

General Rules for Electing Officers in International Brotherhood of Electrical Workers (IBEW) Local 98 Philadelphia, PA

Pursuant to a court order dated June 10, 2022 from the U.S. District Court, Eastern District of Pennsylvania, International Brotherhood of Electrical Workers (IBEW) Local 98 will conduct new nominations and a new election for the offices of president and five (5) executive board members under the supervision of the Secretary of Labor and in accordance with Title IV of the Labor-Management Reporting and Disclosure Act of 1959 (LMRDA), and insofar as lawful and practicable with the IBEW International Constitution and Local 98 Bylaws. The nomination and election for the remaining IBEW Local 98 officer positions (vice president, recording secretary, business manager/financial secretary, treasurer, and three (3) examining board members) are not subject to supervision by the Secretary. However, the Office of Labor-Management Standards (OLMS) of the U.S. Department of Labor will be involved in all aspects of the election mechanics to ensure that the races subject to supervision in this election occur in accordance with the court's order and Title IV of the LMRDA. In accordance with that responsibility, OLMS has established the following rules for the supervised election.

1. Election Supervisor

Senior Investigator Angela Menges has been appointed Election Supervisor and has the authority and responsibility for implementing all aspects of the supervised election. All questions, correspondence, or protests should be directed to her at the following address:

Angela Menges, Election Supervisor
U.S. Department of Labor, Office of Labor-Management Standards
Philadelphia-Pittsburgh District Office
1835 Market Street
Mailstop OLMS/21
Philadelphia, PA 19103-2968
Cell: (202) 302-9203
Fax: (215) 861-4849
Email: IBEW98ElectionSupervisor@dol.gov

2. Application of IBEW Local 98 Constitution/Bylaws

The election will be conducted, insofar as lawful and practicable, in accordance with the provisions of the IBEW International Constitution dated May 2022 and the Local 98 Bylaws dated January 25, 2023.

3. Officers to be Elected

As provided in the court order, new nominations and a new election will be held for the offices of president and five (5) executive board members under the supervision of the Secretary of Labor. Nominations and election for the offices of vice president, recording secretary, business manager/financial secretary, treasurer, and three (3) examining board members will be conducted but will not be under the supervision of the Secretary of Labor.

4. Term of Office

Installation for those elected will occur at the membership meeting on Tuesday, July 25, 2023. The term of office will be for three (3) years which will end upon installation of new officers after the June 2026 regularly scheduled election of officers.

5. Eligibility to Hold Office

Article XVI, Section 10 of the IBEW Constitution and Article III, Section 9(e) of the Local 98 Bylaws provide, “No member shall be eligible for office unless he/she has been a member of Local Union 98 in continuous good standing for at least two (2) years immediately prior to nomination.” Article XVI, Section 10 of the IBEW Constitution further provides, “A member must be in good standing between the time of nomination and installation...”

Article XVI, Section 6 of the IBEW Constitution provides, “In each L.U. whose members participate in the Pension Benefit Fund, no member shall be eligible to serve as F.S. [Financial Secretary] unless such member is also a participant in the Pension Benefit Fund, unless this requirement is waived by the I.P. [International President].”

Apprentices are not eligible to hold office.

Members who have retired from the IBEW and are collecting their pension benefit from the dues-funded IBEW Pension Benefit Fund are not eligible to hold office. If a member is no longer working in the trade and is collecting a pension from Local 98, but has not applied for his/her pension benefit from the IBEW Pension Benefit Fund, that member is eligible to hold office provided the member is still paying their basic dues to the local union and per capita payments to the IBEW International.

Section 504 of the LMRDA prohibits persons convicted of certain crimes, including robbery, bribery, extortion, embezzlement, grand larceny, burglary, arson, violation of narcotics laws, murder, rape, assault with intent to kill, assault which inflicts grievous bodily injury, and violations of Title II of the LMRDA, from holding office for 13 years after conviction or after their release from imprisonment, whichever is later.

Members who are considering becoming candidates are encouraged to check their eligibility status in advance of the nomination meeting by contacting the Local 98 Finance Office at (215) 563-8991. The Finance Office staff will maintain documentation of such contacts and the eligibility determinations.

Candidate eligibility will be determined for all candidates by the Local 98 Election Board, in conjunction with Department of Labor representatives.

Eligible nominees will be notified of their eligibility, mailed a copy of these rules, and be asked how their names will appear on the ballot. Ineligible nominees will be advised of the reason(s) they are not eligible to run for office in writing by IBEW Local 98 Election Judge Justin Bielec by May 10, 2023.

6. Nominator Eligibility

To be eligible to nominate candidates, a member must be in good standing. Good standing means that as of the date of nominations, the member is not 3 months or more behind in paying dues. Members who are in arrears for 3 or more, but less than 6 months, as of May 9, 2023 may regain good standing membership by paying dues (including any applicable late fees and/or reinstatement fees) on or before 6:00 p.m. on May 9, 2023 at the Local 98 Finance Office. Article XXI, Section 4 of the IBEW Constitution provides that any member indebted for 6 months' full dues shall be dropped from membership and cannot become a member in good standing again except by joining as a new member. Accordingly, such an individual is not eligible to nominate candidates.

