

.4 Within thirty (30) working days following the conclusion of the concerted activity, the Director of Field Operations, shall prepare a written report listing all contributing chapters/organizations and amounts of contribution, which shall be forwarded to the Executive Director for submission to the Board of Directors at its next regular meeting.

.5 Letters of appreciation from the Association President and/or Executive Director will be sent to those chapters/organizations donating to the affected chapter's strike fund, and appropriate recognition shall be provided in the Association's official publication.

618 CHAPTER ELECTIONS

Adopted September 1983—Last Revised November 2019

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

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

.2 Application

.01 All positions designated as an officer or member of a Chapter's Executive Board, and delegates and alternates to Association Conferences, **shall be elected**, and all such elections shall be governed by the policies as hereinafter set forth. Any provisions within a Chapter's Constitution or other rules to the contrary shall be null and void.

.02 No change to the term of an Executive Board office (either shortened or extended) due to a change in the Chapter's Constitution shall take effect prior to an election for that office as governed by the policies as hereinafter set forth.

.03 In addition, elections for all other elected positions within the Chapter shall be governed by the policies as hereinafter set forth.

.04 Prior to a chapter conducting an election, the Regional Representative will review the procedures for chapter elections, including electioneering and campaign rules, as described in this Policy and the Chapter's Constitution (approved by the Association), with the Chapter leadership.

.3 Definitions

.01 "Active member in good standing" means any person employed in a bargaining unit represented by the chapter who has fulfilled the requirements for membership as stated in Article II, Section 5 of the Association Constitution and who has neither voluntarily withdrawn from membership nor has been expelled or suspended from membership in accordance with provisions of Article II, Section 7 of the Association's Constitution, nor has been expelled for nonpayment of dues.

.02 Where the term "Chapter Constitution" is used in this policy, it refers to the principal governing rules of the chapter, whether that document be called the Chapter "Constitution," "Bylaws," or "Constitution & Bylaws."

.4 **Eligibility to Hold Chapter Office.** Eligibility to hold chapter office shall be as set forth in the Chapter's Constitution, except as noted below:

.01 If the Chapter's Constitution is silent on the subject of eligibility, all "active members in good standing" of the chapter shall be eligible, except as provided below:

(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 (1) Executive Board office.

.5 **Notice for Nominations and Election**

.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.

Nominations and elections for Executive Board offices/officers in newly-chartered chapters shall be conducted by the Regional Representative or a designee of the Association President as soon as practicable following the Chapter's charter date.

(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.

Nominations and elections for Conference delegates/alternates in chapters newly-chartered after March but before the next Annual Conference shall be conducted by the Regional Representative or a designee of the Association President as soon as practicable following the chapter's charter date.

.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.

(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) calendar days before the last day on which ballots must be mailed back in order to be accepted for counting.

.07 If an online ballot is to be used, at least ten (10) calendar days in advance of the date set for online balloting to close, the election notice, along with the appropriate information needed to cast an online ballot (such as member identification and password), shall be mailed via U.S. First Class mail to each CSEA member in good standing who is eligible to vote in the election at his/her last known home address, except that notice may be e-mailed to such members who have an e-mail address on file with the chapter.

.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.

Candidates for chapter office shall not receive a chapter membership list or mailing labels for campaign purposes.

.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.

(a) Candidates and their designees may not distribute campaign materials through the employer's mail and/or e-mail system unless such distribution is approved by the Chapter Executive Board. Candidates or their designees' placement of campaign materials in employee boxes shall not constitute use of the employer's mail system.

(b) Candidates and their designees may not post campaign materials on CSEA bulletin boards unless such posting is approved by the chapter executive board.

(c) Distribution and/or posting privileges, if provided to one candidate, must be accorded all other candidates on an equal basis and the chapter executive board must provide written notice to all candidates within twenty-four (24) hours upon approval.

(d) Candidates for chapter office also have the option to mail campaign materials through the Field Office. 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.

.05 Only members in good standing may campaign on behalf of any candidate for chapter office.

.06 No campaigning, including wearing of campaign buttons, etc., may be done within 25 feet of any polling site so as not to interfere with a member's right to cast a secret ballot.

.7 Election Procedures

.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.

(b) Balloting at various polling sites.

(c) Mail balloting.

(d) Online balloting.

