

NAGE



MEMBERS FIRST

2022 NATIONAL CONVENTION

Election Rules

ELECTION RULES

OFFICERS TO BE ELECTED

In accordance with the National Constitution & By-Laws of the National Association of Government Employees the legislative body shall be the National Convention and shall meet every four years. The National Convention shall elect the National President, two (2) National Executive Vice Presidents, fourteen (14) Vice Presidents, and thirty five (35) National Executive Board members.

TERM OF OFFICE

The term of office shall be for four years.

TYPE OF ELECTION

The election shall be conducted by delegates. Nominations shall be conducted in writing before the Convention. Election of officers shall be by roll call vote at the Convention.

ELECTION COMMITTEE

NAGE shall appoint an election officer/committee to oversee the election and all mailings: Chief of Staff, Bernie Flynn

DELEGATES

Each local union in good standing shall be entitled to one vote for each ten members or fraction thereof, regardless of the number of its convention delegates. Votes shall be calculated based on the number of members in good standing as of July 1, 2022.

This convention shall follow the NAGE basis of convention representation in Art. VI, Section 5(D) of the NAGE Constitution and By-Laws:

The basis of representation shall be one (1) delegate for 500 members or less, and one (1) additional delegate for every additional 500 members or fraction thereof.

For the purpose of voting, the computation of membership for a local union shall not include life members, retired members paying less than the full dues required for working members of their local union, associate members, or agency fee payers.

In addition to a local union's delegates and alternate delegates, a local union is entitled to bring guests. All expenses for the delegate(s), alternate delegate(s) and guest(s) are the responsibility of the local union.

Per the SEIU Constitution, proxy voting (assignment of a local's vote to another local) is not allowed.

DELEGATE DECISIONS

The membership of a local union shall determine the number of voting delegates which shall represent it at the convention. Pursuant to the NAGE National Constitution and By-laws Article VI Section 5, local presidents elected by secret ballot during the last three years are ex officio delegates to the National Convention. If the total number of officers is greater than the number of delegates allowed, then officers shall attend as delegates in the order listed in the local's by-laws, or in the absence of local by-laws as follows: President, Executive Vice President, Secretary, and Treasurer.

In the event each of these officers declines to be a delegate, the local may hold a delegate election under the rules promulgated by the U.S. Department of Labor for Delegate Elections.

Each local where elected officers decline to be delegates shall provide a nominations notice, announcing the nomination for delegates at a meeting (either regularly scheduled or special) at which the first order of business shall be to decide whether or not to send delegate(s) and/or alternate delegate(s). Once that decision is made, nomination of delegate(s) and alternates shall ensue.

If the local decides not to be represented, nominations shall be moot and a certification form shall be signed and returned to NAGE. Similarly, if the local decides to nominate and send delegates, a specific certification form shall be signed and returned to NAGE. If ex officio delegates exist, the decision whether to expend union funds to send delegates should be approved by a vote of your Local Executive Board and a certification form shall be signed and returned to NAGE. For the purpose of this election, all quorum requirements shall be suspended. NAGE will rely on self-certification whenever possible in locals with fewer than 50 members, and will be in telephone contact with those locals. On-site certification in certain instances may be provided.

In the case of statewide and national locals, special arrangements may be necessary for mail ballot delegate determination and nominations.

The cutoff date for locals to join NAGE and participate in the delegate selection process shall be July 1, 2022. Any local joining NAGE after this date shall not be able to be represented by a delegate at the Convention.

REPRESENTATION

The NAGE Constitution and By-laws provide that those union officers elected by secret ballot by their membership may also be voting delegates if the Constitution and By-laws of the local union so provides. Therefore, local union officers elected in an election conducted in conformity with the LMRDA may, by virtue of such election, serve as regular delegates during their term of office if the local union's constitution and by-laws so provide.

If a local union's constitution and by-laws dispense with the provision that local union officers are automatically considered delegates to the National Convention, or the constitution and by-laws are silent with regard to the selection of delegates, then the local union must provide for nomination and, if necessary secret ballot election up to the maximum number of delegates to which the local is entitled.

If a local's constitution and by-laws provide that officers serve as delegates and the local union finds that it is entitled to fewer regular delegates than its number of duly elected officers, or if the local membership simply decides to send fewer regular delegates than its number of duly elected officers, regular delegates shall be selected among the officers in accordance with the order so designated in the local union's constitution and by-laws.

In the absence of local by-laws, local officers elected by secret ballot and the standards set by the LMRDA shall serve as delegates in the order set forth by the National Constitution and By-Laws Article VI Section 5(E): President, Vice President, Secretary, and Treasurer.

