

SEIU LOCAL 1000 COUNCIL MEETING

June 26-28, 2009

Agenda Item: 5G

SUBJECT: Election Policy Amendments

SUBMITTED BY: Jim Hard, Local 1000 Vice-President of Organizing/Representation
Larry Perkins, Chair, BUNC 4
Terry Lawhead, Chair, BUNC 21
Lisa Davis, President, DLC 709
Joe Chacon, President, DLC 722
Olga Gutierrez, President, DLC 751
Paul Smilanick, President, DLC 768
Tim Chaney, President, DLC 772

RECOMMENDED ACTION:

That the Local 1000 Council amend Policy File Division 12 as attached.

BACKGROUND:

The proposed language attached has two basic purposes. The first purpose is to establish candidate requirements for election to Statewide and District Labor Council offices. The second purpose is to establish a one time, four year term of office for those positions elected in 2011, so that Local 1000's election cycle will be aligned with the CSEA delegate elections and terms of office. Finally, there are other changes meant to harmonize, simplify, and clarify other sections of the election provisions..

Currently, Local 1000 has no requirement for candidates for DLC, DBUR, or Statewide offices other than being a member in good standing. Our Council has determined that we want to improve our steward program, its training, staff support, and requirements for continued certification. Yet, we have not done the same for those of us who aspire to lead our union. The purpose of the amendment is to require a minimal and demonstrated organizational understanding and commitment, along with some training and/or experience *prior to* running for an office. For DLC offices, DLC local offices and DBURS, completing the Basic Steward training and becoming certified as a steward *before* nominations open is proposed. For statewide officer positions, there are greater requirements for experience and demonstrated organizational understanding and commitment, along with requirements to demonstrate minimal support among the membership.

Local 1000 is required to hold General Council delegate elections in accordance with the three year term of office and on a schedule prescribed by the CSEA Bylaws. This has resulted in many more elections than necessary at a cost of hundreds of thousands of dollars and a huge

amount of staff administrative time, distracting member-leaders more than necessary with no greater membership participation. In fact, the greater number of elections may tend to decrease member involvement. CSEA Bylaws may be changed only with a two-thirds majority vote of all delegates representing each of the four affiliates. Therefore, the most efficient and effective way to correct this situation is to allow for a one time, four year term in 2011. Then in 2015, our elections will be aligned, and Local 1000 will return to a three year term of office.

ESTIMATED COST/SAVINGS: Approximately \$150,000 in savings in 2014 – continued every three years

FUNDING SOURCE: N/A

LOCAL 1000 ACTION:

**DIVISION 12:
ELECTION PROCEDURES**

12CSD0.00 GENERAL PROVISIONS

12CSD0.01 All elections, referenda, recalls, ratifications, or other matters to be decided by either a vote of the Local 1000 members, plebiscite of the DLC's, or vote by the Local 1000 delegates to General Council ~~on matters which have been delegated solely to Local 1000~~, shall be conducted in accordance with procedures established by the Local 1000 Council and shall be administered by the Local 1000 election committee. (CSDC 42/00/4, CSDC 37/01/2, CSDC 33/04/4, CSDC 62/04/6)

12CSD0.02 Eligibility Requirements

- (a) Members may run for and hold only one office within Local 1000, except that of delegate. (UCSW Bylaws IID and IVB)
- ~~(a)(b) Any active member in good standing in the respective jurisdiction may run for General Council and/or SEIU International delegate. No member may run for or hold more than one office within Local 1000, except that of General Council Delegate. (UCSW Bylaws IID and IVB)~~
- ~~(b)(c) All Local 1000 officers, candidates for District Labor Council officers, officers of DLC locals, and District Bargaining Unit Representatives must be certified stewards prior to the first day of the nomination period, or become certified as a steward within ninety (90) days of being elected or appointed to an office. (CSDC 12/89, CSDC 33/04/4, CSDC 62/04/6)~~
- (d) All candidates for Local 1000 statewide officer must:
 - (1) Be a member in good standing for the five years immediately prior to the first day of the nomination period;
 - (2) Be an active steward for the three years immediately prior to the first day of the nomination period;
 - (3) Have served at least three years or 36 months as a DLC officer, officer of a DLC local, DBUR and/or BUNC member within the five years immediately prior to the first day of the nomination period;
 - (4) Submit a completed nomination petition containing at least 500 valid signatures of members with a limit of 40% or 200 valid signatures coming from a single state department and no more than 20% or 100 valid signatures from any one District Labor Council which must be received by the Local 1000 Election Committee by 5pm on the second Monday in February of the election year.
- ~~(e) Any certified steward may be appointed to a vacant office following the appropriate procedure.~~

