

Regional/Local Elections 2010 - Elections Committee Report

On Friday, July 9, 2010 the Elections Committee met to open and count ballots at MAPE. That evening materials were secured by the Committee and results of the count announced by posting on the MAPE website.

The Elections Committee received a protest from Charles Hawkins dated July 14th, 2010; within the five-day period allowed for protests. The protest questioned the eligibility of Cheryl Dawley who was the incumbent and candidate for Director of Region 02.

The following timeline was the topic of endless debate within the committee:

- After being offered a position with Deloitte in PA on June 28, 2010; Ms. Dawley did not appoint someone to fill the remainder of her term nor did she remove herself from the ballot.
- In an email dated July 6, 2010; her department announced Ms. Dawley's last day in the office and going away lunch was July 7, 2010; two days before Election Day.
- Ms. Dawley's first day at her new job with Deloitte in PA was Monday, July 12, 2010; just one business day after the election and two days before being officially separated from state employment.
- An email from Joan Blumstein HR Consultant states Ms. Dawley was separated as of July 14, 2010.
- Julie Sullivan stepped down from her position as President of Local 0202 in an email dated July 14, 2010; and announced she would fill the vacancy created when Ms. Dawley left. This was one day before Ms. Dawley's resignation email to the BOD.
- In Ms. Dawley's resignation email to the BOD dated July 15, 2010, she states she could not finalize her resignation until July 9th which was Election Day.
- The BOD seated newly elected officers July 16, 2010.

The perception was MAPE's governing documents were "played" in order to create a vacancy that would then be filled according to these same governing documents.

Since the Election Committee cannot rule on intent or perception, we must rule according to MAPE's governing documents. The debate was long and arduous ending at a meeting including MAPE's attorney. By a majority vote, it was decided there was a vacancy and MAPE's Bylaws provide the means of determining how a vacancy is filled.

ARTICLE VIII

Section 3.C Vacancies in Regional Offices

When the office of Regional Director becomes 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.

The Elections Committee wrote a resolution to strengthen the Bylaws. This resolution is attached.

Also attached is a copy of the protest email from Charles Hawkins and the Q&A document upon which we based our decision.