If the local union finds that it has been allocated more regular delegates than the number of duly elected officers, then arrangements may be made at the option of the membership for nomination, and if necessary, secret ballot election for the additional number of authorized regular delegates. Such secret ballot vote of the membership shall be conducted in accordance with applicable law and constitutional provisions. Alternatively, the local union may choose not to send the additional number of delegates (above the number of its designated officers) to which it is entitled.

In the event that the NAGE determines that ex officio officers have not been elected in accordance with the LMRDA (secret ballot, proper notice, etc.), then nominations and election of delegates will be required. This shall be determined by NAGE personnel on a case by case basis, and will involve review of union records relating to the election.

ALTERNATE DELEGATES

In addition to the selection of regular delegates as discussed above, a local union may in the same manner provide for the selection of such alternates as it may determine are reasonably required to serve if the regularly elected delegates are unable to do so.

ELIGIBILITY REQUIREMENTS

To be eligible for nomination as a NAGE regular delegate or alternate delegate (or as an officer who will automatically serve as a regular delegate), a person must be a member in continuous good standing in NAGE for one year preceding the nomination. To be eligible to nominate, a member must be a member in good standing in NAGE.

Good standing requires the payment of dues, assessments, if any, and any other charges owed to the local within the month they are due. A member in good standing whose dues have been checked off by the employer may not be disqualified from voting because of any delay or failure by the employer to send dues to NAGE. Members who cure any delinquencies shall be treated in good standing as of the date they make the required payments. Insofar as members are on dues check off and NAGE does not normally notify members of dues arrearages, nor do they suspend members for non-payment of dues, for the purposes of making nominations all members shall be considered to be members in good standing. The good standing of duly elected delegates shall be checked against NAGE membership records as soon as delegate certification forms are received to ensure that they meet the one-year member-in-good-standing requirement. Any local with questions regarding the good standing of delegate candidates are urged to contact NAGE prior to the nominations meeting.

An elected delegate must be a member in good standing of NAGE, but need not be a member of the local union electing him/her as delegate. However, no delegate shall be permitted to represent more than one local union.

Section 401(e) of the LMRDA provides that every member in good standing shall be eligible to be a candidate and to hold office subject to reasonable rules uniformly imposed, including Section 504 of the LMRDA. Section 504 prohibits persons convicted of certain crimes, such as robbery, bribery, extortion, etc., from holding union office for a period of 13 years after conviction or the end of imprisonment, whichever is later.

NOMINATION AND ELECTION OF DELEGATES

Nomination Procedures

Section 401(e) of the LMRDA provides that all members in good standing be given a reasonable opportunity to nominate delegate candidates of their choice. It also requires that the procedures followed in making nominations be in accordance with the union's constitution and by-laws insofar as they are not inconsistent with the requirement for reasonable opportunity to nominate.

To meet the requirements of Section 401(e), a union must give timely, reasonable notice of the offices to be filled in the election as well as the time, place, and form for submitting nominations.

Nominations shall be done in accordance with the LMRDA rules and regulations. (Also, locals are encouraged to publicize such meetings via other methods, including any regular interoffice mail or email). Some locals comprising state or national units where a membership meeting is not feasible may be required to conduct mail ballot delegate decision/ nomination meetings.

Provisions for written nominations shall be made available to all local members. Nominations may be made in writing prior to the nomination meeting by submitting written nominations to the local's chief executive officer, or any other officer appointed to run the nomination process. Said provision will be contained in all nomination notices.

Self-Nomination shall be allowed. No seconds for any nomination shall be required, but nominees are free to choose not to accept nomination.

Election Notice

Section 401(e) of the LMRDA provides that in any election required to be held by a secret ballot, a union must mail a notice of election to each member as his/her last known home address not less than 15 days prior to the election. The notice must specify the date, time, and place of the election and the offices to be filled.

All locals requiring election of delegates and alternate delegates, regardless of size, shall be conducted by secret ballot.

