

January 29, 2009

## **RULES GOVERNING ALL GENERAL AND CHAPTER ELECTIONS**

The following rules governing general and chapter elections are formulated, as bylaws of the PSC Constitution, to enable every eligible member of the Professional Staff Congress to vote, to run for office, and to participate in every other step of the electoral process.

### **I. ELIGIBILITIES**

A. Membership in good standing is established upon receipt in the PSC central office of an official "Authorization for Deduction of Dues" form or Retiree Membership Application signed and completed by any person entitled to membership in the PSC, as defined in Article III of the PSC Constitution, and shall continue until either membership or eligibility for membership is severed or, for those on direct payment, until dues are not remitted for two (2) consecutive months.

B. No person shall be permitted to vote in any general election or referendum who has not been a member in good standing for at least four (4) months prior to the date for the mailing of ballots.

C. No person shall be permitted to hold a position as a general officer serving on the Executive Council who has not been a member in good standing of the Professional Staff Congress for at least one (1) year at the time of nomination to said office.

D. No person shall be permitted to vote in any chapter election who has not been a member in good standing of the appropriate chapter for at least four (4) months prior to the date for the mailing of ballots. Work site location will determine the chapter in which members may vote, run for office, and sign a nominating petition, except for cross-campus chapters. Members teaching at more than one campus may make a once-a-year choice as to their chapter affiliation by submitting the requisite form to the Membership Coordinator at the PSC central offices, to be received between September 1st and October 15th. However, a member teaching full-time at one campus and part-time at another campus shall be deemed to be a member of the chapter at which he or she holds the full-time appointment.

E. No person shall be permitted to hold chapter level office who has not been a member in good standing of the appropriate chapter for at least one (1) year at the time of nomination to said office.

### **II. SCHEDULES**

A. All regular union elections shall be held during the month of April. Both mailing and deadlines for receipt of ballots shall be scheduled in April, no less than twenty (20) calendar days apart.

B. The dates for the issuance of the Notice of Nominations and Elections and the nominating petitions, the filing of petitions, the mailing of ballots, the casting of ballots and the counting of ballots shall be set annually by the Elections Committee with the approval of the Delegate Assembly, except as provided below.

### **III. THE NOMINATING PROCESS**

A. A Notice of Nominations and Elections announcing the offices to be filled, the deadlines for filing petitions and for casting ballots, and whatever other information is deemed necessary by the Elections Committee, shall be printed in the Clarion in the issue preceding the availability of petitions and shall be distributed to members in each chapter in which an election will be held.

B. Nominations

1. Nominations for chapter offices and the Delegate Assembly shall be by petition containing signatures of no fewer than twenty-five (25), or no less than twenty-five percent (25%), whichever is less, of the members of the chapter. For chapter elections, members may only sign nominating petitions of the chapter to which they belong.

2. Nominations in general elections shall be by petition containing the names of not fewer than fifty (50) members in good standing, except that:

a. Nominations for the positions of Vice President for Senior Colleges and Senior College Officer shall be made only from and by full-time and part-time members in the senior colleges, the University Graduate Center, and the Hunter Campus Schools who are not members of cross-campus chapters.

b. Nominations for the positions of Vice President for the Community Colleges and Community College Officer shall be made only from and by full-time and part-time members in the community colleges and other two-year or pre-baccalaureate divisions of the City University who are not members of cross-campus chapters.

c. Nominations for the positions of Vice President for Cross-Campus Units and Cross-Campus Officer shall be made only from and by full-time and part-time members of the cross-campus chapters of College Laboratory Technicians, Higher Education Officers, and Registrars, the Central Office chapter and the Research Foundation chapter, in accordance with the provisions of Article VI, Section 1.d. of the PSC Constitution.

d. Nominations for the position of Vice President for Part-Time Instructional Staff and Part-Time Instructional Staff Officer shall be made only from part-time instructional staff members and by the entire PSC membership.

e. Slates containing candidates representing one or more of the constituencies listed in a, b, c and d above, shall not be limited to petition signatures from those constituencies.