.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 (pursuant to the Chapter's approved constitution) a committee of tellers whose duties it shall be to oversee the preparation, distribution, and counting of the ballots; to ensure that election procedures are in accordance with applicable provisions of the Association's Constitution & Bylaws and Policy, and the Chapter's constitution; and to certify the election results. The Committee shall have one (1) Chair (chief teller) and at least one (1) member.

(a) As soon as practicable after the close of nominations but no later than ten (10) calendar days prior to an election, the Chapter Executive Board shall ensure that all eligible candidates are given or provided access to Publication 2085 — Chapter Elections Rules. The election rules shall be published annually, no later than September 1, by the Association via a General Information Bulletin (GIB). This provision does not pertain to those chapter elections where, pursuant to the Chapter's approved constitution, the nominations and election are held at the same meeting, such as election of job grouping representatives on committees.

(b) 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, 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. If the vote is to be by online balloting, and assuming the chapter is authorized to distribute online election notices via e-mail, then the membership list shall include e-mail addresses.

(c) 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.**

- (d) 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.

(e) 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 end of the chapter meeting so results may be announced at that 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.

(f) 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(b)(2), 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.

(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.

(g) If the vote is to be by online ballot:

(1) An online ballot shall be requested from the CSEA Executive Department prior to the commencement of online balloting.

(2) The notice of online balloting shall be distributed in accordance with Policy 618.5.07.

(3) Chapters shall ensure that an election conducted via online balloting shall be open on the same day the election notice (referenced in 618.5.07) is mailed, and shall remain open until the date set to close.

(4) Chapters shall provide members with at least one of the following alternative paper ballot options: alternative mail ballot or an alternative designated site ballot. A paper ballot and instructions for completion shall be furnished to the member upon written request to the chief teller.

(i) If the alternate mail ballot is used:

(1) The paper ballot, return addressed envelope, and instructions for completion, shall be mailed via U.S. First Class mail to the last known home address of any member who requests a paper ballot in a timely manner.

(2) The chapter shall set the deadline for request of a paper ballot, which shall not be less than five (5) calendar days prior to the date set for online balloting to close. The member must make the request prior to the established deadline.

(3) A double-envelope system for return shall be used, providing a space for signature, CSEA member number, and other identification of the voter on the outside of the return addressed envelope to verify voter eligibility.

(4) The mail paper ballot (or ballots) 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.

(5) The returned mail paper ballots will be handled and tallied in the same way that mail ballots are handled and tallied, per Policy 618.7.04(f).

(ii) If the alternate site ballot option is used:

(1) The member must request a paper ballot within five (5) days from the time the online ballot opens. The election period for voting by paper ballot will also be determined by the executive board and must occur at some point during the last four (4) days of online balloting and the paper ballot must be submitted before leaving the designated polling place.

(2) An official sign-in sheet that requires the members' name, CSEA member identification number, and signature to be filled in must be accurately completed before said member is provided a paper ballot.

(5) At least two (2) Tellers shall be appointed to oversee the election process, retrieve the results of the online balloting, and tally any paper ballots cast.

(6) The Tellers shall immediately inactivate a member's online ballot upon receipt of a timely request for a paper ballot.

(7) Any and all costs of online balloting shall be the sole responsibility of the chapter.

(h) 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. The Elections Committee (tellers) will provide direction to the observers so that their presence will not interfere with a member's right to cast a secret ballot.

(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.

(4) Where online balloting is conducted, the candidate's observers shall be permitted to observe the entire process, including the preparation and distribution of the online election notices and requested paper ballots.

(i) **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.
 - (iii) The Elections Committee Chair (chief teller) shall mail ballot(s) to the absentee voter to his/her home address, or otherwise ensure personal delivery of said ballot(s), within forty-eight (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 (f) (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 election teller is unable to verify the eligibility of a voter, or if an authorized observer challenges (for good cause) the eligibility of a voter, such voter shall be permitted to cast a challenged ballot. A challenged ballot shall be folded and placed 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.

(a) For site balloting, ballots shall be counted and verified separately for each voting site, prior to combining the count for the final tally. However, each site's ballots shall not be tallied separately.

Counting ballots means to count the number of ballots cast without unfolding the ballots and without viewing how the ballot was marked. Tallying ballots means to unfold and tally the results of the ballots.