If a member paid dues for the 1st quarter of 2023 (January, February and March), but has not paid dues for the 2nd quarter of 2023 (April, May and June), that member is eligible to make nominations since that member is not 3 months or more behind in paying dues.

Apprentices are not eligible to make nominations.

Members who have retired from the IBEW and are collecting their pension benefit from the dues-funded IBEW Pension Benefit Fund are not eligible to make nominations. If a member is no longer working in the trade and is collecting a pension from Local 98, but has not applied for his/her pension benefit from the IBEW Pension Benefit Fund, that member is eligible to make nominations provided the member is still paying their basic dues to the local union and per capita payments to the IBEW International.

Members who are considering making nominations are encouraged to check their eligibility status in advance of the nomination meeting by contacting the Local 98 Finance Office at (215) 563-8991.

Nominator eligibility will be confirmed for all nominators at the nomination meeting on Tuesday, May 9, 2023 by the Sergeant-at-Arms in conjunction with OLMS representatives. Members will be asked to present a dues receipt card in order to attend the meeting. If members need a dues receipt card, they may obtain one from the Local 98 Finance Office on or before 6:00 p.m. on May 9, 2023.

7. Nomination/Election Notice

A combined nomination/election notice will be prepared by Local 98 Attorney William Josem and OLMS Election Supervisor Angela Menges. The notice will advise members of: candidate and nominator eligibility requirements; offices to be filled; term of office; the date, time, and place of the nomination meeting as well as the proper form for submitting nominations; voter eligibility requirements; the date, time, and place of the election and runoff election (if necessary); procedure to request an absentee ballot; protest procedures; and that the election is being conducted under OLMS supervision pursuant to a court order. OLMS Election Supervisor Menges and/or other OLMS representatives will supervise the preparation, printing and mailing of the notice. OLMS Election Supervisor Menges will be included in the mailing.

On Tuesday, April 18, 2023 beginning at 10:00 a.m. at Strassheim Graphic Design & Press Corp. located at 1500 Spring Garden Street, Suite 225, Philadelphia, PA 19130, the notice will be prepared and printed. Immediately upon completion of the printing, Strassheim will mail the notice to the last known home addresses of all Local 98 members. The union will also disseminate the notice to the membership via email.

Undeliverable notices will be returned to IBEW Local 98 c/o Election Judge Justin Bielec. Election Judge Bielec will receive and handle undeliverable notices. The election board is responsible for obtaining new addresses for members whose notices are returned as undeliverable.

8. Nomination Meeting

The Local 98 nomination meeting will be conducted:

Date: Tuesday, May 9, 2023
Time: 6:00 p.m.
Place: IBEW Local 98 Union Hall
1719 Spring Garden Street
Philadelphia, PA 19130

OLMS Election Supervisor Angela Menges will attend and supervise the conduct of the nominations. The meeting will be chaired by the IBEW Local 98 President. In the event the president cannot attend the nomination meeting, the IBEW Local 98 Vice President will chair the meeting. No quorum will be necessary.

Pursuant to the IBEW Basic Laws & Policies and the IBEW Local Union Election Guide, “After nominations have been held, it is the responsibility of the Election Board to determine that the nominees meet the eligibility requirements set forth in the IBEW Constitution and local union bylaws.” The Local 98 Finance Office staff will arrange to obtain an updated membership list so that candidate eligibility can be determined by the Local 98 Election Board, in conjunction with OLMS representatives.

Article III, Section 9(b) of the Local 98 Bylaws provides, “No members shall be a candidate for more than one (1) office... If nominated for more than one office, the member shall immediately declare for which office he/she will be a candidate.” Pursuant to the IBEW Local Union Election Guide, this rule does not preclude a member from serving as a local union officer and a member of the local union Examining Board, since under Article XVI, Section 1, of the IBEW Constitution, Examining Board members are not operating officers of the local union.

Nominations will be made at the nomination meeting from the floor, no second to the nomination is required, and the nominated candidate need not be in attendance. Self-nominations are permitted. To make a nomination, a member must stand and be recognized by the presiding officer, identify himself or herself, be verified as an eligible nominator, and state the office and name of his/her nominee.

Members who are not in attendance can make or accept nominations in writing. Self-nominations can be made in writing and also require a written notice of acceptance, if not present at the meeting to accept. To be valid, written nominations and nomination acceptances (if not attending the meeting) must be received by OLMS Election Supervisor Menges via email to IBEW98ElectionSupervisor@dol.gov, via text message to (202) 302-9203, via facsimile to (215) 861-4849, or via mail (i.e., regular U.S. mail, FedEx, UPS, etc.) **and** to IBEW Local 98 Election Judge Justin Bielec via email to Jbielec98@gmail.com, via text message to (215) 850-7831, or via mail c/o IBEW Local 98 (i.e., regular U.S. mail, FedEx, UPS, etc.) no later than 5:00 p.m. on Tuesday, May 9, 2023. The nomination should include the name of the nominee, the office to which nominated, and the name of the member making the nomination. Nomination acceptances should include the name of the member accepting the nomination and the office for which that member wishes to accept a nomination. Such nomination acceptances will be considered final – if that member is nominated during the meeting for a position other than the position for which he/she specified, the latter nomination will not be valid. Written nominations will be presented during the nomination meeting by IBEW Local 98 Election Judge Justin Bielec.

