

# Special Election Rules

## UTLA–Retired Secretary

### For the Balance of Term of Office Ending on June 30, 2020

#### Section 1. Elections:

- a. Elections shall be held for the office of Secretary at the January General Assembly. The term of office will begin immediately following the announcement of the balloting results and end on June 30, 2020.
- b. In the event there is a run-off election, the run-off election will be held at a subsequent meeting of the General Assembly.

#### Section 2. Balloting:

- a. Secret ballot voting shall take place at a meeting of the General Assembly.
- b. **Non-Contested Elections:** Any candidate running unopposed shall be declared elected by the Election Committee, with proper notification of this to be distributed in an email message to the UTLA-Retired listserv or posting on the UTLA website.
- c. **Contested Elections:** Contested elections shall be decided by a simple majority of 50% +1 vote of ballots cast.
- d. **Run-Off:** Run-off elections shall be between the two candidates who received the highest and the next highest number of votes.
- e. **Tie Votes:** In the event there is a tie vote in a regular or run-off election and the circumstances do not allow for holding a runoff election, the winner shall be determined in the case of two-way ties by a flip of a coin. In the case of a three-way or more ties, the winner will be determined by a drawing of names.
- f. **Election Results:** The results shall be announced following the completion of the counting of the ballots. Elected candidates will be notified of their election when the results are announced or posted at UTLA, published on the UTLA website or distributed in an email message in the UTLA-Retired email listserv. The results will be official following review and certification by the UTLA-Retired Steering Committee of the Election Committee Report at its next scheduled meeting following the election.
- g. **Sequestering of Ballots:** The Election Committee shall sequester all ballots from the date counted until conclusion of the entire election process or their release.

#### Section 3. Voter Eligibility:

Voters must have been retired members of UTLA-R at least ten (10) days before the election to be eligible to vote.

#### Section 4. Nominations:

- a. **Qualifications of Candidates:** Any UTLA-R retired member who has been a member in good standing is eligible to run for any office for which he/she is qualified. Candidates must have been UTLA-R members six (6) months prior to the date of the initial UNITED

TEACHER publication of the Election Timeline, Election Rules and Intent forms for this election. Candidates must submit a Declaration of Intent to Run form to the Election committee on or before the specified deadline for submission.

- b. The Filing Dates: The filing date shall be specified in the Election Calendar.

### Section 5. Campaign Rules:

- a. *The Election Rules* shall be made available to any UTLA-R member by request and shall be applicable to the election process at all times.
- b. Prior to opening of nominations, the UNITED TEACHER shall publish election procedures, rules, forms and the calendar. The election calendar also shall be published in the UNITED TEACHER.
- c. UTLA *staff* shall not be involved in any way in any candidate's campaign.
- d. UTLA *offices*, materials, or other resources of UTLA shall not be used to support candidates.
- e. UTLA *committees* shall not endorse or discuss any candidate during the election process.
- f. *Candidates* shall not seek or receive financial support or any other support for their candidacy from UTLA vendors, state or national affiliate, or UTLA Staff.
- g. *Candidate literature* shall not appear to be an official UTLA publication.
- h. *All campaign literature* shall clearly identify its source.
- i. *The logo of UTLA* or any UTLA affiliate shall not be used on/with any campaign materials.
- j. *All political committees* campaigning for a candidate or candidates shall register with the Election Committee within five (5) working days of receipt of the Candidate's Declaration of Intent to Run form, or within five (5) working days of their formation, whichever comes first. The following items shall be required at the time of registration: name of committee, candidate or candidates supported, name of chairperson or of treasurer, committee address, committee phone number, signature of candidate and his/her agent registering committee. Candidates will submit a list of those campaign committees that have the candidate's official approval. That list of all official committees and whom they support shall be on file with the Election Committee. Any such official committee failing to register shall cause the candidate to be disqualified.
- k. Financial Report: Candidates for all offices, and all registered political committees, shall file a financial disclosure report for any election campaign expenses incurred with the Election Committee. The Election Committee or designee shall provide approved forms and issue a receipt after receiving the completed forms. The reports shall detail all expenditures, income and sources of income for each specific balloting in the election. If no election campaign expenses were incurred, no report is required but a signed financial disclosure report form may be filed stating that no expenses were incurred. The Report shall include this statement: ***"I affirm that all of the information provided by me in this form is correct to the best of my knowledge."*** All candidates must sign this affirmation or the form will not be accepted and the candidate shall be disqualified. Financial reports pertaining to a given balloting shall be on file on or before the day upon which the ballots are counted. Each time a candidate's name appears on a run-off

