

## **Election Procedure Elements of the Renton Education Association**

### **August 17, 2021**

#### **1. Determination of positions**

- a. Prior to any elections the Nominations and Elections Committee will determine the type of election and number of open positions based on the constitution and bylaws.
- b. Odd/Even Year cycle-Election records, including all paper ballots if used, tally sheets, notifications of elections, results, and the expiration of terms of office will be kept by both the REA Secretary and the chair of N&E, and held for a period of no less than one year from the time of election.
- c. Census-The number of building reps will be determined by census taken on the first working Monday of April. This determination of allotment of building reps will be held until the next census the following year. The ratio of members to building reps is 1:12.

#### **2. Eligibility: Constitution defines membership and the Bylaws define term limits.**

#### **3. Nominations**

. A timely notice of nominations will be sent to members no less than 15 days prior to the conclusion of the election.

a. The timely notice will include:

i. Offices or positions to be filled

ii. Date, time, place, and method for submitting nominations

iii. Access to the duties of the offices or positions as described in the constitution and bylaws.

b. The timely notice will be provided via personal email in addition to at least one of the following: building meeting, phone, REA website, work site REA bulletin board, paper flier.

c. Acceptance: The N&E Committee will confirm the acceptance of the nomination prior to the creation ballot for the election.

. Acceptance of the nomination includes a general understanding of other duties and responsibilities of position being nominated for according to the constitution and bylaws (ex: the President and Vice President will attend NEA RA and WEA-RA)

#### **4. Notice of election**

. A notice of election will be sent to all members 15 or more days prior to the conclusion of an election. If the election includes the positions of Representative Assembly delegates, president, or vice president, the notice must be sent via USPS.

a. A notice of nomination can include the notice of election.

b. The most recently known address (postal or personal email) will be used when sending the notice to members.

c. The notice must include the positions open and term length

d. The notice must include the manner (and/or place) of voting and date(s)

#### **5. Voters**

. Eligibility shall be defined as described by the REA Constitution and Bylaws.

a. The list of active members shall be made available to the candidates at any time during the election process.

6. Campaigning

. Members will follow the campaign guidelines as outlined in Figure I (see end of document)

7. Voting/Balloting

a. Electronic

- i. When working with a specific vendor the Nominations and Elections Committee may adapt these procedures in keeping with the technology.
- ii. The system used will maintain secrecy of ballot and provisions will be taken to ensure that there is one vote for one member. Voter identity will not be linked to votes (e.g., a number will be used rather than name).

iii. Tallying-there will be an electronic means in which the candidates or their designated observer will be allowed to witness the tabulation of the votes.

iv. The use of technology that protects the integrity of the vote from the point when it is cast by the voter through the voting process, such as client-side encryption technology, that runs on the voter's computer or in conjunction with any computer-telephone integration, rather than on the election server.

b. Mail-in

i. Preparations: A time schedule for each step of the mail ballot election shall be determined.

ii. The most up to date member addresses shall be used.

iii. Arrange for a restricted access post office box to be used solely for the receipt and storage of voted ballots. Ballots are only to be released to specified people. A second post office box shall be used for undeliverable ballots.

iv. Establish a date and time for ballots to be returned-a post mark date is not valid for a ballot to be counted as returned.

v. Notify candidates of the following:

- 1. Date, time and place for the preparation and mailing of ballot packages
- 2. Date, time and place of ballot pickup at the post office and tally.
- 3. Candidates have the right to have observers at the preparation, mailing, collection, and tallying of ballots.

vi. The mail ballot package shall include the following

- 1. Secret ballot envelope (blank or with the words "secret ballot envelope") approx 3 5/8" x 6 1/2"

2. Return ballot envelope with preprinted PO box for returned ballots and contain space for the member to write their return address. Approx 3 7/8th" x 8 7/8th"
3. Large mailing envelope that will be used to mail the other four mail ballot items to each other. The return address should be a post office box designated solely for the receipt of ballot packages. Approx 4 1/8th" x 9 1/2"
4. Election notice instructions
5. Official blank ballot

#### vii. Balloting period

1. Ballots will be sent by first class mail to ensure that all members receive ballots in a timely manner.
2. Request the post office not to release any information about the number of ballots returned to anyone.
3. Notify members how to request another ballot should their ballot not arrive or be spoiled upon arrival.
4. Keep a list with names and addresses of members who request a replacement ballot. Replacement ballot return envelopes should be marked with a special designation (such as "D" for duplicate) to alert election officials at the tally that these members have been sent more than one ballot. A record must be kept of all replacement ballots sent in response to requests and all ballot packages which were remailed after being returned undelivered, including dates received and mailed.
5. A plan for picking up the ballots and tallying shall be made and nominated members notified so they can be present if they choose to.

