

Election and Campaign Rules for the Election of Officers for ATU Local 587

1. Constitution and Bylaws

The nominations and election of Amalgamated Transit Union Local 587 officers will be conducted in accordance with the Constitution and General Laws of the Amalgamated Transit Union, the bylaws of Local 587 as of February 3, 2009 and in compliance with the Labor Management Reporting and Disclosure Act of 1959 (Landrum-Griffin Act of 1959), as amended. (Ref: Constitution and General Laws of the Amalgamated Transit Union (ATU), as amended 2007, Section 14; ATU Local 587 Bylaws, Article 12, Section 3)

2. Dates of Election

The Primary Election shall be held on the first King County Metro payday of the month in May (May 14th, 2009) and the final Election on the first Thursday of the month in June (June 4th, 2009). If a runoff is required, it shall be held on a weekday on or preceding the 25th of June. (Ref: ATU Local 587 Bylaws, Article XII, Section 1)

3. Term of Office

The officers elected will serve a three-year term that will end on June 30, 2012. Newly elected officers shall assume the duties of their offices on July 1, 2009. Installation of officers shall take place at the July charter membership meeting. (Ref: Constitution and General Laws of the ATU, as amended 2007, Section 14.1)

4. Election Committee

The Election Committee's duties include, but are not limited to, election security, production and distribution of the ballots, ballot and candidate instructions, voters pamphlet and other duties as specified in the Election Committee Rules and Regulations. Appointees to the Election Committee agree not to accept nomination for any office in the election of officers. In addition, members of the Election Committee agree not to nominate or endorse any candidate. (Ref: ATU Local 587 Bylaws, Article XII, Section 2)

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5. Nomination and Election Notice

The Notice of Nominations and Elections will be mailed by first class mail to the last known home address of each Local 587 member on or before March 5, 2009.

This Notice will also be published in the March 2009 edition of the News-Review, and posted on the Local 587 website. (Ref: Labor Management Reporting and Disclosure Act of 1959 (Landrum-Griffin Act of 1959), as amended)

6. Candidate Information Meetings

The Election Committee will be available to meet with all interested candidates at each of the March 2009 member meetings to discuss election procedures, inspection of the Union's membership list, distribution of campaign literature, observers and other campaign rules. Candidate packets will also be available from the Elections Committee.

7. Nomination Meetings

Nominations for the offices of

- President/Business Representative
- Vice-President/Assistant Business Representative
- Second Vice-President/Assistant Business Representative-Maintenance
- Financial Secretary/Treasurer
- Recording Secretary/Correspondent to *In-Transit*
- Minority Affairs Officer (one position)
- Transit Operator Representatives (eight positions, No. 1 through No. 8)
- Vehicle Maintenance Representatives (three positions, No. 1 through No. 3)
- Facilities Maintenance Representative (one position)
- Special Classifications Representative (one position)
- First-Line Supervisors Representative (one position)
- Clallam & Jefferson County Representative (one position)
- SPT Transit Representative (one position)

will be accepted from the floor of the April 2009 membership meetings at the dates, times and places indicated below (ATU Local 587 Bylaws, Article XII, Section 1):

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CHARTER MEETING

Date: Thursday, April 2, 2009

Time: 8:00 pm

Place: The Labor Temple, Hall #8
2800 1st Ave., Seattle, WA 98121

MORNING MEETING

Date: Friday, April 3, 2009

Time: 10:30 am

Place: The Labor Temple, Hall #6
2800 1st Ave., Seattle, WA 98121

JEFFERSON TRANSIT

Date: Monday, April 6, 2009

Time: 7:00 pm

Place: Port Townsend Rec Center
620 Tyler St, Port Townsend, WA 98368

CLALLAM TRANSIT

Date: Tuesday, April 7, 2009

Time: 7:00 pm

Place: Vern Burton Memorial Building
308 East 4th St, Port Angeles, WA 98362

The name of the member making the nomination, who also must be a member in good standing, shall be made a matter of record. (Ref: ATU Local 587 Bylaws, Article XII, Section 10)

Members may self-nominate at any of the meetings of the Local in the month of April. All written self-nominations must be received by the Recording Secretary by the beginning of the last meeting of the Local in the month of April. Written self-nominations are subject to verification by the Election Committee. (Ref: ATU Local 587 Bylaws, Article XII, Section 8)

8. Eligibility for Nomination

Members to be eligible for any office or for delegate shall have had at least two years continuous membership and must be a member in good standing having paid

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all initiation fees, dues and assessments in full. (Ref: ATU Local 587 Bylaws, Article XII, Section 4)

9. Nomination Acceptances

No member's name shall be placed on the ballot unless the member is present and accepts the nomination at the meeting when the member was nominated, or has signified in writing a willingness to accept the nomination for the position for which nominated. All written acceptance of any nomination must be received by the Recording Secretary before nominations for that position are closed at the last meeting of the Local in April. Written acceptance of any nomination are subject to verification by the Election Committee. (Ref: ATU Local 587 Bylaws, Article XII, Section 7)

Any written or oral self-nomination implies the acceptance of such nomination.

