

**45 HANDLING CHALLENGING SITUATIONS:** Agents recognize that the election is a formal proceeding and that the representation election process often sets the stage for the parties' future relationship. By dressing and conducting him/herself in a manner consistent with the formality of the proceeding, the agent lends credibility to the Authority's processes and assists the parties in forging their relationship.

In a hotly contested election, the agent handles any unforeseen situations in a manner that maintains the dignity and formality of the process. Of paramount importance is that the election is conducted fairly and impartially, so that each eligible employee is given the opportunity to cast a secret, uncoerced ballot.

Many issues can be anticipated and avoided with careful pre-election planning. Some cannot. Examples of issues that may arise during the election include:

- a. The activity wants to change the polling site immediately before the polls open or during the election. The agent may not agree to change the site at this late date except in rare and unusual circumstances as described in [CHM 39.1](#). If the activity representative becomes insistent about changing the polling site, the agent may not engage in an argument, but instead, refuses. If the problem continues, the agent calls the Regional Director.
- b. A voter has no identification and none of the observers know him/her. The voter refuses to get the identification and insists on voting. Vote the employee under challenge; obviously there is no way the voter's identification can be verified and the challenge will be resolved as ineligible. The point in this scenario is to avoid a confrontation in the polling area.
- c. A supervisor insists on entering the polling area and attempts to disrupt the balloting. The supervisor does not dispute that s/he is ineligible to vote. The agent asks the supervisor to leave and the supervisor challenges the agent's authority. The agent asks for the supervisor's name and the name of his/her supervisor. The agent then calmly explains to the supervisor that s/he wants to make sure that the activity knows the identity of the supervisor who caused the rerun of the election. This usually ends the matter as the supervisor retreats quickly.
- d. The polls open late because the building is locked or the agent and

observers cannot obtain access to the polling area. Often the observers know someone to call. In either event, the agent records the circumstances that caused the polls to open late and whether any voters were disenfranchised. This situation can usually be avoided by verifying access to the building when planning the election.

- e. The agent learns during the election that the voters are being released in staggered shifts to vote. This was not a procedure that was considered or made part of the Election Agreement. The agent contacts the activity representative from a phone at the polling site or asks one of the voters to call the activity representative and apprise the representative of the situation. If the agent has to leave the voting area to talk to the activity representative responsible for this action, the agent waits for a lull in the voting. The agent and the observers seal the ballot box and the unused ballots. The agent takes the unused ballots and the ballot box with him/her and leave the observers at the polling site. The observers are instructed to ask any incoming voter to wait a few minutes. The agent goes to the nearest phone and contacts the activity representative.

While there are no hard and fast rules for handling these and other situations, the scenarios described above illustrate how some potentially tense situations can be diffused very quickly and professionally.