

Chapter Officer Election Guide: Federal-Sector and Postal

Which rules apply.

- **Federal-sector unions:** 29 CFR 458.29 applies the LMRDA §401(a)–(g) election standards. Under §458.1, OLMS reads those standards the same way it reads the LMRDA.
- **Postal unions:** covered by the LMRDA directly (§452.12).
- **Both:** the working detail is in 29 CFR Part 452.

THE SECRET-BALLOT STANDARD, AS A CHECKLIST

Frequency

- ☐ Hold officer elections at least every three years, by direct secret ballot (§§452.23, 452.26).

Notice and mailing list

- ☐ Mail the notice to every member's home address at least 15 days ahead. Include the date, time, place and offices. Posting it does not count (§452.99).
- ☐ A newsletter notice counts only if the newsletter is mailed to every member and the notice is easy to find from the front page (§452.100).
- ☐ Refresh the list this cycle and add new members. Log returned mail and re-send it to corrected addresses.

Candidate eligibility

- ☐ Put every qualification in the bylaws. Make it specific, publish it in advance, and apply it the same way in every race (§452.53).
- ☐ Don't apply a rule retroactively or change it mid-cycle (§452.54).
- ☐ Know what share of members each rule disqualifies (§452.38).

Ballot secrecy and safeguards

- ☐ Mark nothing on the ballot that identifies the voter. For mail ballots, use a double envelope with identity on the outer envelope only (§452.97).
- ☐ Give voters clear instructions and give every candidate the same treatment (§452.110).

Observers

- ☐ Let each candidate have observers at the polls and at every stage of the count (§452.107).

Literature

☐ Honor reasonable requests to distribute literature, at the candidate's cost. What you offer one candidate, offer all of them on the same terms (§452.67).

Records

☐ Keep all ballots, including void and unused ones, and all election records for one year (§452.106).

Campaign resources

☐ Use no union money, paid union time or union equipment to campaign (§§452.73, 452.76).

☐ Use nothing of value from the employer to campaign (§452.78).

THE TRAP: THE TOOLS YOU USE ALL DAY

Most findings involve notice or eligibility. Of the 30 election cases OLMS resolved between January 2025 and October 2026, 14 involved notice and 10 involved eligibility. Seven involved campaign resources, and two of those came from the employer's own systems:

- At a federal-sector local, an **employer-owned email system** was used to gather member contacts and send campaign material. A new election was required.
- A candidate used a **campaign logo as his avatar on the employer's Microsoft Teams**. The union's next election will be supervised.

Neither problem involved the ballot. In federal service the employer is the agency. On our reading of §452.78, which covers "anything of value contributed by an employer," that includes agency email, Teams, intranet, printers, and time the agency pays for. Confirm this with counsel.

The duty also runs the other way. A pending complaint before a DOL administrative law judge alleges that a federal-sector local refused candidates' requests to send their literature to members' personal email addresses (§452.67).

Working rules:

- Campaign only from personal accounts and devices, on your own time.
- Keep campaign images off agency profiles.
- If the union emails for one candidate, it emails for all of them on the same terms.

IF SOMEONE CHALLENGES THE ELECTION

A member must first use the union's internal remedies, then file with OLMS within one calendar month (§458.63; for postal unions, §452.135). The election stands until there is a final decision (§458.65(b)).

Sources:

- 29 CFR Part 452: <https://www.ecfr.gov/current/title-29/part-452>
- 29 CFR Part 458: <https://www.ecfr.gov/current/title-29/part-458>
- OLMS election decisions: <https://www.dol.gov/agencies/olms/foia/reading-room/election-decisions>

Votem runs secret-ballot union elections online, by phone and by mail. Pete Martin · [Votem](#) · [votem.com](#) · [calendly.com/petemartin/votem_election_review](#)