No later than 10:00 a.m. on Wednesday, May 10, 2023, candidates must advise IBEW Local 98 Election Judge Justin Bielec in writing how they wish their names to appear on the ballot via email to Jbielec98@gmail.com or via text message to (215) 850-7831. Nicknames will not be permitted.

Nominees can withdraw from the race up until Friday, May 26, 2022. Withdrawals must be made in writing to OLMS Election Supervisor Menges via email to IBEW98ElectionSupervisor@dol.gov, via text message to (202) 302-9203, via facsimile to (215) 861-4849, or via mail (i.e., regular U.S. mail, FedEx, UPS, etc.) **and** to IBEW Local 98 Election Judge Bielec via email to Jbielec98@gmail.com or via text message to (215) 850-7831.

9. Candidate Meeting

The candidate meeting will be conducted:

Date: Tuesday, May 9, 2023
Time: Immediately following the 6:00 p.m. nomination meeting
Place: IBEW Local 98 Union Hall
1719 Spring Garden Street
Philadelphia, PA 19130

OLMS Election Supervisor Angela Menges will meet with all interested candidates immediately following the nomination meeting to discuss campaign rules, inspection of the Local 98 membership list, distribution of campaign literature, and observers. A candidate may send a representative to this meeting. The members of the Local 98 Election Board will also be in attendance.

10. Campaign Procedures

The LMRDA requires that all candidates be treated equally with respect to the opportunity to campaign. Section 401(g) provides that any monies received by IBEW Local 98 or any other labor organization by way of dues, assessments, or similar levy, or monies of any employer may not be used directly or indirectly to support the candidacy of any person in a union election of officers. This prohibition extends to equipment, vehicles, office supplies, records, and personnel of the IBEW, Local 98, and any other labor organization and to employers, whether or not they employ IBEW Local 98 members. Union officers and employees may not campaign on time that is paid for by the union.

Page 3 of the IBEW Local Union Election Guide provides, “The use of union stationery, supplies, or the IBEW logo by a candidate is forbidden.”

Page 4 of the IBEW Local Union Election Guide provides, “A local union should not post any candidate’s campaign literature on its website. Candidates are free to create their own websites or social media pages, but those websites or pages should not purport to be official sites of the local union or display the IBEW logo, which is a registered trademark.”

Campaigning on employer property is controlled by the policies of that employer. Campaigning includes, but is not limited to, leafleting, posting literature, and speaking with potential voters. Federal law requires that all candidates be afforded the same opportunities to campaign, therefore, if an employer prohibits or limits the campaigning of one candidate, then all candidates are subject to the same prohibition or limitation.

Please note that, regardless of employer policy, no resources of any employer may be used to promote candidacy. This prohibition includes such resources as described above. Additionally, all persons shall refrain from campaigning to members while they or the member are on the clock.

Page 5 of the IBEW Local Union Election Guide forbids all campaigning at the polls.

On the day of the election, campaigning will not be permitted on the steps or in the vestibule of any entrance to the building of the polling site.

The LMRDA also prescribes that members, in the exercise of the right to support candidates of their choice, may not be subjected to penalty, discipline, or reprisal of any kind by a labor organization or its members.

11. Campaign Literature

In order to prevent inadvertent violations, Local 98 will submit to OLMS Election Supervisor Angela Menges for review all Local 98 mass communications to the membership including, but not limited to, newsletters, website/social media postings, and emails. Election Supervisor review and approval will take place before the communication is sent to membership.

Campaign mailings will be handled by Strassheim Graphic Design & Press Corp. located at 1500 Spring Garden Street, Suite 225, Philadelphia, PA 19130. Candidates must contact IBEW Local 98 Election Judge Bielec via email to Jbielec98@gmail.com or via text message to (215) 850-7831 if they wish to conduct campaign mailings. Election Judge Bielec will coordinate communications between the candidates and Strassheim.

All costs associated with printing and mailing of campaign literature will be paid by the candidate. Strassheim will need 2-3 working days to process a mailing for full rate meter postage, and will need 3-4 working days for a presorted mailing below. All invoices must be paid in full before Strassheim will start addressing.

Currently, the full Local 98 mailing list contains 5,702 names. If a candidate wishes to have campaign literature mailed to only a portion of the membership, the request must be honored if such distribution is practicable.

