

Election Protest Procedures for Chapter Officer from CSUEU Policy File
As of 11/4/2020

604.01 Protest Procedures - Chapter Officer or General Council Delegate (BD 3/10/1) (BD 5/11/3)

- (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 36/08/4)
 - (2) Postmarked to the CSUEU President at CSUEU Headquarters, 1108 "O" Street, Sacramento, California 95814, within seven (7) calendar days after the results of the chapter election is announced. (BD 36/08/4)
- (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 604.01(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 36/08/4)
- (e) The President shall return all protests that fail to meet the criteria listed in 604.01(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 36/08/4)
- (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 36/08/4)
- (i) The Board of Directors, at its first meeting after the appeal request, shall make a final decision concerning election protests, and shall:
 - (1) Review the proposed recommendations under the principles of substantial evidence and not treat the matter as a new hearing; and
 - (2) Judge all issues involved in the protest and determine if a re-election is called for.
- (j) The decision of the Board of Directors shall be final and binding on all parties.