

NYSNA CONVENTION DELEGATE ELECTION POLICY

August 14, 2019

The nomination and election of Delegates to the NYSNA Convention shall be governed by this Election Policy, as it may be modified from time to time by the Board of Directors, and the NYSNA Bylaws.

ARTICLE I: NOMINATIONS PROCEDURES

A. Determining the Number of Convention Delegates

By no later than April 20th of the year in which an election is being held, NYSNA will determine the number of Convention delegates each Local Bargaining Unit may elect, as well as the number of non-LBU and retired delegates to be elected. Delegate allocation will be based on the number of members in good standing in each member's primary facility for dues collection on or about April 15th, the number of retired members in good standing, and the number of non-bargaining unit members in good standing as of April 15th of each year in which an election is being held, in accordance with Article XI of the NYSNA bylaws. In addition, the LBU president or chair, or his or her designee, is automatically a delegate. Members of the statewide Board of Directors are also automatically delegates. Neither of these will count against the LBU delegate allotment.

B. Notice of Nominations in Local Bargaining Units

By no later than May 1st of the year in which an election is being held, the Local Bargaining Unit Executive Committee shall notify members of the number of delegate positions open for election and the duties of elected delegates. The LBU Executive Committee will also make all the necessary forms available to members upon request.

C. Notice of Nominations for Retired and Non-Bargaining Unit Members

By May 1st of the year in which an election is being held, NYSNA will send retired and non-bargaining unit members in good standing a Nominations Notice. All necessary forms will also be posted on the NYSNA website and can be requested in writing at the following address:

Nominating Committee
New York State Nurses Association
131 W 33rd St., Fourth Floor
New York, NY 10001
nominations@nysna.org

(Revised August 14, 2019)

D. Rules Governing Nominations

1. **Nominations.** Members who are eligible to run for a Convention Delegate position as set forth in Articles X and XI of the NYSNA Bylaws may either self-nominate or be nominated by an eligible member in good standing no later than the deadline contained in the applicable Nomination Form.

2. **Consent to Serve.** All nominated candidates must complete a written Consent to Serve Form, which shall be included in the applicable Nomination Form. Once the ballots have been printed, a candidate may not revoke their consent to serve.

ARTICLE II: ELIGIBILITY RULES

A. Eligibility to Run and Serve

1. A member is eligible to run for and serve as a Convention Delegate only if he or she is not (1) in arrears in the payment of dues, fees and financial obligations to NYSNA; (2) a supervisor or manager within the meaning of the National Labor Relations Act at any place of employment; (3) a member of the NYSNA staff.

2. A member is eligible to run for and serve as a Convention Delegate in a 2019 Delegate election to fill a vacancy or serve as an alternate delegate only if he or she has not been a supervisor or manager within the meaning of the National Labor Relations Act within the 12-months prior to the 2019 election. This will also apply to all future Delegate elections.

B. Eligibility to Vote

To be eligible to vote in the election, a member may not be in arrears in the payment of dues, fees and financial obligations to NYSNA.

ARTICLE III: THE ELECTION

A. Conduct of the Election in LBUs

The election of Convention delegates and alternates shall be conducted by the LBU Executive Committee and held in the month of June during an election year.

1. **Eligibility.** The LBU Executive Committee will verify the eligibility of all candidates with the NYSNA Membership Department.

2. **Voting.** The LBU Executive Committee will organize voting in accordance with current LBU rules and/or procedures, except where otherwise specified in these Rules.

B. Conduct of the Election for Retired and Non-LBU Delegates

The election of Convention delegates for retired and non-LBU members shall be overseen by NYSNA.

1. **Eligibility.** The NYSNA Nominating Committee will verify eligibility of all candidates with the NYSNA Membership department.

2. **Alternates.** The top two unsuccessful candidates in each election will be considered alternate delegates, and seated as full delegates, ranked in the order of votes received, should the duly elected delegates be unable to attend the Convention.

3. **Notice of Nominations.** NYSNA will send a Notice of Nominations to members eligible to run for Convention delegate, and it will be posted on the NYSNA website.