Full rate meter postage (all rates shown are for under 1 ounce) is the fastest delivery by the U.S. Postal Service:

- Postal (up to 6 x 4 ¼) – \$0.48 each
- Letter size (up to 11 x 6) – \$0.60 each
- Flat size (larger than 11 x 6) – \$1.26 each

For the postage with ranges, these rates depend on the zip code concentrations: First class presort mail postage (can go more than 1 ounce for the same rate) – official delivery time from the Post Office is 1-5 business days, typically might run in line with metered mail, but more likely a day behind:

- Postal – \$0.352 - \$0.381 per piece (best estimate: \$0.37 per piece)
- Letter size – \$0.471 - \$0.531 per piece (best estimate: \$0.507 per piece)
- Flat size – \$0.689 - \$1.068 per piece (best estimate: \$0.896 per piece)

Marketing class presort mail postage (can go more than 1 ounce for the same rate) – official delivery time from the Post Office is 2-8 business days; this mail gets processed after first class mail so it might take about 3-5 business days. There is no Postal rate for this class of mail:

- Letter size – \$0.275 - \$0.36 per piece (best estimate: \$0.309 per piece)
- Flat size – \$0.483 - \$0.896 per piece (best estimate: \$0.637 per piece)

Full rate meter mailing costs: addressing, metering, delivery to Post Office: \$35.00 setup plus \$0.06 per piece.

Presort mailing costs: processing/sorting list, addressing, prep sorted trays, delivery to Post Office: \$75.00 plus \$0.09 per piece.

The candidates can either supply Strassheim with the printed/stuffed materials, or they can hire Strassheim to print the materials for mailing. Charges for such work must be negotiated directly between the candidate and Strassheim.

Strassheim also has the capability to handle campaign emailings by utilizing third-party online marketing company Constant Contact. Strassheim will conduct a one-time upload of the same membership emailing list to the individual email accounts Strassheim creates for each candidate. The “unsubscribe” option will be per candidate and will not affect other candidates’ emailing lists.

Each email “blast” costs \$150 and is payable directly to Strassheim. Each candidate will need to set up an approximately one-hour long appointment with Strassheim staff who will put the email together with the candidate present. Constant Contact has a limit of 24 email blasts per month per candidate.

Local 98 will not be distributing an official publication listing all candidates for office.

12. Inspection of Membership List

Once within 30 days of the election, each candidate has the right to inspect a list containing the names and last known addresses of all Local 98 members subject to a collective bargaining agreement. No candidate is entitled to a copy of the list.

The membership list will be available for inspection at the Local 98 Finance Office between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday, beginning Thursday, May 4, 2023 through Friday, June 2, 2023. Candidates must make a request in writing to IBEW Local 98 Election Judge Justin Bielec via email to Jbielec98@gmail.com or via text message to (215) 850-7831, who will arrange to be present himself or will arrange to have another Election Board member present for the inspection.

13. Voter Eligibility

To be eligible to vote, a member must be in good standing. Good standing means that as of the date of the election, the member is not 3 months or more behind in paying dues. Members who are in arrears for 3 or more, but less than 6 months as of June 3, 2023 may regain good standing membership by paying dues (including any applicable late fees and/or reinstatement fees) no later than 3:00 p.m. on or before June 3, 2023 at the Local 98 Finance Office. Members will be required to pay by check, cash, or money order if paying on the day of the election. Those who are 6 months or more in arrears must apply for reinstatement to membership.

If a member paid dues for the 1st quarter of 2023 (January, February and March), but has not paid dues for the 2nd quarter of 2023 (April, May and June), that member is eligible to vote since that member is not 3 months or more behind in paying dues.

The union shall furnish to IBEW Local 98 Election Judge Justin Bielec no later than May 24, 2023, a list of all members eligible to vote. Local 98 Finance Director Christine Bott will create a separate list containing names of members who paid dues between May 24, 2023 and

June 2, 2023 which will also be furnished to Election Judge Bielec on the day of the election. The Local 98 finance staff will be responsible for voter check-in. Staff should not make decisions about voter eligibility without the approval of OLMS Election Supervisor Angela Menges.

Apprentices are not eligible to vote. Finance Director Bott will arrange for records from the apprentice school to be available at the polling site to determine the voter eligibility of recently-graduated apprentice members.

Members who have retired from the IBEW and are collecting their pension benefit from the dues-funded IBEW Pension Benefit Fund are not eligible to vote. If a member is no longer working in the trade and is collecting a pension from Local 98, but has not applied for his/her pension benefit from the IBEW Pension Benefit Fund, that member is eligible to vote provided the member is still paying their basic dues to the local union and per capita payments to the IBEW International.

For this supervised election, photo ID (work or state issued) will be required to vote, for example: driver's license, employer ID, PIV card, TWIC card, passport, military ID, etc. If a member is unable to present photo ID and cannot be identified by union officials, he or she may vote a challenged ballot but should first be requested to return to the polls after obtaining photo ID.

Members will not be required to present their dues receipt card in order to vote, as the voter eligibility list will include only members in good standing.

14. Ballot Preparation

The Local 98 Election Board, in conjunction with the third-party balloting company ElecTec Election Services Inc., will design the official ballot and comprehensive voting instructions with OLMS approval.

