or 11 size (4 1/2” x 10 3/8”) envelope should be used. (An example is included in Tab 19.)

F. The Ballot and Notice of Election/Voting Instructions

- Drafting the Ballot. The official ballot form which incorporates both the notice of election and instructions to the voter required under the Rules is Form ES 12. (An example of the form is included in Tab 20.) The Rules require that this form be followed as near as is practical. In drafting the ballot, be certain that:
  - Candidates’ names are correctly spelled on the ballot;
  - The ballot contains no incumbency designation; and
  - Candidates’ names appear only once on the ballot, even if your local’s ballot is translated into multiple languages.
- Advance Review of the Ballot - Candidates. Before printing, circulate a mockup of the ballot to all candidates. Have each candidate initial next to his or her name to confirm that spellings are correct.
- Advance Review of the Ballot – OES. After the candidates have signed off on their names, but before printing, provide a mockup of the ballot to your Regional Director for review and comment.
- Printing the Ballots
  - Notify Observers. Candidates and observers should be advised or reminded of the time and place that ballots are to be printed.
  - Timing. Advise the printer that it can print envelopes in advance, but that it should not print the ballot until the date and time provided to observers.



- Folding the Ballots. The printer should be instructed to fold ballots printed on one side only so that the printed side is hidden and to fold ballots printed on both sides so that the portion that includes the names of candidates and slates is hidden.
- Excess Ballots.
  - Reserve at least an extra five percent (5%) of ballots and envelopes for use in responding to member requests for duplicate ballots. Carefully count the number of ballots in the reserve and, in the presence of any candidates and observers present, box and seal the reserved ballots and envelopes in preparation for moving them to a secure area in the office of the local union (or 3<sup>rd</sup> Party Election Agency, if applicable).
  - Destroy the Unused Excess. The remaining ballots and envelopes should be destroyed.

#### G. Securing the Ballots

- A representative of your election committee should observe every aspect of the printing, folding and mailing of ballots. Once ballots are printed, they should always be secured and under the control or observation of a representative of your election committee. Ballots should not be handled or processed unless in the presence of a representative of the election committee, as well as any candidates or observers present. All waste stock, misprinted, misfolded or otherwise damaged ballots should be segregated from any other waste material at the printer and mailer and, ultimately, destroyed in the presence of the election committee and any candidates or observers present.
- Ballots stored overnight or away from the view of the representative of the election committee should be sealed in boxes in the presence of the election committee and any candidates or observers present. The sealed boxes should be stored in a locked room or cage to which access is limited. Sealed ballots should only be unsealed and opened in the presence of the representative of the election committee as well as any candidates and observers present. A representative of the election committee and any candidates or observers present should observe transportation of ballots to a mail house or wherever the mailing is to be done.
- Obtain a Certified Count from the Printer and Mail House. After printing and folding is complete, the printer should sign a certification stating the number of ballots printed and folded. After completing the mailing operation, the mail house should sign a certification, and provide a copy of the postal paperwork, indicating the number of ballot packets mailed. If you are not using a mail house, obtain and preserve the postal service paperwork indicating the number of ballot packets mailed. A representative of your election committee should sign the

certification in the place reserved for the signature of the mail house. *A form of certification to be used for both printer and mail house is contained in Tab 21.*

## **X. THE BALLOTING PERIOD**

A. Processing Undeliverable Packets. In the period after the ballot mailing is completed, the postal service will begin returning undeliverable mail to the returned mail post office box you opened. The process of redirecting undelivered mail to its correct addressee is an important part of carrying the election process to the greatest possible number of members. An organized approach to the task will maximize results and provide a basis for the local to respond to election protests.

- Create a File System for the Ballot Envelopes and a Record Keeping System for Data.

Each ballot packet returned as undeliverable contains a blank ballot. Therefore, you must securely maintain and store each packet. Keeping accurate records is important. Tab 22 contains a hand-out that describes a number of methods for filing and record-keeping ballot packets returned as undeliverable (and duplicate ballot requests.) Tab 23 contains a ledger you can use for tracking returned mail (and duplicate ballot requests).

