

**MAPE July 9, 2010 Election Q & A
Regarding Region 2 Director Position**

**Prepared by
MAPE Elections Committee**

Q1: Were the candidates on the ballot eligible to be on the ballot?

A: Yes, under Election Rules, Article III.8 the Elections Committee determined the eligibility of candidates to be placed on the ballot. Bylaws Article VIII, Section 1, Part A, Subpart 3 states that one of two conditions must be met. The first is "... be working in a classification covered by a MAPE agreement at the closing of nominations ...". All candidates met this condition and cannot be disqualified for not having met alternative conditions. There was a contested race for Region 2 Director.

Q2: What is the last day the candidate needed to be eligible in order to be elected?

A: July 9, 2010. Unless specified otherwise, mail elections close on the last day to receive a ballot that will be counted. Ballots were required to be mailed and picked up from the post office on July 9th and counted and reported on that day.

Q3: Were all Region 2 Director candidates eligible on July 9, 2010?

A: Yes. All candidates were current MAPE members eligible to run for office that day. All candidates remained employed by the State of Minnesota on July 9th. Membership status is defined in Bylaws Article III, Section 1 which does not include a pending departure in the list of items making a member ineligible to hold office.

Q4: "Was a Region 2 Director elected on July 9th?"

A: Yes. The candidate was eligible on the day of the election, and got the highest and sufficient, number of votes, hence, was "elected".

Q5: "Were the results announced on July 9th?"

A: Yes. Election Rules Article VII, section 6 "Election Results Announcement" provides in its entirety, "The Elections Committee will have the percentage of final votes for each candidate posted on the members only section of the MAPE Web site." No provisions are made for alternative means or timing of "announcing results." Starting the protest period recognizes the announcement took place on July 9th since that is the day from which the protest period is counted from (i.e., within "5 days after election results are announced." Emphasis added).

Q6: Was the protest filed on July 14th within 5 days after election results were announced on July 9th?

A: Yes. Charles Hawkins, Region 2 Steward, filed a protest and inquiry on July 14, 2010. This is the 5th day following the announcement of results. He protested the counting of votes cast for Cheryl Dawley and asked for a review of this election process.

Q7: "Was the newly elected candidate seated in the office?"

A: No, the newly elected candidate became ineligible to hold office on July 13th once she was no longer an employee of the State of Minnesota. Election Rules Article VI Election Procedure, Section 6 directs that “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).” The Election Timetable for regional offices states that seating occurs “Immediately following the Election Committee Report”.

Q8: “Is there a vacancy for the new term of office and when did it occur?”

A: Yes, on July 13 a vacancy for the new term of office occurred upon the newly elected Region 2 Director’s termination of employment from the State of Minnesota on that day. See Bylaws Article VIII, Section 1, A.1) and Article III, Section 1.

Q9: “How is a vacancy for the office of Region Director filled?”

A: Filling of regional office vacancies is addressed in the By-Laws, Article VIII, Section 3.C which states “**When the office of Regional Director become vacant: If only one local president is interested in becoming Regional Director, they shall become the Regional Director.** If more than one local president is interested in becoming Regional Director, the region’s members will elect one by secret ballot. If no local president accepts the office, a special election shall be held.”