#### viii. Counting Ballots

1. Ballots will be picked up from the post office only on the scheduled date and time. Following the conclusion of an election, an election official shall return the post office and pick up any ballots that arrived after the deadline and such ballots will be stored, but not opened or counted.
2. Voter eligibility will be verified with the following procedure:
  - a. Count and record the number of return ballot envelopes received at the post office box, removing any envelopes addressed to a different party.
  - b. Put the return ballot envelopes in the order (alphabetical, numerical, etc.) which corresponds to the voter eligibility list. Void (but do not open) any return ballot envelope which does not contain information that identifies the member as an eligible voter.
  - c. Call out the name of each voter and mark the name off the voter eligibility list to insure that no

member casts more than one ballot. If a voter's name does not appear on the list, challenge the ballot, add the voter's name to the end of the voter eligibility list, and mark both the list and the envelope with a "C" for a challenged ballot.

d. If a voter returns a replacement ballot in an envelope marked by election officials with a "D" for duplicate, indicate that fact on the voter eligibility list and on the list of replacement ballots maintained by election officials.

i. In the event that two ballots are turned in, the duplicate ballot shall be counted and the original ballot will be destroyed.

3. Election officials will resolve any challenged ballots, if possible, before any ballot envelopes are opened and the counting begins. Election officials should keep a record of decisions made and explain the reason for each voter eligibility decision to observers.
4. Election officials will remove (but do not open) the secret ballot envelopes from the return ballot envelopes after voter eligibility is established and thoroughly mix all of the secret ballot envelopes together to preserve ballot secrecy.

. Observers should not be permitted to handle any envelopes or ballots.

5. Prior to the tally, election officials will decide what to do if a voter has not used the secret ballot envelope. One of two choices will be made:

. Election officials may decide to void the ballot  
OR

a. Election officials may decide to count these ballots while preserving the secrecy of the ballot.

6. Election officials will open secret ballot envelopes, remove and unfold the ballots and place them face down. (If a secret ballot envelope does not contain a ballot, make a notation to that effect on the envelope and set it aside. Remember to account for any such envelopes when determining the total number of ballots returned.)
7. Election officials will count the votes on designated tally sheet(s)
8. Void the entire ballot if it contains voter identifying information. A single office may be voided if the voter is not clear in their intent.
9. The results shall be announced along with the number of valid ballots counted, number of voided ballots and the number of unresolved challenged ballots.

c. In person voting

i. In the event that an election involves members from more than one building, the locations, date, and time of election will be determined and announced by the Nominations and Elections Committee.

1. There will be one polling site within each zone (as identified by the ROC).
2. Voting at each site will be held simultaneously.
3. The time period for voting will be such that candidates and their observers can monitor the polls.

ii. Voter list will be provided from WEA membership records for REA and will be distributed to the polling sites in accordance to the buildings where each member has been assigned.

iii. Members may vote only at the site in their own zone.

iv. Each member will receive a ballot when they have signed beside their name on the voter list.

v. Ballots

1. Will be printed and distributed in advance to each polling site by the Nominations and Elections Committee..
2. Collection from polling sites

vi. Ballot secrecy

1. Before voting begins, the ballot box should be opened in the presence of observers to make sure that it is empty, and then it should be sealed or locked until the ballot tally begins.
2. Election officials must not only make arrangements for balloting in secret but must also insure that members actually use the secret balloting facilities provided. Secrecy may be assured by the use of voting machines or, if paper ballots are used, by providing voting booths, partitions, screens, curtains, separate voting rooms, or other arrangements which insure privacy for the voters. If additional voting booths are necessary, large cardboard boxes placed on tables with one side cut open can be used.
3. Election officials must ensure that no campaigning occurs in the polling area and that order is maintained at the polls at all times. The polls should be checked periodically to ensure that voters have not left campaign material in the voting area.
4. Each candidate must be permitted to have an observer(s) at the polls and at the tally of ballots. Observers should be permitted to challenge the eligibility of individual voters. See vii, 2 - Observers.
5. Election officials and observers should not wear campaign buttons, stickers, or other types of campaign apparel in the

polling area. However, voters may wear campaign buttons, stickers, or other campaign apparel unless specifically prohibited by union rules.