.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.

.03 The Elections Committee (tellers) shall comply with procedures as specified in Robert's Rules of Order, Newly Revised, in recording the ballots cast and in preparing the Teller's Report.

.04 The Elections Committee Chair (chief teller) shall certify the Teller's Report and deliver same to the Chapter President and provide copies to each candidate or his/her designated representative.

.05 All ballots, including used, unused, invalid and successfully challenged ballots, tally sheets, sign-in sheets and related documents (including envelopes used to mail in marked ballots in the case of a mail election or absentee ballots, and copies of the notices for nomination and election) shall be secured and retained by the Chapter Secretary for a period of one year, or until all objections to the election have been finally resolved, whichever is the longer period.

.10 **Declaration of Results.** If the election is held at a chapter meeting or by site balloting, the Chapter President shall read the Teller's Report into the Minutes and declare the election of each position.

If the election is conducted by mail or online balloting, the results shall be published as soon thereafter as possible in such manner as can reasonably be expected to reach all members in good standing, and shall also be announced at the next chapter meeting.

.11 **Recall from Chapter Office**

.01 Elected chapter officers, including Executive Board members, Conference delegates/alternates, Negotiating Committee members, Union Stewards, and Central Labor Council (CLC) delegates may be recalled from office upon a two-thirds (2/3) secret ballot vote of Active members of a chapter in good standing present and voting at a meeting called for the purpose of a recall action. If elected by classification, job grouping, or worksite, chapter officers may be recalled from office by a two-thirds (2/3) secret ballot vote of the Active members in good standing of the classification, job grouping, or worksite from which the position was originally elected who are present and voting at a designated meeting.

.02 Recall may be initiated by a petition of two-thirds (2/3) of a chapter's Executive Board or thirty percent (30%) of a chapter's members in good standing eligible to vote on the officer being recalled. The petition shall state the specific reasons in support of the recall, and the petition shall be presented to the Executive Board and to the individual.

.03 Upon receipt of the petition, the Executive Board shall arrange for a special meeting to be held not less than fifteen (15) calendar days nor more than thirty (30) calendar days following its receipt, at which the charged person shall be afforded opportunity to rebut the charges, including presentation and cross-examination of witnesses as may be appropriate, and the secret ballot vote shall be conducted. Attendance at said meeting shall be restricted to members of the Executive Board and members of the chapter in good standing who are eligible to vote on the particular recall action, authorized representatives of the Association, and such witnesses as may be pertinent to the action. Notice specifying time, date, and place and the specific nature/purpose of the meeting shall be issued to those eligible for attendance at least ten (10) calendar days in advance.

.12 **Objections to the Election**

Revised June 2013 – Last Revised September 2015

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

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

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

.02 Such complaints must be filed with the Association President within fifteen (15) working days following the close of the election, and shall be in writing and submitted on Form 2081 and Form 2081A, specifying which section(s) of these policies and/or Chapter Constitution provisions are alleged to have been violated or the conduct being objected to, and specifying in what manner such violations and/or conduct may have affected the outcome of the election. The complaint shall include copies of pertinent provisions of the Chapter Constitution relating to the election process and relevant evidence available to the complainant.

Form 2081 and Form 2081A may be obtained upon request to the CSEA Headquarters Executive Department.

.03 The Association President shall forward the complaint to the Executive Director or designee who shall cause it to be reviewed for timeliness and sufficiency toward determining whether the alleged facts, if proved to be true, are sufficient to constitute a violation of these policies and/or lawful provisions of the Chapter Constitution or other improper conduct or activities relating to the election process which may have affected the outcome of the election. The review shall be limited to the complaint and any evidence submitted with the complaint.

- (a) Said review shall be conducted by Association executive staff and shall be completed no later than ten (10) working days following receipt of the complaint.

(b) The Executive Director shall have the authority, however, upon request and good cause shown, to extend the time for completion of the review for up to an additional ten (10) working days.

.04 Upon completion of the review, the Executive Director or designee shall submit the results of the review in a confidential report to a subcommittee of the Board of Directors as designated below. The report shall summarize the allegations and evidence submitted, indicate whether the complaint is timely, and contain an evaluation based solely on whether the alleged offense(s), if proved to be true, would in fact constitute a violation of these policies and/or lawful provisions of the Chapter Constitution or demonstrate other improper conduct or activities relating to the election process which may have affected the outcome of the election.

