

# Elections and By-Elections Policy

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Approval Date: April 13, 2023

The purpose of this policy is to:

- ensure all scheduling, including the dates for balloting in the election and by-elections of the Association's Officer, Councillors, Alternates and Directors shall normally occur in a two-week period and shall be selected so that the greatest number of members shall be eligible to vote;
- establish the method of voting and the voting period;
- establish communications regarding the elections, including call outs for nominations and results of elections;
- set campaign rules, the process of nomination, and spending limits;
- notify members that alleged breach of election rules by a candidate or others shall be dealt with under Bylaw 26.1.4 and 26.7.

## Guiding Principles

The Electoral Officer (EO) and Deputy Electoral Officer (DEO) shall hold themselves to the following principle: every effort shall be made to ensure that no candidate for any representative role in the Association shall receive any advantage or disadvantage in regard to any aspect of the elections process or any decision taken by them.

## Scheduling of Elections and By-Elections

Scheduling for each respective elections for Officer positions (two-year terms), Directors positions (one-year terms), and Councillor seats (three-year terms) and Alternates (one-year terms) shall normally be completed by April 30 in any given year. Scheduling of by-elections shall normally follow the schedule set out in the Bylaws.

## Method of Voting

Members shall vote in a confidential and secure electronic ballot and the voting platform shall be decided by the Electoral Officer (EO) in consultation with the Executive Director for operational purposes and in consideration of the approved budget for this expenditure.

## Voting Period

All scheduling, including the dates for balloting in the election of the Association's Officers, Directors, Councillors, and Alternates shall normally occur in a two-week period and shall be selected to ensure the greatest number of members shall be eligible to vote. Members shall have no fewer than 24 hours to vote for the four Officer positions and for Councillors. Balloting periods shall not include weekends and statutory holidays.

## Communications

The members shall receive all communications and details regarding the elections process from the EO by email which shall also be posted on the Association's Elections website. The EO shall decide any format for members to contact them.

### Communications during the Balloting Period

To minimize the appearance of conflict of interest during elections, and to prevent the advantaging or disadvantaging of any candidate, there will be a moratorium on the use of AASUA communication mechanisms, including University of Alberta listservs, from the opening of nominations to the close of balloting for each stage in the elections and by-elections of Officers, Councillors and Directors and for each stage in the election of Alternates. AASUA Communications Policy applies during elections. Communications by the Executive or by an Executive member in their capacity as an Officer or Director must first be approved by the EO. The moratorium shall not be in effect for communications regarding the ratification of a collective agreement. The Members' Forum is exempt from the moratorium and remains open for any and all discussions about any and all matters including election issues. The EO has the authority to modify election rules and issues directives to mitigate potential or actual prejudice suffered by any person as a result of communications on the Members' Forum or any communication vehicles.

### Campaign Expenditures

No expenditures for campaigning by a candidate shall be reimbursed by the Association.

### Alleged Breaches of the Election Rules

The EO has the authority to interpret and apply all rules related to Association elections and has the authority to hear any complaints about breach of those rules, and to modify election rules and issue directives to mitigate potential or actual prejudice suffered by any person resulting from a breach of election rules. This authority shall include but is not limited to the authority set out under Bylaw 26.1.4. In accordance with Bylaw 26.1.4.3, the EO has the authority to interpret and apply the campaign rules set out in these bylaws or established in policy set by Council without taking disciplinary action against, or imposing any form of penalty on, any person.

Allegations of electoral impropriety against any Members shall be dealt with under Article 28 after the election has concluded.

### Rules for the Elections:

#### Voters' List

Subject to penalties affecting participatory rights arising under Bylaw 28 Trials and Charges Process, the most recent list of academic staff employees provided by the University of Alberta to the Association, shall constitute the voters' list. Members missing from the list but who verify their employment by noon on the Friday before the voting period opens in the format required by the EO shall be placed on the voters' list, if reasonably

possible to do so.

### Calls for Nominations

For each of the election of Officers and Councillors respectively, the EO shall issue at least one call to all members inviting nominees to come forward to stand for these seats. There may be only one call out for Directors. The call outs for Alternates shall be issued the same time as for Directors. Calls for each respective election may overlap.

The notice of all calls and dates for balloting in the election of the Association's Officers, Directors, Councillors, and Alternates shall normally occur in a two-week period, and normally be completed by April 30.

'Bio'/vision statements will be posted on the Association's Elections webpage.