Ballots must not show any identifying marks, such as "incumbent" or "wireman," beside a candidate's name. Candidates' names will appear in alphabetical order on the ballot for each respective office, beginning with president and continuing in the order named in the IBEW Constitution. Slate voting will not be permitted.

Page 42 of the IBEW Basic Laws & Policies provides, "Even if there is no contest or no nominee for a specific office, that office must be listed on the ballot. When more than one member is to be elected, as in the case of the Executive Board, the number to vote for (e.g., "vote for not more than five") should be indicated under that office title."

15. Absentee Ballots

For this supervised election, OLMS will handle all absentee ballots. OLMS will handle absentee ballots for a runoff election only if the runoff involves the offices of president or the five (5) executive board members. Otherwise, the Local 98 Election Board will handle absentee ballots for the runoff election.

IBEW Local 98 Election Judge Justin Bielec, together with OLMS Election Supervisor Angela Menges, arranged for a post office box which will be used solely for election purposes.

The keys to the post office box shall remain in the possession of OLMS Election Supervisor Menges until at least Saturday, June 3, 2023. Postal authorities have been instructed that U.S. Department of Labor representatives bearing official credentials are the only individuals permitted to have access to the post office box until June 3, 2023 and that ballots are not to be released under any circumstances until the scheduled time.

Postal authorities have also been advised that a runoff election, if necessary, will be conducted on Saturday, June 24, 2023 and that the outcome of the initial election will determine whether the runoff election is conducted under the supervision of the U.S. Department of Labor. A new letter will be issued to the Postmaster immediately after the initial election advising who will be permitted access to the post office box between June 3, 2023 and June 24, 2023, i.e. U.S. Department of Labor representatives or IBEW Local 98 Election Judge Justin Bielec.

The post office box may be inadequate to hold all of the returned absentee ballots; therefore, arrangements were made with the Post Office to hold any such overflow ballots.

The printing, acquisition, custody, control, and distribution of absentee ballots will be under direct OLMS supervision. Ballots, instructions, and envelopes for absentee voters will be printed at Strassheim Graphic Design beginning at 10:00 a.m. on Thursday, May 11, 2023. Each candidate is entitled to have one observer present for the printing. All materials will be stored at the OLMS Philadelphia Office, and ballots will be stamped with the raised DOL seal.

The printing, acquisition, custody, control, and distribution of absentee ballots for a runoff election will be under direct OLMS supervision only if the runoff involves the offices of president or the five (5) executive board members. Runoff ballots, instructions, and envelopes for absentee voters will be printed at Strassheim Graphic Design beginning at 10:00 a.m. on Monday, June 5, 2023. Each candidate is entitled to have one observer present for the printing.

Absentee ballot packets will include:

- voting instructions
- one unmarked ballot
- one small envelope marked "secret ballot"
- one larger return envelope addressed to the absentee ballot post office box. OLMS Election Supervisor Angela Menges will ensure the member's name and address are pre-printed in the upper, left-hand corner of the envelope. (The member's name and address on the outer envelope will only be used to verify voter eligibility.)

The voting instructions will advise the member to mark his/her ballot in private, seal it in the secret ballot envelope, and place the secret ballot envelope in the return envelope addressed to the absentee ballot post office box.

In the unlikely instance of an undeliverable absentee ballot packet, the undeliverable packets will be returned to OLMS Election Supervisor Menges at the following address:

Angela Menges, Election Supervisor
U.S. DOL-OLMS
Philadelphia-Pittsburgh District Office
1835 Market Street
Mailstop OLMS/21
Philadelphia, PA 19103-2968

The OLMS address will be printed on the front, upper left corner of the outer mailing envelope.

Postage for the return envelope containing voted absentee ballots will be paid by Local 98. If Local 98 provides postage to OLMS, any leftover postage and supplies will be returned to Local 98 at the conclusion of the election.

Page 5 of the IBEW Local Union Election Guide provides, “It is important to note that members who request an absentee ballot for the initial election are to automatically receive an absentee ballot for a subsequent runoff election, if one is required. An individual who votes at the polls in the initial election may request an absentee ballot for the runoff election, and such a request must be honored...”

It should be noted that a member who votes by absentee ballot in the initial election is not required to vote by absentee ballot in the runoff election and may vote at the polling site.

Requests for absentee ballots must be made in writing to OLMS Election Supervisor Angela Menges via email to IBEW98ElectionSupervisor@dol.gov, via text message to (202) 302-9203, via facsimile to (215) 861-4849, or via mail (i.e., regular U.S. mail, FedEx, UPS, etc.). Requests for absentee ballots may be made beginning Thursday, May 4, 2023 and must be received by Friday, June 2, 2023 by 5:00 p.m. Requests for absentee ballots for the runoff election, if needed and if an absentee ballot was not requested for the initial election, may be made beginning Thursday, May 25, 2023 and must be received by Friday, June 23, 2023 by 5:00 p.m.

