



# Checklist for Conducting Local Union Officer Elections

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This checklist has been developed by the Office of Labor-Management Standards (OLMS) to help election officials conduct union officer elections in accordance with the requirements of the Labor-Management Reporting and Disclosure Act of 1959, as amended. Organized chronologically, the checklist is designed to serve as a reminder of the various tasks which should be completed during the nomination and election process, including polling place procedures. If your union elects its officers by mail ballot or allows absentee ballots, election officials should also read [Electing Local Union Officers by Mail](#) for information and practical suggestions on how to conduct your union's election properly, using a double envelope system to insure ballot secrecy.

## Planning

- Review the union's constitution and bylaws as well as any other union election rules for information regarding nomination procedures, candidate qualifications, and voter eligibility requirements. Remember that elections must be conducted in accordance with provisions of your union's constitution and bylaws as long as they are not inconsistent with federal law.
- Contact current officers to find out how your union's most recent election was conducted and if any problems occurred. Also obtain copies of prior notices, ballots, tally sheets, and other records to use as models in the upcoming election.
- Meet with the other election officials to establish election and campaign rules, develop a general timetable which allows adequate time for each stage of the election, and discuss specific election duties.
- Select a polling site(s) and schedule polling hours which will provide all members a reasonable opportunity to vote. If the voting will take place on employer property, contact the employer to obtain approval.
- Contact your union's parent body or one of the [OLMS offices](#) if questions arise about any nomination or election requirements.

## Nominations

- Prepare a nomination notice that specifies the date, time, and place for submitting nominations and the offices to be filled (and identifies any offices for which the officer is a delegate by virtue of election to office). If appropriate, the nomination notice should also include the term of office, instructions for making, seconding, and accepting nominations, and eligibility requirements for candidates and nominators. A union may use a combined nomination and election notice as long as it is mailed to every member and includes all required information.
- Post and/or mail the nomination notice to all members in enough time to allow a reasonable opportunity for nominating candidates. Take steps to notify sick, laid-off, or other nonworking members who may be eligible to nominate candidates but who might not see a notice posted only at the work site(s) or union hall.
- Keep an accurate record of all nominations made including the names of nominators, members who second nominations, and the nominees and positions for which they were nominated.
- Check the eligibility of nominators (and members who second nominations) at the nomination meeting if your union requires them to be in good standing. Allow another member the opportunity to make the nomination if the original nominator is not in good standing.

- Determine the eligibility of all nominees and obtain nomination acceptances or declinations from each nominee. All candidate eligibility requirements must be set forth in writing in the union's constitution and bylaws and must be applied uniformly to all candidates.
- Notify all eligible candidates of their nomination and request the preferred listing of each candidate's name or nickname on the ballot in accordance with the election rules. Advise any ineligible candidates in writing of the specific reason(s) for their disqualification.

### **Campaign Guidelines**

- Notify candidates (in writing or by holding a meeting) of all election and campaign rules including the right to inspect the union's membership list, the right to have the union distribute campaign literature to members at each candidate's expense, and the right to have observers at the polling place and the tally of ballots.
- Advise candidates and current officers about the prohibition against the use of union and employer funds (including cash, 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.
- Allow candidates to inspect (not copy), 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.
- Make arrangements to comply with all reasonable requests by a candidate to distribute campaign literature to members at the candidate's expense. If necessary, the union should employ additional temporary staff or a professional mailer to handle requests.
- Treat all candidates equally. For example, if any candidate is allowed to give a campaign speech at a union meeting or publish an article in the union's newspaper, all candidates for that position should be advised of and given the same opportunity.

### **Election Preparations**

- Update the union membership address list; remind members of the upcoming election through notices posted at the work site(s) or in the union newspaper and solicit any address changes.
- Prepare an election notice that specifies the offices to be filled and the date, time, and place of the election. If appropriate, the election notice should also include voter eligibility requirements, voter identification procedures, and information regarding absentee balloting.
- Mail an election notice to every member at his or her last known home address at least 15 days prior to the election as required by federal law. Also post copies of the notice at the work site(s) and the union hall in an effort to reach members who may not receive the mailed notice.
- Determine each candidate's position on the ballot in accordance with your union's election rules.
- Arrange for ballots to be printed and for the printer to provide an official count.
- Check the ballot carefully before and after printing for accuracy. 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.
- Maintain custody of and safeguard all ballots and be able to account for all ballots printed.
- Prepare an accurate voter eligibility list for use at the polls and update it, if necessary, immediately prior to the election.