2022 NAGE NATIONAL CONVENTION AND ELECTION TIMELINE

- | | |
|-------------------|---|
| February 21, 2022 | Letter from the National President to Local Presidents regarding the 2022 National Convention and Election of National Officers. |
| March 7, 2022 | Convention Call mailed to Local Presidents. |
| July 1, 2022 | Good Standing verification date for Calculation of Voting Strength cut off date for new locals to join NAGE and be eligible to participate in the convention. |
| July 6, 2022 | Local Units shall all complete election of delegates (if necessary) and Certification of all delegates by this date. All delegates Certification forms must be received by NAGE Election Officer by this date. |
| July 7, 2022 | NAGE Election Officer shall complete verification of good standing for all delegates as of this date. |
| July 8, 2022 | NAGE Election Officer will complete convention mailing to all duly elected delegates. The mailing will include Nomination and Acceptance Forms, Nomination Instructions and Convention Rules and Regulations. The mailing will also include information pertaining to travel, accommodations and a proposed agenda. |
| July 25, 2022 | Deadline for submitting eligibility challenges and election protests regarding delegate section. |
| July 27, 2022 | All Nomination and Acceptance Forms must be received by the NAGE Election Officer by this date. Nominations by slate of individual nominations must be accompanied by an acceptance form in order to be valid. |

- August 8, 2022 Verification of Good Standing of Eligible Candidates must be completed by NAGE Election Officer. A list of eligible candidates will be posted on the NAGE website.
- September 3, 2022 Deadline for candidates to withdraw their nomination for office. Must be in writing to the NAGE Election Officer.
- September 10, 2022 Printing of Ballots for Election of National Officers.

ELIGIBILITY CHALLENGES AND ELECTION PROTESTS

Any member of NAGE who wishes to challenge a decision on delegate eligibility rendered by a local union must file a written appeal with the NAGE Election Officer within fifteen (15) days of the decision. The appeal shall set forth the reason why the member believes the decision of the local union was incorrect.

In all other matters, any member of NAGE who wishes to file a protest regarding any conduct in the selection or election of convention delegates may do so by filing with the NAGE Election Officer within fifteen (15) days of the event or circumstance giving rise to the protest. The protest must be written and set forth the reason for the protest, along with the protesting member's name, address, and telephone number.

CERTIFICATION OF DELEGATES

The local union treasurer (or any officer acting in that capacity) shall review and certify that the delegates and alternate delegates have been properly selected pursuant to the NAGE Constitution and By-Laws and these rules, and transmit a list of those delegates to the NAGE Election Officer. All certification forms shall be completed and received by July 6, 2022.

Each delegate or alternate delegate must present personal identification at the time of Convention registration to officially register as a voting delegate and ensure admittance to the Convention. Acceptable identification shall include driver's licenses or any other identification issued by a state or federal body. Only delegates certified by NAGE shall be eligible to register. Upon certification, delegate credentials shall be issued at the Convention.

The failure of any local to send to the Convention all delegates to which it is entitled shall not constitute a basis for challenging the credentials or seating of those delegates sent or otherwise attending the Convention from that local.

Convention registration will begin on the afternoon of October 10 (Monday) and continue until the close of business on October 13 (Thursday).

NOMINATION AND ELECTION OF NATIONAL OFFICERS

The election of NAGE officers shall be conducted by a vote among elected delegates. No member or candidate for nomination shall be eligible to hold two national offices in NAGE or to run for more than one office in NAGE at any one time.

Successful candidates shall be elected by a plurality of votes among ballots cast for each office. Write-in candidates and proxy voting shall not be permitted.

Candidates for NAGE national office must be members in continuous good standing for two years, but need not be delegates to the convention.

If candidates for national office are unopposed, the nominees for said offices shall be deemed elected without the need for further procedure.

NOMINATIONS OF NATIONAL OFFICERS

Nominations shall be conducted among delegates. Delegates shall be able to make nominations by mail to a specially designated Post Office Box provided by NAGE, access to which shall be limited to the NAGE Election Officer. The deadline for written nominations to be received will be July 27, 2022. Nominations will not need to be seconded, but an acceptance of nomination form must be signed by the nominated member and received by the NAGE Election Officer by July 27, 2022.

CAMPAIGN PROCEDURES

The LMRDA requires that all candidates be treated equally with respect to the opportunity to campaign. Section 401(g) provides that any monies received by NAGE or any other labor organization by way of dues, assessments, or similar levy, or monies of any employer may not be used directly or indirectly to support the candidacy of any person in a union election of officers. This prohibition extends to equipment, vehicles, office supplies, records, and personnel of NAGE and any other labor organization and to employers, whether or not they employ NAGE members. Union officers and employees may not campaign on time that is paid for by the union.

Candidates shall be advised that they should maintain records of all campaign expenditures.

Section 401(e) provides that members may not be subjected to penalty, discipline, or improper interference or reprisal of any kind in the exercise of their right to support the candidate of their choice.

INSPECTION OF MEMBERSHIP LIST

The LMRDA provides that once within 30 days of an election, every bona fide candidate will have the right to inspect (not copy) a list containing the names and last known addresses of all members subject to a collective bargaining agreement. Requests to review the membership list must be made directly to the NAGE Election Officer.

