

CSUEU Board Agenda Item



Board Agenda Item: 4/3/09 (PF)

Action Item: November 13, 2009

Subject: DIVISION 6: CSUEU PROCEDURES;
601.00 ELECTIONS

Source and/or Proponent: CSUEU Policy File Committee

Presentation By: Christine Thomas, CSUEU Policy File Chair

Assigned To: Nancy Yamada, CSUEU Staff

Recommended Action:

That the CSUEU Board of Directors adopt the attached amendments to DIVISION 6: CSUEU PROCEDURES of the CSUEU Policy File.

Background:

In 2007, CSEA changed its General Council and election cycle from 2 to 3 years. The recommended changes in section 601 would make CSUEU's election cycle consistent with CSEA's election cycle.

Estimated Cost/Savings: *Savings/Cost information will be provided prior to Board of Directors meeting.*

Funding Source: ***

Board Action: Adopt Reject Refer

DIVISION 6: CSUEU PROCEDURES

601.00 ELECTIONS

601.01 Electorate

- (a) Chapter Officers and Chapter Bargaining Unit Representative
- (1) Chapter Officers, General Council Delegates and Alternates, are elected by the active members within their chapter.
 - (2) Chapter Bargaining Unit Representatives (CBUR) are elected by the active members of their chapter from their respective bargaining unit.

(b) CSUEU

The President, Vice President for Organizing, Vice President for Finance, and Vice President for Representation shall be elected in accordance with CSUEU bylaws.

(c) Statewide Bargaining Unit Councils (BUC)

Statewide Bargaining Unit Council (BUC) officers and members are elected by the Chapter Bargaining Unit Representatives (CBUR) of their respective units.

601.02 Eligibility for Office

(a) CSUEU and Chapter

Any active member in good standing shall be eligible for the offices of President, Vice President for Organizing, Vice President for Finance, Vice President for Representation, Chapter President/General Council Delegate, Chapter Vice-president, Chapter Secretary, Chapter Treasurer, Chapter Organizing Chair, Chapter Bargaining Unit Representative (CBUR), Chapter General Council Delegate/Alternates.

(1) Bargaining Unit Council

Chapter Bargaining Unit Representatives (CBUR) are eligible for election as officers or members of their respective statewide Bargaining Unit Council (BUC).

(2) Chapter Chief Stewards shall be certified stewards and elected by the certified stewards in their Chapter. (BD 36/04/08)

601.03 Terms of Office

The term of office of all Board of Directors, Bargaining Unit Council, and Chapter Officers, and Chapter Bargaining Unit Representatives (CBUR) shall be for ~~two (2)~~ three (3) years, in

accordance with CSEA General Council. Such terms shall commence upon installation and end upon installation of their successors. (BD 36/04/08)

~~The term of office for all General Council Delegates/Alternates shall be for three (3) years. Such terms shall commence upon installation and end upon installation of their successors. (BD 36/04/08)~~

601.04 Time of Election

~~Board of Directors, Bargaining Unit Council and Chapter Officers and General Council Delegate elections shall be held in odd numbered years every third year beginning in 2012.~~ When the last day for performance of any act required by this election code falls on a Saturday, Sunday or holiday, such act may be performed on the next business day with the same effect as if it had been performed on the day appointed. (BD 36/04/08)

~~General Council Delegate elections shall be held every third year beginning in 2009. When the last day for performance of any act required by this election code falls on a Saturday, Sunday or holiday, such act may be performed on the next business day with the same effect as if it had been performed on the day appointed. (BD 36/04/08)~~

601.05 Nominations

(a) Chapter

- (1) By December 15 prior to an election year, each Chapter President shall activate a Chapter Nominations Committee that shall serve for nominations to the offices of Chapter President/General Council Delegate, Chapter Vice President, Chapter Secretary, Chapter Treasurer, Chapter Organizing Chair, and Chapter Bargaining Unit Representatives (CBUR). (BD 36/04/08)
- (2) By December 20, Chapter Presidents shall transmit Chapter Nominating Committee member names to CSUEU headquarters. (BD 36/04/08)
- (3) During January of an election year, the Chapter President shall notify the chapter memberships of the date, time, and place of the open chapter meeting to accept nominations. Such meeting must be held by February 15. (BD 36/04/08)
- (4) To be included on the ballot, all candidates must submit a signed Candidate Consent Form.

(b) CSUEU

By April 30 of an election year the President shall notify all active members in good standing of open nominations for CSUEU office. A nomination form and consent statement shall be included. Candidate statements shall be 100 words or less. CSUEU shall receive, publish, and distribute with reasonable editing, all nominations and candidate statements to the CSUEU

electorate prior to elections. Nominations may also be made on the floor of the meeting called for the purpose of CSUEU elections. A signed consent form is required. (BD 36/04/08)

(c) Bargaining Unit Councils

By April 30 of an election year, each Bargaining Unit Council (BUC) Chair shall notify all Chapter Bargaining Unit Representatives of open nominations for election to the Bargaining Unit Council (BUC), BUC Chair, and BUC Vice-chair. A nominations form and candidate statement shall be included. The candidate statement shall be no more than 100 words. The CSUEU shall receive, publish, and distribute with reasonable editing, all nominations and candidate statements to Chapter Bargaining Unit Representatives prior to elections. Nominations may also be made on the floor of the special meeting called for the purpose of BUC elections. A signed consent form is required. (BD 36/04/08)

601.06 Election

(a) Chapter

- (1) Elections for Chapter Officers and Chapter Bargaining Unit Representatives shall be by either: mail ballot, conducted by CSUEU Headquarters, or open chapter meeting. All contested elections shall be conducted by secret ballot. (CSUDC 15/01/1)
- (2) If the CSUEU is to conduct the election, the CSUEU Headquarters must be informed no later than February 16.
- (3) If conducted by a chapter, the Chapter President shall inform the chapter electorate and the CSUEU President of the time, date, and place of elections, no later than February 16.
- (4) Chapter elections shall be concluded and results reported to CSUEU Headquarters no later than March 31st of an election year. (BD 36/04/08)
- (5) Procedures for elections by open chapter meeting shall be included in the Chapter Bylaws.
- (6) A majority of votes cast shall determine the winner for each office. In case of a tie, the winner shall be determined by lot.

