

AMENDMENT TO H.R. 842
OFFERED BY MR. LEVIN OF MICHIGAN

Page 34, after line 3, insert the following:

1 **SEC. 301. ELECTRONIC VOTING IN UNION ELECTIONS.**

2 (a) IN GENERAL.—

3 (1) ELECTRONIC VOTING SYSTEM.—Notwith-
4 standing any other provision of law, subject to the
5 provisions of this section, not later than 90 days
6 after the date of the enactment of this Act, the Na-
7 tional Labor Relations Board shall implement a sys-
8 tem and procedures to conduct representation elec-
9 tions remotely using an electronic voting system.

10 (2) PROCEDURES.—The procedures under para-
11 graph (1) shall ensure that each employee voting in
12 a representation election may choose to cast a vote
13 using either an internet voting system or a telephone
14 voting system.

15 (3) NATIONAL MEDIATION BOARD SYSTEM.—If
16 the Board does not implement a system under para-
17 graph (1) before the date that is 60 days after the
18 date of the enactment of this Act, the Board shall
19 enter into a temporary agreement to use the system

1 used by the National Mediation Board to conduct
2 representation elections for the period—

3 (A) beginning on the date that is 60 days
4 after the date of enactment of this Act; and

5 (B) ending on the date that is 90 days
6 after the date of enactment of this Act.

7 (b) REPORT.— Not later than 180 days of the enact-
8 ment of this Act, and in each subsequent report under
9 Section 3(c) of the National Labor Relations Act, as
10 amended, the Board shall submit to Congress a report
11 containing a description of the following:

12 (1) For each representation petition under sec-
13 tion 9 of the National Labor Relations Act filed—

14 (A) the case name and case number;

15 (B) the number of days between the peti-
16 tion and the election;

17 (C) the number of days between the stipu-
18 lation or direction of election and the election;

19 (D) the method of the election;

20 (E) the results of the election; and

21 (F) the number of eligible voters, the num-
22 ber of voters participating in the election, and
23 the method by which each of the voters sub-
24 mitted their vote.

1 (2) The total cost of conducting all elections the
2 Board conducted through the system and procedures
3 required by subsection (a).

4 (c) DEFINITIONS.—In this section:

5 (1) ELECTRONIC VOTING SYSTEM.—The term
6 “electronic voting system”—

7 (A) includes an internet voting system and
8 a telephone voting system; and

9 (B) does not include machines used for
10 casting votes at a polling site or an electronic
11 tabulation system where votes are cast non-elec-
12 tronically but counted electronically (such as a
13 punch card or optical scanning system).

14 (2) INTERNET VOTING SYSTEM.—The term
15 “internet voting system” means an internet-based
16 voting system that allows a participant to cast a bal-
17 lot remotely using a personal computer or other mo-
18 bile electronic device that is connected to the inter-
19 net.

20 (3) TELEPHONE VOTING SYSTEM.—The term
21 “telephone voting system” means a voting system in
22 which participants may cast a vote remotely using a
23 telephone.

24 (4) REMOTELY.—The term “remotely”, used
25 with respect to voting in a representation election,

1 means a vote may be cast at any site chosen by a
2 participant in such election.

3 (5) REPRESENTATION ELECTION.—The term
4 “representation election” means a representation
5 election under section 9 of the National Labor Rela-
6 tions Act (29 U.S.C. 159).

On page 34, line 4, strike “301” and insert “302”.

On page 34, line 10, strike “302” and insert “303”.

On page 3, in the table of contents—

(1) in the matter related to section 301, strike
“301” and insert “302”;

(2) in the matter related to section 302, strike
“302” and insert “303”; and

(3) before the matter related to section 302, as
so redesignated, insert the following:

Sec. 301. Electronic Voting in Union Elections.