No member can be placed in nomination nor appear on the ballot for more than one position. The acceptance of any nomination automatically declines all prior nominations. Once a candidate has accepted a nomination and subsequently declines that position, that candidate may not be nominated again for that position in that election cycle. (Ref: ATU Local 587 Bylaws, Article XII, Section 9)

10. Candidate Eligibility Determination and Notification of Candidates

Following the nomination cycle, eligible nominees will be notified by letter of their eligibility. A list of eligible candidates will also be placed on the Local 587 web site, and may also be inspected at the Local 587 office.

Candidates will be given an opportunity to state how they wish their names to appear on the ballot (by form provided in Candidate packet). Candidates who do not return this form to the Union office by 5:00 PM, April 9, 2009, will be listed on the Ballot by their full name as taken from the Local 587 membership list. Candidates will be listed on the ballot in alphabetical order by their last (family) name within the section dealing with a particular office.

Ineligible nominees will be advised of the reason(s) they are not eligible to run for office. The Election Committee shall review and rule on any question of eligibility, and the Election Committee's decision as to eligibility shall be final.

11. Inspection of the Membership List

Each candidate may inspect (but not copy) the Local 587 membership list once within 30 days prior to any election. No candidate is entitled to receive a copy of the list.

Candidates wishing to inspect the membership list should contact the Recording Secretary to arrange a time for the inspection. The list will be available for inspection at the Local 587 office, only by previous arrangement, and only during regular business hours.

12. Distribution of Election Materials and Campaign Literature

The Election Committee shall prepare a Voters' Pamphlet for distribution by mail to members. Limited additional copies of the Pamphlet will be available at the Union Office, and will be posted on the Union Website. Submissions for the Voter's Pamphlet will be accepted in hard-copy form *only* until 5:00 p.m. Thursday, April 9th, 2009, at the Union office. *No electronic submissions will be accepted.* If a candidate chooses to submit a statement and/or photo for publication, the size and format of the candidate photo and written statement shall comply with the requirements listed in the candidate instruction packet.

Following the March cycle of Union Meetings, Local 587 will make the mailing list available to any candidate wishing to distribute campaign materials by mail. This availability will be "blind" to candidates, that is, a selected vendor will prepare the mailing without disclosing sensitive member information to candidates. Full details are included in the Candidate Packet. For additional details or answers to questions, please contact the Election Committee at (206) 448-8588.

Where possible, a table will be provided at each work site for candidates to leave campaign literature for pick-up by members. Each candidate is limited to one item of campaign material addressing his or her own candidacy, the item to be no larger than 8 1/2" by 11". Material must be in good taste and suitable for viewing by the visiting public.

Where possible, an upright board will be provided at each work site for candidates to post campaign material. Where space is not available to accommodate all candidates, preference will be given to those offices for which the majority of the

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members at that worksite are eligible to vote. Each candidate will be restricted to one 8 1/2" by 11" space on which to post material. Campaign material displayed on designated tables or posted on designated boards must be the candidates' own, not that of members endorsing the candidate, and shall not display a slate of candidates. ONLY Election Committee members may remove or rearrange campaign materials on the tables or boards.

Candidates may not use employer in-house mail for distribution of campaign materials. Demonstrations or campaign rallies of any type are not allowed on employer property. Campaigning and distribution of materials may only be done on an informal basis during off-duty hours and only in employee lunchrooms, lounges, and non-work areas. Campaigning and distribution of material shall not disrupt or interfere in any way in employer business and employee's job performance.

Adherence to these procedures will be monitored by the Elections Committee at all work locations. Anyone may report questionable materials to the Election Committee. Any material found to be in violation shall be immediately removed by the Elections Committee and their decision shall be final. The Elections Committee shall seize and hold all materials found to be in violation of these rules.

13. Campaign Rights and Restrictions

Federal law prohibits the use of any Union or employer funds to promote the candidacy of any person in a union office election. This prohibition applies to cash, facilities, equipment (including but not limited to phone, fax, computers, copiers/printers, website, Internet access), vehicles, office supplies, etc., of ATU Local 587 and any other union, and of employers, whether or not they employ Local 587 members. Union officers and employees may not campaign on time paid for by the Union.

Federal law also provides that candidates must be treated equally regarding the opportunity to campaign and that all members may support the candidates of their choice without being subject to penalty, discipline or reprisal of any kind.

14. Voter Eligibility

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In order to be eligible to vote for officers, a member must be in good standing. Any member whose dues, fees and assessments have been brought current no later than 5:00 p.m. April 10, 2009, will be eligible to vote in this election.

