

RULE 12 BRANCH ELECTIONS

1. Authorities

- (1) A Branch Elections Kit is provided to help administer the Branch elections.
- (2) All elections are to be conducted:
 - (a) in accordance with the PSAC Rules of Order;
 - (b) in accordance with the CIU Branch Elections Kit (where a discrepancy exists between the Kit and this Rule, this Rule shall apply); and
 - (c) by secret ballot.

2. Plurality of ballots

Determining the election of all Officers of the Branch shall be a plurality of ballots that are:

- (a) not spoiled; and
- (b) cast from members in good standing.

3. Conditions of Candidacy

(Also refer to RULE 5 – Membership, Section 3 – Membership Allocation)

Any member in good standing may be a Candidate for any Branch office, unless s/he holds a CIU National Officer position.

4. List of Members

The CIU National Office shall provide a list of members and Rands to each Branch at the same time it provides the elections timetable.

5. Term of Office

(Also refer to RULE 13 – Tenure of Office)

All Officers are elected for a term of three years.

6. Executive Officers

The following Executive Officers are elected by the membership of the Branch:

- (a) Branch President; and
- (b) Branch Vice-Presidents.

7. Executive Stewards

The Executive Stewards are elected at the meeting of the Steward Body by the Steward Body at its first meeting following the general elections for the same term as the elected Executive Officers.

8. Chief Stewards

The Chief Stewards are elected by the Stewards for the same term as the elected Executive Officers.

9. Stewards

- (1) The NEC shall determine (in consultation with the outgoing Branch Executive) whether or not to hold the election for Stewards at the same time as or after the election of the new Branch Executive.
- (2) If elected, Stewards are elected by the membership in the Division they represent, for the same term as the elected Executive Officers.
- (3) If appointed, Stewards are appointed by the new Branch Executive for the same term as the elected Executive Officers.

10. Employee Representatives

An Employee Representative may be appointed in any office with two (2) or less members in good standing on recommendation of the Chief Steward within the appropriate Division.

11. Filling Vacant Positions

- (1) Should any elective office not be filled by the electoral process prescribed in this Rule, a meeting of the Steward Body shall be called by the new Branch Executive after Stewards are elected or appointed.
- (2) Those in attendance at the meeting of the Steward Body (including members of the Branch Executive) shall fill the vacant office.

12. Outgoing Executive Remains In Office Until

A member of the outgoing Branch Executive remains in office:

- (a) until such time as her/his replacement has been duly:
 - (i) appointed;
 - (ii) acclaimed, if at closure of nominations no other candidate was nominated; or
 - (iii) elected; and
- (b) until his/her replacement has been administered the Oath of Office, in keeping with Sections 13 and 29.

13. Completion of Electoral Process

- (1) The electoral process is complete after the vote is counted, at which time elected candidates shall take the oath of office, as per Section 29 of this Rule.
- (2) Where all positions in the Branch are acclaimed:
 - (a) the electoral process is deemed complete after the close of nominations, at which time acclaimed candidates shall take the oath of office, as per Section 29; and
 - (b) the one-week appeals period provided under Section 20, Sub-Section 3, Paragraph h), begins on the first day after the close of nominations.

14. Days

All references to "days" shall be interpreted as "calendar days".

15. Proxy Voting

Voting by proxy shall not be permitted.

16. Duties of outgoing Branch Executive

The outgoing Branch Executive shall:

- (a) appoint a Chair and a Secretary for the NEC, no later than one month before the opening date of the CIU National Convention;
- (b) immediately after appointing a Chair and a Secretary of the NEC, advise the CIU National President as to the names, addresses, and telephone numbers or other pertinent contact information such as e-mails of the appointees; and
- (c) consult with the NEC as to when Steward elections shall take place (during or after Branch Executive elections).

17. NEC Conditions of Office

Members of the NEC shall:

- (a) be a member in good standing;
- (b) not be a Candidate;
- (c) not nominate or co-sponsor a nomination;

- (d) not accept any other position (such as scrutineer);
- (e) remain impartial; and
- (f) not reveal candidacies to anyone before the closing date of the nominations period.

18. Returning Officers

The Chair of the NEC shall appoint enough Returning Officers to ensure that all Branch members have the opportunity to submit nominations and to vote.

19. Membership of NEC

- (1) The Chair, Secretary, and Returning Officers, shall constitute the NEC.
- (2) The Branch Secretary shall advise the CIU National Office of the names, contact information and addresses of the NEC Chair and Secretary, appointed by the Branch Executive in keeping with Section 16 of this Rule, no later than three weeks prior to closing date of the CIU National Convention.