12CSD0.03 Term of Office

- (a) The term of office for Local 1000 officers, all DLC officers, officers of

DLC locals, and DBURs is three (3) years beginning June 30 of the election year or until their successors take office. (CSDC 62/04/6) However, for the election of the above offices held in 2011, the term of office will be four years from June 30 of the election year and ending June 30, 2015.

(b) The term of office for delegates to CSEA's General Council is defined in the CSEA Bylaws. (CSDC 62/04/6)

12CSD0.04 Oath of Office

The following oath of office will be used for all positions in Local 1000:

I, _____, pledge my word and honor, that I will faithfully discharge the duties of the office to which I have been elected, in accordance with the rules of Local 1000, and to the best of my ability, carry out the plans and programs of the union, help build unity, strength and participation among members in the union, in the workplace, in our communities and in the political arena and purchase union label goods and use union services whenever they can be obtained. (CSDC 62/04/6).

12CSD0.05 Computation of Timeliness

When the final date for any action falls on a Saturday, Sunday or holiday such action may be taken on the next regular workday.

12CSD1.00 ELECTION CONDUCT

The following code of conduct shall govern elections for all Local 1000 offices. (CSDC 77/94/3, CSDC 33/04/4, CSD12/05/2)

- (a) Candidates and members offer constructive alternatives to established Local 1000 policies, procedures and/or programs which they wish to change. (CSDC 77/94/3, CSDC 90/99/6, CSDC 33/04/4)
- (b) Candidates and members shall be truthful about candidates or their policies and engage in factual presentations relevant to the election. (CSDC 77/94/3, CSDC 23/00/2)
- (c) Candidates and members shall not encourage Local 1000 voters to base their judgments on considerations of race, color, sex, religion, occupation, national origin, sexual orientation, ancestry, disability or age. (CSDC 77/94/3, CSDC 23/00/2, CSDC 33/04/4)
- (d) Candidates and members do encourage consideration of experience, performance, ideals and program of the respective candidates for Local 1000 offices. (CSDC 77/94/3, CSDC 23/00/2, CSDC 33/04/4)
- (e) Candidates and members should conduct themselves in a manner which brings respect to Local 1000 and which attempts to avoid post elections division which would hamper Local 1000's effectiveness. (CSDC 77/94/3, CSDC 90/99/6, CSDC 23/00/2, CSDC 33/04/4)

- (f) Candidates and members should discuss relevant Local 1000 issues. (CSDC 77/94/3, CSDC 23/00/2, CSDC 33/04/4)
- (g) Candidates and members may not use Local 1000 funds to support or oppose any candidate for any office in the Local. (CSDC 90/99/6, CSDC 23/00/2, CSDC 33/04/4)

12CSD1.01 Violations

A candidate for that office may file a protest with the President or with the Vice President/Secretary Treasurer, if the protest is against the President, concerning violations of this code of conduct. Such protest shall be immediately referred by the President or the Vice President/Secretary Treasurer to the Local 1000 Election Protest Committee. The committee shall immediately review the protest, and upon a finding by the committee upholding the protest, the committee may take the following actions: (CSDC 77/94/3, CSDC 90/99/6, CSDC 33/04/4, CSDC 12/05/2)

- (1) If the protest concerns the conduct of a candidate, the candidacy of the members may be terminated. (CSDC 77/94/3, CSDC 90/99/6)
- (2) The committee may take other corrective action. (CSDC 90/99/6)
- (3) The decision of the Election Protest Committee shall be final.

