

Elections and By-Elections Policy

Approval Date: February 11, 2021

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 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;
- set campaign rules, spending limits, and penalties for breach of campaign rules;
- set the process for the investigation and adjudication of an alleged breach of election policies and election rules by any candidate or persons.

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 (two-year terms) positions, Directors (one-year terms) positions, and Councillor (three-year terms) seats and Alternates (one-year terms) shall normally be commenced no earlier than the second last Monday of March and shall normally be completed by April 30 in any given year. Scheduling of by-elections shall normally follow this schedule.

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

The voting period shall be a minimum of 3 days and not more than 7 days for Officers and Councillors. For Directors and Alternates, the voting period shall normally be the same but may be less than 3 days so that the greatest number of members shall be eligible to vote. Balloting periods may 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 him or her.

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 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. 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.

Alleged Breaches of the Election Rules

The EO has the sole authority under the bylaws to enforce the election rules, to hear any complaints regarding an alleged breach, to investigate the complaint, and to determine whether or not to apply a penalty. All hearings and decisions of the EO are guided by and in accordance with principles of natural justice and procedural fairness. The EO shall make procedural rulings and is not bound by rules of evidence or procedures applicable to courts of law. All decisions of the EO are final and binding.

Rules for the Elections:

Voters' List

The most recent list of employees provided by the University of Alberta to the Association, plus those members under Bylaw 4.3, 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 two calls to all members inviting nominees to come forward to stand for these seats. The period from the start of the first call to the closing of the second call shall be at least 5 days. There shall be only one call out for Directors and the nomination period may be for a shorter period than 5 days. The call outs for Alternates shall be issued the same time as for Directors. Calls for each respective election may overlap.

The notice of the first call for Officers shall normally be issued on the second last or the

last Monday in March. The notice of the second call for nominations shall normally be issued on the third day thereafter. Nominations will normally close at 4 pm on the fifth day thereafter.

'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 seven days 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.

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 of no more than 10 minutes in length to be posted on the Association's Elections webpage.

As soon as 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 who is not in the Edmonton vicinity for the recording of a speech from them by the Association's videographer may supply their own recording of their candidacy speech for the purposes specified above.

Elections Forum for Officers

An elections forum for candidates for Officer positions for which there are two or more candidates shall be scheduled on the Monday after close of nominations and before the opening of the voting period for the elections. The Executive Director shall choose a suitable location on campus for the forum.

Members will receive at least 30 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 may be livestreamed and recorded. A link to the livestream will be sent to members on or before the morning of the forum and the recording will be posted on the elections website. Live-streaming 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 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.
- 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.

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 sole authority to determine procedures governing the hearing and investigations of any complaints regarding an alleged breach of the election rules and has the sole authority to determine whether or not to apply a penalty.

A complaint by any person must be lodged with the EO in the format determined by the EO within 60 days of the election results.

Where the EO determines there has been a breach of the Election Rules, the EO shall have the discretion to apply any of the following penalties:

- To annul the election results;
- To ban specific members from running for any officer position in the Association for a limited period of time;
- To remove a member's name from the ballot in the election in progress;
- To sanction any other lesser penalty justifiable in the circumstances.

Balloting Period

Where there are more candidates than seats for any position, members shall typically have 72 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. Should the third day fall on either a Saturday or a Sunday, then the balloting period will be open until 12:00 noon on that weekend day.

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.

Message at Top of the Ballots

The 'Instructions' for the ballot will state:

“This is the ballot for the election [by-election] of [Officers], or [Directors], [Councillors] or [Alternates] from [name of constituency group] for a [one, two or three-year term, as applicable] ending [date].

You have until [time] (Mountain time) on [date] to submit your ballot.”

A message at the top of each of the Councillor ballots for each constituency group or subdivisions of the constituency, will state:

“You may vote for up to [number of seats allocated] number of Councillors from the [name of constituency group or subdivision of the constituency or Faculty, as applicable].”

A message at the top of each of the Alternates ballots for each constituency group will state:

“You may vote for up to six Alternates from the [name of constituency group or subdivision of the constituency, as applicable].”

Note on the Ballot

A note in the ballot will state that voters may also click on the link provided to the Association's Elections webpage to read the 'bio'/vision statements of all candidates posted there.

Alphabetical Order for Candidates' Names on the Ballot

Candidates' names will be presented in alphabetical order by surname.

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 Alternates

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

Where a constituency group has more candidates for 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.

Tallying a 'Yes/No' Vote for Officers

Where there is only one candidate for any of the Officer positions, members shall vote to ratify their appointment in a 'yes/no' ballot requiring the candidate to receive a simple majority of 'yes' votes cast.

Ballot Confirmation

Voters will also receive confirmation of the successful submission of their ballot.

Validation & Communication of Election Results

The EO shall validate the election results for all positions and communicate the results to the membership as soon as possible after the 24 hour time period for recounts requested by a candidate has expired. The notice will specify the total number of members during the balloting period, the total number of vote casts for the ballot, and then the number cast for each candidate, with the candidates' names supplied in the order that they appear on the ballot. "ELECTED" will appear in bold after the name of the candidates that have been elected according to this policy.

By-Elections

By-elections follow the rules for regular elections in this policy.

Pursuant to Bylaw 27.4, the Association will hold one by-election in the Fall term under these rules for Officer or Director positions and Councillor seats when, after the regular election in April, the number of candidates for any constituency group or constituency subdivision is less than the available number of seats. The scheduling of all stages of the

by-elections process shall take into consideration that a by-election triggered by Bylaw 27.2 shall be held by November 30th.

Should one or more Officer or Director positions or Councillor seats remain unfilled following the by-election held by November 30th, then an additional by-election in accordance with Bylaw 27.5 shall be held, normally by April 30.

Where a by-election is triggered by Bylaw 27.1, it 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.

Message at Top of the Ballot

“This is the ballot for the by-election of [Officer], or [Director or Councillor] from [name of constituency group] for the remainder of the [one, two or three-year term] ending [date].

You have until [time] (Mountain time) on [date] to submit your ballot.”