

Service Employee International Union Local 888 General Election Policies and Procedures

Approved by the SEIU Local 888 Executive Board (with comments), Date: December 9, 2020.

Introduction

All SEIU Local 888 election procedures must be in full compliance with the provisions of the Labor Management Reporting and Disclosure Act (LMRDA) and the SEIU Local 888 and SEIU International constitutions. Copies of both constitutions can be obtained by contacting SEIU Local 888 or searching the [SEIU International](#) or [SEIU Local 888](#) websites. More information about [LMRDA](#) can be found on the Department of Labor's website.

These procedures and policies are meant to supplement, not supplant, the SEIU Local 888 Constitution and Bylaws.

Election Committee

The Election Committee will be responsible for overseeing and administering the SEIU Local 888 election of officers in accordance with federal law and the SEIU Local 888 constitution and bylaws. The SEIU Local 888 President shall recommend and the Executive Committee must approve an Election Committee prior to each SEIU Local 888 General Election. The Committee will be made up of three (regular) members and one alternate.

The Election Committee shall elect one of the regular members to chair Election Committee proceedings.

When necessary, replacement of a (regular) Election Committee member shall be by the alternate; replacement of the alternate shall be by recommendation of the SEIU Local 888 President with the approval of the Executive Board to serve for the remainder of the term.

All members of the Election Committee shall be members in good standing in SEIU Local 888; however, no member of the Committee may be a candidate for local wide office, a candidate for the Executive Board, or actively involved in a member candidate's campaign for office.

The SEIU Local 888 President may appoint a staff member to serve as the Administrator of the Election Committee. The appointee shall not be a candidate, nor be a supporter of a candidate, for an office covered by this document.

The work of the Election Committee will be guided by three principles. The Committee will:

- Be fair and impartial, treating all candidates equally and avoiding any acts of favoritism or even the appearance of favoritism;
- Follow the election provisions of the SEIU Local 888 Constitution and Bylaws as well as any other union election rules as consistent with federal law; and
- Uphold American democratic traditions by protecting the right of every member in good standing to nominate candidates, run for office, and vote by secret ballot for officers of the local.

Prior to the General Election, the Election Committee's responsibilities shall include, but not be limited to, the following duties:

- Establishing nomination and election timelines in accordance with the constitution and by-laws of SEIU International, SEIU Local 888 and the LMRDA;
- Coordinating all aspects of the election with the third-party vendor chosen to conduct the election;
- Working with the SEIU Local 888 staff to ensure that membership lists are up-to-date and revised with current addresses for mailing election notices/ballots;
- Assisting SEIU Local 888 officers in the nomination process; and approving all general communication about the election to the general membership.

The Election

The SEIU Local 888 Election will be conducted by an independent organization, as determined by a process established by the Election Committee and approved by the Executive Board. The SEIU Local 888 elections must comply with the SEIU Code of Conduct and the Department of Labor's regulations.

Eligible Candidates

To run for office, a candidate must be a "member in good standing" for at least 1 year continuously immediately preceding the nominations and has during all that time paid the full dues required for members of Local 888 on a timely basis.

To qualify for the ballot, prospective candidates must submit a nomination petition signed by at least fifty (50) members in good standing for all at-large positions: President, Secretary-Treasurer, Recording Secretary, Board Members and Trustees. Nominating petitions may be obtained from the [Local 888 website](#) or from the union hall.

The candidate receiving a plurality of the votes cast for that office shall be declared elected. If only one candidate is nominated for a given office, that candidate shall be declared elected without further procedures.

For Executive Board member seats, no more than one (1) member from any one employer shall serve as an Executive Board member at the same time. This limitation shall be increased from one (1) to two (2) members for any employer with more than 700 members.

For Trustee seats, no more than one (1) member from any one employer shall serve as Trustee at the same time.

(SEIU Local 888 Constitution and Bylaws Article 7, Section D.)

Eligible Voters

Only members who are full dues paying members **one year prior to the deadline for nominations** will be eligible to vote.

Election Process

The campaign period will begin with the mailing of the "Official Notification of Election" sent to all members in good standing. Ballot credentials for electronic voting will be mailed to each member's last known address. Members may also request paper ballots.

Members are responsible for notifying the SEIU Local 888 office if their contact information has changed.

