

**LOS ANGELES COLLEGE FACULTY GUILD, AFT LOCAL 1521  
2020 ELECTION CODE AND PROCEDURES**

**1. ELECTION COMMITTEE**

The Executive Board shall establish an Election Committee in October of the semester prior to the filing period for each election cycle. The Committee shall make any needed revisions to the Election Code and/or procedures and establish the timeline for approval by the Executive Board in November. The Committee shall meet or consult via email or phone as needed until the election is completed to (a) rule on questions arising under this code and (b) resolve disputes, and take action, if needed. After the conclusion of the election, the Committee shall meet to make necessary revisions to this Code, to be approved by the Executive Board for the next election cycle. All committee decisions shall be subject to the authority of the Executive Board pursuant to law and to the Constitution and By-Laws of the Local.

Except as provided in this code (which shall be reviewed and signed by the members of the Election Committee) or by the Executive Board, the Committee shall be guided in its decisions by the publication entitled "Conducting Local Union Officer Elections: A Guide for Election Officials", issued by the Office of Labor-Management Standards of the U.S. Department of Labor, a copy of which will be provided to all committee members to review and sign. Guild staff members implement election procedures only as directed by the Election Committee through its chair.

Chapter presidents will be notified of the Committee's first meeting at the start of each election cycle. A chapter member designated by each chapter president shall constitute the membership of the committee, provided that no committee member is a candidate for any Guild office in that election cycle. There shall be no quorum requirement. At its first meeting the members shall elect one of the members to serve as the chair. After its first meeting, the committee may meet again as it decides or on the call of its chair when specific issues under the Election Code are brought to the chair's attention and cannot be resolved to a candidate's satisfaction through discussion with the chair. To guarantee impartiality, the Election Committee chair and members shall refrain from campaigning for any Guild candidate during their tenure on the Committee.

**2. ELECTION TIMELINE AND CANDIDATE ELIGIBILITY**

The Executive Board shall approve an election timeline as provided for in the Constitution and By-Laws of the Local. This timeline will provide for the accuracy of the lists to be used for Guild election notices and for the mailing of ballots, beginning with an announcement sent by U.S mail at least one week before the beginning of the filing period to the home addresses provided by the District for all Guild members and non-member fee-payers. This announcement will include "declaration of candidacy" forms, the deadline for becoming a member in order to vote in this election cycle, and filing requirements as authorized by the Executive Board.

If mail is undeliverable, Guild staff will email those members to obtain their current home addresses. Before ballots are mailed, Guild staff will send email reminders of the election timeline and will contact members working at more than one campus to ask in which campus election they wish to vote. These campus choices may be made only by those individuals.

Those wishing to run for office must be Guild members and have an assignment in the District during the academic year that the election takes place. Guild staff will request updated District

databases to ensure that those with late-start assignments are included. To run for chapter president or Executive Board delegate, the candidate must have an assignment at that college during the semester in which the election is held. A candidate may run for only one districtwide office (i.e., president, vice president, recording secretary, treasurer). Retirees may run for positions in the Emeritus Chapter if they are members of that chapter or at a college if they have a current assignment at that college or are on its seniority list.

### **3. BALLOTS**

Candidates will be listed on ballots in the order in which their declarations of candidacy are received. The staff will update the list of candidates filing for election weekly and post it on the Guild website for review prior to the printing of the ballots.

### **4. CANDIDATE COMPLIANCE WITH THE CODE**

All candidates shall be provided with a copy of this Election Code after they have filed their declarations of candidacy. In order to appear on the ballot, they must return a copy by the specified deadline with their signature acknowledging that these rules are understood and will be followed. Write-in candidates must also adhere to the provisions of the Election Code and may be subject to the procedures outlined in Section 12.

After ballots are sent, staff will email eligible members to inform them that anyone who has not received a ballot should contact the Guild office, so that a replacement ballot can be sent.

### **5. ACCESS TO MEMBERSHIP LISTS**

All candidates shall be provided with a list of the names and campuses of the unit members who comprise the potential electorate for their offices. This list will be divided into full-time and part-time faculty, Guild members and non-members. The list shall not include the phone numbers, email addresses, or home addresses. No Guild members in possession of member data due to their positions in the union are to employ this data for campaign purposes on behalf of any candidate.

### **6. CANDIDATE STATEMENTS**

The Faculty Guild will mail to all unit members at its own expense 300-word, text-only statements by district-wide candidates, to be submitted by the date specified on the election timeline. These statements will be issued as submitted, without correction of possible errors in content (spelling, grammar, fact, etc.).

### **9. CANDIDATE FORUMS**

Each chapter shall hold a candidate forum at least two weeks before the ballots are mailed. Forums shall be equally open to all declared candidates for districtwide officers, chapter presidents, and Executive Board delegates. Guild staff shall issue a listing of all candidate forums in advance, and the Election Committee, with the consent of the chapter president on each campus, shall designate a moderator who is not a districtwide candidate or candidate at that campus to act on behalf of the Committee at each forum. Candidates who cannot be present at a forum will be allowed to designate a proxy (such as the moderator) to read their remarks. Time limits for speeches and Q & A will be provided to the candidates at least 72 hours in advance. Declared candidates may bring campaign materials to leave on a table at the forum.

