

# THE NATIONAL MEDIATION BOARD'S VOTING FAQs

The answers to these questions and more can be found on [NMB.gov](https://www.nmb.gov).

## **Q. HOW ARE NMB REPRESENTATION ELECTIONS CONDUCTED?**

**A.** On September 3, 2021, the NMB announced that elections will be conducted by mail-in ballot for a period of time as the agency transitions to a new electronic voting system.

## **Q. IS THE NMB ELIMINATING TELEPHONE ELECTRONIC VOTING (TEV) AND INTERNET VOTING?**

**A.** No, the NMB is not eliminating Telephone Electronic Voting (TEV) and Internet Voting. TEV was implemented on September 30, 2002, and Internet Voting was implemented on October 1, 2007, and have been the primary means of conducting the representation elections under the Railway Labor Act since that time. However, effective September 3, 2021, the NMB announced that while it transitions to a new electronic voting system, it will hold elections by a secure mail-in ballot process, as provided for in NMB's Representation Manual and has been done in many past NMB elections.

The Board shares a unified commitment to return to Telephone Electronic Voting (TEV) and Internet Voting as soon as possible. Electronic voting has been used in hundreds of past NMB elections where thousands of rail and air employees freely determined their chosen representatives or decided to end representation. The Board also shares a commitment to build a new electronic voting system that is safe and secure and fully complies with all federal security standards.

## **Q. WHY IS THE NMB SWITCHING TO MAIL BALLOT ELECTIONS?**

**A.** As part of the ongoing federal government cybersecurity evaluation process, all agency IT systems in use are examined to ensure compliance with federal standards. The NMB is committed to compliance with federal information security requirements. Pursuant to this evaluation process, the NMB requested certain IT information from its electronic voting contractor. Based upon its evaluation, the NMB decided to no longer use a contractor to operate its TEV and Internet Voting process, and initiated a process to build a comparable electronic voting system internally. The use of mail ballot elections is an interim measure until the NMB's electronic voting process can be implemented.

## **Q. HOW DOES THE MAIL BALLOT PROCESS WORK?**

**A.** Approximately five weeks prior to the tally, each voter is mailed a ballot package consisting of a ballot, instructions, and a ballot return envelope. In a standard mail ballot election, employees cast their ballot by marking the ballot and returning it to the NMB's offices using the postage-paid return envelope sent to them by the NMB. The way to vote for representation is to select one of the "Yes" options. The way to vote for no representation is to select the "No" option for no representative. The votes are tallied manually in the NMB's offices in Washington, DC. The results of the tally are provided to the participants in writing.

**Q. IS THE NMB REPRESENTATION PROCESS CONFIDENTIAL?**

**A.** Yes. All NMB voting is by secret ballot. Each eligible voter will be sent a ballot package. The ballot package is mailed directly to the employees' homes. The ballot package will consist of a ballot, instructions, and a postage-paid return envelope. Each envelope will contain an election code and a unique voter identification number. Requests for duplicate ballot materials must be made in writing and signed by the individual employee. Use of another voter's ballot materials is prohibited by 18 U.S.C. § 1001. The NMB does not disclose the ballot choice of any voter.

**Q. WHAT IS THE PROCESS FOR REQUESTING A DUPLICATE BALLOT?**

**A.** The process for requesting a duplicate ballot is set forth in instructions sent to each voter as well as posted at each base. The voter must request a duplicate ballot in writing and no group requests will be honored.

**Q. CAN VOTERS CHANGE THEIR VOTES?**

**A.** No. Once the ballot is successfully cast, a voter cannot change their vote. The voter cannot request a duplicate ballot in order to change their vote. If a voter returns both an original ballot and a duplicate, the duplicate will be marked as void and only the original ballot will be counted.

**Q. WHAT DO VOTERS DO IF THEY HAVE QUESTIONS OR HAVE A PROBLEM WITH THEIR VOTING MATERIALS?**

**A.** If a voter experiences problems or has questions regarding the voting process, they should contact the NMB at the number provided on the Notice of Election and an OLA staff member will assist them.

**Q. HOW IS THE WINNER OF AN ELECTION DETERMINED?**

**A.** If an organization or individual receives a majority of the valid votes cast, it will be certified as the representative.