The Election Committee shall provide all candidates with notice of the date, time and place of the preparation and mailing of ballot credentials as well as all phases of the ballot count. Ballots cast electronically or returned by mail must be to an independent third-party vendor chosen to conduct the election. The ballots shall be counted after the deadline for returns, at a place determined by the Election Committee and the third-party vendor chosen to conduct the election. The SEIU Local 888 Election Committee has the right to change the election timeline to remedy mailing or other issues should they arise.

Observers

Members who wish to may witness the counting of ballots. If a candidate chooses, observers (selected by the candidate) may be witnesses at the preparation, mailing, receipt and/or counting of ballots. In addition:

- Candidates for local-wide titled officers may have no more than three observers in addition to the candidate at any one time (selected from a list of observers as determined by the candidate); and
- Candidates for Executive Board or Trustee may have one observer.

The SEIU Local 888 union office will announce location, time, and place of the vote count to the general membership by e-mail, website and/or written materials.

Rules for Observers

- Each observer shall identify himself/herself to the election officials, sign the observer log, and indicate which candidate he or she represents.
- An observer shall notify election officials if he or she is scheduled to be replaced later in the day by another observer.
- Observers, accompanied by election officials, may inspect the preparation, mailing, receipt and/or counting of ballots.
- Observers must not campaign in the voting area in any way. They may not wear buttons or other campaign apparel, distribute campaign material, or engage in conversations with vote counters about candidates or the election campaign.
- Observers shall remain in the area(s) approved by election officials where they are able to see the preparation, mailing, and receipt and/or counting of ballots.
- Observers may not disrupt the preparation, mailing, receipt and/or counting of ballots in any way and should direct any questions or concerns directly to election officials as soon as possible so that any necessary corrective action can be taken.
- During the tally of ballots, observers may challenge the accuracy of the way votes are read from marked ballots and recorded on tally sheets and must state any objection to election officials immediately so that any necessary corrective action can be taken.
- Observers may not touch or handle ballots at any time or interfere with the tally process.

(Adapted from *Conducting Local Union Officer Elections*, Office of Labor-Management Standards <https://www.dol.gov/agencies/olms/compliance-assistance/publications/guide-for-conducting-local-union-officer-elections#checklist> or <https://www.dol.gov/sites/dolgov/files/olms/regs/compliance/localelec/localelec.pdf>)

If an observer does not comply with the rules set forth in the *Rules for Observers*, the SEIU Local 888 Election Committee can empower the third-party vendor to request that the observer leave the vote count.

SEIU Local 888 staff are permitted to be present if they are directly involved in the election process. Officers who are union staff but who are also candidates will be treated as candidates. The Election Committee shall observe the vote count. The Election Committee will resolve and offer rulings on voter intent. They will resolve challenge ballots after full investigation.

Campaign Rules

It is expected that each candidate will run their campaign with respect for their fellow union members and candidates.

Distribution of campaign literature to members (mailing):

- This will be done by a professional mailing house or, if the committee agrees, by the vendor chosen to conduct the elections. The Election Committee will determine a list of approved mailing houses.
- The candidate's campaign mailing will be conducted at the candidate's expense. Advance payment will be required.
- The candidate may choose to mail to all members eligible to vote in his/her election, or to a portion of those members defined by chapter or elected office.
- SEIU Local 888 will not examine or censor candidates' literature.

Each candidate will have the opportunity to inspect the current SEIU Local 888 membership lists once within 30 days before the election or 30 days before the mailing of ballots. This inspection does not include the right to copy the list.

Warning to prospective candidates: The SEIU International Union constitution incorporates the following provisions:

"No candidate (including prospective candidate) for any International office or office in a Local Union or affiliated body or supporter of a candidate may solicit or accept financial support or any other direct or indirect support of any kind from any non-member of the International Union."

Use of SEIU Local 888 or Employer Resources

Although union funds may be used to pay for nomination and election notices and other expenses for conducting the election, federal law strictly prohibits the use of union and employer funds to promote the candidacy of any candidate in a union officer election.

