

1 **618 CHAPTER ELECTIONS**

2 *Adopted September 1983—Last Revised May 2009*

C-III, 3.  
B-V, 2(c)

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4 .1 Force and Intent. This Policy is enacted to reinforce the intent of provisions of the Association’s  
5 Constitution and Bylaws that all members of Chapter Executive Boards and delegates and  
6 alternates to Association Conferences are required to be elected; to ensure democratic processes  
7 in the election and/or recall of local chapter offices, and to ensure the rights of individual  
8 members to be nominated and run for any elective office.  
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10 **.2 Application**

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12 .01 All positions designated as an officer or member of a Chapter’s Executive Board, and  
13 delegates and alternates to Association Conferences, **shall be elected**, and all such  
14 elections shall be governed by the policies as hereinafter set forth. Any provisions  
15 within a Chapter’s Constitution or other rules to the contrary shall be null and void.  
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17 .02 In addition, elections for all other elected positions within the Chapter shall be  
18 governed by the policies as hereinafter set forth.  
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20 .03 Prior to a chapter conducting an election, the Regional Representative will review  
21 the procedures for chapter elections, as described in this Policy and the Chapter’s  
22 Constitution (approved by the Association), with the Chapter leadership.  
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24 **.3 Definitions**

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26 .01 “Active member in good standing” means any person employed in a bargaining unit  
27 represented by the chapter who has fulfilled the requirements for membership as stated  
28 in Article II, Section 5 of the Association Constitution and who has neither voluntarily  
29 withdrawn from membership nor has been expelled or suspended from membership in  
30 accordance with provisions of Article II, Section 7 of the Association’s Constitution,  
31 nor has been expelled for nonpayment of dues.  
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33 .02 Where the term “Chapter Constitution” is used in this policy, it refers to the principal  
34 governing rules of the chapter, whether that document be called the Chapter “Constitution,”  
35 “Bylaws,” or “Constitution & Bylaws.”  
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37 **.4 Eligibility to Hold Chapter Office.** Eligibility to hold chapter office shall be as set forth in  
38 the Chapter’s Constitution, except as noted below:  
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40 .01 If the Chapter’s Constitution is silent on the subject of eligibility, all “active members  
41 in good standing” of the chapter shall be eligible, except as provided below:  
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(a) If the Chapter’s Constitution provides that a particular office is to represent the members of a particular bargaining unit or classification of members, or that a particular office is to be elected specifically by the members of a particular bargaining unit or classification of members, then eligibility to hold that office shall be limited to active members in good standing employed in said bargaining unit/classification.

.02 Retired members of the chapter shall not be eligible to hold chapter offices unless: (1) the Chapter’s Constitution contains provisions for an “Active Retired” membership which specifically grants retirees this right; and (2) the retiree has continued membership in good standing through the Association’s Retiree Unit.

.03 Nominees for elected office shall be “Active” (or “Active Retired”) members in good standing of the Chapter at the time of nomination and can only accept nomination for one Executive Board office.

**.5 Notice for Nominations and Election**

*Last Revised July 2002*

.01 The time and method of submitting nominations and the time and place of elections shall be as set forth in the Chapter’s Constitution, except as follows:

(a) **Executive Board Elections** – Nominations for Chapter Executive Board offices/officers shall be held in October and November. Elections for Chapter Executive Board offices/officers shall be held in December. No election is necessary for those offices where there is only one nominee.

(b) **Conference Delegate and Alternate Elections** - Nominations for Conference delegates and alternates shall be held in February or March. Elections for Conference delegates shall be held the following month (March or April). No election for conference delegates is necessary if there is only one nominee for each delegate position. No election for alternates is necessary if there is only one nominee for each alternate position.

.02 Reasonable notice for nominations shall be provided to all members in good standing at least five (5) working days prior to the time of nominations. Such notice shall specify:

(a) The offices to be filled by election.

(b) The time for submitting nominations.

(c) The place for submitting nominations.

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(d) The proper form for submitting nominations, i.e., whether written, or orally from the floor at (a) designated meeting(s).

(e) The eligibility requirements for nomination and election to the office(s).

