

MINNESOTA ASSOCIATION OF PROFESSIONAL EMPLOYEES

ELECTION RULES

Amended September 25, 2009

Article I Definitions

1. **Candidate** means a member seeking an elective position.
2. **Days** refers to calendar days, unless stated otherwise.
3. **Election Cycle** means the frequency at which an election is held for a particular position.
4. **Elective Position** means a position usually filled by an election. This includes officers, trustees, delegates and alternates to the Delegate Assembly, and members of the Statewide Negotiations Committee.
5. **Eligible Voters** means members as of the date specified on the MAPE Election Timetable.
6. **Office** means an elective position held by an officer.
7. **Mail** means U.S mail or other secure means approved by the Board of Directors.
8. **Reasonable Notice** means notifying all affected members, at their home or work addresses, such that the notice is timed to arrive prior to the opening of nominations for an election. This may be done by mail, by electronic methods, by hand, or by posting notices on bulletin boards at all affected work locations. It must include arrangements to notify members routinely assigned away from their work address for prolonged periods. The notice shall include:
 - a) the open positions,
 - b) a description of the duties of each position,
 - c) the date nominations open and close,
 - d) the date(s) of the election,
 - e) the method of balloting,
 - f) when, where, and how ballots will be tabulated.
9. **Special Election** means an election other than a regularly scheduled election.

Article II Dates

1. **Elections Committee** for Statewide and Regional elections must be appointed in accordance with the Bylaws. The election committee for Local elections must be selected by the Local by the time nominations for Local offices open.
2. **Statewide Elections** must be completed by the end of December.
3. **Local and Regional Elections** must be completed in July.
4. **Setting Dates.** The Board of Directors shall fix all dates concerning elections in accordance with the Official MAPE Election Timetable. The local election committee shall set dates concerning local special elections.

Article III Nominations

1. **Nominees.** The Elections Committee shall seek out and encourage qualified persons to run for elective positions. The election committee for Local Charter Elections shall consist of a representative from each impacted Local (the existing Local(s) and the local seeking a charter) and a statewide officer to be selected by the MAPE president.
2. **Conditions of Candidacy.** Members must meet the eligibility requirements defined in MAPE Bylaws Article VIII (ELECTIONS AND VACANCIES), Section 1 (Eligibility).
3. **Nomination Procedure.** Nominations shall be submitted by members to the Elections Committee in writing.
4. **Withdrawal of Nomination.** A person nominated may withdraw his/her name from nomination at any time before or after nominations are closed.
5. **Closing of Nominations.** Nominations close according to the MAPE Election Timetable (Appendix A).
6. **Nomination and Acceptance Speeches.** No more than two nomination speeches per candidate will be permitted at Delegate Assembly. Nomination and acceptance speeches shall be limited to a maximum of two minutes each per nominator or nominee.
7. **Candidate Compliance.** In addition to other requirements of the governing documents, all nominees for statewide office shall affirm in writing (or electronically) their intent to comply with the requirements of MAPE's governing documents and procedures and their willingness to be placed in nomination for the office.
8. **Candidate Eligibility Report.** The Elections Committee shall declare the candidates to appear on the ballot upon completion of the Candidate Eligibility Report. The report shall include statements of compliance and willingness to be placed in nomination, proof that the candidate is bondable (where necessary), and the findings concerning each nominee's eligibility.

Article IV Campaign Support

1. **General Resources.** Candidates shall not accept support of money, facilities, paid labor, or other goods or services for the benefit of their campaign from any profit or non-profit corporation, unit of government, political action committee, or collective bargaining representative or an affiliate thereof.
2. **MAPE Resources.** Except as provided in these rules; the funds, staff, materials, equipment, and facilities of MAPE shall not be used with the purpose or clear effect of benefiting or harming any candidate's campaign. Candidates shall not solicit campaign contributions at MAPE's offices or during the official business portions of MAPE sponsored events.
3. **Campaign Forums.** The Elections Committee or local officers may arrange forums to allow candidates to express their views. Any such forums shall be made available on an equal basis to all candidates.
4. **Distribution List Security.** MAPE shall maintain control of distribution lists and related labels. Lists compiled for MAPE purposes are MAPE property. MAPE shall grant equal access to

discount distribution permits (when applicable) and distribute literature at the candidates' expense. No other access to MAPE distribution lists for campaign purposes shall be permitted.

Article V Campaign Conduct

1. **General Conduct.** All candidates shall conduct their campaigns in a manner that promotes the welfare of MAPE and does not subject MAPE to liability.
2. **False Claims.** Candidates shall not knowingly make false or clearly misleading claims.
3. **Undue Influence.** Candidates shall not use coercion, bribery, or a promise of future consideration in an attempt to influence an election.
4. **E-Mail Use.** State e-mail or equipment (including printers and fax machines) may not be used for MAPE campaign purposes. Campaign e-mail messages shall not be sent or forwarded from state or non-state systems to state systems.
5. **Campaign Literature.** The Elections Committee shall establish the format and filing requirements for all campaign literature. All campaign literature shall bear the name of the author(s), the funding source, and the candidate(s) and/or issue(s) it supports. One copy of all campaign literature shall be filed with the Elections Committee prior to distribution. Candidates are solely responsible for the content of their campaign literature.
6. **Personal Statements.** Candidates may prepare a personal statement to be included with the ballots.
7. **Free Distribution.** Candidates for statewide positions shall be allowed to participate in a single, combined distribution of campaign literature to members. The distribution shall be at no cost to the candidates, except candidates shall supply, at their own expense, sufficient copies of the literature to be distributed.
8. **Additional Distributions.** Candidates may submit campaign literature to MAPE for distribution to members. All costs associated with such distribution shall be borne by the candidates and paid in advance of the distribution.

