

IEERB Mail Ballot Elections

PROCEDURES

1. All notices and ballot materials will be prepared by the IEERB and/or its staff.
2. The Notice of Election will include contact information for the IEERB Election Officer, who is responsible for addressing inquiries, including those from employees who do not receive mailed ballot materials.
3. The voter eligibility list must be provided by the school employer as a set of pre-printed mailing labels containing the names and addresses of each eligible voter.
4. In the event that the school employer is unable to provide pre-printed mailing labels due to extraordinary circumstances, the IEERB staff will prepare labels from an eligibility list provided by the employer.
5. The voter eligibility list will be provided by the school employer to the IEERB and interested parties 10 days prior to the first day of the polling period. Interested parties or potential voters who wish to challenge the voter eligibility list must do so by notifying the IEERB no later than 5 days prior to the first day of the polling period. The voter eligibility list will be deemed final if no challenges are received.
6. IEERB entrusts ballots to the U.S. Mail for transmittal to the eligible voters, and pays the postage for eligible voters to transmit their ballots back to IEERB.
7. In addition to any sanctions imposed by IEERB, allegations of tampering with the transmittal of mail ballots will be turned over to Federal authorities for prosecution as mail fraud.
8. IEERB staff will send ballot materials to eligible voters at least 3 calendar days (not including Sundays or legal holidays) prior to the beginning of the polling period.
9. An eligible voter may return the ballot by mail or may hand-deliver his/her ballot to the IEERB office. The voter must provide a government-issued photo identification when hand-returning a ballot. No ballot will be accepted by any other means.
10. The polling period will consist of at least 14 calendar days and will be determined by the IEERB Election Officer in consultation with the interested parties.
11. All returned ballots are handled exclusively by IEERB staff. Ballots shall remain unopened in their return envelopes until the time and date of the tabulation of ballots.

IEERB Mail Ballot Elections

12. Where IEERB staff has sent an eligible voter a duplicate ballot, the original ballot will no longer be deemed countable and will be discarded if received by IEERB.
13. Where more than one employee organization is a party in the election, the incumbent will have first choice as to the position of the employee organization's name on the ballot. For non-incumbent employee organizations, choices as to ballot position shall be made in the order in which the employee organizations filed a showing of interest.
14. All employee organizations listed on the ballot will have equal access to mailboxes, bulletin boards and lounges for certificated employees during the period between the ordering of an election and the final date of balloting.
15. Campaigning will be limited to certificated employee areas. All employee organizations will be required to follow school employer policies and procedures in all campaign activities.
16. The tabulation of ballots shall be scheduled for 9am the IEERB business day following the deadline for return of the ballots. Each interested party will be allowed 1 official observer to be present at the tabulation of ballots. Each party must notify IEERB in writing as to the person who is the official observer representing that party.

REFERENCES

IC 20-29-5-4
IC 20-29-5-5
560 IAC 2-2-8
560 IAC 2-2-9

FORMS & ATTACHMENTS

Notice of Election [Posting Form Template]
Notice to Eligible Voters and Voting Instructions

EFFECTIVE DATE March 1, 2010

APPROVAL



Michael W. McConnell, IEERB Chairman

Date March 1, 2010

BEFORE THE INDIANA EDUCATION EMPLOYMENT RELATION BOARD

Indiana Government Center North
100 North Senate Avenue, Suite N-1049
Indianapolis, IN 46204-2220

For Certificated Employees of

[NAME OF SCHOOL CORPORATION]

NOTICE OF ELECTION

Rights of Employees

Under Public Law 217-1973 (Indiana Code 20-29), certificated school employees have the right to form, join, or assist a school employee organization or to refrain from any such activity; and each employee shall be protected in the exercise of this right.

Purpose of Election

A secret-ballot election shall be conducted by mail under the supervision of the Indiana Education Employment Relations Board (IEERB). Eligible voters (described in Voting Procedure below) will determine the exclusive representative, if any is desired by them, for the purpose of collective bargaining and discussion with the school employer under Public Law 217.

Voting Procedure

The election is being held exclusively by MAIL BALLOT. Employees will be eligible to vote if they were employed within the bargaining unit on [*end date of payroll period prior to the election start date*] and remain employed within the bargaining unit on the date the ballot is received by IEERB. A sample of the official secret ballot is included with this notice for information only. DETAILED INSTRUCTIONS WILL BE MAILED WITH THE BALLOT MATERIALS.

In order to be counted, all ballots must be received by IEERB at its above-listed business address by [*end date of polling period*].

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UNDER PENALTY OF LAW, THIS NOTICE MUST NOT BE ALTERED, DEFACED, OR COVERED BY OTHER MATERIAL.

Tabulation of Ballots

The Tabulation of Ballots will be held on *[first business day after end of polling period]*, beginning at 9am, at IEERB's above-listed business address.