.03 Reasonable notice of the election shall be provided to all members in good standing not less than five (5) working days prior to the election. Such notice shall specify:

(a) The date, time (hours during which polls will be open or balloting will take place), and place of the election.

(b) The positions to be voted on.

.04 "Reasonable notice" shall consist of any of the following:

(a) An individual notice mailed to each member in good standing, either by U.S. mail to their last known home address, or through an inter- or intra-employer mail distribution system that ensures each member will receive the notice.

(b) Publication in chapter newsletter which is distributed to all members in good standing.

(c) Other methods as may be prescribed in the Chapter's Constitution which are reasonably calculated to reach all members in good standing within the timelines specified.

.05 The notice of election may be combined with the notice for nominations, provided that any such joint notice is distributed in such manner as to ensure delivery to each member in good standing within the timeframes specified in subsections .02 and .03 of this section.

.06 If a mail ballot is to be used, the election notice and ballots, including instructions for their completion and return, must be mailed to each member in good standing who is eligible to vote, at his/her last known home address, at least ten (10) days before the last day on which ballots must be mailed back in order to be accepted for counting.

**.6 Campaign Rules**

P-622.9

.01 Chapter funds shall not be used to promote the candidacy of any person.

Use of chapter funds in connection with chapter office elections shall be restricted to:

- (a) Issuance of nomination and election notices;
- (b) Issuance of ballots and other expenses necessary for conducting the election;
- (c) Printing of candidate statements in a regular or special issue of the chapter newsletter, provided that all candidates shall be provided equal opportunity and equal space in the same issue.

.02 The chapter executive board shall honor the request of any candidate to inspect the list of the members in good standing of the chapter prior to the election.

.03 The chapter executive board shall honor all reasonable requests of any candidate to distribute campaign literature, by mail or otherwise, at his/her expense, to all members in good standing. Distribution privileges, if provided to one candidate, must be accorded all other candidates on an equal basis.

P-117.3

Candidates for chapter office shall not receive a chapter membership list or mailing labels for campaign purposes. Candidates for chapter office may mail, through the Field Office, campaign materials. The campaign literature shall be mailed in plain envelopes from the Field Office, with the candidate required to reimburse the Field Office for all relevant (labor and materials) costs.

.04 Candidate promotional materials shall not contain the CSEA shield or any other identification that would tend to denote Association sanction of the materials or endorsement of the candidacy.

**.7 Election Procedures***Revised May 2009*

.01 Elections are to be conducted in such manner as specified in the Chapter's Constitution as approved by the Association, which **MUST** be **ONE** of the following:

- (a) Balloting by eligible members present at a chapter meeting specifically designated for the election.

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(b) Balloting at various polling sites.

(c) Mail balloting.

(Note: Chapters whose bargaining unit(s) encompass multiple campuses or where work sites are spread over a large geographic area which could tend to unreasonably limit member attendance at a central meeting location **may** wish to consider adopting either option (b) or (c) as their voting procedure.)

.02 All chapter office elections shall be conducted by secret ballot. Proxy votes shall not be permitted.

.03 All active members in good standing of the chapter shall be eligible to vote in elections, except as provided below:

(a) Chapter Constitutions may contain reasonable rules and restrictions relating to voter eligibility, provided such restrictions have been approved in accordance with Article III, Section 8 of the Association’s Constitution.

(b) If a particular chapter office is designated as being representative of a particular unit or classification of employees, only those members in good standing employed in such unit or classification shall be eligible to vote for said office, subject to such further reasonable rules and regulations as may be contained in the Chapter’s Constitution.

If a particular chapter office is designated as being representative of all members of the chapter, but restricted to only allow a member of a particular unit or classification of employees to hold said office, then all members of the chapter shall be eligible to vote for said office.

(c) Retired members of the chapter shall not be eligible to vote in chapter office elections unless: (1) the Chapter’s Constitution contains provisions for an “Active Retired” membership which specifically grants retirees this right; and (2) the retiree has continued membership in good standing through the Association’s Retiree Unit.

.04 **Elections Committee:** The Chapter President/Executive Board shall appoint a committee of tellers whose duties it shall be to oversee the preparation, distribution, and counting of the ballots, and to certify the election results. The Committee shall have one (1) Chair (chief teller) and at least one member.