15. Mail Ballots

A ballot, instructions, a Voters Pamphlet, ballot security envelope and a self-addressed postage paid Business Reply Mail envelope shall be mailed to the last known home address for each member in good standing at least 15 days before the ballots are due back. A Post Office Box has been rented in the city of Seattle. Balloting shall be by mail with ballots due back in the designated ATU 587 Election Committee Post Office Box by the close of business at that Post Office on the day of the election.

Members must *mail* in their completed ballots in time to be *received* by the Post Office box on or before the election day. Federal Regulations do not allow ballots to be mailed or hand-delivered to the Union Office. Any ballots received improperly will be turned over to the Election Committee, but shall not be opened or counted.

The ballots shall be picked up from the designated ATU 587 Election Committee Post Office Box at the close of business on the day of the election by the Recording Secretary, in the presence of at least one member of the Election Committee and any observers, and returned immediately to be counted in the presence of the membership. The phrase “close of business” shall be interpreted in this context to mean “the time when the Post Office has completed processing and distributing Business Reply Mail into Post Office Boxes.”

16. Returned Mail / Request for Duplicate Ballot

If a member does not receive a ballot, or if the ballot is incorrect (i.e. wrong job classification), or if the ballot has been damaged or is marked improperly so that it is likely to not be countable, the member must contact the Election Committee at the Union Office as soon as possible to request a correct or duplicate ballot. Such request may also be made by email to electioncommittee@atu587.com.

The duplicate ballot must be mailed in time to be received at the ATU 587 Election Committee Post Office box on or before the day of the election. If more than one

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ballot is returned by the same member, the second ballot will be counted and the first ballot will be turned over to the Election Committee and not counted.

Ballots undeliverable at the member's last known home address will be returned to the Election Committee. Such ballots shall be retained as required by Federal law, but not counted in the election.

17. Election Days

Primary Election

The Primary Election will be held on Thursday, May 14, 2009. In positions where there are but two candidates for office, the candidate who receives the highest number of votes cast for that office at the Primary Election will be declared elected.

If there are three or more candidates for the same office, a General Election will be necessary, unless one candidate receives a majority of all votes (50% plus one vote) cast for that office or position during the Primary Election. The General Election ballot will include the two candidates with the highest number of votes. If, at the Primary Election, two or more candidates receive the second greatest, and identical, number of votes for that office or position, the General Election ballot will include all three candidates.

General Election

The General Election will be held on Thursday, June 4th, 2009. If, at the General Election, two candidates receive an identical number of votes for that office or position, there shall be a Special Run-Off Election between the tied candidates. However, by mutual agreement between the tied candidates, the tie vote may be resolved by lot, eliminating the need for a Special Run-Off Election.

Special Run-off Election

The General Election Run-Off Election, if any, will be held on Thursday June 25th, 2009.

18. Tally of Ballots

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Ballots for the Primary Election will be counted under the direction of the Election Committee at The Labor Temple after the mail is picked up from the Post Office box on May 14th, 2009. Ballots for the General Election will be counted by the Election Committee at The Labor Temple after the mail is picked up from the Post Office box on June 4th, 2009.

19. Election Results

The results of the Primary and General Elections, and of the Run-Off Election if held, shall be posted at the Union office after the tally is complete. In addition, the results will be posted on the Union's web site.

20. Election Records

The Local 587 Recording Secretary is responsible for maintaining all nomination and election records for at least one year after the election as required by Federal law.

21. Questions or Problems

Anyone who has questions about the nomination or election procedures should contact a member of the Election Committee at (206) 448-8588. The Election Committee may also be contacted by email at electioncommittee@atu587.com.

Any perceived violation of these Election Rules should be reported promptly to the Election Committee so that corrective action, if necessary, can be taken. Candidates are entitled to have observers present at the ballot preparation/ mailing and at the tally of ballots. Any travel expense for observers shall be the responsibility of the candidate.

22. Challenges

Any member in good standing may challenge the conduct or results of an election by filing, to such effect, a written complaint to the incumbent Financial Secretary/Treasurer of Local 587, within ten (10) days of the counting of the

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ballots. In accordance with the Constitution, the ATU Local 587 Bylaws, and the Labor Management Reporting and Disclosure Act of 1959, as amended, the Financial Secretary/Treasurer shall investigate the complaint and submit the challenge for decision to the Executive Board, subject to final ruling by the membership.

The above rules are not all-inclusive. Additional election rules or clarifications may be issued by the ATU Local 587 Elections Committee as needed during the nomination and election period.

Issued By: ATU Local 587 Election Committee

Russell B. Bates, Chair

(date of issue)

James McKenzie, Member

Paul Tefft, Member

Theresa Tobin, Member

Ruth Wilson, Member