The scheduling of the elections for the Officers shall be completed and the results announced to the membership at least 24 hours before the close of nominations for Councillors, in compliance with Bylaw 26.2.2. The election for Councillors shall be completed and the results announced to the membership before the close of nominations for Directors, in compliance with Bylaw 26.2.3. The election for Alternates shall be at the same time as the election for Directors, in compliance with Bylaw 6.7.

Each call will note the times when Council typically meets throughout the academic year. Each call respecting the election of Councillors will:

- also note that Councillors are also encouraged to attend their constituency assembly as called by the elected Director of the constituency group;
- also note the importance of each constituency group standing at least enough candidates to fill the constituency group's seats on Councils
- state the number of seats allocated to each constituency group, or constituency subdivision, and how representatives to Council are to be elected by the constituency as a whole (except for faculty), or according to subdivisions of the constituency; and that faculty members only vote for their representatives in their own Faculty
- declare that while representatives are elected from the Association's seven constituency groups and while Council's constituency committees work to bring forward to Council constituency group issues and proposals for action on the part of the Association, Councillors are expected to work for the best interests of the Association as a whole.

The call will also provide an explanation as to the role of the Alternate under Bylaw 6.7.

The call respecting the election of Councillors, Alternates and Directors will declare that only members of a given constituency vote for the Councillors, Alternates and Directors to be elected from their constituency.

The call respecting Officers and Directors will note AASUA's policy on the entitlement to time-release from employment responsibilities if elected.

## Candidates' Biography & Vision Statement

All Candidates must submit to the EO their name, position or seat sought and their constituency group.

All Candidates must also submit a document that includes a brief biography and a statement of vision (recommended length no longer than 500 words).

Candidates for Director positions may submit another version of their statement of vision for this position.

All required documents will be submitted in a format specified by the EO.

Bio' / vision statements will be posted on the Association's Elections webpage.

## Video Speeches of Officer Candidates

All candidates for the Officer positions will have the opportunity to record a speech to be posted on the Association's Elections webpage (recommended length of the recorded speech is no more than 10 minutes).

Before a candidate has submitted their nomination, they may arrange for recording of their speech through the EO. The candidate must submit their video recording before the close of nominations. The videos will be posted and go "live" at the same time on the elections webpage and the EO will send a notice to members to this effect at least 1 day prior to the start of voting.

There will be a link to all recorded speeches on the electronic voting platform.

Only one recording submission will be accepted and posted from any candidate.

Any candidate may supply their own recording of their candidacy speech for the purposes specified above.

## Elections Forum for Officers

If more than one candidate stands for any one of the Officer positions then an elections forum shall be scheduled by the Electoral Officer after the close of nominations and before the opening of the voting period for the elections. The EO shall choose the date and time for the forum, and the EO shall choose the place of the forum, either to be held in person or virtually.

Members will receive at least 14 days' notice of the time and place of the elections forum. A shorter notice may be given for an Officer forum in a by-election.

The elections forum which is held in person may be livestreamed and recorded, and a virtually held forum may be recorded, at the discretion of the EO. A link to the virtual forum will be sent to members on or before the morning of the forum. The recording of the forum will be posted on the elections website. Live-streaming or recording for an Officer By-Election forum may not be available.

The speaker or parliamentarian shall run and moderate the elections forum. Forum

procedures will be as follows:

- The forum will run for up to 3 hours in total.

#### Period for Speeches:

- The maximum time for speeches from each candidate is 7 minutes. Each candidate shall be given the opportunity to reply or rebut the speeches of any other candidate.

#### Period for Questions and Answer:

- The allotted time for the Q&A for any one Officer position will be based on the number of candidates for each position. This shall be determined by the speaker.
- Questions will be accepted from those members present, or virtually present, and the speaker will enforce a one-minute time limit for the asking of the question. All candidates for a specific Officer position shall have an opportunity to answer all questions posed to other candidates for that position.
- There will be a single microphone with a single line-up for questions during an in-person forum; should the forum be held virtually, or held as a hybrid forum (both in-person and virtually), then questions may be asked in a process determined by the EO in consultation with the Speaker.
- Each candidate has two minutes to respond to a question.
- There will be one question per member.
- Should there be any time left over after accommodation of a 'forum' for each of the Officer positions for which there is more than one candidate there will be a final open question period in which members may pose questions for any candidate. The same rules for questions as set out above will apply to this final question period.