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- (a) The Chapter Secretary and/or Treasurer shall furnish the Committee a list of the names of record of all members entitled to vote, which shall be certified as correct as of the date on which ballots are to be issued.
  - (1) If balloting is to be at various polling sites, the list shall be broken down into separate lists containing only the names and other appropriate identification of members eligible to vote at each particular polling site.
  - (2) If the vote is to be by mail ballot, the membership list (as certified by the Chapter Secretary and/or Treasurer) shall include the mailing addresses of record of all members entitled to vote.
- (b) The membership listing(s) shall be controlled and ballots distributed by the election tellers, who shall verify the eligibility of each member and require said member to sign for receipt of the ballot(s).
  - (1) If numbered ballots are used for control purposes, one teller shall verify eligibility and obtain signatures, a second teller shall distribute the ballots. **Numbers SHALL NOT be recorded next to any voter's name on the voting list.**
- (c) The tellers shall monitor the casting of ballots to ensure that no member votes more than once:
  - (1) In meetings where only eligible voters are present, members may either:
    - (1) remain in their seats and drop their ballots into a receptacle passed by a teller, accompanied by another teller as watcher and checker; or (2) they can go to a central ballot box in charge of at least two (2) tellers and deposit their ballots.
  - (2) Where ballots are cast at separate polling sites, an enclosed ballot box shall be monitored by at least two (2) tellers.
- (d) **If the vote is to be by site ballot:**
  - (1) When there is more than one (1) nominee for an office, a secret ballot election shall be conducted in the month of December, on the day scheduled for the chapter meeting. Balloting shall be conducted at such times and at campus site locations as determined by the Chapter President/ Executive Board. Hours for balloting shall be set so that polls will close prior to the start of the chapter meeting.

(2) Every member shall be notified, at least five (5) working days in advance of the date set for balloting, of the exact location of their balloting site, the specific date and time (hours) during which balloting will take place, and the candidates and offices which will appear on the ballot. At least two (2) election tellers will be present at each balloting site to verify voter eligibility and secure the balloting process.

(e) **If the vote is to be by mail ballot:**

(1) Distribution of ballots shall be in accordance with Policy Section 618.5.06.

(2) Ballots SHALL NOT be numbered.

(3) The tellers shall ensure that the mailing labels used corresponds exactly to the official roll of eligible members specified in Section 618.7.04(a), and shall ensure that the mailing to each eligible member includes:

(i) Instructions for completion of the ballot and deadline date and time for receipt of the marked ballot.

(ii) The official ballot (or ballots), which shall be pre-folded in such a manner so that when returned marked and refolded in the same manner there will be no chance of accidental observance of the member's vote when removed from the return envelope.

(iii) A pre-addressed, return envelope for return of the marked ballot(s), with a space designated for the voter's signature, CSEA member number, and other identifying data.

(4) The chapter executive board shall arrange for a special post office box so that the returned ballots will not be released except to authorized election officials in the presence of candidates or their observers at a scheduled time for the pickup. Ballots shall be picked up at the previously designated time, date, and place and taken to a pre-announced tally site, where the tally will be conducted promptly by the Elections Committee, in the presence of the candidates or their observers. At said tally, each envelope and ballot(s) shall be handled in the following manner:

(i) The signature and identification on the return envelope is checked against the list of eligible voters.

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- (ii) The eligible voter is checked off on the list as having voted.
  - (iii) The envelope is opened and the ballot(s) removed and placed, still folded, into a closed receptacle.
  - (iv) When all return envelopes have been thus processed, the ballots are taken from the receptacle and the votes counted.
- (f) Each candidate shall be permitted to appoint observers to be stationed at each polling place to observe the conduct of the balloting and to challenge the eligibility of any voter, and at the counting of the ballots. Observers must be members in good standing of the Association.
- (1) The candidate may appoint as many observers as may be necessary to properly observe the procedures and ensure a fair election and ballot count.
  - (2) The candidate shall provide the names of his/her appointed observers to the committee of tellers prior to the opening of the polls.
  - (3) Where a mail ballot is conducted, the candidate's observers shall be permitted to observe the entire process, including the preparation and mailing of the ballots.
- (g) **Absentee Ballots**
- (1) Absentee ballots shall not be permitted unless specifically authorized within the Chapter's Constitution.
  - (2) When permitted, provisions for casting absentee ballots shall be as follows:
    - (i) Notice of the procedure for requesting absentee ballots and eligibility requirements for casting absentee ballots shall be included in the notice of election sent to each member.
    - (ii) Requests for use of absentee ballots must be received in writing by the Elections Committee Chair (chief teller) at least ten (10) days prior to the date set for the election.