- Pick Up Returned Mail Packets at the Post Office. Pick up return mail from the post office regularly. Adhere to the time schedule provided to candidates, so they may observe personally or send an observer on their behalf.

- Processing Returned Mail Packets at the Processing Location

- Do not open the return ballot packets returned as undeliverable (“RAU”).
- Count the RAU packets and record the number as well as the date the packet was returned.
- Copy the outside envelope of each RAU of the return packets, one to a page so that the member’s name and address are visible.
- Use the copies of the ballot packets returned as undeliverable (“RAUs”) as your record during the address search process.
- Bundle the actual packets and label each bundle with the date and number of packets included. Store the bundle in a secure location.
- Alphabetize RAUs by the last names of the members.
- Set aside RAUs that contain a sticker with a forwarding address.
- Check the bundle of RAUs against the list of members who have requested and received a duplicate ballot. If a member has already been sent a ballot in response to a phone request, note the date of the phone request on the RAU and file it. Do not send another ballot.
- Sort RAUs by employer code and clip together.

- Begin the search for updated addresses by having your TITAN operator or membership clerk contact employers.
- If you have the phone numbers of members, also have your TITAN operator or membership staff contact members directly to obtain corrected addresses.
- Use Alternative Sources for Updated Address Information. Possibilities include: the telephone directory, contacting stewards, calling directory assistance, using crisscross directories or name and address services, using an internet search engine with a national telephone directory service.
- Ending the search
  - If all reasonable methods have been attempted and you have not found a current address for a member, file the RAU.
  - If you have obtained a correct address for a member you are now ready to re-mail a ballot packet. For remail procedures, see Section C below.

#### B. Processing Duplicate Ballot Requests

- Any member who does not receive a ballot or spoils/loses his or her ballot can request another one.
- Phone requests for ballots must be made by the individual member. Do not accept requests from a member's spouse or family member, shop steward or any campaign organization.
- A sample request for ballot form is included in Tab 24. Use of a consistent form assures that all of the necessary information will be obtained for each phone request.
- Refer to the roster to obtain the employer code and sequence number of the member requesting a ballot.
- Record the sequence number and employer code on the request for ballot form for inclusion on the mailing label.
- After mailing, keep the request for ballot forms together, in alphabetical order.
- If the request is made by a member not listed on the roster, record the name of the unlisted individual at the end of the membership roster sent by the IBT with the ballot mailing labels.

C. Procedures for Mailing Ballot Packets

- How to Read the Mailing Labels obtained from IBT. The first line of an IBT mailing label (example below) offers important information.

01928 123456789X0987654321
First Name MI Last Name
Street Address
City, State, Zip Code

- Segment 1: SEQUENCE CODE, a five-digit numeric code that acts as a security feature and aids alphabetizing during the ballot count.
  - Segment 2: EMPLOYER CODE, a nine-digit code that identifies the member's employer.
  - Segment 3: MAIL CODE, a one-digit alphabetical code that identifies the mailing source of the particular ballot. (X is the code used for all ballots sent in the original mailing.)
  - Segment 4: MEMBER I.D. NUMBER, a unique identification number assigned by the TITAN system – *This is not the member's SSN or SIN nor any segment of either of those numbers.*
- Change the Mail Code on a Label to Identify a Supplemental Mailing. When mailing out ballots upon completion of the processing of returned mail or ballots requested by a member, the original mail code should be removed and replaced with one of the codes listed below. Replace the X Mail Code (located after the employer code) of the original ballot mailing with the appropriate Mail Code, as follows:
    - *“R” means Remail.* A “Remail” is a ballot mailed when an updated address is found for a piece of returned mail.
    - *“D” means Duplicate.* A “Duplicate” is a ballot mailed as a result of a request for a ballot from a member listed on the roster.
    - *“N” means New.* A “New” ballot is a ballot mailed as a result of a request for a ballot received from a member not listed on the roster. (The top line of a mailing label prepared for a new ballot has no sequence number, employer or member i.d. number, only the “N” mailing code.)