Article VI Election Procedure

1. **Write In Candidates.** Write-In candidates are prohibited.
2. **Individual Position.** To be elected to an individual position requires a majority vote.
3. **Preferential Balloting.** When a majority vote is required and more than two candidates are seeking one office, preferential balloting will be used. Voters will be instructed to indicate the order in which they prefer all the candidates for that office by placing the numeral 1 beside their first preference, the numeral 2 beside their second preference, and so on for every possible choice. When counting the votes for that office, all ballots will be placed in piles according to the first preference, and then the ballots are counted. If one candidate has a majority (over 50%), that candidate is the winner. If no candidate has a majority, the ballots for the candidate with the fewest first place votes will be redistributed into the other piles according to the names marked as second choice on those ballots, and all ballots are recounted. If no candidate has a majority, the process will be repeated using third and subsequent choices until one candidate

has a majority of the remaining ballots counted. When ballots are being redistributed, a ballot with no remaining choices is set aside as exhausted.

4. **Ties.** In case of a tie, the Elections Committee shall prepare and draw lots immediately after tabulation of the ballots.
5. **Multiple Identical Position** (i.e., Delegate, Trustee). All candidates for multiple identical positions shall be voted on simultaneously. To be elected to a multiple identical position requires a plurality vote. For such positions, a plurality means more votes than other candidates for the position, up to the number of positions open. For example, if there are three positions, the three candidates receiving the most votes are elected.
6. **Seating.** Newly elected persons shall be seated immediately after the Elections Committee announces the results, unless another date is provided in the governing documents, including the Election Timetable (Appendix A).

Article VII Election Mechanics

1. **Eligible Voters.** The Second Vice President shall submit an accurate list of eligible voters to the Elections Committee.
2. **Balloting Method.** Regional elections shall be by mail or electronic methods. Local elections may be by mail, by electronic methods, at a meeting, or by other methods approved by the Board of Directors. Initially, elections will be by mail. Changing the method of balloting requires a membership vote by the method used in the previous election.

The method of balloting to fill vacancies in local offices shall be an election at a meeting.

3. **Secret Ballot.** All voting shall be by secret ballot.
4. **Ballot Format and Security.** The Elections Committee and their designees (which may include a third party vendor) shall adopt, oversee, and maintain reasonable safeguards to protect ballot integrity and confidentiality. Candidates shall appear on the ballot in alphabetical order by last name. Incumbents and agencies shall not be designated on the ballot. When preferential balloting is not used, instructions on the ballot will state that voters will “vote for no more than” the number of positions to be filled.
5. **Tabulation of Ballots.** The Elections Committee and their designees (which may include a third party vendor) shall tabulate or oversee tabulation of ballots. A majority of Elections Committee members shall make decisions concerning ballots, unless handled by a third party vendor. Candidates shall not be present during ballot processing. MAPE staff not integral to the election process shall not be present during ballot processing. Each candidate may have an observer at all stages of ballot processing, except when ballot processing is done by a third party vendor. Observers representing candidates shall not handle or count ballots. Safeguards may include, but are not limited to, securing the assistance of an independent, non-partisan agency to observe election procedures. Ballots are valid if, in the Elections Committee's judgment, the intent of the voter is clear.
6. **Election Results Announcement.** The Elections Committee will have the percentage of final votes for each candidate posted on the members only section of the MAPE Web site.

7. **Other Procedures.** The Elections Committee may adopt other election procedures as described in the parliamentary authority or as are reasonable and necessary.

Article VIII Elections by Mail or Electronic Methods

1. **Reasonable Notice.** Reasonable notice shall be given that an election will be held.
2. **Mail Ballots.** The mailing must include the ballot, a small envelope for enclosing the ballot, a stamped addressed return envelope, voting instructions, and candidates' personal statements.
3. **Electronic Ballots.** The mailing must include a sample ballot, voting instructions, and information necessary to access the secure balloting Web site. The Web site shall include an electronic ballot and candidates' personal statements.
4. **Uncontested Election.** If only one person is nominated for a position, the person is seated in accordance with the MAPE Election Timetable.

Article IX Elections at a Meeting

1. **Reasonable Notice.** Reasonable notice shall be given that an election will be held.
2. **Concurrent Voting.** All positions are voted on at the same time. Nominations must close at least 30 days prior to balloting. The local may make provisions for absentee ballots.
3. **Consecutive Voting.** Offices are to be voted on consecutively in the order listed below:

Local President,
Vice President,
Treasurer,
Secretary,
Delegates and Alternates,
other.

