

June 2015

## **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**

Eligibilities for voting in PSC elections and for holding office in the PSC are governed by the PSC Constitution in Article III Membership and Article IX Chapters.

### **II. SCHEDULES**

Schedules for regular PSC elections are governed by the PSC Constitution in Article XII Nominations and Elections. 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 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.

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

The requirements and procedures for nominations for PSC elections are governed by the PSC Constitution in Article XII Nominations and Elections Section 3 and Article VI General Officers Section 1. In addition, the following rules apply to the nominating process:

#### **A. 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 from the 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, however, to the extent that the slate has candidates representing the constituencies listed in a, b, c, and d above, those candidates must be nominated pursuant to the requirements of a, b, c, and d above.

3. Nominating Petitions may be for an individual or for a slate, in accordance with the procedures provided in this Section and Section VIII of these Election Rules.

4. An individual wishing to be nominated for office must submit a signed declaration of candidacy which shall include his/her name, college and department, along with the office being sought to the Election Committee at the PSC central office by the date determined by the Elections Committee. The PSC shall then provide printed or electronic petitions with the name, department, and college of the nominee(s) along with the office being sought by the date determined by the Elections Committee, which shall in no event be fewer than thirty (30) calendar days prior to the date the petitions are due. Petitions including the name, department, college and signature of each petitioner shall be submitted to the PSC central office by the date determined by the Elections Committee.

B. 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, consisting of 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.) No challenge will be considered after the deadline for filing a challenge, unless the challenging party can provide proof that the basis for the challenge could not have been discovered prior to the deadline. The Election Committee may, in its discretion, accept additional substantiating documentation for a filed challenge after the deadline for filing a challenge.

C. 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, lists, and downloads and limiting their use for a PSC election. Abuse of these privileges is subject to disciplinary procedures as provided in the PSC Constitution, and, at the motion of the Elections Committee, the Delegate Assembly may, in accordance with the procedures set forth in Article 11 of the Constitution, order the denial of such membership information and mailing privileges. Such signed statements are to be submitted to the Elections Committee at the PSC central offices, which shall check eligibility and parameters of labels, 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 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 Editor of Clarion, and printed in Clarion. Candidates for delegate to the NYSUT, AFT, and AAUP 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 advertising material will be set by the Elections Committee, with the agreement of the Editor of Clarion, and published in the Clarion. Space limitations preclude an offer of advertising space to candidates for delegates to the NYSUT, AFT and AAUP conventions. (3) In a chapter election, candidates may use a reasonable amount of space in the chapter newsletter. Chapters shall provide a reasonable amount of 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 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 ballot.

F. In uncontested regularly scheduled chapter elections and in uncontested special elections, the PSC central office staff assigned by the Executive Director and under direction of the Elections Committee shall be authorized to conduct the secret ballot. In contested special elections all candidates may agree that the secret ballot shall be conducted by members of the PSC central office staff assigned by the Executive Director and under direction of the Elections Committee. If no such agreement is made, the secret ballot shall be conducted as set forth in Section V.E above.

G. No PSC member may participate in a ballot count, except as an observer.

H. 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 envelope. 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 envelope intact and unaltered, and seal it before mailing. Upon receipt of such ballots at the PSC central offices or at the offices of the designated organization for contested elections, the voter's name and address will be verified. Ballots in outer envelopes with missing or altered preprinted envelopes 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. Challenges to the validity of a ballot must be made on or before the announced day of the tally. All challenged ballots shall be sequestered and the Elections Committee shall make a determination according to the procedures set forth in paragraph J.

I. 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 the designated ballot counting organization.

J. All candidates will be entitled to observe the tally or to send an observer. The observer must be designated, in writing, by the candidate, or, in the case of a slate, the caucus designee, and must submit such written designation, on or before the arrival for the tally, to the chair or designee of the Elections Committee. An observer may challenge any ballot by notification to the Election Committee representative present at the tally. The challenged ballot will then be sequestered until the challenge is ruled upon by the Election Committee or the Delegate Assembly if an appeal is filed under Section K of this Article. The sequestering of a ballot does not relieve the claimant from his/her obligation to file a written challenge under Section K of this Article. If the total number of sequestered ballots is not large enough to affect the outcome of the election, the Election Committee, at its sole discretion may decline to rule upon the challenges.

K. 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. In any uncontested special election or vacancy where there have been no challenges filed, the Election Committee may certify the results of the election by means of conference call, email polling, or other remote method, provided that all members of the committee have been provided all relevant documentation prior to the vote to certify.

L. 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.

M. The process for dealing with tie votes is determined by the PSC Constitution in Article XII Nominations and Elections Section 13.

## **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 and filled according to the PSC Constitution Article VI General Officers, Section 4.

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. Pursuant to the PSC Constitution Article XII, Nominations and Elections Section 6, Delegate vacancies shall be filled by Alternate Delegates. Upon determination by the Elections Committee that a Delegate vacancy exists, such vacancy 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 prior to the tally of the next regularly scheduled 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 Chair or Acting Chair of each chapter shall notify the Elections Committee in writing of any vacancy in a chapter office.
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. The vice-chair shall serve as the acting chair until the election is certified.

4. If a chapter chair is temporarily unable to fulfill his/her duties for a continuous period of more than one year, than the position is considered vacant and the rules for filling a vacancy shall apply. A chapter office shall not be considered vacant solely because the incumbent is on a leave of absence for a period of up to one academic year.

5. Any other vacancy in the offices of a chapter 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. If any nominee(s) of a slate is found to be ineligible or is unable or unwilling to accept a nomination, the slate may replace the nominee(s) provided the slate submits a Declaration of Candidacy and a new petition for the replacement(s) in conformity with Section III of these Rules no later than ten (10) working days prior to the mailing of the ballots. A position not so filled shall remain vacant on the slate.

B. Nominating Petitions shall be subject to the provisions of Section III.4, except that the slate designee is authorized to submit all the signed declarations of candidacy as a single document.

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

D. 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 designated 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.

E. 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

Revisions approved by Delegate Assembly 9/22/11

Revisions approved by Delegate Assembly 11/14/13

Revisions approved by Delegate Assembly 6/18/15

### Appendices:

- A. Sample candidate declaration form
- B. Request form for access to lists and/or labels and downloads.

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Appendix A: Sample candidate declaration form

## Candidate Declaration Form

**I hereby announce my candidacy for the following offices:  
(List all offices for which you are a candidate).**

Name (Printed): \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

College \_\_\_\_\_ Title: \_\_\_\_\_

Department \_\_\_\_\_

**NOTE: If you intend to run as part of a slate or caucus, please indicate the slate or caucus name here \_\_\_\_\_ and submit through your slate or caucus designee.**

Appendix B. Request for access to lists or downloads

Request for access to lists or electric downloads

To: PSC/CUNY Elections Committee

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

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

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 download for members eligible to nominate and vote for me.

I understand that these lists and/or downloads 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 and to suspension of these privileges by the Elections Committee.

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

**Request for college-addressed names, titles, department, college emails of eligible voters in your chapter:**

**Check all items requested. You will be billed at cost.**

\_\_\_\_\_ **Print list**

\_\_\_\_\_ **Electronic download**

**Request for electronic download to go to member's home addresses will be sent to the PSC's mailing house directly. You will be billed at cost.**

\_\_\_\_\_ **Electronic download – member's home address**