If a runoff election does not involve the offices of president or the five (5) executive board members, requests for absentee ballots must be made in writing to IBEW Local 98 Election Judge Justin Bielec via email to Jbielec98@gmail.com or via text message to (215) 850-7831.

Requesters should keep in mind the time it takes to receive a ballot via USPS in addition to the time it takes to mail the ballot back to the designated post office box. Absentee ballots must be received at the designated post office box no later than 10:30 a.m. on Saturday,

June 3, 2023 for the initial election and no later than 10:30 a.m. on Saturday, June 24, 2023 for the runoff election. Absentee ballots received after the respective deadlines will not be counted.

When requesting an absentee ballot, members must include their full name, address on file with the union, address where the member wants the absentee ballot sent, phone number, email address, and union card number. Verbal requests for absentee ballots will not be accepted.

OLMS will maintain a dated log of absentee ballot requests and mailings. This list will be available at the polling site on the day of the election. OLMS will maintain the log for the runoff election only if the runoff involves the offices of president or the five (5) executive board members. Otherwise, the Local 98 Election Board will maintain the log for the runoff election.

All costs of the post office box(es) and mailing(s) of absentee ballots will be incurred by Local 98.

16. Polling Site Procedures

The polls will be open on Saturday, June 3, 2023 from 8:00 a.m. to 6:00 p.m. at the Local 98 union hall, 1719 Spring Garden Street, Philadelphia, PA 19130. A runoff election, if necessary, will be held on Saturday, June 24, 2023 from 8:00 a.m. to 6:00 p.m. at the Local 98 union hall, 1719 Spring Garden Street, Philadelphia, PA 19130. Members in line when the polls close at 6:00 pm will be permitted to vote.

Voting machines will be used at the polling site. Local 98 has contracted with ElecTec Election Services Inc. to provide voting machines. A representative of ElecTec will set up and monitor the machines throughout the day. Candidates will be permitted to have an observer present while the ElecTec representative sets up the voting machines. The ElecTec representative will obtain a tally from each machine after the polls close.

Voting machines will be programmed to count all ballots where the member voted for three (3) or fewer candidates for the examining board positions and five (5) or fewer candidates for the executive board positions. Under-voted ballots will be tabulated by the machines. The machines will not permit a member to vote for more than 3 candidates for the examining board or more than 5 candidates for the executive board. For absentee ballots, undervotes will be counted and overvotes will be voided.

Voters who wish to vote in person will obtain a card bearing his/her name and card number from the Local 98 Finance Office staff at the voter check-in tables. **The member will present valid photo identification (work or state issued), such as a driver's license, employer ID, PIV card, TWIC card, passport, military ID, etc.** The member's eligibility will be checked using the voter eligibility list. The member will be directed to the next available voting machine, where he/she will hand the card to an Election Board member or ElecTec representative and enter the voting booth. After voting, the member will immediately leave the polling area.

If a member is required to vote a challenged ballot, the member will be given a printed ballot, a small unmarked ballot envelope, and a larger outer envelope marked “challenged ballot.” An Election Board member will record on the outer envelope the challenged voter’s name, other identification information, the specific reason for the challenge, and the name of the member who raised the challenge. The same information will be recorded on a challenged ballot register. The voter will be directed to a secure area and instructed to seal the voted ballot in the unmarked envelope, and seal that envelope inside the challenged ballot envelope. The voter will place the envelope in the challenged ballot box. The Election Board will attempt to resolve all challenged ballots, using the challenged ballot register, before the tally.

17. Collection and Tally of Ballots

An OLMS representative will retrieve the absentee ballots from the Post Office at 11:00 a.m. on Saturday, June 3, 2023 for the initial election and at 11:00 a.m. on Saturday, June 24, 2023 for the runoff election (only if the runoff involves the offices of president or the five (5) executive board members). Postal authorities will be instructed that ballots are not to be released under any circumstances until the scheduled time. All observers, as well as a member of the IBEW Local 98 Election Board, are permitted to accompany the OLMS representative to the Post Office to retrieve the voted ballots. After picking up the absentee ballots, the OLMS representative will transport the ballots to the tally site (polling site).

If the runoff does not involve the offices of president or the five (5) executive board members, then IBEW Local 98 Election Judge Justin Bielec will retrieve the absentee ballots for the runoff election at 11:00 a.m. on Saturday, June 24, 2023. Observers will be permitted to accompany Election Judge Bielec to the Post Office to retrieve the voted ballots. After picking up the absentee ballots, Election Judge Bielec will transport the ballots to the tally site (polling site).

The Election Board will tally the absentee and challenged ballots under the supervision of OLMS representatives. The counting process will continue non-stop until completion. Before actually counting the absentee ballots, the Election Board will verify that all ballots are from eligible members, using an updated eligibility list. Each voter’s name will be marked off the eligibility list to insure that the member did not vote in person and that the member did not request, receive, and vote more than one absentee ballot. If a member votes more than once, the polling site vote will be counted and the absentee ballot will not be counted.