6. The polls must be opened precisely at the scheduled time and the polling hours listed in the election notice should be strictly followed. However, any members waiting in line at closing time should be permitted to vote.
7. A sufficient number of blank ballots as well as other supplies should be on hand. See viii 1-List of Polling Place Equipment and Supplies.

vii. Observers

1. All candidates have the right to have an observer at the polls and at the counting of the ballots. If there is more than one polling place, the candidate may have an observer at each location. If ballots are being counted at more than one location or at more than one table at a single location a candidate is entitled to as many observers as necessary to observe the actual counting of ballots.
2. Observers must be a member of REA.
3. Observers do not have the right to interfere with or disrupt the conduct of the election. Their role is limited to observing the election process, asking procedural questions, challenging the eligibility of any individual voters, and lodging protests with election officials as appropriate.
4. Observers should be allowed to adequately monitor the election process but not compromise, or give the appearance of compromising, the secrecy of the ballot, including but not limited to video taping, taking pictures or other digital records.
5. Observers do not have the right to count or handle the ballots in any way but must be allowed to observe the counting closely enough to verify the accuracy of the tally.
6. Observers will sign an observer log indicating the times they were present at a specific polling site or the tally of ballots.
7. Rules governing observers' conduct should be enforced uniformly. If it is necessary to remove an observer from the polling area or tally site for improper conduct, notify the appropriate candidate, if possible, so that he or she can get a replacement. The process of replacing an observer will not impede or delay the election process.
8. Observers should be requested but not required to sign a Ballot Tally Certification at the end of the ballot tally. See REA Ballot Tally Certification at the end of this document.

viii. Counting Ballots

1. Every vote on a valid ballot should be counted if the voter's intent is clear no matter what mark ("X," "", "9", etc.) is used to indicate the voter's choice.
2. If a voter makes a mistake in voting for a position on the ballot, such as voting for too many candidates for a given office, only the vote(s) for that office should be voided.
3. Erasures or "crossouts" should not cause a vote for a particular office to be voided if the intent of the voter is clear.
4. As a general rule, an entire ballot should not be voided unless it contains the voter's name or other marks which identify the voter. Extraneous marks that can not identify the voter should not cause a ballot to be voided.
5. Write-in votes must be counted.
6. If the number of unresolved challenged ballots at the end of the tally could affect the outcome of any race, they must be resolved and, if determined to be valid, must be counted. Election officials must preserve voter secrecy for any challenged ballots.
7. A union may provide in its constitution and bylaws that a majority (more than 50%) of the votes cast is needed in order to be elected; otherwise the two candidates with the highest number of votes shall be rerun in an election runoff.
8. In determining whether a candidate has received a majority of votes cast, election officials should usually consider only valid ballots counted and exclude blank and totally void ballots
9. Although only valid ballots will be counted in determining the results of the election, election officials will account for all ballots cast in the election, including unused, sample, challenged, spoiled, and totally void ballots.
10. Election officials will select a suitable tally site well in advance of election day. Most Often this will be the polling site to avoid having to move the ballots.
11. The ballot tally will be scheduled for a time

as soon as possible after the voting is completed but not until all polls are closed.