Nominations close at the meeting at which the election is held. An unsuccessful candidate for one office may be nominated for another open office. Multi-site meetings preclude consecutive voting.

4. **Election Committee.** The Election Committee shall consist of at least two members who are not candidates for position.
5. **Uncontested Election.** If only one person is nominated for a position, the person is seated in accordance with the MAPE Election Timetable.
6. **Lack of Quorum.** If there is no quorum at a meeting when an election has been scheduled, the election must be rescheduled to the next meeting.

Article X Special Elections

1. **Purpose.** A special election is held to fill a vacancy, when prescribed by the Bylaws.
2. **Reasonable Notice.** Reasonable notice shall be given that an election will be held.

3. **Uncontested Election.** If only one person is nominated for a position, the person is seated in accordance with the MAPE Election Timetable.

Article XI Violations, Protests, and Appeals

1. **Submitting Protests.** Protests concerning campaign support, campaign conduct, or election conduct may be submitted only by members who are eligible to vote in the race being protested. Protests must be in writing, indicate the nature of the violation, and provide supporting information. Protests shall be submitted to the Elections Committee no later than five days after announcement of the results.
2. **Hearing of Violations and Protests.** Any alleged violation of MAPE Election Rules or other action which may compromise the integrity and validity of an election shall be investigated by the Elections Committee. The committee shall conduct investigations it considers appropriate. The committee shall allow affected parties a reasonable opportunity to be heard. The Elections Committee's findings may be appealed to the Board of Directors.
3. **Penalties and Remedies.** Penalties or remedies for violations of MAPE's Election Rules shall be appropriate and proportional to the nature of the violation and its materiality to the election's outcome. Penalties and remedies include, but are not limited to: retractions of false claims, reimbursement of misused MAPE resources, censure, fines, candidate disqualification, or invalidation of all or part of an election.

Article XII Changes to the Election Rules

1. **Changes.** Changes to the Election Rules shall be approved by the Delegate Assembly by a majority vote.
2. **Prior Notice.** Prior written notice containing copies of all proposed changes to the Election Rules shall be mailed to all delegates, alternates, and members of the Board of Directors. The proposed changes shall be posted on the MAPE Web site at least 30 days prior to the Delegate Assembly.
3. **Amendments.** Proposed Election Rules changes may be amended at the Delegate Assembly at which they are considered. The amendment must be germane to the original change, must be consistent with the intent of the original change, and must not create a greater change in the Election Rules than the original amendment.

MAPE ELECTION TIMETABLE Appendix A		
Last Possible Date	Statewide Officer & Trustee Election Timelines	No Later Than
	Membership deadline to be eligible as candidate	120 days prior to close of nominations
	Announce Opening of Nominations	60 days prior to Delegate Assembly
	Membership deadline to be eligible to vote	2 weeks prior to ballot mailing
	Nominations Close	Delegate Assembly
	Affirm and/or Protest Candidate Eligibility	5 days after Delegate Assembly
	Provide Proof of Bondability (where required)	5 days after Delegate Assembly
	Candidate Eligibility Report	7 days after Delegate Assembly
	Free Mailing Submission Deadline	7 days prior to free mailing
	Free Mailing	7 days prior to ballot mailing
	Ballots Mailed	21 days after Candidate Eligibility Report
	Ballots Returned	21 days after ballot mailing
	Ballots Tabulated	5 days after ballots returned
	Financial Report	10 days after ballots tabulated
	Election Committee Report	5 days after ballots tabulated
	Protests	5 days after the election results are announced
	Seating	Officers: First Board of Directors meeting after January 1 and final tabulation. Trustees: Immediately
Last Possible Date	Regional & Local Election Timelines	No Later Than
	Membership deadline to be eligible as candidate	120 days prior to close of nominations
	Choose mail or meeting election	60 days prior to close of nominations
	Announce Opening of Nominations	30 days prior to close of nominations

Last Possible Date	Regional & Local Mail Election Timelines	No Later Than
	Membership deadline to be eligible to vote	2 weeks prior to ballot mailing
	Nominations Close, Personal Statement Due	
	Affirm and/or Protest Candidate Eligibility	7 days after nominations close
	Provide Proof of Bondability (where required)	12 days after nominations close
	Candidate Eligibility Report	14 days after nominations close
	Ballots Mailed	21 days after Candidate Eligibility Report
	Ballots Returned	21 days after ballot mailing
	Ballots Tabulated	5 days after ballots returned
	Election Committee Report	5 days after ballots tabulated
	Seating of Officers	Immediately following Election Committee Report
	Protests	5 days after the election results are announced
Last Possible Date	Local Meeting Election Timelines	No Later Than
	Membership deadline to be eligible to vote	Meeting at which election is held
	Nominations Close	30 days prior to meeting at which election is held
	Affirm and/or Protest Candidate Eligibility	Meeting at which election is held
	Election Committee Report	Meeting at which election is held
	Seating of Officers	Meeting at which election is held
	Protests	5 days after the election results are announced