After voter eligibility is checked, the outer envelope will be opened and the secret ballot envelope removed. After mixing, the secret ballot envelopes will be opened and the ballots stacked for counting purposes. These procedures will insure ballot secrecy. During the counting of ballots, only the Election Board and OLMS representatives will physically handle the ballots. However, candidates and their observers will be permitted to watch the entire counting process. All ballots, counted and uncounted, will be kept in view of the observers at all times. Write-in votes are not permitted by the Local 98 Bylaws and will be voided.

The Local 98 Bylaws provide, “The election shall be decided for the candidate receiving the majority of the votes cast for a specific office (other than Executive Board and Examining Board positions). Local Union Executive Board or Examining Board positions shall be decided for the candidate(s) receiving the highest number of votes for the respective positions.”

The candidates for the positions of president, vice president, recording secretary, business manager/financial secretary and treasurer who receive the majority of votes cast will be declared elected.

The candidates for executive board and examining board who receive the highest number of votes cast for the respective positions will be declared elected.

Article III, Section 4(1) of the Local 98 Bylaws provides, “In the event a candidate does not receive a majority of the votes cast for a specific office, then a runoff election will be held between the two (2) candidates receiving the highest number of votes. This does not include the election for the Local Union Executive Board (and/or Examining Board), which shall be decided for the candidates receiving the most votes.”

A runoff election, if necessary, will be held on Saturday, June 24, 2023 from 8:00 a.m. to 6:00 p.m. Any runoff election will be conducted under the supervision of the Secretary of Labor only if it involves the offices of president or the five (5) executive board members.

No absentee ballot received later than 10:30 a.m. on June 3, 2023 for the election and later than 10:30 a.m. on June 24, 2023 for the runoff election shall be opened by the Election Board.

In the event of a tie, that race will proceed to a runoff and another election notice will be sent.

18. Observers

Each candidate is entitled to have one observer present at the various stages of the election including the polling site, the preparation and collection of absentee ballots, and the tally.

An observer must be a member of Local 98 and a candidate may act as his/her own observer. No ballot-related function will take place without OLMS representatives present, and observers will be given notice and opportunity to attend. Observers will be required to present identification and sign an observer register.

Only one observer per candidate at a time will be permitted in each room of the polling site during polling hours. Candidates plus one observer per candidate will be permitted at the tally of the ballots.

Names of observers and the candidates for whom they are observing must be submitted to IBEW Local 98 Election Judge Justin Bielec via email to Jbielec98@gmail.com or via text message to (215) 850-7831 no later than 5:00 p.m. on Friday, June 2, 2023 for the election

and no later than 5:00 p.m. on Friday, June 23, 2023 for the runoff election.

Apprentices may not serve as observers.

Members who have retired from the IBEW and are collecting their pension benefit from the dues-funded IBEW Pension Benefit Fund are not eligible to serve as observers. If a member is no longer working in the trade and is collecting a pension from Local 98, but has not applied for his/her pension benefit from the IBEW Pension Benefit Fund, that member is eligible to serve as an observer provided the member is still paying their basic dues to the local union and per capita payments to the IBEW International.

19. Publication of Results

Local 98 will post the results of the election at the Local 98 union hall, distribute them via email to the membership, and post them on Local 98's website.

20. Installation of Officers

Newly elected officers will be installed at the membership meeting on Tuesday, July 25, 2023.

21. Preservation of Records

The Local 98 recording secretary will preserve all election records, including any unused ballots, for a period of one year.

22. Election Protests

Any member in good standing may protest the supervised election for valid cause.

OLMS is only supervising the election of the president and five (5) executive board members. The additional races (vice president, recording secretary, business manager/financial secretary, treasurer, and three (3) examining board members) will be conducted without OLMS supervisory authority. As such, the authority to rule on protests regarding the conduct of the election may fall outside the scope of authority of either OLMS or the union during the supervision depending on the issue a member wishes to protest and the races this issue may have impacted.

Protesting Issues Affecting Races Not Subject to OLMS Supervision:

Members wishing to protest an issue which only affected races not subject to OLMS' supervision must file a protest with the union according to the protest and appeals procedures described on page 43 of the IBEW Basic Laws & Policies. Pre-election protests are to IBEW Local 98 Election Judge Justin Bielec in writing via email to Jbielec98@gmail.com or via text message to (215) 850-7831 and then with the appropriate International Vice President in writing. (No time limit stated.) The decision of the International Vice President is final. Post-election protests are to the appropriate

International Vice President in writing within 30 days of certification of the election results by the election judge. The decision of the International Vice President is final. Members wishing to file a complaint with the Department of Labor regarding these matters must first exhaust their internal protests and appeals before making a complaint to the Department of Labor pursuant to Section 402(a) of the LMRDA.

