

REGULATIONS CONCERNING ELECTIONS FOR NATIONAL OFFICE

Chief Electoral Officer

1. A Chief Electoral Officer shall be appointed by the National Executive Board, by a 2/3 majority, prior to January 1st of the year in which the national convention is held. The Chief Electoral Officer shall serve from January 1st to March 31st of the following year to allow sufficient time for reporting.
2. The Chief Electoral Officer is responsible for overseeing the elections, including the balloting and disclosure of campaign expenses and shall enforce these regulations.
3. The Chief Electoral Officer shall not be an active member, or retired member or an active or retired employee of the Canadian Union of Public Employees and they shall be or have been a person involved in a union affiliated to the CLC other than CUPE, whose experience in the Canadian labour movement covers at least ten (10) years and who is not in any conflict of interest situation.
4. Remuneration for the Chief Electoral Officer shall be set by the National Executive Board.
5. Such administrative staff as necessary will be assigned to the Chief Electoral Officer to assist her/him to carry out her/his duties.
6. The policies and procedures related to CUPE's elections and balloting will be provided to the Chief Electoral Officer.
7. The Chief Electoral Officer shall report to convention. The Chief Electoral Officer also shall provide a complete report on all candidate election expenditures and on any complaints of campaign irregularities to the NEB and all CUPE chartered organizations by February 28th of the year following convention.

National President and National Secretary-Treasurer

1. The national union will mail one brochure to all chartered organizations for candidates for National President and National Secretary-Treasurer in the year in which the national convention is held at the expense of the candidate. Candidate spending is restricted to the production of one brochure in sufficient quantity for the national mailing and distribution at convention, the cost of the national mailing, one button in sufficient quantity for distribution at convention, one poster in sufficient quantity for display at national convention, a website, translation services, long distance telephone communications and the costs associated with attendance (candidate's meals, air and ground transportation, accommodations and lost wages) at events where all declared candidates for the position are invited.
2. Non-incumbent candidates may spend an additional sum for attendance at the ten division conventions. This sum is restricted to the candidate's meals, air and ground transportation, accommodations and lost wages.

General Vice-Presidents, Diversity Vice-Presidents and National Trustees Elections

1. The national union will mail one brochure to all chartered organizations for candidates for General Vice-President, Diversity Vice-President and National Trustee in the year in which the national convention is held at the expense of the candidate. Candidate spending is restricted to the production of one brochure in sufficient quantity for the national mailing and distribution at convention, the cost of the national mailing, one button in sufficient quantity for distribution at convention, one poster in sufficient quantity for display at national convention, a website, translation services, long distance telephone communications and the costs associated with attendance (candidate's meals, air and ground transportation, accommodations and lost wages) at events where all declared candidates for the position are invited.

Regional Vice-President Elections

1. The national union will mail one brochure to all chartered organizations within the region for candidates for Regional Vice-President to their regional constituencies in the year in which the national convention is held at the expense of the candidate. Candidate spending is restricted to the production of one brochure in sufficient quantity for the regional mailing and distribution at convention, the cost of the regional mailing, one button in sufficient quantity for distribution at convention, one poster in sufficient quantity for display at national convention, a website, translation services, long distance telephone communications and the costs associated with attendance (candidate's meals, air and ground transportation, accommodations and lost wages) at events where all declared candidates for the position are invited.

Addressing the Convention

1. Each candidate for National President or National Secretary-Treasurer may address the national convention for 10 minutes at 4:00 p.m. on the Monday of the convention.
2. Questions and answers for all candidates at the national convention will be held at the all-candidates forum to be held at 5:00 p.m on the Monday of the convention.

Campaign Restrictions

1. Candidates may only accept donations (monetary and in-kind) from chartered organizations and individual CUPE members.
2. No campaign expenses beyond those listed by the national union will be permitted.
3. All campaign donations, including in-kind services such as but not limited to use of provincial and/or local staff for clerical or design work etc., must be accounted for by each candidate.
4. Divisions and locals should exclude their staff (other than dues paying CUPE members) from involvement in campaigns other than to provide support as suggested in point (3.).
5. No hospitality suites are permitted for the purpose of campaigning on behalf of any candidate.
6. Campaigning may only take place during the calendar year of the national convention.

Disclosure

1. Each candidate for national elected office will provide a statement of expenses to the Chief Electoral Officer no later than December 31st of the year in which the national convention is held.

Enforcement

1. Failure to adhere to these regulations will result in a penalty up to disqualification from eligibility for office or removal from office.

2. All complaints will go to the Chief Electoral Officer, who may take it to the National Executive Board.
3. The National Executive Board will, by two thirds majority and subject to the Chief Electoral Officer's recommendation, determine what if any action is to be taken.
4. Any penalty imposed by the National Executive Board will be subject to appeal to the national convention, or if a penalty is imposed following convention a third party arbitrator may be chosen by the parties. The decisions of the chosen arbitrator will be final and binding.
5. In the event an arbitrator cannot be agreed upon by the parties, the President of the Canadian Labour Congress will be asked to appoint one.
6. If the penalty is disqualification, the individual will be removed from office until an appeal is heard and a decision made by the arbitrator.
7. If an appeal is upheld, the individual will be reinstated and in the case of a paid position, with no loss of pay.
8. In the event a vacancy is created, that vacancy will be filled as per the National Constitution.
9. Decisions and penalties imposed by the National Executive Board and any subsequent appeals will be circulated, along with all rationalization, to the chartered organizations of this union.

Staff Involvement in Elections

Amend Article 16.5 of the National Constitution as follows:

No employee shall be eligible to hold elected office in any directly chartered body of the Canadian Union of Public employees or on its National Executive Board; or, contribute cash, make in-kind donations, or otherwise participate in campaigns for local, provincial or National Office of the Union except to supervise the conduct of nomination and balloting procedures as part of their employment duties.

A sub committee of the NEB should be struck to look into issues of voting procedures such as electronic balloting, voting booths and restricting convention floor to voting delegates only during voting.

All of which is respectfully submitted,

The Election Spending Task Force

Faith Matchette, Chair

Barb Moore

Tom Graham

Michael Hurley

ADDENDUM

The report of the Election Spending Task Force was received by the delegates of the 2003 National Convention.

The recommendation that Article 16.5 of the National Constitution be amended was brought to the floor by the National Convention Constitution Committee. Resolution No. C12 dealt with this matter. The resolution was debated and referred back to the Constitution Committee. It was returned to the floor of convention on the morning of Thursday, October 30, 2003. Delegates adopted the amended resolution which reads as follows:

BE IT RESOLVED that a new provision be added as Article 16.6 of the Constitution to read as follows:

No candidate for elected office in any chartered body of the Canadian Union of Public Employees or for its National Executive Board shall solicit or accept money or in-kind donations or other participation from an employee of the Canadian Union of Public Employees; and