



Ohio Administrative Code

Rule 4117-5-10 Post-election objections; determination of challenges.

Effective: August 6, 2015

(A) Within ten days after service of the tally of ballots, any party may file with the board objections relating to the conduct of the election or conduct affecting the results of the election. Such objections shall contain a brief statement of the reasons therefor and shall be accompanied by documentation, including but not limited to affidavits, in support of the allegations in the objections. Objections without supporting documentation may be dismissed by the board. Responses to any post-election objections may be filed with the board within ten days after service of the objections.

(B) If post-election objections are filed or if challenged ballots are sufficient in number to affect the results of the election, the board shall investigate such objections or challenges. Position statements on challenged ballots must be filed within ten days of the service of the tally of ballots. The board shall issue a directive resolving relevant issues based upon the investigation; provided, however, that disputed issues of material fact may be determined upon a hearing. The board may dismiss the post-election objections or challenges, direct the counting of some or all of the challenged ballots, or where warranted, set aside the previous election and direct another election. Should another election be directed by the board, it shall be conducted pursuant to the procedures set forth in Chapter 4117-5 of the Administrative Code. Only employees who were eligible to vote in the first election and who remain eligible on the date of the rerun election shall be eligible to vote in the rerun election, unless the board directs otherwise.

(C) Objections shall not be accepted for filing with the board unless they contain proof of service pursuant to paragraph (B) of rule 4117-1-02 of the Administrative Code.