Your records should include the number of ballots returned by the post office, the number of ballots sent out as re-mails (“Rs”), duplicates (“Ds”) and news (“Ns”).

*A More Detailed Procedure.* The discussion above is a general description of how a local should deal with undeliverable packets and duplicate ballot requests. Tab 25 contains a more detailed description of how these tasks can be performed.

## XI. COUNT PREPARATION

- At Least Two Weeks before the Day of the Ballot Count
  - Select a team of count workers and designate supervisors. Estimate that you will need one properly trained team of count day workers (two workers per team) to process 300 ballots in an eight hour period. You should have one supervisor to oversee every four to six teams of workers.
  - Address security issues. The experience of a campaign and personalities of the candidates may require that you address security issues.
  
- At Least One Week before the Day of the Count
  - Plan the pickup of ballots from the post office and the method of delivery to the count site. Determine whether observers will be present and make appropriate arrangements for a pick up. Under no circumstances should mail be picked up prior to the announced date and time or handled by anyone other than the election committee.
  - Contact the post office. Advise post office officials as to the approximate time ballots will be picked up on the day of the count and prepare them for the presence of observers accompanying election committee officials.
  - If your voted ballots are being returned to your post office box by Courtesy Reply Mail, all postage will have been paid before the mail is picked up on the count date.
  - If you are using Business Reply Mail, you must make arrangements to tender sufficient funds to the post office before the time of the ballot pick up. The post office will have a count of the envelopes that have been returned. While you will use this count to pay for the returned mail, the post office record of the number of pieces of mail is an estimation calculated by weight and often is not exact.
  - Plan the layout of the count site. See the description in Section XII below.
  - Assemble supplies. An appropriate number of pens, pencils, highlighters, staplers, tape, markers, paper clips, binder clips, mail trays, mail tubs and storage boxes should be accumulated.
  - **Confirm prior arrangement for TITAN related materials.** Work out the timing of the preparation of the Election Control Roster (“ECR”) and any other list that you may need for count day eligibility determinations.
  
- C. During the Week Immediately Before the Count Day
  - Provide candidates and observers with pre-count information. At a minimum, a notice should be provided to all candidates and observers advising of the date, time and place of ballot pick up.
  - Train supervisory personnel as necessary.

## XII. BALLOT COUNT DAY

- Introduction

Counting ballots is the last step in the election and, especially in large locals, can be a long and tedious process. You should set up a count area in advance to achieve efficiency and security while providing space for observers. Provide a count area where count staff are the exclusive occupants. Under Tab 26 are diagrams showing ways in which tables can be set up which accommodate both workers and observers. Remember that observers must be members in good standing of your local and that you can limit the number and location of observers, if necessary, for the purpose of security or space limitations. Provide observers with a list of general rules. (*An example is included in Tab 27*) Also provide observers with some sort of credential (usually some form of badge or ribbon).

Set out below are the basics of what you need to do on count day. If you need more detailed information, consult the materials in Tab 28. They have been in use by the IBT Election Office since 1995.

- Pick Up the Mail

- At the appointed starting time the designated election committee staff should pick up the voted ballots at the post office. Allow observers to be present. Make sure to ask the post office if the pick up represents all the mail in the post office box.
- Ask the post office staff to hand over the mail in mail bags. You should then seal them. This is preferable to having the post office provide you with trays or bins.
- Place the ballots in the trunk of the election committee vehicle, which observers may follow in their vehicles. If your vehicle does not have a separate, secure trunk, you may allow observers (for both candidates) to ride in the vehicle transporting the ballots. Observers may watch but are not to touch the ballots, the mail bags or any container that holds ballots.
- Return the ballots directly to the count site

- Sort and Count Ballot Envelopes

- If your ballot count procedure requires a manual check of returned envelopes against the ECR to determine eligibility, make a raw count of the total number of ballot envelopes and record it. Advise observers that this number will rarely match any other number developed in the count process, because some envelopes will contain no ballot and some may contain more than one. Do not record the raw count number on the tally sheet. Then,
- Alphabetize the envelopes. The ECR contains a sequence number following each member's name. This number corresponds to the member's alphabetical ranking with the local. This number appears on the mailing label to ensure that the ballot returned was the ballot sent. You can use it to help in alphabetization, as it is easier to sort by numbers than names.