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- (iii) The Elections Committee Chair (chief teller) shall mail (a) ballot(s) to the absentee voter to his/her home address, or otherwise ensure personal delivery of said ballot(s), within 48 hours of receipt of the request, along with instructions for completion of the ballot(s), notice of the deadline date and time for receipt, and a pre-addressed return envelope for mailing the completed ballot, as specified in 618.7.04 (e) (3) (iii).
- (iv) The chapter shall arrange for rental of a special post office box to be used exclusively to receive the absentee ballots. Absentee ballots will be collected only once at the specified time on the date of the election by the Elections Committee Chair (chief teller) accompanied by the candidates or their observers.
- (v) The marked ballot(s) must be received at the special post office box by the designated time of pickup on the election date.
- (vi) Absentee ballots received shall first be verified as to voter eligibility, and verification made that the absentee voter has not been recorded as already having voted at the polls. Acceptable absentee ballots shall then be removed from the return envelope, and deposited for tally with all other ballots cast, prior to commencement of the tally.

.8 **Challenged Ballots.** If an authorized observer challenges, for good cause, the eligibility of a voter, such voter shall be permitted to cast a challenged ballot, which shall be placed, folded, in a sealed envelope marked with the voter’s name and other appropriate identifying data, which shall be kept separate from other ballots cast until the challenge has been resolved.

All such challenges need be resolved only if the challenged ballots could affect the outcome of the election.

.9 **Counting of Ballots.** As soon after polls are closed as is feasible, the Committee of Tellers shall tally the ballots. All persons shall be excluded from the area in which the tally is being conducted, other than the Committee of Tellers and the candidates or their official observers. **(Note: If the voting is done at a chapter meeting, it is permissible to continue with the business meeting while the ballots are being counted.)**

.01 It shall require a plurality of the ballots cast to elect.

.02 If a tie exists, the election shall be determined by lot (such as drawing a name out of a hat, flipping a coin, etc.) between the tied candidates.

- 1 .03 The Elections Committee (tellers) shall comply with procedures as specified in  
 2 Robert's Rules of Order, Newly Revised, in recording the ballots cast and in preparing  
 3 the Teller's Report.  
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- 5 .04 The Elections Committee Chair (chief teller) shall certify the Teller's Report and  
 6 deliver same to the Chapter President and provide copies to each candidate or his/her  
 7 designated representative.  
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- 9 .05 All ballots, including used, unused, invalid and successfully challenged ballots, tally  
 10 sheets, sign-in sheets and related documents (including envelopes used to mail in  
 11 marked ballots in the case of a mail election or absentee ballots, and copies of the  
 12 notices for nomination and election) shall be secured and retained by the Chapter  
 13 Secretary for a period of one year, or until all objections to the election have been  
 14 finally resolved, whichever is the longer period.  
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- 16 .10 **Declaration of Results.** If the election is held at a chapter meeting, the Chapter President  
 17 shall read the Teller's Report into the Minutes and declare the election of each position.  
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 19 If the election is conducted other than at a chapter meeting, the results shall be published  
 20 as soon thereafter as possible in such manner as can reasonably be expected to reach all  
 21 members in good standing, and shall also be announced at the next chapter meeting.  
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- 23 .11 **Recall from Chapter Office**  
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- 25 .01 Elected chapter officers, including Executive Board members, Conference delegates/  
 26 alternates, Negotiating Committee members, and Job Stewards, may be recalled from  
 27 office upon a two-thirds (2/3) secret ballot vote of Active members of a chapter in  
 28 good standing present and voting at a meeting called for the purpose of a recall action.  
 29 If elected by classification, job grouping, or worksite, chapter officers may be recalled  
 30 from office by a two-thirds (2/3) secret ballot vote of the Active members in good  
 31 standing of the classification, job grouping, or worksite from which the position was  
 32 originally elected who are present and voting at a designated meeting.  
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- 34 .02 Recall may be initiated by a petition of two-thirds (2/3) of a chapter's Executive Board  
 35 or thirty percent (30%) of a chapter's members in good standing eligible to vote on the  
 36 officer being recalled. The petition shall state the specific reasons in support of the  
 37 recall, and the petition shall be presented to the Executive Board and to the individual.  
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- 39 .03 Upon receipt of the petition, the Executive Board shall arrange for a special meeting  
 40 to be held not less than fifteen (15) days nor more than thirty (30) days following its  
 41 receipt, at which the charged person shall be afforded opportunity to rebut the charges,  
 42 including presentation and cross-examination of witnesses as may be appropriate, and  
 43 the secret ballot vote shall be conducted. Attendance at said meeting shall be restricted  
 44 to members of the Executive Board and members of the chapter in good standing who  
 45 are eligible to vote on the particular recall action, authorized representatives of the  
 46 Association, and such witnesses as may be pertinent to the action. Notice specifying  
 47 time, date, and place and the specific nature/purpose of the meeting shall be issued to  
 48 those eligible for attendance at least ten (10) days in advance.  
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1     .12 **Objections to the Election**