C. Nominating Petitions may be for an individual or for a slate, in accordance with the procedures provided in Section VIII. For all candidates, petitions shall include (1) the printed name, signature, department, and college of each petitioner, and (2) the printed name, department and college of the nominee, as well as the office being sought by the nominee. Petition forms shall be available from a member's chapter chairperson. Alternately, members may request petition forms from the PSC central office, either in person or by mail.

D. Challenges to Nominating Petitions: By arrangement with the Elections Committee or its staff designee, nominating petitions for a given election may be inspected by members eligible to vote in that election, commencing at the close of nominations, during normal business hours at the PSC central offices. Such individuals may file a challenge, i.e., a written statement setting forth the grounds, along with any substantiating documentation, for believing that a petition(s) for a particular candidate or a particular group of candidates is invalid. A challenge to nominating petitions must be presented to the Elections Committee within five (5) working days after the close of nominations. (A working day is defined, throughout these rules, as a day that the PSC office is open.)

E. Certification: The Elections Committee will convene no sooner than five (5) nor later than ten (10) working days after the close of nominations to consider and rule on challenges and to certify nominations.

#### **IV. CAMPAIGNING**

All duly declared candidates shall have equal access to appropriate membership information, to mailing privileges and to the publications of the Professional Staff Congress in accordance with procedures issued by the Elections Committee. A member shall become a declared candidate after filing a form which includes a statement to which the member must subscribe, governing the use of labels and lists, and limiting their use for a PSC election. Abuse of these privileges is subject to disciplinary procedures as provided in the PSC Constitution. Such signed statements are to be submitted to the Elections Committee at the PSC central offices, which shall check eligibility and parameters of labels and lists requested.

A. Information: (1) A declared candidate for office may purchase, at cost, college-addressed sets of labels and/or print or electronic lists of the names, titles and available college addresses of eligible voters in his/her election contest. (2) Candidates may not have access from the PSC to the home addresses of members, individually, on lists or on labels.

B. Mailing privileges: (1) A declared candidate for office may purchase, at cost, college-addressed sets of labels and/or print or electronic lists of the names, titles and available college addresses of eligible voters in his/her election contest. (2) All candidates may mail literature at their own expense through the PSC mailing house under contract at the time of the election; the PSC will provide, at cost, college-addressed or home-addressed labels or electronic downloads to the mailing house.

C. Publications: (1) Each candidate for general office shall be allotted two-hundred (200) words for a biography and/or statement in the March issue of the Clarion preceding the mailing of the ballots. Slates of candidates for general offices may pool their allotment of words in whatever fashion they choose. The deadline for typed copy will be determined by the Elections Committee, with the agreement of the Clarion Committee, and printed in the Clarion. Candidates for and alternates to the NYSUT and AFT conventions will be listed, but they will not receive further space. (2) Candidates for general office may purchase not more than one-half page of advertising space in the March issue of the Clarion preceding the mailing of ballots. Slates may purchase not more than one page of advertising space in that issue. The deadline for camera-ready mechanicals will be set by the Elections Committee, with the agreement of the Clarion Committee, and published in the Clarion. Space limitations preclude an offer of advertising space to candidates for delegates and alternates to the NYSUT and AFT conventions. (3) In a chapter election, candidates may use a reasonable amount of space in the chapter newsletter. Chapters shall provide newsletter space on an equal basis to all candidates.

## **V. BALLOTING**

A. All voting must be on official ballots, which shall be mailed with voting instructions to each eligible voter at his/her home address at least twenty (20) calendar days before the deadline for the return of ballots.

B. All ballots shall state that write-in votes are permitted and shall provide ample space for write-ins. A write-in vote shall be valid if the intent of the voter is clear, whether the name of the candidate is handwritten, printed or typed, and if the candidate meets the same eligibility requirements as a regular candidate. A write-in candidate who is elected must submit a written acceptance of office to the Elections Committee within ten (10) calendar days of notification that his/her election has been certified.