20. Election Timetable

- (1) The CIU National Office shall set one election timetable for all Branches.
- (2) The election timetable shall commence one month prior to CIU National Convention, with the posting of the election timetable on the CIU website.
- (3) The timetable shall have the following:

Announcing the Timetable

- (a) A date by which the timetable shall be posted on the CIU website, and this date shall be at least one month prior to the commencement of the CIU National Convention;

Appoint NEC

- (b) A date by which the outgoing CIU Branch Executive shall appoint a Chair and a Secretary of the NEC, and this date shall be at least one month prior to the commencement of the CIU National Convention;

Notification of the NEC

- (c) A date by which the outgoing CIU Branch Secretary shall notify the CIU National Office of the Chair and a Secretary of the NEC, and this date shall be at least three weeks prior to the closing date of the CIU National Convention;

Nominations Period

- (d) The first and last dates of a one-week nominations period, which would start on the first date after the closing date of the National Convention, followed by the campaigning period;

Campaigning Period

- (e) The first and last dates of a one-week campaigning period, followed by the voting period;

Advanced Polling

- (f) The date by which members requiring advanced polling shall advise the NEC Chair of the need for advanced polling, and this date shall be two weeks preceding commencement of the voting period;
- (g) The first and last dates of a one-week advanced polling period, which shall immediately precede the voting period;

Voting Period

- (h) The first and last dates of a three-week voting period; and
- (i) If mail ballot method is used, the mail ballots must be mailed out/distributed as soon as practicable at the end of the nomination period and no later than the end of the seventh day of the three-week voting period.

Mail-In Ballot Waiting Period

- (j) The first and last dates of a one-week waiting period for the receipt of mail ballots (if a mail ballot method is used), which would start on the first day after the voting period;

Appeal Period for Initial Vote

- (k) The first and last dates of a one-week appeal period, which shall immediately follow:
 - (i) the last date of nomination if all candidates are acclaimed, or
 - (ii) announcement of the ballot count if at least one position is being contested;

Tie-breaking Voting Period

- (l) The first and last dates of a second three-week tie-breaking voting period; and
- (m) If mail ballot method is used, the mail ballots must be mailed out/distributed by the end of the seventh day of the three-week voting period.

Mail-In Ballot Waiting Period for Tie-breaking Vote

- (n) The first and last dates of a one-week waiting period for the receipt of mail ballots (if a mail ballot method is used), which would start on the first day after the tie-breaking voting period; and

Appeal Period for Tie-breaking Vote

- (o) The first and last dates of a second one-week appeal period.

21. CIU Website

- (1) The CIU National Office shall post on its website:
 - (a) The arrival of Branch elections;
 - (b) The election timetable;
 - (c) The names, work location, and work telephone numbers of the NEC Chairs and Secretaries for each Branch;
 - (d) All Branch Elections Kit documents, forms, and the checklist;
 - (e) The names of candidates to be elected, by Branch, after the close of the nominations period; and
 - (f) The names of the successful candidates, by Branch

22. Mail Ballots

- (1) Mail ballots must:
 - (a) Be mailed out/distributed by the end of the seventh day of the three-week voting period;
 - (b) Use the double envelope system instructing:
 - (i) Voters to place their returning address only on the outer envelope;
 - (ii) The NEC to open all outer envelopes and place all inner envelopes unopened together at the same time;
 - (iii) The NEC to open all inner envelopes at the same time and only when ballots are counted;
 - (c) Be post-marked by the last date of the three-week voting period; and
 - (d) Be received by 5:00 p.m. local time on the last date of the mail-in ballot waiting period.

23. Duties of NEC

The NEC shall assume all responsibilities for carrying out the electoral process as follows and in keeping with the election timetable established by Section 20 of this Rule:

(a) Mail Ballot

As its first order of business, the NEC shall:

- (i) advise the CIU National Office whether or not any vote shall be conducted by mail ballot, and
- (ii) if mail ballot method is used, whether the ballots are to be mailed out/distributed by the CIU National Office or by the NEC (Branch to cover postage costs);

(b) List of Members

At the time the election timetable is posted on the CIU website, the NEC shall:

- (i) verify the accuracy of the list of all members of the Branch (members in good standing and Rands) based on the most recent information available, and
- (ii) examine all claims of error in such list and decide as to the validity of such claims;

(c) Nominations

- (i) Prepare and distribute Nomination Forms;
- (ii) Provide Nominators with a receipt;
- (iii) Assume responsibility for accepting all nominations;
- (iv) Ensure that each Nomination Form:
 - (1) contains the name of one Candidate, and
 - (2) is properly signed by the Candidate, her/his Nominator and a Co-nominator;
- (v) Ensure that all Candidates and Nominators are members in good standing (refer to the Definitions page in the Branch Elections Kit and Rule 12, Section 3);
- (vi) Before the publication and/or posting of Candidates, if a Candidate is nominated for more than one position, ensure that the Candidate only be nominated for one position, and that it be the position the Candidate wishes to run for;
- (vii) Immediately following the last date of the nominations period:
 - (1) provide the names of candidates to be elected for each position to the CIU National Office for posting on its website;
 - (2) make available, upon request from a member in good standing of the Branch, the list of all Candidates;
 - (3) notify the CIU National Office if mail ballots are required;