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3     .01 Any nominated candidate, who was not elected, may file a complaint relating to the  
4     conduct of chapter office elections which alleges violation of these policies and/or  
5     lawful provisions of the Chapter Constitution or alleges other conduct or activities  
6     relating to the election process which may have affected the outcome of the election.

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8     (a) **Exception:** Objection may also be filed by any member otherwise qualified  
9     to be elected, only if alleging lack of sufficient notice regarding nominating  
10    procedures or other improper actions which prevented his/her nomination and/or  
11    placement on the ballot.

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13           In addition, any elected chapter officer who is recalled from office may file a  
14    complaint relating to the conduct of the recall election which alleges violation  
15    of these policies and/or lawful provisions of the Chapter Constitution, or alleges  
16    other conduct or activities relating to the recall process which may affect the  
17    outcome of the recall election.

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19    .02 Such complaints must be filed with the Area Director within fifteen (15) working days  
20    following the close of the election, and shall be in written form, specifying which  
21    section(s) of these policies and/or Chapter Constitution provisions are alleged to  
22    have been violated or the conduct being objected to, and specifying in what manner  
23    such violations and/or conduct may have affected the outcome of the election. The  
24    complaint shall include copies of pertinent provisions of the Chapter Constitution  
25    relating to the election process and names of witnesses in support of the allegations as  
26    may be appropriate.

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28    .03 The Area Director shall forward copies of the written complaint to the Chapter's  
29    Executive Board, the appropriate Regional Representative, the Association President  
30    and the Executive Director within ten (10) working days of receipt.

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32    .04 The Area Director shall call a meeting of the Chapter's Executive Board, appropriate  
33    Regional Representative, and the complainant, at which the complaint shall be  
34    considered. The Area Director shall have the right to request the presence of such other  
35    participants (limited to CSEA members) in the election process as s/he deems  
36    appropriate, and that any or all election documents listed in policy section 618.9.05 be  
37    produced at said meeting. Such meeting shall be held at a place reasonably convenient  
38    for the parties involved, and at a date and time to be determined by the Area Director.  
39    In no case shall said meeting be held later than one (1) calendar month following  
40    receipt of the complaint by the Area Director. The complainant and the Chapter  
41    Executive Board's representatives shall each be permitted to present such evidence  
42    and witnesses as may be appropriate. When all testimony has been presented, the  
43    proceedings shall be adjourned.

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45    (a) The meeting shall be conducted in closed session with the confidentiality of  
46    the proceedings to be strictly maintained. The presence of parties not directly  
47    involved or necessary to the meeting as authorized herein shall be prohibited

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.05 The Area Director shall review the evidence and testimony presented, and shall determine whether the allegations shall be sustained.