4. **The Ballot.** NYSNA will distribute a ballot to eligible members containing the names of all eligible candidates who have been nominated and consented in writing to serve. The order of candidates on the ballot shall be determined by lot after nominations have been closed.

5. **Write-Ins.** Write-in votes are permitted.

6. **Voting.** Voting will take place during the month of June in an election year. NYSNA will send out electronic ballots by the 7th of June, and members will have at least three weeks to return a ballot.

7. **Ballot Count.** The ballot count process shall begin immediately after voting is closed. Candidates, or their designated observers, shall have the right to be present during the ballot count.

8. **Tie vote.** In the event of a tie, which will be verified by a re-count, the election will be determined by lot. The Election Committee will oversee this process

9. A plurality vote will constitute election to office.

ARTICLE IV: ANNOUNCEMENT AND CERTIFICATION OF ELECTION RESULTS

Upon completion of the vote count, the LBU Executive Committee shall certify the count in writing to NYSNA. The NYSNA Election Committee shall certify the count for retired and non-LBU members to NYSNA. NYSNA shall promptly post the results of the election on its website.

ARTICLE V: VACANCIES

A. Alternates in LBUs. LBUs may require alternates to serve at convention in place of the regularly elected delegates for a number of reasons. During the course of the three years between elections delegates may leave their positions with their employers (temporary Leave of Absence or Permanent), step down from their role as delegate with the union, become ineligible or unable to serve, or simply be unable to attend convention. Alternates must meet all of the eligibility requirements described in these rules, and may be chosen by any of the following procedures:

1. Expressly elected at the time of the election – Candidates run for the position of “alternate” on the ballot during the regularly scheduled election;
2. Highest unsuccessful votes – Candidates who run for the position of delegate, but are unsuccessful, may be considered as alternates. Should this method be utilized, the LBU must make this clear on the ballot at the time of the election. Alternate candidates should be ranked according to the total votes they received (and called to serve accordingly), and a minimum threshold of votes to qualify should be established by the LBU prior to the election.
3. Special Election – A special election may be called by the LBU executive committee to fill any vacancies that arise during a three-year term, provided that such election shall take place no later than 30 days prior to any convention
 - i. The executive committees of each LBU shall be responsible for identifying and determining when there is a need to fill vacancies with alternates between election cycles.
 - ii. Alternate delegates who are called upon to attend convention in place of the duly elected delegates will be seated and serve as full delegates with all of the rights and privileges of a regularly elected delegate.
 - iii. If the vacancy of the regularly elected delegate is permanent, the alternate will serve out the rest of the delegate’s term. If the vacancy is temporary, the alternate will serve until the delegate is able to return to their duties.

B. Retiree and Non-LBU Alternates

1. Alternate Retiree and Non-LBU Delegates may be elected in accordance with the proceduress set forth in Article V, Section A, above.

ARTICLE VI: NEWLY ORGANIZED BARGAINING UNITS

1. Between election cycles for delegates, newly organized bargaining units may join NYSNA. In such cases, the following procedure shall apply:

- a. The new LBU will conduct a special election for delegates at any time following the ratification of their first contract, but no later than 30 days prior to any convention they intend to attend with formal delegates.
 - b. The number of delegates the LBU is awarded will be based upon the same formula outlined in Article XII of the bylaws, utilizing the number of members in good standing the month the special election is held.
 - c. Delegates elected in such cases will serve for only the remainder of the regular three-year term (at which point new elections will be held and they will be on the same cycle as the rest of the union).
 - d. Except for the dates and special circumstances specified in this article, these special elections shall be conducted in a manner consistent with these rules.
2. Nothing in this article shall prevent the Credentialing Committee from granting delegate credentials to elected delegates from a newly organized unit on a case-by-case basis when the conditions described above are not practical. For example, if a new unit does not meet the 30-day deadline, the committee could still grant them credentials for a convention.
3. Notwithstanding the procedures outlined in this Article for calculating delegates mid-election cycle, pre-existing LBUs will not be “recounted” for purposes of changing their delegate count between elections.