(d) Advanced Polling

- (i) Provide a member unable to vote during the three-week voting period with advanced polling;

(e) Voting

- (i) Ensure ballots are provided and/or distributed to all voting members;
- (ii) Ensure that each member receives only one (1) ballot;
- (iii) Ensure that only members in good standing vote;
- (iv) Allow for the disclosure of all balloting times and locations to the Candidates and/or their authorized representatives;
- (v) Make allowance for each Candidate or her/his authorized representative to be present to witness the balloting process in its entirety;

(f) Counting Ballots

- (i) The Chair, Secretary, and one (1) other member of the NEC, shall count all ballots in their possession at 5:00 p.m. local time, without exception:

- (1) On the evening of the last date of the three-week voting period, if mail ballots are not used; or
- (2) On the evening of the last date of the mail-in ballot waiting period, if any mail ballots are used;
- (ii) The NEC shall:
 - (1) ensure that only ballots where the intent is clearly marked in the appropriate place be accepted;
 - (2) include in the count the:
 - (a) total number of ballots cast for each Candidate; and
 - (b) number of spoiled ballots;
 - (3) ensure that Candidates and/or their representatives may be present to witness the count of the ballots;
- (g) Results
 After counting of ballots is completed, the NEC shall:
 - (i) notify all Candidates of the results of the elections;
 - (ii) notify the CIU National Office of the results of the elections for posting on the CIU website; and
 - (iii) on the first day after ballots are counted, make available, upon request from a member in good standing of the Branch, the names of the successful Candidates;
- (h) Retain Records
 - (i) Until the first meeting of the new Branch Executive, ensure that all ballots and Nomination Forms be:
 - (a) Accounted for;
 - (b) Held by the NEC Chair; and
 - (c) Sealed in a box.
- (i) Reports
 - (i) Submit to the CIU National President copies of all reports it generates.
- (j) 2nd Voting Period
 - (i) In the event of a tie vote for any office during the first voting period, the NEC shall immediately announce a 2nd voting period.

24. Destruction of Ballots

The new Branch Executive shall instruct the Branch Secretary to destroy the ballots and retain the nomination forms and any report from the Returning Officer(s) as Branch records.

25. Termination of Campaigning

Each Candidate shall put an end to his or her election campaign on the last date of the campaigning period, which precedes the first date of the voting period, as is the case in municipal, provincial or federal elections.

26. Appeals or Complaints

- (1) An appeal may be presented to the election of the Branch President or to the election of any other Branch Officer commencing on the first date results of the elections are posted on the CIU website. Said appeal is to be:
 - (a) presented within seven (7) calendar days;
 - (b) submitted in writing;
 - (c) signed by ten (10) members in good standing; and
 - (d) submitted to the CIU National President.

- (2) Upon receipt of an appeal or a complaint, the CIU National President may appoint a CIU National Vice-President to obtain additional information from the complainants and/or from the Chair or Secretary of the NEC to better assess the validity of the appeal or complaint.
- (3) When the CIU National President is satisfied about having all the information required to make a decision, s/he may:
 - (a) refer the matter to the Branch Executive, when the appeal or complaint involves any position on the Branch Executive except Branch President; or
 - (b) refer the matter to the CIU National Executive when the appeal or complaint involves a Branch President.
- (4) The CIU National Executive may order new Branch elections to take place for one or more positions (this order can be for a complete or partial election timetable). (see By-Law 15.4)
- (5) Decisions on challenges shall be reviewed by the CIU National Board of Directors.
- (6) In the event of an appeal involving the CIU National Executive, all documents in possession of the NEC shall be forwarded to the CIU National Office, to be dealt with by the CIU National Board of Directors at its next meeting.

27. Restrictions on Appeals or Complaints

An appeal or complaint may not be presented if it relates to:

- (a) any Branch election information posted on the CIU website as per Branch Rule 12, Section 21; or
- (b) a mail ballot not counted because it was received after 5:00 p.m. local time on the last date of the one-week mail-in ballot waiting period.

28. Dissolution of NEC

The NEC is dissolved at the next regular meeting of the Steward Body in the New Year, following Convention year.

29. Administration of Oath

The NEC Chair, or her/his nominee, shall immediately administer the Oath(s) of Office:

- (a) to all incoming Officers;
- (b) after incoming Officers are appointed, acclaimed, or elected; and
- (c) in the presence of at least two (2) members in good standing.