

## LEGAL STUFF

# Election Details: Questions to Ask

Don't wait until you have an agreement or decision on a bargaining unit and an election date to start thinking through the particulars. Here are some questions to start thinking through now.

## ONSITE OR MAIL BALLOT

**Don't rule out alternatives to a traditional onsite ballot. Mail ballots or mixed mail and onsite balloting can be good options.**

- Are there multiple work locations? Are worksites far apart?
- How strong is the employer's anti-union campaign?
- How motivated is your union committee?
- How good are your networks outside of the workplace?

## WHEN AND WHERE

**Times and locations make it easier, or more difficult, for people to vote.**

- Have you accounted for shifts and alternative work schedules?
- How will people at different work locations vote?
- Is the proposed polling place in a neutral area?
- How will the room be set up? Does it force workers to "walk a gauntlet" of managers?



### The 'Vote No' Campaign

Do not underestimate the power of the employer's anti-union campaign. Last-minute scare tactics and the employer's inherent power over people's lives will give their actions increasing weight.

Fight for an election process that limits pressure and coercion.

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## OBSERVERS

**Both the union and the employer are allowed to select election observers to ensure the election is fair. A respected leader is a good pick, but balance the need to help remind people to vote with the need to observe.**

- Do you know who the employer's observers will be? Does it matter?
- What training will observers need to feel confident in their role?
- You don't have to have one observer the whole time. Create short shifts to give people a break.

## CHALLENGES

**By the time you are 10 days out from the election, you will know who is eligible to vote, according to the election agreement. If you still disagree, then you may want to challenge their vote. Consider:**

- Even people not on the Excelsior list can vote.
- When votes are challenged, they are set aside. They are only counted if there are enough challenges to affect the outcome of the election.
- Think through how many challenges the employer might make and which challenges you think are still a good idea.

### Eyes on the Prize

Accept that the final details of the election and who can vote may not line up with what people want.

Help prepare people to succeed in this process by thinking through details and picking their fights.

The election is a process you must go through, but when you WIN, there will be so many more opportunities to build the vibrant, powerful union you have been fighting for.