(a) If the allegations are sustained and if in fact such violations could reasonably have affected the outcome of the election, the election shall be set aside and a new election shall be ordered. The Area Director or designee will conduct the new election. The cost of the new election will be borne by the Chapter.

(b) If the allegations are sustained but it is determined that such violations could not have affected the outcome of the election, the Area Director shall order the institution of such procedures as may be necessary to prevent such violations in future elections.

.06 The decision of the Area Director shall be provided in writing to the complainant within fifteen (15) working days following the meeting, and shall outline the basis upon which such decision was reached. Copies shall be forwarded to the concerned Chapter's Executive Board, the Regional Representative, the Association President, and the Executive Director for file.

.07 **Appeal.** The decision of the Area Director may be appealed to the Board of Directors by either the complainant or the Chapter's Executive Board. Such appeal shall be in writing, forwarded to the Association President, with a copy to the Executive Director, within ten (10) working days of receipt of the written decision from the Area Director. Said appeal shall specify the reasons for disagreement with the Area Director's decision.

(a) The Association President shall inform the Area Director of the appeal upon receipt.

(b) The Association President shall arrange for the matter to be considered at the next regular or special meeting of the Board of Directors, which is scheduled at least ten (10) working days after receipt of the written appeal. The appeal shall be considered in Executive Session with the confidentiality of the proceedings to be strictly maintained.

The Association President shall notify the appellant(s) of the date, time, and place set for the Board to hear the appeal. The appellant(s) may appear in person to present arguments before the Board; however, such personal appearance shall not be required. (If the Chapter's Executive Board is the appellant, the Chapter President or his/her designee may attend.) The cost of attending the Board meeting shall be borne by the appellant(s).

No new evidence, information or witness statements will be presented and/or considered that was not presented to the Area Director at the meeting described in 618.12.04.

(c) The decision of the Board shall be final.

The written decision of the Board will be mailed to the appellant(s), complainant, and Regional Representative within five (5) working days of the Board meeting.

618

1 .13 **Status of Officers During Process.** The challenged election shall be presumed valid pending  
2 a final decision and/or a new election conducted, as herein provided, and the officers elected  
3 shall take office and assume their duties as provided within the Constitution.  
4

5 A challenged recall election shall be presumed valid pending a final decision and/or a new  
6 recall election conducted, as herein provided.  
7

8  
9 **619 CHAPTER REGION ASSIGNMENTS**

10 *Adopted September 1985*  
11

12 .1 “Regions” consist of a specified grouping of chapters within a limited geographic area,  
13 designed for ease in delivering line-function services provided by the office of Regional  
14 Representative.  
15

16 It should be kept in mind that Regions are part of the Association’s service structure, and  
17 have no relationship to the Association’s political structure (Areas).  
18

19 .2 The number of Regions established and chapters assigned to a Region shall be determined by  
20 the Board of Directors.  
21

22 .3 Establishment of new Regions or realignment of existing Regions may be initiated if one or  
23 more of the following conditions exist:  
24

25 .01 A Region overlaps into more than one Area.  
26

27 .02 The geographic area covered by the Region is too large and/or the chapters in the  
28 Region are too widespread.  
29

30 .03 Adverse driving conditions exist which hamper the Regional Representative in  
31 traveling to chapters and/or which create hardship for the chapter in traveling to  
32 RPMs.  
33

34 .04 The number of chapters within the Region exceeds 12.  
35

36 .4 Proposals for creating new Regions or realignment of existing Regions may originate  
37 with either the appropriate Field Director (with the concurrence of the Director of Field  
38 Operations) or the Area Director, and must be submitted to the Board of Directors for  
39 approval in accordance with the following procedures:  
40

41 .01 The Area Director, Field Director, and Regional Representative(s) involved shall meet  
42 to discuss the desirability and feasibility of creating new Regions and/or realignment  
43 of existing Regions.  
44

45 .02 Should the Area Director, Field Director, and concerned Regional Representative(s)  
46 determine that the proposal has sufficient merit, the Field Director shall notify the  
47 concerned chapter(s), in writing, of the proposed Regional realignment and reasons  
48 therefor, and invite them to provide input on the matter.  
49  
50  
51  
52  
53  
54  
55