

## USAW-RI Statement on Bargaining Unit Elections Practices.

USAW-RI Statement on voting for shop stewards and committee members within bargaining units.

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1. USAW-RI recognizes that the election process for Shop Steward, for bargaining unit committee member vacant positions, and for other unit business which may occur at the same time as elections, may vary from bargaining unit to bargaining unit. Factors which can affect how nominations, ballots, and elections are administered include variable access to technology, shift work, and members in good standing on temporary leave. USAW-RI encourages every member to participate in bargaining unit elections, and to communicate with their Shop Steward(s) and/or a Union Representative to stay informed about those elections.

The Union Representative(s) and Steward(s) for the bargaining unit in which the election is to take place shall determine how and when an election is to take place. This effort may also include the assistance of other bargaining unit members.<sup>1</sup>

### 2. Nomination procedures

All bargaining unit members in good standing will be given a "reasonable opportunity" to nominate candidates of their own choice. The procedures followed in making nominations must be in accordance with the union's constitution and bylaws.

#### Reasonable Notice for Nominations

Bargaining unit members must give reasonable notice of:

Positions to be filled by election;

The date and time for submitting nominations;

The place for submitting nominations;

The proper form for submitting nominations, that is, whether written, orally from the floor, or by some other method.

It is recommended that a minimum of 10 days' notice is given prior to the deadline for nominations.

#### How to Notify Members Regarding Nominations

Methods for reasonable notification of nomination include:

Mail notice to each member in good standing within a reasonable time before nominations are held. (this does not prohibit the use of a single notice of both nominations and election if it gives members reasonable time to nominate candidates and also meets the requirement for election notices);

And/or

Timely notification by e-mail if it (1) is reasonably calculated to reach all members in good standing and (2) actually provides reasonable opportunity for nominations to be made.

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<sup>1</sup> Adapted from OPEIU Local 8, Steward Election Policy, <https://www.opeiu8.org/MemberSupportAction/LeadershipStewardHandbook/StewardElectionPolicy.aspx>, retrieved 02.10.2021.

Good practice is to also include the following:

Announcement via posted flyers in agreed upon locations accessible and highly visible to bargaining unit membership; announcement at regular bargaining unit meetings.

Other means in accordance with the constitution and bylaws of the union which (1) are reasonably calculated to reach all members in good standing and (2) actually provide reasonable opportunity for nominations to be made.<sup>2</sup>

### 3. Ballots and voting procedure variables

#### Reasonable Notice for Finalization of Ballots and Voting Procedures

Bargaining unit members must give reasonable notice of:

It is recommended that at least ten (10) days' notice is given before the finalization of bargaining unit ballot items, and an additional ten (10) days given between finalization and the election.

It is recommended that at least (10) days' notice be given as to all voting procedures, polling locations, and polling times.

It is recommended that at least twenty (20) days' notice be given regarding all voting variables, including mail ballots and electronic voting procedures.

#### Voting variables:

If electronic voting procedures are used: it is recommended that if possible, the election shall be conducted by a responsible third party provider that can guarantee the anonymity of voters. All members in good standing for the preceding sixty (60) days should have no fewer than seven (7) days to submit their vote. The third-party provider will report the results to the Union Representative(s), and additionally to the Shop Steward(s), and/or to any bargaining unit Election Committee that might exist.<sup>3</sup>

If a bargaining unit does not use a third party provider, but generates their own electronic voting ballot and collection, it should be done via anonymous submission and not via routine workplace email.

### 4. Elections tabulation and announcements<sup>4</sup>

The ballots shall be tabulated by the Union Representative(s), or by any existing bargaining unit Elections Committee. A plurality of the ballots cast determines the outcome of the election, with the candidate in each category to receive the greatest number of votes elected.

Challenges and objections to the election must be submitted in writing, with a statement of supporting reasons that includes specific facts as well as any documentation, to the Union Representative(s), or to any existing bargaining unit Elections Committee, within five (7) days of the count. The Union Representative(s) and/or affected bargaining unit Elections Committee shall issue its written opinion regarding the objections no later than ten (10) days after receipt of such objections.

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<sup>2</sup> Adapted from the US Department of Labor, <https://www.dol.gov/agencies/olms/compliance-assistance/elections>, retrieved 02.10.2021.

<sup>3</sup> Adapted from NTFC Local 6545, <https://www.local6546.org/constitution/>, retrieved 02.10. 2021.

<sup>4</sup> Adapted from NTFC Local 6545, <https://www.local6546.org/constitution/>, retrieved 02.10. 2021.