

THE BALLOT COUNT : FROM OPENING THE MAIL SACKS TO ANNOUNCING THE WINNERS

- The count process begins with a **general sort** into alphabetical batches. During the general sort, supervisors stock central tables with ballots and workers sort into USPS mail tubs, marked with the letters of the alphabet. In larger locals, you may need to use two or more alphabetizing areas.
- Next, workers move to assigned tables and begin **specific sort** into alphabetical/numeric order. Each mailing label contains an alphanumeric sequence number (excepting ballots which have been sent out after the initial mailing) which should assist in this process ¹. Sorted ballots should be stored in USPS mail trays.

Challenge and void circumstances.

- During the specific sort, workers should inspect ballot envelopes to be sure they are intact and that the required identification label is present. Ballot envelopes which appear to have been opened and resealed, as well as ballot envelopes where the required identification label has been destroyed or obliterated to the point where enough information does not exist to determine if the voter is eligible to vote should be marked "VOID" and given to supervisory personnel to be stored in a "Void Ballots" bin located on a central table in plain view of observers.
- In certain situations, members may remove the label and write identifying information on the envelop. Article III, section 1(e) states:

Once mail-ballot materials are received, the member shall cast his/her vote, place the ballot in the secret ballot envelope (without making any mark on that

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On occasion, a member's name will change (due to marriage, legal name change, TITAN operator error or correction, etc.) between the date the mailing labels were run -- and sequence numbers assigned -- and the date the ECR is run. In those instances, the sequence number on the member's mailing label will not track the member's new name and will be out of order. That member should be sorted alphabetically. Note that the ECR entry for that member's name contains a specific notation to "flag" the situation. See footnote 5 to accompanying handout, "Basic ECR Processing Procedures."

envelope), place the secret ballot envelope in the return envelope, and, if the preaffixed label is missing, should write his/her name, address, Social Security number in the upper left-hand corner of the return envelope. Any ballot case without proper identification on the return envelope or received after the deadline shall be void.

Any returned envelope without name, address and Social Security number shall be void.

- Candidate observers may challenge envelopes which appear to have been partially opened and closed. The judgment whether to Void such an envelope should be made on the basis of whether the partial reopening was sufficient for a person to have removed and replaced a ballot/secret ballot envelope in the return envelope. If the determination is yes, the envelope should be marked "VOID" and given to a supervisor to be put in the "Void" bin. If not, then the ballot envelope should continue in the count process. If the observer wishes to challenge the determination of the Election Office, a written challenge should be solicited and stapled to the ballot envelope, which should then be marked "CHALLENGED" and given to a supervisor for temporary storage in a "Challenged Ballots" bin located on a central table in plain view of the observers.
- Observers may challenge ballot envelopes which do not contain a postmark. Postmarking procedures of the USPS are sometimes spotty and the Election Office has determined that, having obtained the return mail envelopes from the custody of the USPS, it will be assumed that the envelopes were processed by the USPS in the normal course of business. If an observer disagrees with the Election Officer's determination and submits a written challenge to the ballot envelope, the challenge should be accepted but the envelope should continue to be processed after the words "COUNTED OVER CHALLENGE - NO POSTMARK" are written on the envelope.
- Next, a raw count of ballot packets is made. This number should be recorded by the RC or a Supervisor on a notepad kept for internal records. If observers request to know the count, the RC should announce it. However, it should be emphasized that what the count represents is the envelopes received from the post office and does not necessarily correlate with the ballots to be counted.
- After the count is completed, Supervisors will provide each team a portion of the Election Control Roster ("ECR") and apportion ballots among teams to coincide with the division of the ECR.

