

# Pandemic Conditions Obstruct Long-Awaited Union Election

*Despite Lockdowns, Ballots Printed, Mailed, and Tallied for a Timely Election*

## OVERVIEW

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### THE PROBLEM

A worldwide pandemic causing unprecedented closures, restrictions, and health fears impedes a crucial union election.

### AAA SOLUTION

- New paper mills sourced, alternate transport arranged
- Intense disinfection of presswork plant and pay incentives to reassure workers and increase worker hours
- Close management of mail facility schedule
- Controlled business reply mail in lieu of post office
- Special safety protocols for election workers at tally

### RESULTS

A groundbreaking election, 15 years in the making, was held successfully and on schedule.

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## PROBLEM

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Years of work seeking collective bargaining rights for 43,000 service workers were about to culminate in an American Arbitration Association® (AAA®)-administered election in which these workers could affirm their choice to become a recognized union. Suddenly the world was struck by the coronavirus pandemic, and what followed affected all facets of running a mail-ballot election. Traditional AAA election department suppliers—paper mills, envelope converters, printing plants, mail houses—now were subject to varying rules from state to state, and many either had closed or were operating on reduced hours. Initially, it seemed as if the election would have to be postponed. However, the union organizers, who just had spent the past few months talking up the details of the election to workers, were greatly concerned about delays. They pressed the AAA to proceed on schedule so as not to lose momentum.

## AAA SOLUTION

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### Creating Workaround to Obtain Paper Stock for Envelopes

Mail-ballot elections customarily require three different envelopes; this election needed stock for conversion to 130,000 envelopes. With COVID-related closures at the nearby paper mills and envelope converters that the AAA customarily relied on for large orders, the AAA had to seek out manufacturers in more distant states that did not face restrictions on staying open.

New suppliers were located, but they could not meet the deadline for getting the envelopes on press. The AAA then made special trucking arrangements that put long-distance drivers on standby to pick up the stock the instant it was ready. Delivery to the printer was one day past deadline, so the AAA revised the production schedule to allow for overtime on press.

**Envelopes were delivered on schedule to the printer.**

*To overcome worker anxiety over workplace endangerment, the plant was closed for 24 hours for a thorough disinfection by a sanitizing crew.*

### **Overcoming a Shortage of Press Workers due to COVID-19**

At the start of the restrictions to workplaces in mid-March due to COVID-19, printing was designated as an essential industry in New York State, where the envelopes and ballots were to be printed. Getting presswork done on schedule originally did not present as a problem. However, the number of COVID-19 cases and hospitalizations rapidly increased in New York. By the end of April, close to one-third of the press workforce did not show up for scheduled shifts due to fear of travel and close proximity to other workers at the plant. The AAA was informed that there would be a significant problem getting ballots and instruction sheets printed in time for the scheduled mail date.

To overcome worker anxiety over workplace endangerment, the plant was closed for 24 hours for a thorough disinfection by a sanitizing crew. With more workers returning, the AAA then instituted double-time pay for workers who agreed to an additional shift or additional hours.

**The ballots and instruction sheets were delivered to the mail facility on schedule.**

### **Getting Ahead of Mail-Delivery Delays**

The U.S. Postal Service has had delayed operations ever since the start of the pandemic. First Class Mail often was not meeting the standard of delivery in two to five days. This was a matter of concern because the ballot packets were being mailed to recipients in a distant state, who then had a limited timeframe in which to send in their votes. The AAA utilized double-time shifts at the mail facility to assemble the ballot packets faster.

**The ballot packets were delivered to the post office one day ahead of schedule.**

### **Taking Charge of Collecting Business-Reply Envelopes**

As previously arranged, the post office was to hold all AAA business reply mail (in which the workers returned their ballots), provide a daily total, and allow for a single pickup on a set date. However, because one mail carrier failed to comply with the instructions, some replies were delivered to the AAA office and some were held at the post office. It became difficult to provide daily response data.

The AAA directed the post office to send all business reply mail to the AAA office, provided the daily totals, and personally visited the post office numerous times to ensure receipt of all envelopes. In fact, 118 processed envelopes that had not been forwarded to the AAA office were discovered.

**All business reply mail was accounted for.**

*The AAA set up the ballot count to comply with the strictest safety regulations.*

*Despite staffing challenges, the AAA recruited a team of experienced workers to participate.*

### **Ensuring Safety Arrangements at the Tally**

More than 9,000 voters sent in their ballots—a 21.7% return, considered very good for this type of election. The barcoded reply envelopes first had to be scanned for eligibility. In addition to the scanning staff, a large group of temporary workers were needed for the tedious and time-consuming process of checking signatures, opening reply envelopes and inner ballot envelopes, and finally removing ballots to be scanned.

The State of California had extensive COVID-19 restrictions at that time, varying from day to day as data changed. The AAA set up the ballot count room to comply with the strictest safety regulations regarding worktables, social distancing, face masks, and hand sanitizers. Despite staffing challenges, the AAA recruited a team of experienced workers to participate.

**The election tabulation was completed without incident and on schedule.**

### **RESULTS**

This extremely high-profile election, concluding a process begun over a decade and a half earlier, was held successfully. A vote of 97% allowed collective bargaining for these workers, clearly a desired result for this constituency.

The AAA has provided service in extreme circumstances before when much of the world appeared to grind to a halt, so postponing this election simply was not an option.



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