

# Ontario Nurses' Association Constitution 2018

## By-Law V – Elections

1. Subject to By-Law V # 16, all elections for any position within the Chartered Local Association or Bargaining Units that require an election shall be held in accordance with the following requirement.
2. The term of office for all positions will be for two years commencing January 1 and expiring December 31 of the following year.
3. All elections shall be completed on or before December 31 of the year in which the term of office expires.
4. Each Chartered Local Association shall elect a Local Election Committee of three (3) or more members. If permitted by Local policy, additional members may be elected. A Chartered Local Association may develop policies to appoint a Bargaining Unit Election Committee(s) from the membership of the applicable Bargaining Unit(s) to whom it may delegate responsibility for developing and/or enforcing guidelines for the applicable Bargaining Unit. It shall be the responsibility of the Local Election Committee or Bargaining Unit Election Committee to develop and enforce election guidelines at the Local and Bargaining Unit level.

Note: References to election of the Local Election Committees are effective for Local Election Committee terms commencing on or after January 1, 2014.

5. The date, time and place, or places, for any elections required to be held by the Chartered Local Association or Bargaining Unit shall be fixed by the Local Election Committee in consultation with the Local Executive Committee.
6. A notice shall be prepared by the Election Committee, as applicable, setting out the date, time and place of the election, the positions being contested and the details of the nomination process. This notice shall be prominently posted in the relevant workplaces a minimum of forty-five (45) days before the date of the election.

For purposes of this By-Law, “relevant workplaces” shall be determined by Local policy.

7. Nomination forms shall be available from the Election Committee. Each nomination submitted shall be on a proper nomination form bearing the signatures of two (2) members of the Chartered Local Association or Bargaining Unit, as applicable, and the consent in writing of the nominee stating that the member will accept the position if elected.
8. Nomination forms shall be served upon the Election Committee at least twenty (20) days before the date of the election. The Election Committee shall prepare a Ticket of Nominations listing all positions being contested and the names of the candidates for each position and post it in a prominent location in the relevant workplaces a minimum of ten (10) days before the election. The Election Committee shall prepare the necessary number of ballots and, as applicable, make all necessary arrangements for the election.
9. In the case of elections involving voting by the members of more than one Bargaining Unit, one (1) polling station shall be available for each Bargaining Unit and if applicable at each Bargaining Unit site. The voting hours shall be at the discretion of the Bargaining Unit and the result shall not be tabulated until all poll(s) have closed. Where distance prevents all persons from exercising their right to vote, a mail-in secret ballot vote may be conducted.
10. All members must have equal opportunity to vote.

11. The Election Committee shall appoint two (2) members of the Union per polling station to act as scrutineers. The Election Committee shall furnish to the scrutineers a certified list of all members entitled to vote at that election. A candidate shall not be appointed as a scrutineer.

12. The scrutineers shall count the votes and compile a list specifying the number of votes received by each candidate and shall report the results to the candidates and to the Election Committee, whereupon the person with the greatest number of votes shall be deemed to be elected. In the event of a tie for a position within a bargaining unit, the Bargaining Unit President shall have an additional casting vote in addition to their initial vote. In the event of a tie for any local executive position, the Local Coordinator shall have an additional casting vote in addition to their initial vote. The list of vote results shall be prominently posted in the relevant workplaces.

Note: For purposes of this article, "local executive position" shall be defined as any position elected by the Chartered Local Association as opposed to an individual Bargaining Unit or Bargaining Unit site.

13. Any candidate may request a recount by facsimile, e-mail or telephone followed by a written notice to the Election Committee within forty-eight (48) hours of being informed of the vote results. The votes shall be counted again by the scrutineer and the Election Committee. The person found to have the greatest number of votes as a result of the recount shall be deemed to be elected.

14. If permitted by Local policies, the elections for the office of Local Coordinator and half the Bargaining Unit Presidents may be held in alternate years to the election of Treasurer, Secretary and the other half of the bargaining units. Notwithstanding By-Law V #2, in the event of a change in Local policy regarding the implementation or revocation of an alternate year election policy, the terms of the affected positions may be for one (1) year.

15. The Bargaining Unit Executive will have present on the day of the election an updated certified list of all ONA members in their bargaining unit. Your ONA membership card or membership application receipt will be required for the member to vote.

16. In the case of new Bargaining Units that have not held their first meeting, the responsibility to call meetings in paragraph 5, and minimum time and posting requirements for notice in paragraphs 6 and 8 of this By-Law V, are waived. The time, date and place for the first meeting of new Bargaining Units shall be set by the Regional Vice-President and the Local Coordinator in accordance with paragraph 8 of By-Law VII.

17. At the first meeting of a new Bargaining Unit called in accordance with paragraph 16, the members of the Bargaining Unit shall elect a Bargaining Unit President, a Negotiating Committee, and other committees and representatives as outlined in By-Law VII # 6, and

conduct other business as required. The provisions of this By-Law V apply to the first meeting of new Bargaining Units with appropriate modifications to the: nomination process in paragraph 7; the provision of ballots in paragraph 8; and conduct of voting in paragraphs 9, 11, and 12, as required.

18. A new representative position(s) or Committee created within an existing Bargaining Unit will be appointed for the unexpired term by the Bargaining Unit President. Such appointments shall be from members who express an interest.

19. All elections shall be held by secret ballot. The method of voting or balloting, which may include online voting (web and/or phone based), mail-in ballots or any other method which will preserve the secrecy of the balloting, will be determined from time to time by the Local Election Committee. Should the Local Election Committee decide to utilize online voting, then the use of polling stations shall not be permitted for that election, and any references to scrutineers in this by-law shall not be applicable.

## **Local Bylaws March 2018**

### **4.11.1. Scrutineers**

Salary for actual time spent as a scrutineer and meal expenses if required shall be reimbursed for up to two (2) scrutineers at each site to attend the ratification vote meetings or for elections, as voting scrutineers. Travel expenses are not covered unless they must attend a vote at a location besides their work place.

### **4.11.2. Elections**

All local and BU elections will be held in accordance with the ONA Constitution and the ONA to Elections. In accordance with ONA ByLaw V – Elections, the relevant workplace will be the ONA Notice Boards at each BU and the Local 8 Website. Expressions of Interest will be posted in accordance with ONA policy and will be posted for no less than 7 days. All candidates for any and all positions will be given equal access/support when running for any office BU, Local or Provincial. Local 8 will explore the cost/benefit to electronic voting and will report back to the membership prior to moving forward should the expense exceed the budgeted cost.