



# SOCIETY ELECTIONS AND REFERENDA PROCEDURE

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## REVISION RECORD

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Date	Version	Revision description
Dec 7, 2017	R01	Revised to allow 120 days for the CRO to send out referendum ballots for motions by EB/LC/or Council. Added instructions for electronic referenda.
May 1, 2018 Sept11, 2018	R02	Add clarification regarding approved questions for election candidates. Added LVP to this section.



# SOCIETY ELECTIONS AND REFERENDA

<b>Procedure Number:</b>	<b>Date Established:</b>
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## POLICY

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Society elections will be conducted fairly. The Chief Returning Officer (CRO) provides the necessary oversight and control to ensure that elections are always conducted fairly.

This procedure is to act as a guideline for all candidates in Society elections for Principal Officers, Local Vice Presidents and Unit Directors and also for the CRO and Deputy Returning Officers (DRO) overseeing the elections. It puts into action the principles of fairness and equity enshrined in The Society Constitution and Bylaws and acts as a handbook for elections.

Delegate Elections are held as per individual Local By-Laws but are encouraged to refer to this procedure.

## GUIDELINES

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### A. Chief Returning Officer (CRO) and Deputy Returning Officer (DRO)

The role of CRO (Chief Returning Officer) is defined in the Constitution and Bylaws. The Board of Directors, when appointing the CRO should consider the person's ability to run elections and make rulings in a fair and impartial manner.

Each Society Local will normally nominate a Deputy Returning Officer (DRO) for elections. The Chief Returning Officer is the approving authority for any DRO to act in an election for Principal Officers (PO), Local Vice Presidents (LVP) and Unit Directors (UD). The process for nominating a Local DRO shall be included in the



Local's Bylaws. The Local will also inform the CRO of the nomination of any DRO(s) for Delegate elections. The DRO appointment will normally be made prior to the call for nominations going out to the members.

The DRO should also be a person who can be relied upon to operate in a fair and impartial manner at all times and must be a member in good standing.

The Chief Returning Officer shall inform/direct the DRO at each Local on how they will assist to carry out the responsibilities for running and overseeing elections in their Local. If the local is unable to find a suitable DRO that can be approved by the CRO, the CRO will perform the election duties in absence of a DRO.

The CRO/DRO will be provided with sufficient release time in order to carry out their duties. Release will normally begin with the call for nominations and will end three (3) days after the ballots are counted.

The amount of release time will be based on the CRO/DRO's request and approved by the Executive Committee and paid out of the Society Central budget.

To ensure fair elections, the CRO (or DRO) shall attend and chair "all-candidates" meetings. The CRO may designate a Principal Officer or Executive Board member to attend in their place. The CRO shall have the authority to expeditiously correct false statements made by candidates. The preferred option would be to have the candidate acknowledge the false statement and be afforded the opportunity to self-correct. Notwithstanding this, in the instance where the false statements are significant, the CRO, at their discretion, can communicate corrections to all voting members.

The CRO has the authority to direct the Society Staff on whether the election should be done by:

- Electronic balloting via the Society web-site or electronic voting portal
- Ballot boxes within the workplace with paper ballots
- Mail-in paper ballots sent via regular mail or inter-office mail directly to the Society Central Office (ballot box at the Society Central Office)
- Mail-in paper ballots sent via Canada Post using self-addressed envelopes mailed directly to the Society Central Office (ballot box at the Society Central Office)

Ballot boxes and ballots shall be under the control of the CRO (and/or DRO's) at all times.

In dealing with irregularities, the CRO has the authority to:



- Extend election periods, in accordance with the Constitution and Bylaws
- Segregate ballots
- Issue new ballots to specified groups of voters (and destroy old ones)
- Take corrective action as warranted to preserve the integrity of the election process

(An “irregularity” is any violation of election rules, protocols, or directives, or any unusual occurrence that, in the CRO’s judgment, could unfairly affect the outcome of an election.)

The CRO shall never ask for nor receive advice from a candidate. The CRO may seek advice from the Society the Executive Board or from the Society Executive Committee if a more timely response is required, excluding any board or committee member involved in the question being asked.

The CRO must document all irregularities and a rationale for any corrective actions taken must be included.