12. The tally area will be set up to achieve maximum security and efficiency while allowing observers an opportunity to watch the ballot count and other related activities closely enough to verify the accuracy of the tally.
13. Election officials will have a clear understanding of their duties at the ballot tally and decide in advance upon the counting method (call or stack) to be used.
14. It is important that all tally teams work in a uniform manner. Outline the step-by-step counting and voiding procedures to be used, stress the importance of accuracy, and advise the tally team(s) not to count the ballots in a hurried manner.
15. Prior to the start of the counting, election officials will explain the tally procedures that will be used to observers and any others in attendance.
16. To the extent possible, challenged ballots will be resolved prior to the conduct of the tally and decisions about the counting of each challenged ballot will be announced. Election officials will keep a record of decisions made regarding challenged ballots, explaining the reason for each decision to observers.
17. Election officials will supervise the activities of the tally teams, make sure that tally materials are properly distributed and collected, and periodically check with the teams to resolve any problems.
18. In order to minimize mistakes, election officials will make sure that the tally teams are given rest breaks.
19. Election officials will safeguard the voted ballots at all times, even after they have been counted.
20. Observers will be advised to direct questions, problems, or objections to a designated election official.
21. Election officials will not permit observers to touch or handle ballots during the tally.
22. In deciding questions of voter intent or voiding,



one election official will be designated as the final judge to insure that ballots are counted consistently and voided uniformly.

23. How to handle ties (run-off, coin toss, etc.) In the absence of a provision in the union's constitution and bylaws, the election rules should provide a method of deciding tie votes such as a runoff election or a coin toss.

24. At the end of the tally, election officials will announce the election results in accordance with the union's constitution and bylaws.

25. Election officials will pack and seal all tally sheets, used and unused ballots, voter registers, eligibility lists, and other election materials in boxes. All election records will be kept for at least one year, as required by federal law.

ix. In the event that, after a spring or fall election, a worksite remains unrepresented, one of the following options will be used to ensure each worksite is represented.

1. At least two members from the following bodies (Nominations and Elections Committee and/or Executive Board) will hold an election within the unrepresented work site.

a. A building member meeting for the purpose of holding an election must be announced no less than 48 hours prior to the meeting.

b. Nominations will be taken from the floor.

c. Secret ballots must be used.

d. Current building reps count ballots with an observer present. Each candidate is entitled to having an observer.

e. Results will be announced immediately following the count and via email to all building members.

f. Results will be emailed to the REA President and REA Secretary, and the Nominations and Elections Committee.

2. Presidential appointment

. If a worksite remains unrepresented, then the president shall appoint any member from any worksite within the district to represent the unrepresented worksite until the next election cycle.

8. Observation

a. Candidates or their designated observers will have the opportunity to

i.view the list of members and make eligibility challenges prior to the distribution of voter credentials.

- ii. observe the preparation and distribution of voting credentials be used by members
- iii. observe any later distribution of credentials to members who did not receive or who lost credentials.

9. Ratification or Referenda Votes

. In the event that a contract ratification, approval of a constitutional amendment, approval of a bylaw amendment, changing dues, or other questions requiring a vote of the general membership, one of the following procedures will apply.

- a. At an in person general membership meeting (in person, hybrid, digital formatted meeting)

. Voting on ballot issues and candidates shall be by secret ballot under the supervision of the group charged with responsibility for REA Nominations and Elections.

- b. Electronic voting

.B. Voting

1. Voting screens shall include the names of all properly nominated candidates and the option to vote for write-in candidates. Each candidate may choose to include the candidate's picture on the voting screen.
2. Names of candidates on the voting screen shall be listed in the order that REA receives the nominations.
3. The at-large director to the REA Board election will not be by position. All candidates for open at large positions will be listed together on the ballot for the open positions.
4. Only a delegate who presents the appropriate official voting credential, delegate badge, and Washington driver's license or comparable identification shall vote. The official voting credential shall be marked before voting.
5. Document record storage shall be monitored by a REA Nominations and Elections member.
6. When the polls close, document record storage will be converted to a single file in the presence of at least three (3) members of REA Nominations and Elections.

10. Record Keeping

- a. The archiving of records is the primary responsibility of the REA Secretary. The data collected during an election shall be kept for a period of no less than one year.

b. The electronic votes and any paper versions of the electronic votes, and all other paper and electronic records pertaining to the election, including eligibility lists, the voting credentials, the log files, the time stamped software code used to run the electronic voting system, and the ballot tally results, must be preserved for one year.