Protesting Issues Affecting Races Subject to OLMS Supervision:

Members wishing to protest an issue which only affected races that are subject to OLMS' supervision must file a protest directly to the Election Supervisor in writing at any time before, during or within 10 days after the election/runoff election. Election protests must be received by OLMS Election Supervisor Angela Menges via email to IBEW98ElectionSupervisor@dol.gov, via text message to (202) 302-9203, via facsimile to (215) 861-4849, or via mail (i.e., regular U.S. mail, FedEx, UPS, etc.) no later than 5:00 p.m. on Tuesday, June 13, 2023 for the initial election and no later than 5:00 p.m. on Wednesday, July 5, 2023 (due to July 4th being a holiday) for the runoff election.

Protesting Issues Affecting All Races or Uncertain:

Members wishing to protest an issue which could have affected races subject to OLMS' supervision and races not subject to OLMS' supervision, OR if the protestor is unsure which races were affected by the issue, they must file a protest with the union and with OLMS. Such protests must adhere to both of the timelines described above. If a member needs further guidance on how to file a protest, they should contact OLMS Election Supervisor Menges.

In conclusion, it should be clearly understood that the U.S. Department of Labor will be involved in all aspects of the IBEW Local 98 officer nomination and election mechanics to ensure that the races subject to supervision in this election occur in accordance with the court's order and Title IV of the LMRDA. No aspect should be conducted without prior consultation with and approval by the OLMS Election Supervisor or her designated representatives.

It should also be noted that the above rules and regulations are not all inclusive. Additional election rules or clarifications may be promulgated by the OLMS Election Supervisor as needed during the nomination and election period.

IBEW Local 98 Election Timeline Summary

Tuesday, April 18, 2023 beginning at 10:00 a.m.: Print/mail nomination/election notice

Location: Strassheim Graphic Design & Press Corp.
1500 Spring Garden Street, Suite 225
Philadelphia, PA 19130

Thursday, May 4, 2023: Begin request for absentee ballots to OLMS Election Supervisor Angela Menges.

*Also begin inspection of membership list by candidates, M-F, 7:00 a.m. - 6:00 p.m. by appointment only via IBEW Local 98 Election Judge Justin Bielec.

Location: IBEW Local 98 Finance Office
1719 Spring Garden Street
Philadelphia, PA 19130

Tuesday, May 9, 2023 at 6:00 p.m.: Nomination meeting/candidate meeting

Location: IBEW Local 98 Union Hall
1719 Spring Garden Street
Philadelphia, PA 19130

Thursday, May 11, 2023 at 10:00 a.m.: Printing of absentee ballot packages.

Location: Strassheim Graphic Design & Press Corp.
1500 Spring Garden Street, Suite 225
Philadelphia, PA 19130

Thursday, May 25, 2023: Begin request for absentee ballots for runoff – to OLMS Election Supervisor Angela Menges if runoff involves president or executive board positions; otherwise, to IBEW Local 98 Election Judge Justin Bielec.

Friday, May 26, 2023: Deadline for nominees to withdraw their name – notify OLMS Election Supervisor Angela Menges and IBEW Local 98 Election Judge Justin Bielec.

Friday, June 2, 2023 at 5:00 p.m.: Deadline to request absentee ballots to OLMS Election Supervisor Angela Menges.

*Also end inspection of membership list by candidates.

Saturday, June 3, 2023, 8:00 a.m. – 6:00 p.m.: Election/tally

Location: IBEW Local 98 Union Hall
1719 Spring Garden Street
Philadelphia, PA 19130

*Voted absentee ballots must be received at the P.O. Box no later than 10:30 a.m.

Monday, June 5, 2023 at 10:00 a.m.: Printing of runoff absentee ballot packages.

Location: Strassheim Graphic Design & Press Corp.
1500 Spring Garden Street, Suite 225
Philadelphia, PA 19130

Tuesday, June 13, 2023 at 5:00 p.m.: Deadline for submitting election protests if submitting to OLMS.

Friday, June 23, 2023 at 5:00 p.m.: Deadline to request absentee ballots for runoff election – to OLMS Election Supervisor Angela Menges if runoff involves president or executive board positions; otherwise, to IBEW Local 98 Election Judge Justin Bielec.

Saturday, June 24, 2023, 8:00 a.m. – 6:00 p.m.: Runoff election/tally (if necessary)

Location: IBEW Local 98 Union Hall
1719 Spring Garden Street
Philadelphia, PA 19130

*Voted absentee ballots must be received at the P.O. Box no later than 10:30 a.m.

Wednesday, July 5, 2023 at 5:00 p.m.: Deadline for submitting runoff election protests if submitting to OLMS.

Tuesday, July 25, 2023: Installation of officers

Location: IBEW Local 98 Union Hall
1719 Spring Garden Street
Philadelphia, PA 19130

Angela Menges, Election Supervisor
U.S. Department of Labor
Office of Labor-Management Standards
Philadelphia-Pittsburgh District Office
1835 Market Street
Mailstop OLMS/21
Philadelphia, PA 19103-2968
Cell: (202) 302-9203
Fax: (215) 861-4849
Email: IBEW98ElectionSupervisor@dol.gov

Justin Bielec
IBEW Local 98 Election Judge
1719 Spring Garden Street
Philadelphia, PA 19130
Cell: (215) 850-7831
Email: Jbielec98@gmail.com