C. Slate voting shall be permitted, in accordance with the procedures provided in Section VIII.

D. For regularly scheduled general elections, whether contested or uncontested, the American Arbitration Association, or a similar organization with experience in the conduct of elections, to be selected by the Elections Committee with the approval of the Delegate Assembly, shall be authorized to conduct the secret home mail ballot.

E. For every contested office in a regularly scheduled chapter election, the American Arbitration Association, or a similar organization with experience in the conduct of elections, to be selected by the Elections Committee with the approval of the Delegate Assembly, shall be authorized to conduct the secret home mail ballot.

F. In uncontested elections, or contested special elections providing there is mutual agreement among all the candidates, the counting of the ballots shall be conducted by members of the PSC central office staff assigned by the Executive Director and under direction of the Elections Committee. No PSC member may participate in a count.

G. To secure a secret ballot, voters shall be provided with an inner envelope with no voter identification and an outer mailing envelope with a preprinted label. Voters shall be instructed to insert the completed ballot into the inner envelope, seal it, insert the inner envelope into the outer return envelope, keeping its preprinted label intact and unaltered, and seal it before mailing. Upon receipt of such ballots at the PSC central offices or at the offices of the American Arbitration Association or other designated organization for contested elections, the voter's name and address will be verified. Ballots in outer envelopes with missing or altered preprinted labels shall not be counted. No one other than the designated persons who count the ballots shall have access to completed ballots. If a member believes his or her ballot has been cast improperly, the person shall indicate the circumstances in writing to the Elections Committee and the preprinted label shall be verified. Challenges to the validity of a ballot must be made on or before the announced day of the tally. On the day of the tally, after challenges, if any, have been heard, the outer envelopes shall be opened and set aside before the inner envelopes are opened and the ballots removed and counted.

H. In a contested election, the union will provide to candidates or to the slate designee as defined in Section VIII A. of these Rules the number of ballots received for said election as reported, daily or otherwise, by AAA or similar organization.

I. All candidates will be entitled to observe the tally or to send an observer. The observer must be designated, in writing, by the candidate and must submit such written designation, on arrival for the tally, to the chair or designee of the Elections Committee.

J. The Elections Committee will meet no sooner than five (5) nor later than ten (10) working days after the count either to certify the election results or to recommend action on challenges. Any challenge to an election must be made in writing to the Elections Committee within five (5) working days of the counting of the ballots. Should the claimant wish to challenge the decision of the Committee, he or she shall appeal to the Delegate Assembly, which shall render a final decision.

K. In a chapter election, any nominated or write-in candidate must receive at least ten (10) or ten percent (10%), whichever is less, of the votes cast for that office in order to be elected. In a general election, any nominated or write-in candidate must receive at least ten percent (10%) of the votes cast for that office in order to be elected.

L. Tie votes shall result in a run-off election for those positions. A run-off election for general office, Chapter Chair or Delegate Assembly position shall be held by means of a secret mail ballot conducted by the American Arbitration Association or similar organization. In the case of other positions, the candidates in such a run-off are entitled to a similarly conducted election unless they agree to a secret mail ballot conducted by the staff of the Professional Staff Congress.

## **VI. VACANCIES**

### **A. Executive Council**

1. Upon determination by the Elections Committee that a vacancy exists on the Executive Council, the vacancy shall be announced by the Committee at a regularly scheduled Delegate Assembly meeting.

2. Nominations and elections to fill the vacancy will be made at the Delegate Assembly meeting following the meeting at which the announcement is made. All those eligible to vote will be notified of the date of the nominations by home mail in the regular notice of the meeting.

3. Nominations may be made from the floor of the Delegate Assembly by those eligible to vote. The nominations and election shall be conducted in accordance with Robert's Rules of Order.

4. A secret ballot election and count will be conducted by members of the PSC central office staff at the same meeting of the Delegate Assembly immediately after nominations are closed if the election is uncontested, or if the election is contested and the candidates have agreed to have PSC staff conduct the election and count ballots. Otherwise, the American Arbitration Association or other designated organization will conduct the election and ballot count at the next meeting of the Delegate Assembly. In any case, the election shall be certified by the Elections Committee no sooner than five (5) nor later than ten (10) working days after the election.