12CSD1.02 Election of Local 1000 officers, district labor council officers, district bargaining unit representatives, DLC local officers and general council delegates

~~12CSD1.03~~ Local 1000 Officers, DLC Officers, DBURs, ~~and DLC local officers, and General Council delegates~~ are elected every three years by the members within their jurisdiction. ~~General Council Delegates are elected in odd-numbered years by the members within their jurisdiction.~~ These elections are conducted on a uniform statewide basis by the Local 1000 Election Committee. Nominations will be open for these offices no later than the first business day in January of an election year. All elections shall be by secret mail ballot. ~~Any member in good standing in the respective jurisdictions is eligible to run for an office.~~ (CSDC 45/95/3, CSDC 90/99/6, CSDC 94/99/6, CSDC 33/04/4, CSDC 62/04/6)

12CSD1.04 03 Local 1000 Nomination Form

The Local 1000 Nomination Form must be personally signed by the candidate and received by the Local 1000 Election Committee no later than 5:00 p.m. on the second Monday in February of the election year. (CSDC 62/04/6)

12CSD1.05 04 Candidate Statement

- (a) Each candidate may submit a statement of no more than 100 words.
- (b) Statements must be received by the Local 1000 Election Committee by 5:00 p.m. the second Monday in February of the election year. The

statement shall accompany the ballots and shall be typed and printed exactly as submitted by the candidate. Words beyond the 100-word limit shall be deleted. (CSDC 63/97/3, CSDC 45/95/3, CSDC 9/96/1, CSDC 90/99/6, CSDC 33/04/4, CSDC 62/04/6)

12CSD1.06 Election Procedures

- (a) Notification of the open nomination period for statewide officers, District Labor Council officers, officers of DLC locals and District Bargaining Unit Representatives shall be mailed by Local 1000 to all ~~members~~ certified stewards, in good standing and on record December 31 immediately prior to the nomination period in each DLC no later than the first business day in January of an election year. Notification and nomination forms for General Council and SEIU International delegates will be mailed to all members in good standing. (CSDC 90/99/6, CSDC 23/00/2, CSDC 62/04/6)
- (b) Local 1000 nomination forms indicating self-nomination shall be accepted by the Local 1000 Election Committee until 5 p.m. on the second Monday in February. (CSDC 90/99/6, CSDC 23/00/2, CSDC 33/04/4, CSDC 62/04/6)
- ~~(c) Each year prior to the open nomination period, the Local 1000 Council shall determine whether to send a separate ballot for Local 1000 representatives or have its ballots combined with those for CSEA's regional and assistant regional directors, but in either case, ballots shall be mailed by Local 1000 or CSEA, no later than April 20. (CSDC 5/98/1, CSDC 90/99/6, CSDC 33/04/4, CSDC 62/04/6)~~
- ~~(d)~~(c) To be valid, the Local 1000 officers, DLC and DLC local officers, DBUR and General Council Delegate election ballots must be received by 5:00 p.m. May 20. If May 20 falls on a Saturday or Sunday the deadline will be the first working day following. (CSDC 45/95/3, CSDC 7/96/1, CSDC 90/99/6, CSDC 62/04/6)
- ~~(e)~~(d) Unopposed candidates shall be declared elected after nominations have been closed and the ballot shall so state. (CSDC 5/98/1, CSDC 90/99/6)
- ~~(f)~~(c) All candidates will be notified of the results by May 30. (CSDC 90/99/6)
- ~~(g)~~(f) Newly elected Local 1000 Officers, DLC and local officers, as well as DBURs shall be installed (i.e. take office) no later than June 30 unless there is an unresolved election protest. (CSDC 90/99/6, CSDC 62/04/6)
- ~~(h)~~(g) General Council Delegates take office at General Council. (CSDC 90/99/6)
- ~~(i)~~(h) A plurality of votes cast shall determine the winner for each office. In case of a tie, the winner shall be determined by lot. (CSDC 45/95/3, CSDC 5/98/1, CSDC 62/04/6, CSDC 9/05/1)

12CSD1.07 Elections Committee

- (a) The first Monday of December prior to an election year an election committee of up to five (5) members, shall be appointed by the Local 1000

President to conduct and coordinate Local 1000 elections. Members of the election committee shall not be eligible to run for any office, except Delegate to General Council. (CSDC 45/95/3, CSDC 5/98/1, CSDC 90/99/6, CSDC 42/00/4, CSDC 23/00/2, CSDC 33/04/4, CSDC 62/04/6)

(b) The election committee, with the assistance of such staff as necessary, is responsible for:

- (1) Preparation of the nomination form and notification to all eligible DLC members by mail of the open nomination period, the election rules and timelines. Such notifications shall be mailed to the stewards and members of the DLCs and posted on the Local 1000 website no later than the first business day in January. The cost of the election shall be borne by Local 1000. (CSDC 45/95/3, CSDC 5/98/1, CSDC 23/00/2, CSDC 33/04/4, CSDC 62/04/6)
- (2) Verification of eligibility of candidates and voters; (CSDC 45/95/3)
- (3) Providing a membership list consisting of name, work phone and home phone (except CDC, CYA and the forensic units of DMH) of the electorate of the office for which he/she is a candidate to all who make a written request and are a candidate for a Local 1000 office, except for candidates for Local 1000 statewide officer positions. (CSDC 59/02/4, CSDC 33/04/4, CSDC 62/04/6)
- ~~(4) Coordinating with the CSEA Executive Vice President on the preparation of ballots when the Council determines that a joint CSEA Local 1000 ballot will be used, to ensure all candidates are within the assigned region, and on the correct ballot. The ballots shall be mailed by CSEA to all eligible voters no later than April 20. For elections in which a joint CSEA Local 1000 ballot is used, the ballots shall be mailed by CSEA, otherwise Local 1000 shall mail the ballots, but in either case, ballots shall be mailed by April 20. They shall send notification to the members of the date, time and place of ballot count. The ballot shall be placed in the ballot sleeve and the ballot sleeve shall be placed in a postage paid, self-addressed envelope which will have a space for the member's signature and shall be returned to CSEA. (CSDC 45/95/3, CSDC 5/98/1, CSDC 62/99/3, CSDC 33/04/4, CSDC 62/04/6)~~
- ~~(5) Coordinating with the CSEA election staff for the counting of ballots and certifying the results when the Council determines that a joint CSEA Local 1000 ballot will be used. Otherwise, the Local 1000 Elections Committee is solely responsible for the process. The ballot count shall be open to all members. The election committee shall have access to verify the eligibility of each voter and then separate the ballot sleeve from the return envelope and~~

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~~provide to the Local 1000 Committee and any candidate upon request, daily reports. (CSDC 45/95/3, CSDC 5/98/1, CSDC 90/99/6, CSDC 33/04/4, CSDC 62/04/6)~~

- ~~(6)~~(5) Ensuring secret ballot elections in accordance with this policy and the CSEA and Local 1000 Bylaws and ensuring that the ballot count is open to all interested members. (CSDC 45/95/3, CSDC 62/04/6)
- (7) Listing delegates to the SEIU International Convention and General Council in descending order of number of votes received. The persons receiving the most votes shall be designated as a delegates. This shall be repeated with each successive candidate placed on the list up to the number of delegates authorized. Each successive remaining candidate shall be placed on the list as alternate delegates. When the each DLC receives notification of the number of eligible General Council delegates, the elected delegates shall be announced. (CSDC 45/95/3)
- (8) Publication of the results. (CSDC 45/95/3)
- (9) The safekeeping of all ballots ~~shall be retained by the Chair of the Election Committee until after General Council~~ and delivery to appropriate Local 1000 staff for retention following the election protest period. (CSDC 45/95/3, CSDC 5/98/1, CSDC 62/99/3)

- (c) The election committee shall serve until the conclusion of the election. (CSDC 45/95/3)

12CSD1.08 Protest of Local 1000 Officers, DLC Officer, DLC local officer, DBUR and/or General Council Delegate Elections

- (a) An election protest committee of three (3) non-candidates (except for General Council Delegate shall investigate all timely protests. (CSDC 90/99/6)
- (b) Election protests must be in writing and received by the Local 1000 President by 5 p.m. on June 10. If June 10 falls on a Saturday or Sunday the deadline will be 5 p.m. on the first working day following. 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. (CSDC 45/95/3, CSDC 5/98/1, CSDC 90/99/6, CSDC 33/04/4, CSDC 62/04/6)
- (c) Election protests shall contain all information pertinent to the charge including specific violation of policy, facts to substantiate any allegations, such as dates, times, places, names of those involved in the alleged violations and any relevant documentary evidence including written statements from witnesses. (CSDC 90/99/6)
- (d) Decisions of the election protest committee shall be final and binding on the parties. Decisions shall be mailed to the parties of the protest by June