- At the end of the sort, the voted ballots should be in the same order as the names on the ECR.
- If your ballot count procedure uses an automated system to check eligibility against an electronic ECR, this sorting and counting step is not necessary.
- Verify Voter Eligibility

The following discussion describes the process of manually verifying eligibility using an ECR prepared by the International union and is applicable only to locals on the TITAN system. For a description of the process to be used by non-TITAN locals, please see Tab 29.

- Verify eligibility by comparing the information on the returned envelope with the data on the ECR. This is a two-person job—one calling information from the envelope (the “Caller”) and the other reviewing the member data recorded on the ECR (the “Checker”). Depending on the number of ballots, you may want to cut and divide the ECR itself. This way you can set up several workstations.
- If the member is eligible, the letter “E” appears on the ECR and the checker will state “eligible.” The caller then will place the letter “E” on the outer envelope. If a member’s eligibility is uncertain, the letter “C” will appear after the name on the ECR. The checker will state “Challenged” and then the challenge code (C-1, C-2, C-3, etc.) printed in the farthest right column of the ECR. The caller will then write the challenge code on the outer envelope. All challenged ballots will be segregated away from the eligible ballots.
- While the Caller marks the return envelope, the checker must mark the ECR with either a check mark in the left column or placing a highlighted line through the member’s name to indicate a ballot was returned by that member.
- You may come upon envelopes which appear to have been opened and resealed, or where the required voter identification has been destroyed or obliterated to the point where there is not enough information to determine if a voter is eligible. Mark such envelopes void and set them aside. Do not be concerned with whether an envelope has a postmark, as many will not contain postmarks and others will have marks that are unreadable.
- You may also come upon envelopes where you cannot locate the member’s name on the roster. Mark such envelopes as challenged.
- If more than one ballot is returned by the same member, give both to a supervisor for review. The supervisor will review all of the ballots and try to conclusively determine which ballot package was received most recently – that ballot will continue in the process and the other duplicate(s) will be marked VOID and set aside,

- If postmarks (or other printed postal service date markings) on both ballots are legible, the supervisor will mark the ballot with the latest postmark or date as "Challenged" and all others in the set will be marked "VOID." The challenged package will be set aside with other challenged duplicate ballot packages until the ECR eligibility testing is complete
- If no postmark (or other postal service date information) can be read or if only one of a set of two ballot packages contains readable dating information, but one of the packets contains the mail code "D" in the alpha-numeric line above the member's name, the supervisor will mark that ballot packet as "Challenged" and all others in the set will be marked "VOID."
- If no postmarks (or other postal service date information) can be read or if only one of a set of two ballot packages contains a readable dating information, and neither or both of the packets have "D" printed in the mailing alphanumeric code line, the supervisor will mark both ballot packets as "VOID."
- At the conclusion of the ECR eligibility check, your envelopes should be separated into one of three categories: eligible, challenged or void. All ballot packages challenged solely because they are one of a set of duplicates are reviewed by a supervisor and compared to ensure that no voter has submitted a third ballot (very unlikely, but possible in the case of a mis-sort). The supervisor also verifies that the duplicates have been checked against the eligibility roster and determined to be eligible before adding them to the eligible ballot packages for slitting and extraction.
- If your local union uses an electronic system to check eligibility, that system must be validated to candidate observers at the start of the count process. The system should identify the status of a member as eligible or challenged, and, as envelopes are scanned, they should be marked as described above and sorted into the three categories of eligible, challenged, or void.
- Open the Envelopes
  - After you count and set aside the challenged and void envelopes, slit the return envelopes of all eligible voters and remove the secret ballot envelopes or security sleeves. (For the purpose of this Manual, we will refer to both secret ballot envelopes and security sleeves as an "SBE"). In this case, only the voted ballot will be in the SBE. You can count these ballots as long as secrecy is preserved. You can maximize the chances of preserving secrecy by keeping these ballots in the SBE until you have collected all such ballots. Turn the return ballot envelopes label side down. Remove the ballots and



then mix them up so that it cannot be determined which ballot came from which envelope.

