

621—5.2(20) Conduct of election.

5.2(1) *General procedure—ballots.* After consulting with the parties to an election the board shall determine the date, place, and other procedural aspects of conducting the election. Elections shall be conducted under the direction and supervision of the board or its election agent and shall be by secret ballot. Ballots shall be provided by the board and shall contain the question required by Iowa Code section 20.15. The question in an election where only one employee organization appears on the ballot shall ask, “Do you wish to be represented for purposes of collective bargaining by [name of employee organization]?”, followed by the choices “Yes” or “No”; the question in an election where more than one employee organization appears on the ballot shall state: “Do you wish to be represented for purposes of collective bargaining by:” and shall then list horizontally or vertically thereafter the choices available, including the name of each employee organization and the choice of “Neither” or “No Representative”, as is applicable. In decertification elections, ballots shall be provided by the board and shall ask: “Do you desire that [name of certified employee organization] be decertified by the Public Employment Relations Board and cease to be your exclusive bargaining representative?”, followed by the choices “Yes” or “No”.

5.2(2) *Observers.* The parties to an election may each designate an equal number of representatives, not to exceed one per voting site, to act as its observers during the election and tally of ballots. Unless agreed to by the parties observers shall not be supervisory employees of the public employer.

5.2(3) *Ballot box.* Upon examination by the observers and prior to the opening of the polls, the election agent shall seal the ballot box so that entry thereto is limited to one slot. In the event that the election is continued for more than one polling period or at more than one polling place, the ballot box shall be sealed in its entirety and shall remain in the custody of the election agent until immediately prior to the next polling period or the counting of the ballots.

5.2(4) *Voting procedure—challenges.* An eligible voter shall cast the ballot by marking the voter’s choice(s) on the ballot and depositing it in the ballot box. If a voter inadvertently spoils a ballot, the ballot may be returned to the agent, who shall void and retain it and deliver to the voter another ballot. When a voter is unable to mark the ballot due to physical disability or inability to read or write, the agent may privately assist the voter.

An authorized observer or the board’s election agent may challenge for good cause the eligibility of any voter, provided such challenge is made prior to the time the voter casts the ballot. The challenged voter may mark the ballot in secret and the election agent shall segregate the ballot by causing it to be placed in the envelope with appropriate markings and deposited in the ballot box.

5.2(5) *Absentee ballot.* An absentee ballot shall be delivered to an eligible voter only upon the voter’s written notice to the board of the voter’s inability to be present at the election for good cause. The voted ballot must be in the possession of the election agent prior to the close of the manual election in order to be counted and shall be in the official envelope provided for this purpose. Challenges to the eligibility of absentee voters may be made at the time the ballots are commingled.