



Notice of Election

To Determine the Representatives for Collective Bargaining Purposes for the
STATE OF RHODE ISLAND - EXECUTIVE OFFICE OF HEALTH & HUMAN SERVICES

Date and Purpose of Election

Pursuant to an Agreement for Mail Ballot Consent Election, signed by all parties on June 15, 2022, an election by SECRET MAIL BALLOT will be conducted by the State Labor Relations Board and/or its agents for the purpose of determining whether: **All "Individual Providers" in the EOHHS consumer directed program, excluding all others**, desire to be represented by the **Service Employees International Union, District 1199 New England**, or not to be represented by a labor organization, for the purposes of collective bargaining.

Eligibility; Lists of Voters

Those eligible to vote shall be **All "Individual Providers" in the EOHHS consumer directed program, excluding all others**, working under the direction of a Medicaid LTSS beneficiary or the beneficiary's duly authorized representative to provide direct support services to the participant in accordance with the beneficiary's service plan, during the payroll period of **May 1, 2022 through June 11, 2022**.

This Notice of Election and the enclosed Voter List shall be posted by the Respondent on the homepage of the Respondent's website and shall be mailed to each eligible voter. The Notice of Election and the Voters List shall also be posted on the Board's website at www.rislr.org.

Should an employee contact the Board indicating that he or she never received a packet and his or her name is listed on the Voting List, the Board will send out a duplicate packet. In the event both the original and duplicate ballots are received separately by the Board, only the first (1st) ballot received will be counted. If both ballots are returned in one (1) envelope, both ballots will be challenged. Should an employee contact the Board informing them that his or her name does not appear on the Voters List and he or she believes that he or she should be allowed to vote, the Administrator or its Agent of the Board will contact the representatives of each party requesting clarification. If it is asserted by either of the party's representatives that he or she believes said employee should be allowed to vote, the employee will be notified by the Board, sent a packet, and allowed to vote; however, the ballot shall be challenged, as in accordance with the Board's Rules and Regulations, 465-RICR-10-00-1-1.14(H) of this Part.

Eligible employees are required to fill out the "Print/Signature/Signature/Address" envelope in its entirety for the purpose of verifying proof of identity. The Excelsior List provided by the Respondent, of eligible voters, will be used by the Board and the parties to verify all valid mail ballots.

Ballots received at the RI State Labor Relations Board's office on or before **3:00 P.M. on August 9, 2022**, will be accepted for the purposes of counting; subject to the resolution of any challenges or objections. You are advised to mail your ballot on or before **August 2, 2022**.

Conduct of Mail Ballot Election

The voting procedures used in a mail balloting election must preserve the integrity and confidentiality of the ballots to the utmost extent possible. Upon receipt of each mail ballot, the Administrator or its Agent of the Board will timestamp each envelope at time of receipt in the Board's office, and then place said mail ballot in a secure and locked location until the tabulation of the vote occurs.

Compliance

Should one (1) of the following items pertaining to the submission of mail ballots occur, the mail ballot shall be disqualified and not be counted:

- (1) The "Secret Ballot Envelope", containing the mail ballot is submitted to the Board unsealed;
- (2) Identity requirements on the "Print Signature/Signature/Address Envelope" not satisfied; or destruction of any identifying mark on said envelope, causing the signature area to become illegible;
- (3) Mail ballots not received at the office of the Board, on or before the stated date of return, date stamped by 3:00 p.m., shall constitute said ballot ineligible;
- (4) Mail ballots that have been marked with more than one (1) choice, which do not clearly reveal the intent of the voter, or which has any other writings on said ballot; and
- (5) Any other occurrence that may come into question, which could cause the mail ballot to become a "voided" ballot.

Ballot harvesting as defined in § 1.2(A)(5) of this Part is strictly prohibited; and if discovered or learned will result in the disqualification of all harvested ballots.

Authorized Observers

The Union and the Respondent may each designate, subject to approval and appointment by the Board, one (1) observer who shall represent the parties of the mail ballot election process during the counting of the ballots. Observers shall not engage in electioneering during the entirety of any mail ballot election process.

Posting Date: July 15, 2022
Voter's Mail By Date: August 2, 2022
Return By Date: August 9, 2022

Election Date and Time
Counting of ballots shall be held on:
August 10, 2022 at 10:00 A.M.
RI STATE LABOR RELATIONS BOARD
1511 Pontiac Avenue, 1st Floor Main Conference Room,
Cranston, RI 02920

And By Zoom Remote Conferencing

LINK: <https://us02web.zoom.us/j/82814225860?pwd=YlpXWWZRWkJ3ZTI5QmFyckVZTU1QT09>
MEETING ID: 828 1422 5860
PASSCODE: 596461

Attention!

Section 28-7-40 of the Rhode Island General Laws, 1956, as amended, entitled Rhode Island State Labor Relations Act reads as follows:
Any person who shall willfully resist, prevent, impede, or interfere with any member of the Board or any of its agents or agencies in the performance of duties pursuant to this chapter, or who shall in any manner interfere with the free exercise by employees of their right to select representatives in an election directed by the Board pursuant to sections 28-7-14 to 28-7-19, shall be punished by a fine of not more than five thousand dollars (\$5,000) or by imprisonment for not more than one year, or both.

State of Rhode Island
State Labor Relations Board

Sample

Official Mail Ballot

To determine the representation for collective bargaining purposes of the employees of the:

EOHHS CONSUMER DIRECTED PROGRAM

1. Read the ballot carefully. Mark your ballot in secret.
2. Express your choice by marking an "X" in **one (1)** square only.
3. Do not sign your name or mark the ballot except for the required "X".
4. Fold your ballot in thirds (3rds) and place the ballot into the small envelope marked "Secret Ballot Envelope" and seal the envelope.
(DO NOT SIGN THIS ENVELOPE)
5. Once sealed, take the "Secret Ballot Envelope" and place it in the envelope marked "Print Signature/Signature/Address", seal the envelope, and complete the front of the envelope with your printed name, signature, and address.
6. Upon sealing and signing the "Print Signature/Signature/Address" envelope, place that envelope into the final pre-paid postage envelope labeled with the "Rhode Island State Labor Relations Board's" name and address, seal the envelope and mail.
7. If you spoil your ballot or have any questions or issues, contact the Administrator of the Board by e-mail at thomas.hanley@rislr.org for further instructions as to how to proceed.

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| <p>If you desire to be represented by the</p> <p style="font-weight: bold;">SERVICE EMPLOYEES INTERNATIONAL UNION, DISTRICT 1199 NEW ENGLAND</p> <p>Mark an "X" in square below</p> <div style="border: 1px solid black; width: 30px; height: 30px; margin: 0 auto;"></div> | <p>If no representation is desired</p> <p>Mark an "X" in square below</p> <div style="border: 1px solid black; width: 30px; height: 30px; margin: 0 auto;"></div> |
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This is a **SECRET BALLOT** and must **NOT** be signed.