A certification of the results can only be made through a majority of all **eligible** voters (not votes actually cast). **Failure of a majority of ELIGIBLE voters to return ballots will necessitate the IEERB to conduct an additional election** (for which additional notices would be posted).

Inquiries

Inquiries concerning this notice and election should be directed to:

[election officer name, address, phone #, e-mail]

INDIANA EDUCATION EMPLOYMENT RELATIONS BOARD

OFFICIAL SECRET BALLOT

For Certain Employees of

SCHOOL CORPORATION

This ballot is to determine the exclusive representative, if any, under the provisions of Public Law 217-1973, for the unit in which you are employed.

MARK AN "X" IN ONE SQUARE OF YOUR CHOICE.

<p><u>ORGANIZATION NAME</u></p> <p><input type="checkbox"/></p>	<p>NO REPRESENTATION BY A SCHOOL EMPLOYEE ORGANIZATION</p> <p><input type="checkbox"/></p>	<p><u>ORGANIZATION NAME</u></p> <p><input type="checkbox"/></p>
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DO NOT SIGN THE BALLOT OR MAKE ANY EXTRA MARKS. Your ballot may be rejected if you put any message on it, or make any marks other than your vote within the box provided. Rejection of your ballot may necessitate the IEERB to conduct an additional election (for which you will receive additional notices). If you spoil this ballot, please contact the IEERB Election Officer for a new one.

1. Seal your marked ballot in the secrecy envelope enclosed with this notice.
2. Seal the secrecy envelope in the return envelope addressed to the IEERB.
3. DEPOSIT THE RETURN ENVELOPE IN THE U.S. MAIL.

BEFORE THE INDIANA EDUCATION EMPLOYMENT RELATION BOARD

Indiana Government Center North
100 North Senate Avenue, Suite N-1049
Indianapolis, IN 46204-2220

For Certificated Employees of

[NAME OF SCHOOL CORPORATION]

NOTICE OF ELECTION

Rights of Employees

Under Public Law 217-1973 (Indiana Code 20-29), certificated school employees have the right to form, join, or assist a school employee organization or to refrain from any such activity; and each employee shall be protected in the exercise of this right.

Purpose of Election

A secret-ballot election shall be conducted by mail under the supervision of the Indiana Education Employment Relations Board (IEERB). Eligible voters (described in Voting Procedure below) will determine the exclusive representative, if any is desired by them, for the purpose of collective bargaining and discussion with the school employer under Public Law 217.

Voting Procedure

The election is being held exclusively by MAIL BALLOT. Employees are eligible to vote if they were employed within the bargaining unit on [end date of payroll period prior to the election start date] and remain employed within the bargaining unit on the date the ballot is received by IEERB. You are receiving this notice because your name appears on the list of employees eligible to vote in this election.

PLEASE CONTINUE TO PAGE 2 FOR VOTING INSTRUCTIONS

Instruction to Voters:

1. In order to be counted, **all ballots must be received by IEERB** at its above-listed business address by **[end date of polling period]**.
2. A certification of the results can only be made through a majority of all **eligible** voters (not votes actually cast). Thus, it is very important that you vote! Failure to do so may necessitate the IEERB to conduct an additional election (for which you will receive additional notices). If the election results in a majority for a particular selection, no further elections may be conducted for 24 months.
3. An Official Secret Ballot is enclosed with this notice. Mark your ballot yourself, within the boxes provided. Do not show your marked ballot to any other person.
4. **DO NOT SIGN ANY OF THE BALLOT MATERIALS OR MAKE ANY EXTRA MARKS.** Your ballot may be rejected if you put any message on it, or make any marks other than your vote within the boxes provided. Rejection of your ballot may necessitate the IEERB to conduct an additional election (for which you will receive additional notices).
5. Seal your marked ballot in the secrecy envelope enclosed with this notice.
6. Seal the secrecy envelope in the return envelope addressed to the IEERB.
7. **DEPOSIT THE RETURN ENVELOPE IN THE U.S. MAIL.** Postage is prepaid, and mailing invokes the protection of the Federal mail fraud laws. Employees can also deliver their own ballot to the IEERB's office address listed above. Employees must provide a government-issued photo identification when hand-returning a ballot. No ballot will be accepted by any other means.
8. **YOUR NAME ON THE RETURN ENVELOPE IS USED TO VERIFY ELIGIBILITY**, much like giving your name to the election official at an on-site election. The IEERB staff preserves the secrecy of your vote by:
 - a. Keeping all return envelopes sealed until the time established for the tabulation of ballots;
 - b. Using the employee names on return envelopes only to check against the eligibility list;
 - c. Removing the return envelopes and mixing the secrecy envelopes;
 - d. Removing all of the secrecy envelopes and mixing the ballots before any ballots are counted.
9. **YOUR BALLOT WILL NOT BE COUNTED IF YOU REMOVE YOUR NAME OR RETURN IT IN SOME OTHER ENVELOPE.**

Inquiries

Inquiries concerning this notice and election should be directed to:

[election officer name, address, phone #, e-mail]