- Slit all the SBEs and remove the ballots, placing them face down. Add to this pile any ballots that were not in SBEs, which you are able to count.
- The Count

There are many ways to count ballots. The method used is up to you, as long as the end result is an accurate count. We suggest that if you are doing a hand count, you use the following system:

  - Accurately double count all of the ballots into bundles of 50, rubber band them or clip them together with a binder clip and stack each bundle in criss-cross fashion.
  - Complete this process for all ballots before proceeding.
  - Divide each bundle into two stacks—one for slates only and the other for all others.
  - Count and tally bundle by bundle. *A sample tally sheet is contained in Tab 30.* For example, if the first bundle has 23 straight slate votes for slate “A” and 17 straight slate votes for slate “B”, you can place a 23 and 17 next to the respective candidates’ names on the tally sheet and only individually tally the remaining 10 non-slate votes. You will then record the totals on your tally sheet.
  - The following are general rules for ballot interpretation:
    - If you can determine the intent of the voter, count the ballot.
    - If you cannot determine the voter’s intent, void the ballot.
    - A slate vote prevails over votes for individual candidates.
    - If the ballot is complete but torn or if the instructions only are removed, count the ballot.
    - If a ballot is torn and any slate or candidate name or voting box is removed, void the ballot.
    - Void any ballot containing any information identifying the voter.
    - To ensure uniformity, one person should be designated as the final decision maker regarding voiding.
    - If you have questions that remain unanswered by these general rules of interpretation, there are specific examples of ballot interpretations located in Tab 31.
- After the Ballots Have Been Counted
  - Once you have counted all of the ballots and recorded the results on the tally sheets, complete a vote summary sheet. *A copy of a vote summary sheet is included in Tab 32*

- Assuming the margin of victory is more than the number of challenged ballots, there is no need to resolve the challenged ballots. Fill out a tally certification. (*This is Form ES 13; a copy can be found in Tab 33.*) The total ballots cast should equal the sum of the valid ballots counted, the total of void ballots and the unresolved challenged ballots.
  - In the event of tie vote for any position, the winner is decided by coin flip or lot.
  - You should now announce the election results.
  - The Secretary-Treasurer must post a copy of this tally sheet on all union bulletin boards within seven days after completion of the count. If the local union maintains a website, the tally sheet data must be posted on the website as well.
  - Within three days of such posting, the Secretary-Treasurer must OES with a certification that the tally sheet was posted as required. See Section III, above
- Challenged Ballots
 

If the margin of victory in the closest contest is a number larger than the number of challenged ballots, the challenged ballots do not have to be resolved.

If the margin of victory for any contest is a number that is less than the number of challenged ballots, the Rules require that the Election Supervisor resolve the challenges. Call your Regional Director or the OES immediately if challenged ballots must be resolved. Then box all election material, seal the boxes with tape, have the observers sign the seal and securely store the materials until your Regional Director or another OES representative arrives to handle the resolution process. Complete a ballot tally certification marked “interim” and send it to the OES.
  - Permanent Storage
    - As soon as possible after the winners of all offices have been determined, all previously boxed and sealed ballots and count materials should be permanently stored in a secure place. Hold these materials for at least one year from the date of the count. Once a year has passed, these materials must be destroyed. They may not be reviewed or copied or retained for use in any subsequent election.
    - If the election was conducted by a 3<sup>rd</sup> Party Election Vendor, the election materials must be boxed, sealed and shipped or hand delivered to the Election Supervisor or his designee in the manner described in the Election Supervisor’s Form 34A. *A copy of Form 34A can be found in Tab 35.* A fully completed and executed copy of Form 34A must be included with the election materials or otherwise delivered to the Election Supervisor or his designee at the time of delivery of the election materials.