- c. Storage of ballots and records

i. Pack and seal in boxes all return ballot envelopes, secret ballot envelopes, voter eligibility lists, tally sheets, and the used and unused ballots after the counting is completed and keep them for at least one year as required by federal law.

ii.

11. Election Protests

. A nominated member is guaranteed the right to protest the election as stated in the C&B and Federal Law.

.A protesting member must file a protest in writing to election officials within 10 days after the election stating the specific reason for the protest.

a. In the event of an election protest the N&E will:

.Review the protest to determine what information is needed to resolve the allegation.

i.Communicate with the protesting member.

ii.Review the Constitution and Bylaws

iii.Review the election records

iv.Interview any other persons necessary to the allegation.

v.Determine if the allegation is true.

vi.Determine how many votes have been affected if the allegation is true.

vii.Determine an appropriate action which may include, but are not limited to:

1. No action is needed

2. Recount ballots based on validation or invalidation of contested ballots

3. Rerun the election for refuted position

viii.Election officials will notify the protesting member of their decision in writing within 30 days of receiving the initial complaint, regardless if the refute has been supported or denied. If denied, supporting evidence shall be provided.

Figure I

Campaigning Guidelines

REA will comply with all reasonable requests made by a candidate for distribution of campaign material at the candidate's expense. Federal law does not define "reasonable request" but the N&E Committee will try to comply with all requests to the extent possible.

If distribution of candidate material is refused, the candidate shall be notified by written communication

Timeline:

- Candidates may distribute literature at their own expense from the time of the close of nominations to the close of the election period.

Distribution

- Acceptable forms of distribution include USPS, electronic distribution, hand delivered printed material for member mail boxes at work site.
  - Any candidate wishing to distribute literature via USPS shall provide the material in stuffed and sealed envelopes containing proper postage to the WEA/REA Level 3 assistant for bulk mailing.
    - In the case of a pandemic, the candidate shall be responsible for mailing all material while complying to campaign distribution requirements.
- Unacceptable forms of distribution include phone banking phone calls/mass text apps, intradistrict mail, campaigning during contract hours.

Regulation

- N&E nor REA will NOT regulate the content of the literature it is asked to distribute. No candidate will be asked to have their literature preapproved prior to distribution.

Observer Rules Figure 15 from Local Union Officer Elections

1. Each observer should identify themselves to the election officials, sign the observer log, and indicate which candidate he or she represents. An observer should notify election officials if they are scheduled to be replaced later in the day by another observer. The replacement of the observer will not impede or delay the election process.
2. While present in the polling or tally area, each observer should wear a badge provided by election officials clearly marked "Observer" if requested to do so.
3. Observers, accompanied by election officials, should inspect the voting booths (or voting machines) and the empty ballot box prior to the start of the voting.
4. 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 voters about candidates or the election campaign.
5. Observers should remain in the area(s) approved by election officials where they are able to see the voter registration and balloting process.
6. Observers may count the number of voters at the polling site and note their names.
7. Observers may not roam around the voting area or disrupt the polling process in any way. They should direct any questions or report any problems directly to election officials as soon as possible so that any necessary corrective action can be taken.
8. Observers may challenge the eligibility of any voter by clearly specifying the basis for the objection to election officials. (For example, "I challenge the eligibility of Voter X because he is a new employee who has not yet paid dues.")
9. 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 should state any objection to election officials as soon as possible so that any necessary corrective action can be taken.
10. Observers may not touch or handle ballots at any time or interfere with the tally process.

Figure III  
Renton Education Association Tally Certification

Date of Election	Location of Election
The undersigned acted as Election Officials or Observers at the tally of the ballots cast in the above-referenced election. We certify that the ballot tally was fairly and	

accurately conducted, the secrecy of the ballots was maintained, and that the election results were as indicated below.

Ballot Recap	Valid Ballots Counted	
	Total Void Ballots	
	Unresolved Challenged Ballots	
	Total Ballots Cast	
Election Results		
<i>Position</i>	<i>Name</i>	
<i>Position</i>	<i>Name</i>	
<i>Position</i>	<i>Name</i>	
Observers 1. _____ 2. _____ 3. _____ 4. _____ 5. _____	Nominations and Elections Committee members present: 1. _____ 2. _____ 3. _____ 4. _____ 5. _____	