The prohibition against the use of union and employer funds applies to direct expenditures from the union or employer as well as indirect expenditures including:

- Campaigning on time paid for by the union or employer;
- Use of union/employer owned or leased equipment such as telephones, fax machines, and copy machines;
- Use of union/employer supplies such as stamps, papers, and envelopes;

- Use of union employees to prepare campaign literature while on union time;
- Use of the union letterhead;
- Use of union/employer property or facilities;
- Printing articles which support or criticize an individual's candidacy in a union newspaper or other publication; or
- Giving free services or special discounts to a candidate customer such as printing, photocopying, etc.

([Conducting Local Union Officer Elections](#), Office of Labor-Management Standards)

Candidates are advised to keep records of campaign contributions and expenses so that any allegation of improper use of union or employer resources can be resolved.

Candidates Statements

A special edition issue of the "SEIU Local 888 Spark" will be published for union wide elections. Candidates for contested union office may submit a statement for publication. Candidates' statements must be transmitted by e-mail or typed, double-spaced, on plain white paper. They may be e-mailed or mailed. The candidate must submit the copy in corrected proofread form. The editor will not make any changes including the correction of errors (i.e. misspelling, grammar or typing errors).

A union may not regulate the contents of campaign literature it is asked to distribute and may not require that it be permitted to read the literature before distribution. The union may not censor campaign literature in any way, even if the literature includes derogatory remarks about other candidates.

(Conducting Local Union Officer Elections Office of Labor-Management Standards)

The following rules govern the length of statements and pictures:

- President, Secretary-Treasurer, Recording Secretary: 150-word limit, and photo;
- All other officers: 150-word limit, no photo.

If the statement exceeds the length specified above, the part at the end that exceeds the limit will be cut off even if the statement must be terminated in mid-sentence. If statement is not submitted by deadline, it will not be included for publication. A copy of the Election Issue of the SEIU Local 888 Spark will be available on the website.

Equal Access

Equity for campaigning must be provided. For example, if one candidate is invited to speak at a meeting/forum, all candidates for that same position must be invited to speak at the meeting for the same length of time.

Election Protests

Members who wish to protest an election shall petition the Election Committee no later than 15 days after the election.

Reasons for challenging an election:

- Use of union or employer funds, facilities, equipment, or supplies to support a candidate;
- Non-uniform application of candidate eligibility requirements;

- Denying eligible members, the right to vote or permitting ineligible persons to vote;
- Lack of secret ballot;
- Failure to provide adequate safeguards to ensure a fair election, including failure to safeguard ballots properly; and/or
- Failure to follow provisions of the union's constitution and bylaws or state or federal law.

The Election Committee will follow these steps in resolving each election allegation that is properly raised:

1. Review the election protest thoroughly to decide what information is needed to resolve the allegation.
2. Talk to the protesting member to clearly understand the allegation and to obtain any specific information needed.
3. Review the Constitution/Bylaws and the election rules to determine if there were irregularities.
4. Review election records for irregularities.
5. Interview members and other persons, as necessary including candidates.
6. Decide if the allegation is true by reviewing all the information gathered by the election officials and discussing the findings as a team.
7. Determine how many votes may have been affected if the allegation is true.
8. The Election Committee will investigate and issue a decision as quickly as possible.

After all allegations have been reviewed and the facts determined, election officials must decide what action is appropriate.

- If an allegation has no merit and no corrective action is necessary, election officials will deny the protest.
- Any allegation which has merit will be closely analyzed to determine the number of votes affected and the possible impact on the election results. For example, if 16 ineligible members voted, then 16 votes were affected. Consequently, any race decided by 16 or fewer votes should be rerun.
- If an irregularity affects only one race or some races, only the affected race(s) should be rerun.

The Election Committee will notify any protesting member of its decision in writing, regardless of whether a protest is denied or a decision is made to rerun the election or take other corrective action. If a protest is denied, the member will be apprised of the basis for the decision and the procedures and time limits in the constitution and bylaws that must be followed to appeal the decision.

If a rerun election does become necessary, the same procedures and requirements which applied to the initial election again apply to the rerun. Of course, special precautions should be taken to ensure that the problems which caused the need for the rerun do not happen again.

(Adapted from [Conducting Local Union Officer Elections, Office of Labor-Management Standards, Section 15: Election Protests](#))

"The Service Employee International Union Local 888 Election Policies and Procedures" is in force until amended by the Local 888 Election Committee or the Local 888 Executive Board.