- Eligibility of voters is then checked; the ECR is programmed according to eligibility rules; an "E" in the second column means "Eligible", while a "C" in the second column means "Challenged". Challenged members' entries will also include an alpha-numeric "Challenge Code" (C1, C2, C3, etc) in the far right column of the ECR. One member of team "calls" name of member, last name, then first name (common names may require that sequence number social security number be called out); the other "checks" the eligibility roster and announces whether "eligible" or "challenged" and, if challenged, states the Challenge Code. The checker then places a check in the space to the left of the member's name indicating receipt of the ballot and eligibility checked, while the caller writes the challenge code (e.g. C4) on the ballot envelope if the voter is challenged and sets it aside in the tray for "challenged" or keeps it on the table, if eligible. Ballots may be in one of three categories: ✓

- Eligible, per roster determination;
- Challenged, per roster determination or one of multiple ballots received and cast by same voter (duplicate ballot requested). If one of the duplicate ballots is received, mark that ballot "Challenged;" if more than one ballot cast, review postmarks on both ballots and, if all postmarks are legible, mark ballot with latest postmark as "Challenged"; other(s) to be marked "Void." If any postmarks cannot be read, all ballots are to be marked "Void;" or
- Void: missing or illegible label, opened/damaged/resealed envelope and duplicate ballots with earlier postmarks.

- After "Void" and "Challenged" ballots are removed to their respective storage bins on the central table, slit outer envelopes of eligible ballots. If electric slitting machines are used at central tables, this process may get a bit chaotic and workers should be instructed to remain at their tables until they are summoned to the centrally-located slitters by supervisory personnel. After the envelopes are slit and returned to the counting tables, the secret ballot envelopes should be extracted. Retain and band outer envelopes into packs for E.O. files.

If secret ballot envelope damaged or not used and:

- ballot markings are visible and voter's secrecy not maintained, ballot is "Void;"
- ballot folded so that tally is not visible and voter secrecy is preserved, ballot and envelope should be preserved with other similar ballots for counting.
- After all ballots have completed the previous step, slit secret ballot envelopes at center tables. Return to the work tables and remove ballots. Secret ballot envelopes are

discarded. However, any secret ballot envelope which does not contain a ballot should be given to supervisory personnel, after noting "DID NOT CONTAIN BALLOT" on the outside of the envelope. Such envelopes should be stored in the "Void Ballots" bin.

- **Open ballots and separate into two (2) stacks:**
 - "clean slate" ballots; and
 - all other ballots.
- **Count and tally votes.** Again, employing the "caller" and "checker" method, one worker on each team reviews the ballot and calls out the votes while the other team member tallies the results on a Tally Sheet. The Election Rules provide that the following rules should be applied to the counting of votes:
 - A slate vote prevails over individual candidate votes.

EXAMPLES:

- If a full slate and individual candidates are selected, only the votes for the candidates on the full slate are tallied.
- If a partial slate (*including candidates for both delegate and alternate*) and individual candidates are selected and the total number of slate and individual candidates for delegate does not exceed the number of delegates to be elected, while the total number of slate and individual candidates for alternate does exceed the number of alternates to be elected, tally votes for all slate and individual candidates for delegate but tally votes only for slate candidates for alternate.
- If a slate box is checked, a slate vote is counted, no matter how the boxes of the individual members of that slate are checked below.
- If two slates receive votes, the votes cancel each other, to the extent that each slate has a candidate for the position being contested.

EXAMPLES:

- If two full slates are selected, no vote is tallied for any office.
- If a full slate and a partial slate (*including candidates for both delegate and alternate*) are selected, no vote is tallied for any office.