#### Period for the Last Word:

- Each candidate shall be given the opportunity to give a last word and the maximum time for this speech shall be 2 minutes.

### Balloting Period

Where there are more candidates than seats for any position, members shall typically have at least 24 hours to vote in an electronic ballot that will be open at approximately 9:00 am on the first weekday following the close of nominations.

In the case where there are three or more candidates for any of the Officer positions, and no candidate receives more than fifty percent plus one of the ballots cast, then a run-off election shall be held pursuant to Bylaw 26.6.3. and the balloting shall begin no later than seven days after the results of the first ballot are announced.

### Ballots

Instructions for the ballot will provide the following information:

- The opening and closing dates of the voting period when ballots may be submitted
- Which position is being elected and the length of term for that position
- The number of seats allocated for each constituency group or Faculty that may be voted upon up to that number for Councillor seats
- The number of Alternate Councillors for each constituency group that may be voted upon
- Whether this is a by-election
- Provide a link to the Association's Elections webpage to read the 'bio'/vision statements of all candidates, or in the alternative, provide this information on the ballot itself
- Candidates' names will be presented in alphabetical order by surname
- Voters will also receive confirmation of the successful submission of their ballot.

### Results of Elections:

#### Acclamation of Candidates for Councillor and Director Seats

Where the number of candidates from a constituency group is less than or equal to the number of seats allotted to the constituency group, or where there is a single candidate for a Director seat, the candidates will be declared acclaimed to the position on the Association's Elections webpage.

#### Number of Seats and Acclamation of Candidates for Alternate

The maximum number of Alternates allotted to each constituency group shall be six. Where the number of candidates from a constituency group is less than or equal to the number of Alternates allotted to the constituency group, or where there is a single candidate for an Alternate position, the candidates will be declared acclaimed as an Alternate on the Association's Elections webpage.

#### Tallying of Votes

##### Acclamations

Where there is only one candidate for any of the Officer and Director positions, these candidates shall be elected by acclamation.

Where a constituency group has less candidates for Councillor seats and Alternate positions than the number of seats or positions allotted to it, these candidates shall be elected by acclamation.

##### Officers

Where there are two candidates for any of the Officer positions of President, Vice-President, Treasurer, or Equity Officer, the candidate who receives the greater number of votes shall be

elected to the office.

In the event of a run-off election under Bylaw 26.4.3, the candidate that receives the greatest number of votes in the run-off election ballot is elected to the office.

### Directors

Where there are two or more candidates for a Director position for a constituency, the candidate who receives the greater number of votes shall be elected to the position.

### Councillors and Alternate Councillors

Where a constituency group has more candidates for Councillor seats than the number of seats allotted to it, candidates will secure seats according to the number of votes cast for each candidate, with the candidates receiving the highest number of votes receiving seats until the seats for the group are filled. The same rule applies to Alternate candidates in that candidates will secure the Alternate position who receive the highest number of votes until the allotment for the constituency group is filled.

### Validation & Communication of Election Results

The EO shall validate the election results for all positions. The results of the candidates elected shall be posted on the Association's Elections webpage and communicated to the membership as soon as possible. The notice will specify the total number of eligible members during the balloting period, the total number of votes cast for the ballot, and then the number of votes cast for each candidate, with the candidates' names supplied in the order that they appear on the ballot.

### By-Elections

By-Elections follow the rules for regular elections in this policy, and in accordance with the Bylaws.

Pursuant to Bylaw 27.2.2 and 27.5, the Association will hold one by-election under these rules for Officer or Director positions when, after the regular election in April, one or more Officer or Director positions remains unfilled. The scheduling of all stages of this by-elections process shall be held by November 30<sup>th</sup>.

Should one or more Councillor seats remain unfilled following the regular election in April, then a by-election in accordance with Bylaw 27.6 shall be held at the next regularly scheduled election in Bylaw 26.2 (normally in April), and for each subsequent year of the term, until the Councillor seats are filled.

Despite 27.6, the timing of the by-election shall be held before the by-election for Directors in 27.5 for those constituency groups that have not elected any Councillors following an election referenced in 27.2.

Subject to Bylaw 7.5.1.1, a by-election is triggered when an Officer, Director, or Councillor ceases to be a member of the Association, resigns from their office, or is removed from their office by provisions stipulated in the bylaws. These by-elections shall be held as soon as possible. No by-

elections shall be held where a vacancy occurs less than three months before the next regularly scheduled election in Bylaw 26.2.