- Establish challenged ballot rules (including the use of a double envelope system) for those persons whose voter eligibility is questioned at the polls.
- Inspect the polling site prior to election day. Plan how to best use the voting area, including the location of the registration tables, voting booths, ballot box, and observer area.
- Obtain a sufficient number of voting booths, partitions, or other dividers to provide a place for members to mark their ballots in secret.
- Plan for the tally of ballots and determine the counting and voiding procedures to be used. Prepare tally sheets to be used at the ballot count.

### **Polling Place Procedures**

- Insure that adequate information to verify voter eligibility and necessary equipment and supplies (including ballots and ballot box, voting booths/partitions, pencils, voter register, rubber bands, tape, etc.) are available at the polling site.
- Permit each candidate to have an observer(s) at the polls. Allow observers to monitor (but not disrupt) the election process and challenge the eligibility of any voter.
- Confirm that the ballot box is empty and seal it in the presence of observers before the polls open.
- Insure that any voting machines used are operating properly, that all candidates are listed correctly, and that the machine counters are set at zero. Be sure to have a supply of paper ballots on hand if machines break down or it becomes necessary to use challenged ballots.
- Open the polls at the scheduled time and follow the polling hours listed in the election notice.
- Require voters to identify themselves and sign a voter register before being issued a ballot by election officials.
- Check the eligibility of each voter and take steps to make sure that a member can only vote once by marking each voter's name off the eligibility list.
- Do not issue ballots to voters until a voting booth or other private space is available and insist that voters cast their ballots in secret.
- Provide a replacement ballot to any voter who spoils a ballot while voting. Maintain custody of all spoiled ballots and account for them at the completion of the ballot tally.
- Allow only election officials, voters, and observers in the polling area. Insure that election officials and observers do not wear campaign buttons, stickers, or other campaign apparel, and do not engage in any type of campaigning in the polling area.
- Maintain order at the polls at all times. Check the voting area periodically and remove any campaign material left behind by voters. Enforce a "no loitering" rule and establish an exit route for persons who have already voted.
- Establish procedures to provide assistance on an impartial basis to physically impaired or foreign language speaking voters.
- Close the polls on time but permit members in line at closing time to vote.
- Account for all ballots used at the polling site including any spoiled and sample ballots. The number of ballots printed minus the number of ballots issued to members should equal the number of unused ballots.

## Ballot Tally

- Begin the ballot tally only after all polls are closed.
- Open the ballot box in the presence of observers. Direct ballot counters to unfold ballots and place them in stacks of 50 or 100 in order to obtain the total number of ballots cast and to insure accuracy during the actual vote count.
- Allow observers to watch the counting and other related activities closely enough to verify the accuracy of the tally. However, observers should not be permitted to handle the ballots.
- Attempt to resolve any challenged ballots at the start of the tally. Keep a record of decisions made and explain the reason for each voter eligibility decision to observers. Mix in challenged ballots resolved as eligible with other ballots not yet counted to preserve secrecy.
- Count the votes on each ballot and enter the results on tally sheets, stopping at the end of each stack of 50 or 100 ballots to verify vote totals for each candidate.
- 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 used and unused ballots, tally sheets, voter registers, voter eligibility lists, and other election materials upon completion of the tally.

## Post-Election Activity

- Publish and post the election results promptly.
- Maintain all nomination and election records for at least one year as required by federal law.

If you have any questions about the election procedures outlined in this checklist or wish to obtain additional information about union officer elections or other requirements of the Labor-Management Reporting and Disclosure Act of 1959, as amended, contact the nearest [OLMS field office](#).

## Office of Labor-Management Standards Field Offices

Atlanta, GA	Cleveland, OH	Honolulu, HI	Nashville, TN	St. Louis, MO	San Francisco, CA
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Chicago, IL	Ft. Lauderdale, FL	Minneapolis, MN			
Cincinnati, OH					

For the address and telephone number of our field offices, please consult local telephone directory listings under United States Government, Labor Department, Office of Labor-Management Standards, or view our online organizational listings at: <http://www.dol.gov/olms/contacts/lmskeyp.htm>.

Office of Labor-Management Standards

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