### **B. Delegate Assembly**

1. Delegate vacancies shall be filled, until the next chapter election is certified, by the ranking alternate delegate, i.e., the alternate delegate with the greatest seniority as an alternate delegate. If two or more alternate delegates have the same seniority, that alternate delegate will fill the vacancy who received the largest number of votes in the previous election.

2. Alternate delegate vacancies occurring more than six (6) months before the scheduled tally of a regularly scheduled election shall be filled in the following manner: upon determination by the Elections Committee that a vacancy exists, the chapter will notify its membership by mail of the date of the meeting at which nominations to fill the vacancy will be made. If uncontested, the election shall take place at the same chapter meeting. If contested, the election shall be conducted with secret ballots mailed to home addresses, returned to and counted by PSC central office staff, under the supervision of the Elections Committee. The Elections Committee shall certify the results of the election no sooner than five (5) nor later than ten (10) working days after the count. Alternate delegate vacancies occurring six (6) months or less before the scheduled tally of a regularly scheduled election will not be filled until the next chapter election.

3. In the event that more than six (6) months before the scheduled tally of a regularly scheduled election a chapter has vacancies in all of its alternate delegate positions, as well as in at least one of its delegate positions, then all of these vacancies will be filled in accordance with the procedures of VI. B. 2.

#### C. Chapters

1. The Elections Committee shall be notified of all vacancies and replacement elections occurring in a chapter.

2. A chapter chair vacancy occurring six (6) months or less before the scheduled tally of a regularly scheduled election shall be filled by the vice-chair, who shall serve as the acting chair until that election is held and certified.

3. A chapter chair vacancy occurring more than six (6) months before the scheduled tally of a regularly scheduled election shall be filled in the following manner. Upon determination by the Elections Committee of the vacancy, the chapter will notify its membership by mail of the date of the meeting at which nominations to fill the vacancy will be made. If uncontested, the election shall take place at the same chapter meeting. If contested, the election shall be conducted with secret ballots mailed to home addresses by the American Arbitration Association or other designated organization. The Elections Committee shall certify the results of the election no sooner than five (5) nor later than ten (10) working days after the count.

4. Any other vacancy in the offices of Vice Chair, Secretary, and At-Large Officer shall be filled by means of an election by the chapter executive committee, under the supervision of the Elections Committee. The election shall be certified by the Elections Committee no sooner than five (5) nor later than ten (10) working days after the election.

#### D. Challenges

Any challenges to an election to fill a vacancy shall follow the procedure for regularly scheduled elections (Section V.I.).

### **VII. CERTIFICATION OF ELECTION RESULTS**

The term of all officers elected by the membership shall commence ten (10) working days after the certification of such election by the Elections Committee or in the instance of a challenged election ten (10) working days after the action of the Delegate Assembly.

### **VIII. SLATES**

In order for a slate of candidates to be identified on the ballot, with provision for voters to vote for the entire slate by casting one vote if they wish to, the following conditions must be met:

A. The slate must be sponsored by a caucus with officers, including a designee who may authorize nominees for that slate, and a committee on vacancies. This committee, unless otherwise designated, shall constitute the caucus nominating committee, which is authorized to replace any slate candidate whose name is withdrawn no later than seven (7) working days prior to the mailing of ballots. A position not so filled shall remain vacant on the slate.

B. Prior to the close of nominations, the designee shall file in the PSC central office a listing of the officers of the caucus and a nominating petition meeting the requirements of Section III.C.

C. The nominating petition shall include (a) the printed name, signature, department, and college of each petitioner, and (b) for each candidate running on the slate, his/her signature, as well as the printed name, department, college and position sought. For chapter elections, members may only sign nominating petitions of the chapter to which they belong.