## **B. Pre-Election Planning**

Prior to the start of any election cycle, the CRO will create an Election Committee. This Committee will normally consist of the CRO as Chair, a member of the Society Management Team (usually the Staff Director) and the staff person assigned to the administrative duties associated with the election and a DRO (if applicable). This Committee will provide advice to the CRO on planning the election cycle, as well as assistance in implementing the various administrative tasks required during the election process. All decisions reached by the CRO and the committee will be provided to the EVP Member Services.

Prior to the call for nominations for each election cycle, The Society will distribute to all members information explaining the Principal Officer, LVP and UD positions (as applicable) roles. This will include both a copy of the relevant Constitution and By-Law language, plus an information summary document that explains in plain and simple language what the roles and responsibilities are and where they fit into the governance of the Society. Such documents will be approved by Executive Committee (EC). The upcoming election cycle will also be included in a general Society wide newsletter published prior to the opening of nominations.



### C. Election Time-Lines

The Election Committee will establish Principal Officer (and subsequent cascading LVP and UD) election time lines consistent with the Constitution and Bylaws. For regular elections, the timelines will be established and normally provided to the Executive Board at least twelve (12) weeks prior to the call for nominations. In the case of elections outside of the regular term elections (such as filling a vacant position), the 12-week notice to the Executive Board does not apply but as much time as possible will be provided.

Principal Officer elections will include:

- A nomination period that will commence not less than seven (7) weeks prior to the close of voting. Nominations shall close at 1:00 p.m. Eastern Time, on a date at least fourteen (14) calendar days after the first call for nominations.
- A campaign period of at least three (3) weeks.
- A voting period of fourteen (14) calendar days.

For electronic voting, Society members eligible to vote will be sent an email a minimum of two (2) days prior to the start of voting indicating their eligibility to vote in the election. Reminder e-mails by the CRO (or DRO) will be sent prior to the close of the voting period.

### D. Campaigns, Expenses, Endorsements

Candidates are responsible for their own campaign expenses (refer to Constitution Article 16.11).

Campaigning for an election, which would include the distribution or posting of election related campaign materials in the workplace, during the nomination period is not allowed. It is understood that members seeking nomination can email or speak to individual members in the workplace to announce their desire to serve in an elected position and to obtain nomination signatures.

All travel expenses, pamphlets, printing, phone calls, web sites, or any other materials or services are the sole responsibility of the candidate, and no Society resources or supplies can be utilized.

The Society will not cover release time for any candidate in any election to visit sites/workplaces to campaign or attend Local or Unit sponsored Membership meetings.



Candidates with no employer release time will have their release time for all-candidates meetings covered by The Society, including travel expenses.

Expenses incurred by Locals who host meetings, rallies, etc. for the promotion of a candidate or candidates (other than all-candidates meetings) will not be covered using Society funds.

There is no restriction on an individual's or Local's right to endorse candidate(s), however there are limits on communications.

All elected members (including POs) are allowed to send one endorsement email to the members they represent. The endorsement email shall be a simple statement about who they endorse without elaboration, and without statements about candidates they are not endorsing.

Candidates are allowed to make use of personal or free-hosted web pages, Facebook, Twitter or other Social Media platforms and to reference the same in their campaign materials.

Candidates running as a "slate" or together as a "block" are allowed.

The Society will not provide membership lists to any candidate during the election process for the election cycle for the position being sought. In the case of Unit Director elections, The Society will provide a detailed description of the unit boundaries .

#### **E. Biography, Campaign Statements and Answers to Predetermined Questions.**

Each candidate will submit a one-page biography including work history, Society involvement and external Community involvement and interests/hobbies that are relevant to the position being sought.

As stipulated in the Bylaws, campaign statements must not be longer than 500 words. Failure to adhere to the 500 word limit will result in the statement being truncated at the end by the CRO (or DRO).

Candidates are allowed (but not required) to include a picture with their biography only. The pictures shall only be of the individual candidate. The Society logo should not show in the picture (so there is no perceived endorsement by Society Central or Local).

The CRO shall also invite all candidates to provide responses to a list of questions as approved by the Board of Directors, up to a 100 word maximum length per question.



