

## **Election By-Laws**

As Approved by the General Membership (February 1, 2010 & February 11, 2010)

### **1. Constitution and By-Laws**

The nomination and election of AFT Local 1839 officers will be conducted in accordance with the Local Constitution, these By-Laws, and the National AFT Constitution and By-Laws.

### **2. Responsibilities of Election Committee**

All members of the Election Committee should be fair and impartial, treating all candidates equally. The Committee must follow the election provisions in the union's Constitution and these By-Laws as well as any other union election rules. Finally, the Committee will protect the right of every member in good standing to nominate candidates, run for office, and vote.

### **3. Term of Office**

As provided in *Article IV, Section 3 and 4.* of the Local Constitution, the officers elected will serve a two year term. Elected officers will take office on the first day in July of the year in which they are elected and shall hold office until June 30 of the second year, unless removed from office for reasons stated in *Article V, Section 6.*

### **4. Eligibility to Vote or Hold Office**

In January of the election year, on behalf of the Election Committee, the local will send out a notice to all members regarding elections for that academic year. Only members in good standing can vote or hold office. The definition of good standing is addressed in *Article III. 5.* of the Local Constitution. Eligibility to hold office is in accordance with *Article IV.*

### **5. Notice of Nominations and Elections**

A nomination notice will be sent out in January of the election year. The nomination notice will specify the offices to be filled in the election and identify any offices for which an officer is a delegate, as defined by the AFT Local 1839 Constitution. The notice will include the date, time, and place for submitting nominations. The nomination notice will provide information about the term of office; instructions for making and accepting nominations; and eligibility requirements for candidates and nominators. A notice of election will be mailed to the last known home address of each Local member in January of the election year. Nomination and election notices will also be posted using a number of methods including (but not limited to): electronic mail, physical bulletin boards on campus (including the Local's office), and the Local's website.

**6. Nominations**

Nominations for elected office will be accepted at the March, general membership meeting of an election year. All nominations will be completed in written form and mailed in advance to this meeting or can be provided the day of the meeting. All nominations must be accepted in writing with the candidate's signature on nomination form created by the Election Committee. If a nomination is not signed, the candidate will be contacted by the Election Committee to confirm his/her willingness to run for office. The Election Committee will accept written nominations up to 5pm of the March general membership meeting. Self nominations are acceptable. No one can accept nomination for more than one of the following offices: President; Executive Vice President; Vice President for Full-Time/Part-Time Faculty; Vice President for Adjunct Faculty; Vice President for Librarians/Professional Staff; Vice President for A. Harry Moore; Recording Secretary; Corresponding Secretary; Treasurer; Grievance Chair; COPE Chair, and Charitable Contributions and Scholarship Committee Chair. Each of the positions noted in this provision is to be held by one person.

**7. Candidate Eligibility Determinations**

The Election Committee will review AFT Local 1839 dues records to determine the eligibility of all nominees. Eligible nominees will be notified of their eligibility, mailed a copy of these By-Laws, and asked how they wish their names to appear on the ballot. Ineligible nominees will be advised of the reason(s) they are not eligible to run for office.

**8. Meeting with Candidates**

Within two weeks after nominations are completed the Elections Committee will meet with all interested candidates to discuss election procedures, inspection of the Local's membership list, distribution of campaign literature, observers, and other campaign rules. At this meeting, a drawing will be held to determine a candidate's position on the ballot. If a candidate is absent and does not have a representative at the meeting, an Election Committee member will represent the candidate in the drawing.

**9. Inspection of the Membership List**

Each candidate may inspect (not copy) the AFT Local 1839 membership list once within 30 days prior to the election. No candidate is entitled to receive a copy of the list. The membership list, which includes exclusively names and other on campus public information, will be available for inspection for the 30 days preceding the election. Any candidate who wishes to inspect the list should contact a member of the Election Committee.

**10. Distribution of Campaign Literature**

The Local will distribute one-page statements from each candidate at the Local's expense.

**11. Campaign Restrictions**

Federal law prohibits the use of any union or employer funds to promote the candidacy of any person in a union officer election. This prohibition applies to cash, facilities, equipment, vehicles, office supplies, etc. of the Local and any other union, and of employers whether or not they employ Local members. Union officers and employees may not campaign on time paid for by the Local. Federal law also provides that candidates must be treated equally regarding the opportunity to campaign and that all members may support the candidates of their choice without being subject to penalty, discipline, or reprisal of any kind.

**12. Observers**

Candidates or their chosen observers are entitled to be present at the tally of ballots. Observers must be members in good standing of the Local. Candidates should submit the names of their observers in writing to the Election Committee chairperson prior to the day the ballots will be counted.

**13. Election**

The election will be held by the last week of April and no later than the first week of May of the election year, by mail ballot. The independent professional organization will conduct elections in accordance with the Local Constitution, By-Laws, and the National AFT Constitution and By-Laws.

**14. Tally of Ballots**

Ballots will be counted by the independent professional organization conducting the balloting and tally. Write-in votes are not permitted. The candidate who receives the highest number of votes cast for each office will be declared elected. Any tie votes will be decided at a general membership meeting.

**15. Election Results**

The election tally and results will be posted after they are certified by the independent professional organization conducting the balloting and tally. Certified results will be disseminated through multiple communications: electronic mail, physical bulletin boards on campus (including the Local's office), and the Local's website. After election results are announced, election records will be sealed and retained for at least one year.

**16. Questions or Problems**

Candidates and members with questions or problems about the nomination or election procedures should contact a member of the Election Committee. Any violation of these By-Laws should be reported promptly to the Election Committee so that corrective action can be taken, if necessary.

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**17. Protests**

All protests of a Local union election will be filed in writing to the Election Committee as provided by *Article VII. Item 8.* of the Local Constitution. The Election Committee should pursue the protest in accordance with the Local Constitution, By-Laws, and the National AFT Constitution and By-Laws.