ballot, that candidate and any registered political committees supporting that candidate, shall submit a financial report covering the expenses of campaigning during the time period between the counting of that run-off ballot and the counting of previous ballot. If no election campaign expenses were incurred, a signed financial disclosure report form may be filed stating that there were no expenses incurred. The financial statements of candidates and committees shall be on file for inspection. Any candidate who fails to submit a required financial report shall be disqualified.

**\*\*Warning: Submitting a falsified financial report constitutes perjury, and anyone doing so risks criminal prosecution.**

- l. *Candidate Statements* for the Special Election of Secretary shall be published in the UTLA-Retired Email Messenger Listserv prior to the election. Candidates who wish to submit a statement for distribution to the Listserv must submit a MS Word, PDF or text formatted document to the Election Committee or designee at [utla-r@roadrunner.com](mailto:utla-r@roadrunner.com). The candidate's statement may have a **maximum total of 250 words** and **may include one (1) graphic/image** that is subject to modification in size to fit email posting format. For purposes of this election, a word is considered as a separate word when it stands alone with a space before and after it.
- m. The ballot order will be determined by the CTA Elections Manual's current Election Alphabet. [ **BFZTOXMGACNLWQDUJKEVIHRYPS** ]
- n. *Supervision*: The preparation, printing, distribution and counting of ballots shall be supervised by the Election Committee. One designated poll watcher for each candidate shall be allowed to observe during the counting of the ballots.
- o. **Any violation of these rules by a candidate or a candidate's endorsed committee shall result in the candidate's disqualification by the Election Committee.** Violations shall be reported in writing to the UTLA-R Election Committee Chairperson.

#### **Section 6. Challenge Procedure:**

- a. The Election Committee will not consider any challenge filed more than five (5) working days after each round of the election in question is terminated. Subsequent levels for challenge must be filed in the appropriate fashion within five (5) working days of a decision being made at the preceding level. No challenges will be accepted or heard before the outcome of an election has been determined.
- b. From the time a challenge is filed until a final determination has been reached, all proceedings shall be considered private and confidential and any preliminary disposition shall not be made public. Violators shall be subject to disqualification.
- c. Only candidates may file challenges to elections and are limited to the election for the office they are running. Challengers must specifically state what Election Rule has violated and the date and time of this alleged violation in the Challenge Statement filed with the Election Committee.
- d. If a candidate charges that another candidate has violated these election rules, the following procedure shall be followed:

##### *Step 1. Election Committee Hearing*

Both parties and/or representative of each shall appear before a meeting of the Election Committee. The Committee may:

1. Refuse to hear the challenge on the grounds that the challenge as presented does not involve the violation of any election rule.
2. Uphold the challenge and disqualify the challenged party on the grounds that there has been a violation of an election rule by the challenged party.
3. Deny the challenge on the grounds that there has not been a violation of any election rule by the challenged party.

*Step 2. Appeal of the Election Committee's Decision:*

1. The decision of the Election Committee may be appealed to the currently serving UTLA-Retired Steering Committee. Such an appeal shall be submitted, in writing, to the Election Committee, which shall facilitate the appeal. The Steering Committee shall adopt rules and procedures it chooses to hear the appeal. A majority vote of the Steering Committee shall determine the outcome of the appeal.
2. **The appeal process must be completed within one (1) year of the initial filing.**

e. Procedural Stipulations:

1. There shall be a verbatim record to be obtained by the same method in all cases of all challenged proceedings/hearings.
2. Candidates involved in any challenge shall be provided five (5) days' advance notice of proceedings and procedures.
3. Sequestered ballots shall be released in the presence of involved candidates or their representatives unless the candidate declines to do so.
4. Any challenger or challenge shall be invited to be present at any hearing before the Election Committee or UTLA-R Steering Committee with five (5) days' advance notice.

e. In the event there is a challenge filed and the hearings and/or appeals continue beyond the beginning of the term of office the candidate with the highest number of votes will assume the duties and responsibilities of the contested office until the challenge is resolved.