(b) CSUEU

- (1) By May 30 the President will schedule the election for Board of Directors and Bargaining Unit Council (BUC) offices. Notification for this meeting shall be included in the election package sent to the appropriate electorate no later than June 30. This package will include candidate information and their statements as noted in 601.05.

- (2) Election shall be by a simple majority of members voting, ignoring blanks and proxy votes. Each voter shall have a single vote. A majority of votes cast shall determine the winner for each office. In case of a tie, the winner shall be determined by lot.
- (c) Bargaining Unit Councils (BUC)
- (1) Election shall be by a simple majority of members voting, ignoring blanks and write-in votes. A majority of votes cast shall determine the winner for each office. In case of a tie, the winner shall be determined by lot.
 - (2) Election for the offices of Chair and Vice-chair shall be held first, followed by the remainder of the BUC seats.
- (d) General Council Delegates

The membership role of Delegates to General Council, limited to active members of the Association, is determined at each session, and consists of Delegates and alternates elected by a Chapter. The Delegates referred to herein shall be known as Chapter Delegates.

- (1) Each Chapter shall be entitled to elect one Chapter Delegate for each 100 members then belonging to such Chapter or major fractions thereof, or the number specified by the Association Policy File, except that no Chapter shall have less than one Delegate. Those candidates who are not elected as Chapter Delegates shall be placed on a list of Alternate Chapter Delegates in order of votes received.
- (2) A Chapter President shall always be one of the Chapter's Delegates. Chapter election ballots and voter statements for Chapter President shall indicate the person elected will serve in both capacities; however, a candidate for Chapter President who is not elected will not be placed on a list of Alternate Chapter Delegates. Chapter President elections shall be conducted in accordance with section 601.06(a), above.
- (3) General Council delegate elections shall be conducted by CSUEU headquarters using mail balloting. No later than December 15, a General Council delegate nomination form shall be mailed to each eligible CSUEU member. The nomination form shall be returned to CSUEU headquarters by March 9. Ballots will be mailed to chapter members by April 20. Ballots must be received at CSUEU Headquarters, Sacramento, California 95814 no later than 5:00 p.m. on May 20. Results shall be announced no later than May 30. When the last day for performance of any act required by this election code falls upon a Saturday, Sunday or holiday, such act may be performed upon the next business day with the same effect as if it had been performed upon the day appointed. (BD 36/04/08) (BD 1/01/09)

601.07 Protest Procedures

- (a) Any active chapter member may protest the election of any Chapter Officer or General Council Delegate in his/her Chapter. To be considered, a protest shall be:
 - (1) In writing specifically setting forth the irregularity and procedure(s) violated; and (BD 36/04/08)
 - (2) Postmarked to the CSUEU President at CSUEU Headquarters, 1108 "O" Street, Sacramento, California 95814, within five (5) calendar days after the results of the chapter election is announced. (BD 36/04/08)
- (b) The incumbent in the protested office shall remain in office until the protest is decided. If there is no incumbent, the office shall remain vacant.
- (c) If the criteria in 601.07 (a) are satisfied, the CSUEU President, within ten (10) days of receipt of an election protest(s), shall appoint a Protest Committee of three (3) non-candidate members to investigate the protest and shall notify all candidates for the protested position of the protest.
- (d) The Protest Committee must hold a hearing within twenty (20) days of appointment. (BD 36/04/08)
- (e) The President shall return all protests that fail to meet the criteria listed in 601.07(a) to the protester within ten (10) days, specifically setting forth why the election protest was rejected.
- (f) In hearing an election protest the Committee will:
 - (1) Contact the Chapter President and all other persons known to be involved and request all information pertaining to the protested election;
 - (2) Review all materials used in the election procedure relevant to the protest;
 - (3) When necessary or requested by any chapter member, hold an open hearing at the chapter. The chapter membership, protester, and all other persons known to be involved shall receive timely notice of the open meeting, and shall be afforded an opportunity to present information in person or in writing;
 - (4) In evaluating the protest, the committee will consider:
 - (A) Evidence of irregularities or procedural violations; and
 - (B) If said irregularities or procedural violations affected the outcome of the election.

- (5) Within ten (10) days of the close of the hearing, report its finding and recommendations in writing to the President with copies to the affected individuals for action.
- (g) The President shall issue his/her decision within five (5) days based on the Protest Committee's findings and report. (BD 36/04/08)
- (h) Affected parties may file a written appeal within ten (10) days to the Board of Directors. Such appeal must clearly state why an appeal should be considered. (BD 36/04/08)
 - (1) The Board of Directors, at its first meeting after the appeal request, shall make a final decision concerning election protests, and shall:
 - (A) Review the proposed recommendations under the principles of substantial evidence and not treat the matter as a new hearing; and
 - (B) Judge all issues involved in the protest and determine if a re-election is called for.
 - (2) The decision of the Board of Directors shall be final and binding on all parties.

[Sections 602.00 – 609.06 omitted]

ELECTIONS

GC CSUEU
 3 yr cycle 2 yr cycle

2009	2009
	2011
2012	
	2013
2015	2015
	2017
2018	
	2019
2021	2021
	2023

5/15 v. 10/15 years

Shaded area denotes years when CSUEU would not be holding elections.