If in a district wide race a candidate is invited to speak on campus at a meeting or event, the opportunity to speak shall be extended to all the declared candidates running for that office.

## **10 CAMPAIGNING**

The Faculty Guild will honor any reasonable request by a declared candidate to distribute campaign literature to members at the candidate's expense. Campaign literature must be provided to the Guild office in sealed, stamped envelopes with a return address label of the Guild office. Postcards are also acceptable. Candidates may choose to pay for materials to be run through the Guild's postage meter. Stamped postcards are also acceptable. Guild office staff will affix address labels to the campaign literature at a rate of \$18 per hour per staff member performing the task. Any distribution via U.S. mail must be processed through the Guild office. Candidates should bring materials to the Guild office at least five working days before they would like them to be mailed.

Candidate literature may be distributed to faculty mail boxes pursuant to the rules for mail box access on that campus, provided access is equal for all candidates. To ensure fairness, there shall be no distribution of campaign material via email or phone (District or personal).

A candidate who has access to "all-faculty" emails may not use it to campaign nor should others use campus email to campaign on a candidate's behalf. Candidates may not initiate emails regarding the election unless they are forwarding them on behalf of the Guild. Social media (e.g., Facebook, Twitter, Instagram) may be used for campaigning only if the platform is not being used in the candidate's current position in the union. If such a vehicle is used, all candidates for that office must be given access to campaign on that platform.

Posters and flyers placed on a campus must adhere to that campus' rules for posting.

Federal law prohibits the use of any union or employer resources to promote the candidacy of any person in a union election. This prohibition applies to funds, facilities, equipment, office supplies, telephones, computers, duplication of materials, and so forth. Federal law also provides that candidates must be treated equally regarding the opportunity to campaign. Campaigning may not be conducted at campus meetings or events other than the candidate forums and union chapter meetings. Members may support the candidates of their choice without being subject to penalty, discipline, or reprisal of any kind.

If a candidate knows of prohibited election activity taking place in support of his/her candidacy, the candidate is expected to take reasonable steps to ensure the activity is stopped or risk invalidating the final outcome.

## **11. THE BALLOT COUNT**

Candidates and/or their representatives are entitled to be observers present at the ballot count. Observers must be members of the Faculty Guild.

## **12. CAMPAIGN PROTEST**

At any point during the campaign, any Guild member convinced that a candidate is in violation of the rules may report the concern to the Election Committee. After consideration, if the Committee determines a violation has occurred, the Committee will warn that candidate of the apparent violation in writing within five (5) working days. Should the Committee conclude that the conduct may have invalidated the final outcome of the election, the Committee may request that the Executive Board not confirm the outcome of that race. Candidates wishing to protest any aspect of the conduct of an election must file specific concerns in writing with the Election Committee within five (5) working days of the conclusion of the election (the day that

ballots are counted and the results are posted). If a run-off election is held, the timeline of five (5) working days applies.

**13. EXECUTIVE BOARD DELEGATES AND ALTERNATES**

Candidates for positions on the Executive Board shall be listed on the ballot as Executive Board delegates. Candidates receiving the highest number of votes shall be elected delegates for each chapter, up to the number of delegates to which the chapter is entitled. An equal number of alternates shall be designated from the runners-up in order of the number of votes received, provided that the latter number, including any write-in votes, equals at least 15% of the votes cast in that chapter election. Subsequent filling of vacancies shall be made by special election as the Executive Board determines.

**14. WRITE-IN VOTES**

The use of the term "candidate/s" throughout this Code refers to declared candidates only. In order to ensure that any run-off elections result in the receipt by one of the two finalists of a majority of the votes cast for that position, no write-in votes shall be tabulated in a run-off election.

**15. ELECTION OUTCOMES**

As per Section VI.1 of the Guild Bylaws, officers and delegates shall be elected by secret mail ballot of the members beginning in April of even-numbered years. Only Guild members may stand as candidates. To be elected to an office, a candidate must receive a majority of valid votes cast for that office (50% plus one). If no candidate receives a majority, a runoff election will be held between the top two vote-getters. If the run-off election results in a tie, the winner will be determined by a coin toss, to be conducted by the Election Committee Chair or his/her designated representative on the Committee. The term of office shall be two years, commencing June 1 following the election. A candidate may run for a position as a districtwide officer/chapter president and an Executive Board delegate, but if elected to both positions must submit a written notification to the Election Committee resigning from the position he/she does not wish to take and indicate the position he/she wishes to accept.

All candidates must sign and submit the declaration below to the Guild office in order to be eligible to run for office.

**This is to acknowledge that I have read this Elections Code and Procedures, and I agree to comply with these policies and procedures or risk invalidating my candidacy.**

\_\_\_\_\_  
Candidate's Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_ Date