The Principal Officer responsible for Elections will provide the approved list of questions for Principal Officer and Local Vice-President elections to the Election Committee, along with an approved list of questions for Unit Director Elections. The respective Society Locals shall choose a minimum of 3 and a maximum of 5 questions for use in the LVP and UD elections at their respective locals.

It is not mandatory that any candidate submit a response to each or all of the questions posed.

The campaign statements, bios and answers to the predetermined questions are then forwarded to all candidates and they will be given two (2) working days to submit any concerns to the CRO.

The same rules as with the campaign statements, will apply to the answers to the question, being truncated by the CRO (or DRO) in order to meet the length requirements.

The campaign statement and responses shall be forwarded to all candidates at least two business days prior to publication by the CRO. If it is determined and brought to the attention of the CRO that there are false statements, the CRO will use their discretion to address the concerns brought to their attention. The CRO has the authority to address concerns, as described in section A of this guideline.

All final submissions as approved by the CRO, will be made available to all voting members at the start of the campaign period and will also be included with the ballot material.

## **F. All-Candidate Meetings**

The term “all-candidates meeting” is to be used as opposed to a “debate” for all centrally sponsored meetings to allow candidates to discuss their election platform and why they are running for the position.

For Principal Officer Elections, The Society will host “all-candidates” meetings coordinated by the CRO, during the campaign period in central locations. All locals will make every reasonable effort to accommodate a request from the CRO to facilitate an all-candidate meeting. The CRO will have the option of scheduling an offsite meeting if a Local cannot accommodate the meeting on site.

If logistically possible, an “all-candidates” meeting could be an online phone-in meeting such as a telephone town hall, or web based, open to all voting members.

For all elections, “all-candidates” meetings will not be held once the voting period begins.



In order to qualify as an “all-candidates” meeting, all candidates for office must be invited to the meeting and be given reasonable opportunity to attend. The CRO will have the option of moving ahead with any scheduled meeting in the absence of any of the candidates if, in the opinion of the CRO, a candidate is not making reasonable effort(s) to attend the meeting.

Expenses incurred by Locals hosting all-candidates meetings, such as food, notices, etc. shall not be considered personal campaign expenses of the candidates, but will be covered by the Society Central.

For Principal Officer elections only, candidates with no employer release time will have their release time for all-candidates meetings covered by the Society.

For Principal Officer elections only, centrally held all-candidates meetings may be video recorded and posted on the member’s only area of The Society website.

The Chief Returning Officer has accountability to oversee “all-candidates meetings”. For PO elections, where the CRO is unable to attend they will appoint an Executive Board member volunteer to attend in their place and provide them with direction to conduct the meeting. For LVP and UD elections, the CRO can appoint the DRO or an Executive Board member to conduct the meeting.

The basic ground rules for all-candidates meetings are as follows:

- The CRO (or designate) is to set time limits in advance for:
  - opening remarks,
  - time to respond to questions from the audience, and
  - closing remarks
- The time limits will depend on:
  - the time allowed for the meeting which can be as low as thirty (30) minutes for a lunchtime meeting to any time greater than that for after-hours meetings and
  - on the number of candidates participating in the meeting.
- All candidates will be told at least forty-eight (48) hours in advance on the amount of time they will be allowed to speak.
- All candidates get equal time to speak at the beginning and end (closing remarks). Normally the opening remarks will have a higher time limit than the closing remarks speech.
- As part of setting the time limits for the agenda, the CRO (or designate) will set aside a pre-determined time for a question and answer period.



- If a question is asked of one specific candidate, all candidates are to be given the opportunity to answer the same question. The CRO (or designate) will manage the number of questions and the time to respond to each question to ensure all candidates have their full allotted time for closing remarks.
- All-candidate meetings are to have the CRO (or designate) appoint a person to be a “time-keeper” and be seated in plain view of the podium or of all the candidates speakers and when a pre-determined time is remaining (i.e. a minute or thirty (30) seconds), the time-keeper would put their hand in the air or hold up a piece of paper to warn the speaker that he/she must wrap up their opening speech, answer to a question or closing remark. Once the time limit is up, the timekeeper would lower his hand or piece of paper and if the candidate is still speaking, the CRO (or designate) would interrupt the speaker and move to the next candidate, next question or next agenda item.
- The CRO (or designate) will take steps necessary to maintain the order of the meeting.

