

Notices of Motion submitted by Esther Anderson
(2019 ARO for board elections)

1. CSU 52 BYLAWS - Notice of Motion – Article 5.04 Election Preparation (e) Campaign Posters - I move we revise this article to elaborate on campaign rules

<u>Existing</u>	<u>Proposed</u>
<p>5.04 Election Preparation (e) Campaign Posters</p> <p>(i) Campaign posters and literature shall only be displayed where permitted by the employer.</p> <p>(ii) Candidates may use the CSU 52 logo on their campaign literature.</p>	<p>5.04 Election Preparation (e) Campaigning</p> <p>(a) Candidates</p> <p>(i) are not permitted to campaign on paid employer time (the employer for the President is CSU 52);</p> <p>(ii) Candidates are not permitted to campaign on Election Day. This includes in person and electronic communication.</p> <p>If there is an election period (e.g. - electronic or mail in balloting), candidates may campaign during that period.</p> <p>(iii) Campaign posters and literature shall only be displayed where permitted by the employer.</p> <p>(iii) Campaign posters and literature shall not be displayed in the within <u>10</u> meters of a polling station.</p> <p>(iv) Candidates may use the CSU 52 logo on their campaign literature.</p> <p>Campaigning by Others:</p> <p>(i) Campaigning is not permitted on paid employer time.</p> <p>(ii) Shop Stewards or other union members may provide information about candidates if asked by members, as long as there is no conflict of interest involved.</p> <p>If there is an appearance of a conflict of interest/unfair influence (e.g. - familial or personal relationship), members should refrain from campaigning or recommending candidates. This includes board members endorsing candidates for other board positions.</p>

	(iii) Election officials (the ARO & Scrutineers) should not endorse or campaign for any candidate.
<p>Rationale: This change is proposed based feedback from previous elections & feedback from members about campaigning. However, this is a bylaw for the members to decide what they are comfortable with.</p>	

2. **CSU 52 BYLAWS - Notice of Motion – Article 5.03 Duties of Election Officers (a) Returning Officer (iv) - I move we adjust this article to the following:**

<u>Existing</u>	<u>Proposed</u>
<p>5.03 Duties of Election Officers (a) Returning Officer</p> <p>(iv) provides all candidates with CSU 52 Election Policy & Procedures, including advising that candidates:</p> <ol style="list-style-type: none"> 1. are not permitted to campaign on paid employer time (the employer for the President is CSU 52); 2. are not permitted to campaign on Election Day; 3. will be provided with a copy of the Union's Membership, Shop Stewards and Mailout Representatives lists, including one set of labels and envelopes; 4. may distribute campaign literature; 5. have access to funding availability; 6. have the right to a Scrutineer; 7. have the ability to use the CSU 52 logo on campaign materials. 	<p>(iv) provides all candidates with CSU 52 Election Policy & Procedures, including advising that candidates:</p> <ol style="list-style-type: none"> 1. Must comply with the Campaigning rules in Article 5.04 Election Preparation (e) Campaigning 3. will be provided with a copy of the Union's Membership, Shop Stewards and Mailout Representatives lists, including one set of labels and envelopes; 4. may distribute campaign literature; 5. have access to funding availability; 6. have the right to a Scrutineer;
<p>Rationale: Information is not being removed. Instead, campaigning rules are being expanded on in the new article above. Hence, this article will be simplified to refer to this new article.</p>	

3. **CSU 52 BYLAWS - Notice of Motion – Article 5.10 Appeal to the General Membership - I move we add this article to the bylaw to give members a mechanism to appeal an Returning Officer decision that may have substantially affected the democratic process.**

<u>Existing</u>	<u>Proposed</u>
n/a	<p>5.10 Appeal to the General Membership</p> <ol style="list-style-type: none"> 1. A member, including a Candidate, the Assistant Returning Officer or Scrutineer may appeal an election decision of the Returning Officer if they have the support of at least 10 ¹⁰ members to move an appeal forward. 2. A Notice of Motion to appeal to the General Membership to overturn the decision of the Returning Officer must be given to the Board of Directors in writing within fourteen (14) calendar days of the date the election/decision of the Returning Officer. This Notice must <ol style="list-style-type: none"> (i) make it clear why the Returning Officers decision substantially affected the outcome of the election and why it's felt the decision was erroneous. (ii) must be signed by at least ten (10) active members in good standing. 3. The President shall cause the Notice of the Motion to be sent to the members. The Motion shall be included in the agenda for the next General Membership Meeting following a notice period of at least one (1) month. 4. The appellant shall provide a written statement of the reasons for the appeal for inclusion with the Notice of Motion to the members. 5. The Returning Officer shall provide, for inclusion with the said Notice of Motion, a copy of the decision made by with their justification. 6. The decision of the Returning Officer may be overturned by a fifty one percent (51%) majority of those members present and voting by secret ballot in favour of the motion to overturn the decision. The Chair will announce whether the Motion has been carried. 7. The results of the vote of the Membership on the Motion to overturn the decision of the Returning Officer shall be announced at the meeting and be recorded in the Meeting Minutes. The decision of the Membership shall be final and binding.
<p>Rationale: There is no mechanism in bylaws to appeal decisions made by the Returning Officer on election day. This is definitely a slippery slope to dispute an election decision, but candidates or members who do not feel democracy happened/their voice was heard, should have an option. As we do not have an election ombudsman, coming to the members should be an option. However, they shouldn't be able to do it without substantial support. FYI, the language in this notice is largely a cut & copy from the "appealing union discipline" article.</p>	