D. The candidate's signature on the petition thus filed shall constitute his/her acceptance of a place on that slate.

E. To qualify, a slate must run candidates for no less than twenty-five percent (25%) of the available offices in any given election.

F. The order of listing of slates and individual candidates on ballots will be determined by lot before each election. The drawing shall be conducted by the American Arbitration Association or other organization prescribed in Section V.E. at a time, date and place determined by the Elections Committee. The Committee shall notify the designees of all caucuses running slates and all individual candidates of the time, date, and place of the drawing so that they may each assign one (1) observer. The identity of each observer shall be made in writing by each caucus designee for the caucus and by each individual candidate who is not on a slate to the chair of the Elections Committee.

G. A single identifying mark on the ballot for a slate vote shall be counted as a vote for all individuals on a slate, and no other marks next to individual names shall be counted.

**IX. PSC-CUNY WELFARE FUND ADVISORY COUNCIL**

In accordance with the Bylaws of the Board of Trustees of the PSC-CUNY Welfare Fund, members of the Fund's Advisory Council, with the exception of "excluded" representatives, shall be elected within the chapter elections of the union. The rules governing union chapter elections shall apply, with these exceptions:

A. Advisory Council members shall be nominated and elected by all eligible PSC members in each university unit, regardless of chapter membership.

B. Advisory Council candidates are required to have been members in good standing of the PSC for two (2) years prior to the close of nominations.

C. Advisory Council vacancies occurring six (6) months or less before the scheduled tally of a regularly scheduled election shall remain unfilled until that election is held and certified.

D. Advisory Council vacancies occurring more than six (6) months before the scheduled tally of a regularly scheduled election shall be filled, whether contested or uncontested, in accordance with the rules governing the interim uncontested election of chapter chairs (section VI.C. 3.), except that the meeting held for nominations and the election shall include all members of the PSC-CUNY Welfare Fund Advisory Council electorate at the university unit, regardless of chapter membership.

Approved by Delegate Assembly 1/30/2003  
Revision on Article VII approved by the Delegate Assembly 6/17/2004  
Revisions on Article IV and Article V approved by the Delegate Assembly 1/29/2009

Appendices:

- A. Sample nominating petition form (attached)
- B. Request form for access to lists and/or labels
- C. Chapter affiliation choice form for those teaching at more than one campus

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Appendix B. Request for access to lists and/or labels

To: PSC/CUNY Elections Committee

From: \_\_\_\_\_ (please print)

Address: \_\_\_\_\_

SS# \_\_\_\_\_

Phone(s): \_\_\_\_\_

Voting Chapter: \_\_\_\_\_

Position(s) I am declaring for: \_\_\_\_\_

I am declaring myself a candidate in the election as listed above.

I am requesting access to lists and/or labels for members eligible to nominate and vote for me.

I understand that these labels and lists can only be used for the purpose of seeking nomination and election in this campaign. I further understand that abuse of these privileges is subject to disciplinary procedures as provided in the PSC Constitution.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Appendix C. Chapter affiliation choice form for those teaching at more than one campus

PSC Election Rules (Section I. D.) provide that:

“Work site location will determine the chapter in which members may vote, run for office, and sign a nominating petition, except for cross-campus chapters. Members teaching at more than one campus may make a once-a-year choice as to their chapter affiliation by submitting the requisite form to the Membership Coordinator at the PSC central offices, to be received between September 1st and October 15th. However, a member teaching full-time at one campus and part-time at another campus shall be deemed to be a member of the chapter at which he or she holds the full-time appointment.”

To: PSC/CUNY Membership Coordinator

Print your name: \_\_\_\_\_

Home Address: \_\_\_\_\_

\_\_\_\_\_

Phone(s): \_\_\_\_\_

SS #: \_\_\_\_\_

Current chapter affiliation: \_\_\_\_\_

List campuses at which currently teaching. Indicate whether FT or PT: \_\_\_\_\_

Your choice for chapter affiliation for this academic year: \_\_\_\_\_

Signed: \_\_\_\_\_

Dated: \_\_\_\_\_