## G. Ballots

The default location for the distribution of paper election packages is to the voter’s work addresses. When necessary, the return envelope will contain sufficient postage.

For paper-based elections, each voter will receive a ballot, and two envelopes, one for identification and another for privacy, as well as any other information pertinent to the vote.

Where a replacement ballot is required, the voter in need will request it, in writing, from the CRO.

For paper-based voting, the CRO will be issued with an appropriate number of locked boxes to be placed in the work place (or the Society Central Office) in a location(s) that the CRO/DRO can supervise. Once the voting period elapses the CRO shall ensure all ballot boxes are returned to the Society Central Office for counting of ballots. The ballot boxes will remain locked until the CRO opens them at the Society Central Office so that others may scrutinize the handling of the ballots.

Anyone who becomes a Society member within the eligible voting population before the deadline for the return of marked ballots (or for electronic voting, the end of the voting period) shall be issued a ballot (or allowed to vote electronically). Persons who are members of another union and on temporary relief into the Society



jurisdiction or Society members on rotation to management positions outside of the Society jurisdiction will not be issued a ballot and will not participate in the election.

To be counted, all paper ballots shall be verified against a list of members, as of the final cut-off date for balloting to prevent duplicate voting and ensure eligibility.

For electronic voting, only Society members eligible to vote will be allowed to access the electronic voting portal. All eligible voters will be sent an email with voting instructions and link to the voting site at the work email address on file at Society central. Eligible voting members who are on leaves of absence will receive communications at an email address of their choice.

#### **H. Referenda By Electronic Ballot**

As with voting in elections, for referenda electronic voting, only Society members eligible to vote will be allowed access to the electronic voting portal. All eligible voters will be sent an email at the work email address on file at Society Central with voting instructions and link to the voting site. Eligible voting members who are on leaves of absence (if notification is given by them or their Society representative of said absence to Society Central) will receive communications at an email address of their choice.

The following procedures shall apply:

- The Chief Returning Officer shall send out notification of electronic referendum balloting within one hundred and twenty (120) days following the date of motion by the Executive Board, Local Committee or the Society Council, whichever applies.
- Subject to Articles 18.3 and 18.4 of the Constitution, and Article 19.3 and 19.4 of the Constitution, upon receipt of a valid member petition, the Chief Returning Officer shall send out notification of electronic referendum balloting within thirty (30) days of the date of the Executive Board or Local Committee meeting following receipt of the petition at the Society Central Office. Such ballots shall contain the resolution as set out in the petition.
- In a referendum of the membership as a whole pursuant to Article 18 of the Constitution, the Chief Returning Officer shall provide each Member in good standing with a link to the voting module. At least fifteen (15) business days voting period shall be allowed.
- In a referendum pursuant to Article 19 of the Constitution, the Chief Returning Officer shall provide each Member in good standing of the Local with a link to the voting module. At least fifteen (15) business days voting period shall be allowed.



The total number of electronic ballots shall be tracked by Delegate Grouping (or by Unit for those Units without Delegates). If the referendum is inquorate at (or before) the original voting deadline, the CRO shall extend the deadline by at least ten (10) business days. The CRO and DROs shall enlist all elected representatives to canvas all Members who have not yet voted to encourage them to vote.

#### **I. Referenda By Mail-in Ballot**

The Executive Board or Local Committee may request that a referenda be held by mail-in ballot. The CRO is the approval authority for the use of a mail-in ballot referenda. In this event, the following procedures shall apply:

- The Chief Returning Officer shall send out referendum ballots within one hundred and twenty (120) days following the date of motion by the Executive Board, Local Committee or the Society Council, whichever applies.
- Subject to Articles 18.3 and 18.4 of the Constitution, and Article 19.3 and 19.4 of the Constitution, upon receipt of a valid member petition, the Chief Returning Officer shall send out referendum ballots within thirty (30) days of the date of the Executive Board or Local Committee meeting following receipt of the petition at the Society Central Office. Such ballots shall contain the resolution as set out in the petition.
- In a referendum of the membership as a whole pursuant to Article 18 of the Constitution, the Chief Returning Officer shall provide each Member in good standing with a referendum ballot together with a plain envelope marked "Referendum" and an addressed return envelope. At least fifteen (15) business days shall be allowed from the date of mailing or distributing the ballots to the date of closing for the ballot.
- In a referendum pursuant to Article 19 of the Constitution, the Chief Returning Officer shall provide each Member in good standing of the Local with a referendum ballot together with a plain envelope marked "Referendum" and an addressed return envelope. At least fifteen (15)-business days shall be allowed from the date of mailing or distributing the ballots to the date of closing for the ballot.
- The total number of verified but unopened ballots shall be tracked by Delegate Grouping (or by Unit for those Units without delegates). If the referendum is inquorate at the original voting deadline, the CRO shall extend the deadline by at least 10 business days. The CRO and DROs shall enlist all elected representatives



to canvas all members who have not yet voted and provide them with replacement ballots.

#### **J. Referenda by Walk-in Ballot**

Executive Board may request that a walk-in ballot is to be held in a referendum of the membership as a whole pursuant to Article 18 of the Constitution. In the event that the CRO approves the use of a walk-in ballot for referenda of the whole membership, the following walk-in ballot process will be followed.

- The Executive Vice President - Member Services shall call a sufficient number of membership meetings at various locations across the province to allow all members to have an opportunity to attend, within one hundred and twenty (120) days following the date of the motion by the Executive Board, or the Society Council, whichever established the requirement for a ballot.
- Each member in good standing attending the meeting shall receive a referendum ballot together with a plain envelope marked "Referendum" and an addressed return envelope at the conclusion of the meeting
- Individual members unable to attend the meeting due to vacation, out of town assignments, bona fide sickness, or death of an immediate family member, shall also receive a ballot.
- Ballot boxes shall be provided at the meeting wherever possible. All addressed return envelopes shall provide for postage-free delivery to the Society Central Office.
- At least fifteen (15) business days shall be allowed from the date of the meeting to the date of closing for the ballot.

#### **K. Referenda of the Local Membership by Walk-in Ballot**

- A Local Committee may request that a walk-in ballot is to be held in a referendum of the Local membership pursuant to Article 19 of the Constitution. In the event that the CRO approves the use of a walk-in ballot for referenda of the local membership, the following walk-in ballot process will be followed.
- The Local VP shall call a sufficient number of membership meetings at various locations to allow all members of the Local to have an opportunity to attend, within



one hundred and twenty (120) days following the date of the motion by the Local Committee which established the requirement for a ballot.

- Each member in good standing of the Local attending the meeting shall receive a referendum ballot together with a plain envelope marked “Referendum” and an addressed return envelope at the conclusion of the meeting.
- Individual members of the Local unable to attend the meeting due to vacation, out of town assignments, bona fide sickness, or death of an immediate family member, shall also receive a ballot.
- Ballot boxes shall be provided at the meeting wherever possible. All addressed return envelopes shall provide for postage-free delivery to the Society Central Office or Local address, as approved by the Deputy Returning Officer.
- At least fifteen (15) business days shall be allowed from the date of the meeting to the date of closing for the ballot.

#### L. Society Staff

The participation/responsibilities of Society Staff in Society elections are as per long-standing practice and policy, as re-affirmed by the Executive Board (Policy on Staff Involvement in Partisan Political Activities, Including Elections).

## APPLICABILITY

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This policy applies to candidates running for office of Principal Officer, Local Vice President and Unit Director.

Exception to this procedure – Delegate Elections are held as per individual Local By-Laws. Elections for Delegates shall follow Unit Director elections if scheduled in the same calendar year as scheduled PO/LVP/UD elections. Oversight shall be provided by the Deputy Returning Officer (DRO).



## RESPONSIBILITY

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PO responsible for Elections & Referenda

## RELATED INFORMATION

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### SOCIETY OF UNITED PROFESSIONALS DOCUMENTS:

The Society of United Professionals Constitution and Bylaws (including but not limited to Article 4, 7, 8, 11, 16, 17, 18, Bylaw 2, 3, and 9).