- If a **full** slate (delegates and alternates) and a **partial** slate (*including candidates for delegate only*) are selected, only the full slate candidates for alternate delegate are tallied.
- If two **partial** slates are selected and the total number of votes for any office is not exceeded by the total number of members of both selected slates, tally votes for the members of both selected slates for that office.
- If the number of candidates exceeds the total to be elected for an office, tally no votes for that office.
- If too many individual candidates are selected for any contested office, no vote is counted for the office.
- If too many candidates are selected for all offices (including the situation where two slates are selected), the ballot is marked "VOID" and given to a supervisor. If no candidates are selected for any office, the ballot is marked "VOID" and given to a supervisor. All such ballots are to be stored in the "Void Ballots" bin.
- **Torn ballot:** If a ballot is torn or if instructions only are torn off, ballot can be counted; but if a ballot is torn and any candidates torn off, ballot is marked "VOID" and given to a supervisor for storage in the "Void Ballots" bin.
- Any ballot containing information identifying the voter is "VOID"
- No votes for "write-in" candidates shall be tallied.
- The E. O. representative conducting the count will rule when voter intent is unclear.
- **Tally Sheets are checked and results compiled by E.O. supervisor and recorded on Official Election Tally sheet.** If a PC and printer are available, you may wish to use a simple spread sheet program (e.g., Lotus, Excel, QuattroPro) to record and compile the Table Tally sheets. Counted ballots are stored in boxes. Dividers should be used within the storage boxes to segregate the ballots by counting table. At the end of this process, the work day of the bulk of the count day workers is done and they can be sent home. You may wish to assign certain workers to check Table Tally sheets or assist in the compilation of Table Tally Sheets. Supervisory personnel not involved in the tally will count "Challenged" ballots and sort by Challenge Codes (alphabetical/numeric order within each Challenge Code) in preparation for:
- **Resolving challenged ballots/announcement of winners.** If the vote margin in the closest competition for any contested office between the leading candidate and the candidate with the next highest vote total is less than the number of challenged ballots,

a sufficient number of the challenged ballots must be independently resolved until the number of remaining challenged ballots is less than the margin between the leading candidate and the candidate with the next highest vote total. It should be noted that each count is different and there are no hard and fast rules regarding the order by which the various ballots classifications should be reviewed to most efficiently complete the challenge resolution process. One step in the resolution of challenged ballots should be to check eligibility of any duplicate ballots cast and marked "Challenged" and to count and tally all duplicates determined to be eligible. Additional steps are discussed in the accompanying "Understanding and Using the New Automated Election Control and Challenge Rosters" handout. In all cases, the tally of resolved challenged ballots should be recorded on a separate, suitably labeled Table Tally Sheet.

- Always attempt to resolve Challenged Ballots in sufficient lots to AVOID the possibility that you will be left with one ballot eligible to be counted and a margin of one between the winner and loser in the contest for a particular office. If, at the end of the challenge resolution process, one ballot is eligible to be counted and the election is still in doubt, the ballot should be counted even though there is no way to preserve the secrecy of that voter's ballot. (This is pursuant to DOL's policy.) ✓
- If two candidates are tied, the result, according to the *Election Rules*, is determined by lot.
- After resolution of a sufficient number of challenged ballots to reduce the number of unresolved challenged ballots below the closest vote margin, the results can be posted and the winners announced.

Complete Official Election Tally

- Sheet 1 contains the ballot reconciliation information and should be filled out based upon the Certification sent with your extra ballots, as well as your own records of how many ballots you sent out from the region.
- Sheet 2 contains the ballot count. Valid ballots counted (Line 2) should be the total of ballots counted under line counted at each table and during any challenged ballot resolution. Any ballots declared totally void at a table count, and any challenged ballots ruled ineligible should be included with the void ballots on Line 3, along with other voids (e.g. any unopened return envelopes without proper identification, open/resealed, etc.). Line 4 includes all unopened, challenged ballots.
- Line 1 on the ballot count is the total of Lines 2, 3 and 4 representing the total number of ballots cast.

AVOID ANNOUNCING NUMBERS UNLESS AND UNTIL YOU ARE ABSOLUTELY SURE THAT YOUR NUMBERS ARE FINAL.

NEVER MAKE INTERIM ANNOUNCEMENTS. THE WISEST COURSE IS TO REFRAIN FROM MAKING ANNOUNCEMENTS OTHER THAN THE VOTE TOTALS.

- After completion of the Official Election Tally, candidates (both successful and unsuccessful) and/or observers/slate representatives should be requested to sign the certification (sheet 4 of the Official Election Tally).
- A copy of the Official Election Tally should be given to the local union for posting in accordance with the Rules. Another copy should be transmitted to EOHQ with your report on the election.