

Amended By-laws

Section 12 - Nomination, Election & Installment of Officers

(a) Nomination:

Nominations shall be received at the regular membership meeting as follows:

- (i) in October for Shop Steward elections
- (ii) in the month of March for Union Officer elections (President, 1st Vice President, 2nd Vice President, Secretary/Treasurer, Recording Secretary, Sergeant-at-Arms)
- (iii) six (6) months prior to the expiry date of the current collective agreement for Negotiating Committee elections

To be eligible for nomination, a member shall have attended at least 50% of the membership meetings held in previous 12 months or in the period she/he was a member, if less than a year, unless a valid reason, acceptable to the Local, has been given for non-attendance. No nomination shall be accepted unless the member is in attendance at the meeting or has allowed to be filed at the meeting his/her consent in writing, duly witnessed in writing, by another member. No member shall be eligible for nomination if she/he is in arrears of dues and/or assessments.

At the nomination membership meeting the members will elect an Election Committee consisting of a Returning Officer and two (2) Deputy Returning Officers.

The Committee shall include members of the Local who are neither Officers nor candidates for office.

(b) Elections:

The Election Committee shall determine the form of the ballot and ensure that sufficient quantities are made available in good time to the Returning Officer.

The Election Committee shall be responsible for issuing, collection, and counting of ballots. The member must be fair and impartial and see that all arrangements are unquestionably democratic.

The voting shall take place at the regular membership meeting as follows:

- (i) in October for Shop Steward elections.

There shall be one Shop Steward elected from each department or as specified by the Union Executive Board. Nominations and elections for Shop Stewards shall be held during the month of October.

- (ii) at a date and time to be determined by the Election Committee during the first week of June for Union Officers. The vote shall be by secret ballot.

Nominees will have one month to submit their biography which will be due by the second Tuesday in April for the April membership meeting. The Election Committee will distribute the biographies before the end of the second week in April. If a nominee fails to submit his/her biography in the allotted timeframe, the Election Committee will list the name and position which he/she is seeking.

The Election Committee will establish a date and time for two (2) advanced polls. The first advanced poll shall be held on the first week in May and the second will be held on the third week in May.

Any member not at work on the day of elections may be eligible to vote in an advance poll. Time and place of the advance poll will be determined by the Elections Committee.

A majority of votes cast shall be required before any candidate can be declared elected and second and subsequent ballots shall be taken if necessary to obtain a majority. On second and subsequent ballots the candidate receiving the lowest number of votes in the previous ballot shall be dropped. In case of a final tie vote, the residing officer may cast the deciding vote.

Voting to fill one office shall be conducted and completed, and recounts dealt with, before balloting may begin to fill another office.

- (iii) At least (6) months prior to the expiry date of the current collective agreement for Negotiating Committee elections. The vote shall be by secret ballot.

Nominees will have one month from the date of the nomination meeting to submit their biographies. The Election Committee will distribute the biographies immediately and no later than one month prior to the scheduled voting. If a nominee fails to submit his/her biography in the allotted timeframe, the Election Committee will list the name and position which he/she is seeking.

The Election Committee will establish a date and time for two (2) advanced polls. The first advanced poll shall be held two weeks prior to the election and the second advanced poll will be held one week prior to the election.

The Election Committee will ensure that each voter is given an unmarked ballot. Ballots should be checked (before and after printing) to ensure that each candidate's name is correctly spelled and each candidate is listed for the proper office in the correct order. The Elections Committee will retain custody of the ballots and safeguard them throughout the balloting period. Election officials must be able to account for all ballots printed.

The Election Committee must ensure that CUPE 1816 has an official ballot box that meets tamper-proof standards.

Counting the Ballots

Candidates have the right to have an observer present for the ballot count

Any member may request a recount of the votes for any election and a recount shall be conducted if the request is supported, in a vote, by at least the number of members equal to the quorum for a membership meeting as laid down in Section 4(c).

The Election Committee will void the entire ballot if it contains information identifying the voter or if voter intent is not clear. The Election Committee will also void the ballot if too many or too few candidates have been selected for an office.

When two or more nominees are to be elected to any office by ballot, each member voting shall be required to vote for the full number of candidates to be elected or the member's ballot will be declared spoiled.

At the next membership meeting, the Election Committee will announce the tally results for each office, report the number of valid ballots counted, the number of totally void ballots, and the number of unresolved challenged ballots.

The Election Committee will pack and seal in boxes all voter eligibility lists, tally sheets, and the used and unused ballots after the counting is completed and keep them for at least one year as required by federal law.

(c) Installation: All duly elected officers shall be installed at the June membership meeting and shall continue for 2 years or until a successor has been elected and installed, provided, however, that no term of office, except for Trustees, shall be longer than 2 years.

(Article B.2.4)

The terms of office for Trustees shall be as laid down in Article B.3.10. of the CUPE Constitution.

(d) By-Elections: Should an office fall vacant pursuant to Section 7(f) of the By-Laws or for any other reason, the resulting by-election should be conducted as closely as possible in conformity with this Section.