



Ohio Administrative Code

Rule 4117-5-06 Notice of election; access to employees.

Effective: August 6, 2015

(A) Whenever an election is to be conducted, the board shall issue and serve upon the parties a notice of election which shall contain the following information:

- (1) A description of the bargaining unit;
- (2) The dates, times, places and manner in which the election will be conducted;
- (3) The date that will be utilized to determine voter eligibility;
- (4) A sample ballot.

(B) Within three days of receipt, and in no event less than ten days before the election, the employer shall post copies of the notice of election at each facility in conspicuous locations where employees will be reasonably apprised of the election. The copies of the notice of election shall remain posted until the balloting has been completed. The employer shall take reasonable steps to ensure that the notices are not altered, defaced, or covered by other materials.

(C) Failure to file with the board a written objection to the form or content of the notice of election not later than three days prior to the commencement of the election shall constitute a waiver of the objection if the objecting party knew of the defect prior to the election, or through the exercise of reasonable diligence should have known.

(D) To ensure a free atmosphere for the development of opinions and the dissemination of information and ideas for and against representation for purposes of collective bargaining, no party should be given advantage over any other party in gaining access to employees during organizational or campaign activity. Issues as to whether fair access was available shall be determined on the facts of each case through election objection procedures set forth in rule 4117-5-10 of the Administrative Code or unfair labor practice procedures set forth in sections 4117.11 and 4117.12 of the Revised



Code.

(E) During organizational or campaign activity, the employer or employee organization(s) may hold meetings to discuss representation or election issues, but attendance must be voluntary and available to all employees in the proposed or determined unit. An employer who holds such a meeting during work time must provide the employee organization(s) with equal access to all employees in the proposed or determined unit during work time.