.05 The Association President shall cause copies of the written complaint to be forwarded to the Chapter's Executive Board, the appropriate Area Director, the appropriate Regional Representative, and the Executive Director within ten (10) working days of receipt.

The Association President shall request election materials (including but not limited to notices of nomination meetings, election notice(s), ballots, and membership/voter lists) from the Chapter's Executive Board. The Chapter's Executive Board shall provide the requested election materials within ten (10) working days. Failure to comply with the Association President's request shall result in a ruling based on the evidence the Board Subcommittee has received and may result in a Policy 613 charge being filed against members of the Chapter's Executive Board.

.06 The Association President shall refer the complaint and forward all evidence received to the Board Subcommittee.

.07 The Board subcommittee consisting of the 1st Vice President, the Past President, and the appropriate Area Director shall review the confidential report, the complaint, and the evidence presented and determine whether the allegations shall be sustained or dismissed. The subcommittee shall have the authority to request additional information and/or documentary evidence. The subcommittee shall require that the additional information/evidence be submitted within ten (10) working days. Failure to comply with the Board Subcommittee's request shall result in a ruling based on the evidence the Board Subcommittee has received and may result in a Policy 613 charge being filed against members of the Chapter's Executive Board.

If any of the officers on the Board subcommittee is directly involved in the election objection, the Association President shall select another member of the Board to serve.

(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 Association President shall designate an Association representative to conduct the new election.

If the sustained allegations include violations of the procedures regarding nominations, including accepting nominations for ineligible members, the Board subcommittee shall also order that a new round of nominations be conducted.

The election may be conducted using the voting method prescribed by the chapter's constitution, or the Board subcommittee may direct that an alternate voting method described in Policy 618.7 be used. If the Board subcommittee does determine that the new election shall be conducted using an alternative voting method, the Board subcommittee shall include that information as part of the written decision (described in 618.12.08).

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 Board subcommittee shall order the institution of such procedures as may be necessary to prevent such violations in future elections.

(c) If the complaint is untimely or the allegations if proved to be true would not in fact constitute a violation of these policies and/or lawful provisions of the Chapter Constitution or demonstrate other improper conduct or activities relating to the election process which may have affected the outcome of the election, the Board subcommittee shall dismiss the allegations.

.08 The decision of the Board subcommittee shall be provided in writing to the complainant within fifteen (15) working days following receipt of Forms 2081 and 2081A (election objection complaint forms), confidential report, and election materials requested pursuant to 618.12.05, or 618.12.07 if applicable, and shall outline the basis upon which such decision was reached. Copies shall be forwarded to the concerned Chapter's Executive Board, the Area Director, the Regional Representative, and the Executive Director for file.

.09 **Appeal.** The decision of the Board subcommittee may be appealed to the Board of Directors by either the complainant or the Chapter's Executive Board. Such appeal shall be in writing and submitted on Form 2082, 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 Board subcommittee. Said appeal shall specify the reasons for disagreement with the decision.

Form 2082 may be obtained upon request to the CSEA Headquarters Executive Department.

(a) Upon receipt of the written appeal, the Association President shall cause the matter to be considered by the Board of Directors at the next Executive Session, which shall not be sooner than twenty-one (21) days following receipt of the written appeal. Confidentiality of the proceedings shall be strictly maintained.

No new evidence, information or statements will be considered that was not presented with the complaint. Neither the appellant or chapter representatives may appear to present oral testimony.

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

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

.10 "Working days," as used in Policy 618.12, means days that CSEA Headquarters is open for business. All other references to working days in Policy 618 means days the chapter's employer is open for business.

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

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

619 CHAPTER REGION ASSIGNMENTS

Adopted September 1985

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

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

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

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

.01 A Region overlaps into more than one Area.

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

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

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

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

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

.02 Should the Area Director, Field Director, and concerned Regional Representative(s) determine that the proposal has sufficient merit, the Field Director shall notify the concerned chapter(s), in writing, of the proposed Regional realignment and reasons therefor, and invite them to provide input on the matter.

.03 The Area Director, Field Director, and concerned Regional Representative(s) shall consider any input provided by the concerned chapter(s) prior to submitting their final recommendations on the matter.