DISTRIBUTION OF CAMPAIGN LITERATURE

Section 401(c) of the LMRDA provides that a union must comply with all reasonable requests by any candidate to distribute campaign literature at the candidate's expense. Requests must be made to the NAGE Election Officer. Mailings to segments of the NAGE membership will be made available upon request.

NAGE shall not publish any campaign material in their newsletters, nor make space available on its website. Nominees for office shall be allowed equal access to address the delegates at the convention for campaign purposes. In the past, such access has been limited to a three-minute speech.

ELECTION OF NATIONAL OFFICERS

The NAGE Election Officer shall prepare a ballot for use during the roll call balloting by delegates for the election of officers.

Voting by slate shall be made available on the ballot.

The candidates in contested elections shall be listed on the ballot in alphabetical order under each office. Candidates associated with a slate shall be designated as members of that slate next to their name on the ballot.

Candidates and their observers may be present during the printing of ballots to be used during roll call voting.

Voting for each contested office shall be by open roll call and the marking of roll call ballots by each delegate. During roll call voting the NAGE Election Officer shall be the presiding officer of the convention.

Voting strength of each local shall be calculated by the NAGE Election Officer based on the local's per capita membership as of July 1, 2022. A local shall receive one (1) vote for every ten (10) members. Each delegate from

a local shall be allocated an equal number of votes based upon the total votes allotted to the local pursuant to the July 1, 2022 per capita membership. Delegates must be on the floor and present during roll call voting in order to cast their votes. If a member is absent from the floor during the roll call, his or her votes shall be allocated equally to other local delegates present and voting. The Election Officer shall make the calculation of the voting strength of each local and the distribution of votes per delegate.

Roll call procedure:

The Election Officer shall clear the floor of all but accredited delegates, prior to the start of roll call voting.

The Election Officer/designee shall distribute printed roll call ballots to each local for each of that local's delegates. Delegates shall mark their ballots and return them to the reporting member of their delegation.

The Election Officer shall call the roll of the locals, starting with the lowest number, stating the number of per capita votes the local has, the number of voting delegates, and asking how it casts its delegates' votes.

As each local is called, the reporting member of the delegation shall announce the delegations votes, for each contested office.

Before the reporting member of the delegation announces the vote, he or she shall hand to the Election Officer or designee each of the marked roll call ballots from the voting members of the delegation.

If a member of that local delegation challenges the report, the Election Officer shall poll that local's delegates as to each of their votes. A demand for a poll of the delegation must be made when the vote is reported and prior to the next local responding to the roll call. If a delegate does not wish to vote, he/she may abstain and the reporting member shall state such at the time of the local's roll call report.

If a local is not prepared to cast its vote when called, the reporting member may "pass". Locals that pass shall be called one more time, in numerical order, after completion of the first roll call.

When a local's vote is announced, the Election Officer shall record the vote for each local and how each delegate in that local voted.

When all locals have had the opportunity to vote, the Election Officer shall declare voting closed.

RUNOFF ELECTION

If, at the conclusion of the roll call balloting, there is a tie vote for any office, the election officer shall conduct a runoff election among those candidates tied for the contested office. The runoff election, by roll call, shall be conducted prior to the adjournment of the Convention.

OBSERVERS

Section 401(c) guarantees the right of a candidate to have an observer at the counting of ballots. Observers must be able to see every phase of the election process. Observers may be present to observe the ballot preparation and ballot tally. The Election Rules state when these events shall occur. Candidates should be proactive and should come forward to the Election Officer with any observer request and should not wait for an invitation. Candidates may be their own observer.

INSTALLATION OF OFFICERS

Installation of officers shall occur at the Convention after the vote and certification of the results, or within 30 days after the Convention. The term of office shall run from November second (2nd) of the Convention year through November first (1st) of the following Convention year.

PUBLICATION OF RESULTS

NAGE shall publish the election results on its websites as soon as practicable after the convention.

PRESERVATION OF RECORDS

Section 401(e) of the LMRDA requires that the ballots and all other election records be preserved for one year.

ELECTION PROTESTS

Any member in good standing may protest the election for valid cause; such protest should be made directly to the NAGE Election Office, Bernie Flynn, in writing at any time before, during, or within fifteen (15) days after the election.

It should be clearly understood that all phases of the nominations and election of NAGE delegates and election of National Officers are conducted in accordance with the National Constitution & By-Laws of the National Association of Government Employees. No aspect should be conducted without prior consultation with and approval by the Election Officer or his designated representatives.

It should also be noted that the rules and procedures herein are not all inclusive. Additional rules may be promulgated as needed during the nomination and election period.