



**AFSCME Local Union**

**2020 Virtual Convention Toolkit**

## TIPS/COMMON QUESTIONS

*First, if membership size and regional social distancing guidelines allow, local unions are still permitted to meet in person for the purposes of nominations and/or elections. If your local cannot meet in person, the following information will help your local to conduct officer and delegate elections during this time.*

### **There are three ways that a member can become a convention delegate:**

- Automatic delegate - as an elected officer (must be listed in your local union constitution);
- Election by acclamation - if the number of nominees is less than or equal to the number of delegates the local wishes to attend the convention, **no election is necessary**, and the candidates are declared elected delegates;
- Secret Ballot Election - of the membership.

### **Where to start:**

- Check your local constitution for the following:
  - Is there language disallowing mail ballot elections? Are there other restrictions placed on running elections for your local (ex. Date requirements, etc)?
  - Are any officers named as automatic delegates to International or Council conventions?
- The local union executive board should meet as soon as possible (by phone/video conference if needed) to determine its recommendation for the local's participation in the International Union Convention. Given the current circumstances, consider the cost and practicality of a mail ballot election.

### **If your local determines that an election is possible:**

- In order to comply with current social distancing recommendations, the International Executive Board has authorized a temporary waiver of the requirement to hold in-person nominations. Nominations may be made by email or other documented or recorded methods.
- Your local must still mail a notice of nominations and elections at least 15 days prior to the start of the nominations period. Mail this notice to the last known address for each dues-paying member. A sample letter is included with this toolkit. The notice does not have to be in the format of a letter. As long as the necessary information is included, it can be sent in a newsletter, postcard or other means of printed, mailed communication.
- The mail ballot process is spelled out in the AFSCME Local Union Election Manual. The manual is attached here and is also available at: <https://www.afscme.org/about/governance/document/local-union-election-manual.pdf>
- Be sure to document decisions of the local in meeting minutes.

## COMMON QUESTIONS

**Q: Can the local executive board decide to send only their automatic delegates who have already been elected to their office or not to participate in the convention altogether?**

*A: While having the Executive Board make such a decision if the Local is unable to meet due to the pandemic is reasonable, we cannot predict how the DOL would view that action if it were challenged.*

**Q: Does the pandemic waiver of on-site nomination meetings allow the local executive board to vote to turn over all delegates to a delegate of a sister union?**

*A: No. Even without the waiver, Art. IV, Section 12 of the International Constitution provides for a subordinate body to authorize a delegate from another subordinate body to represent it at the Convention. The Constitution provides that this decision is for the Local's membership to decide by a secret ballot election and is not a decision that an executive board can make.*

**Q: Are local unions permitted to conduct election of delegates electronically?**

*A: No. The International Constitution does not now permit electronic voting for either local or council union officers or convention delegates. The International Executive Board has proposed a constitutional amendment that will be considered at the Virtual Convention that would allow this to occur in the future. However, delegates to this convention must be elected under the rules of the current constitution.*

**Q: What return address should we use for the election process?**

*A: The AFSCME Local Union Election manual recommends that using a Post Office Box or other secured neutral address.*

**Q: Our local constitution does not allow mail ballot elections. What do we do?**

*A: First, make sure the language of your constitution is specific to International convention delegates. Officers and convention delegates are two different things. If your constitution does not specifically address international convention delegates, you can defer to a mail ballot.*

*If the mail ballot bar applies to international delegates and you cannot conduct safe onsite elections, check if you have an automatic delegate provision. While having the Executive Board vote to send your auto delegate(s) because the Local is unable to meet due to the pandemic is reasonable, we cannot predict how the DOL would view that action if it were challenged.*

## SAMPLE NOTICE LETTER

*Below is a sample letter you can use to provide notice of nominations and elections for International Union Convention delegates. With modifications, this can also be used for officer nominations and elections.*

[DATE]

Dear AFSCME Local \_\_\_\_ Members:

As you may already be aware, due to the COVID-19 crisis and limitations placed on public gatherings, the AFSCME International Convention this year will be held as a virtual online convention on August 13 and 14. In order to comply with the social distancing orders in our state, we will be conducting nominations and, if needed, elections in the following manner:

Nominations for convention delegates will be accepted beginning on [DATE] and ending on [DATE]. To nominate a member in good standing, please submit nominations in one of the following ways:

- [EMAIL ADDRESS]
- Phone Message to [ELECTIONS COMMITTEE NAME/CELL PHONE NUMBER]
- Tele-conference/Zoom call to be held on [TIME AND DATE;]

When making a nomination, please include the following information:

1. The full name of the member making the nomination;
2. The full name of the member being nominated;
3. The phone number and email address for the nominated member.

Once the nominations period is over, if no more than [NUMBER] of members in good standing have accepted nominations, those nominated will be deemed elected by acclamation and announced during the tele-conference call on [DATE]. If there are more nominees than delegate slots, our local will need to conduct a mail ballot election. Ballots will be mailed on [DATE]. All ballots received by [DATE and TIME] will be counted on [DATE]. Please review the ballot and instructions carefully.

If you have any questions, please contact [NAME] at [NUMBER] or [EMAIL] (*Note: This should not be a candidate but rather a neutral officer/election committee member.*)

In Solidarity,

AFSCME Local \_\_\_\_  
Officers & Executive Board

# SAMPLE BALLOT PACKET

The ballot packet should include:

1. Ballot (sample below) or other secured neutral address
2. Voting instructions (sample below)
3. Plain envelope marked "Ballot"
4. A stamped, addressed envelope. Address should be a PO box or other neutral address.

## Sample Ballot

## Local \_\_\_\_ Election of 2020 International Union Convention Delegates

# OFFICIAL BALLOT

MARK an X in the squares next to the names of those for whom you wish to vote.

DO NOT sign your name and DO NOT make any other marks on this ballot.

## INTERNATIONAL UNION DELEGATES

*Vote for no more than [NUMBER]:*

[illegible]

## Sample Voting Instructions

AFSCME Local \_\_\_\_ member:

Enclosed is your ballot to vote in the election for International Union Convention delegates. Please read these instructions carefully. Failure to comply could result in your ballot being set aside.

1. **Mark your ballot:** MARK an "X" in the boxes next to the names of those for whom you wish to vote. Do not vote for more than [NUMBER] candidates. DO NOT sign your name and DO NOT make any other marks on this ballot.
2. Place your completed ballot in the envelope marked "Ballot" and seal it. DO NOT sign your name and DO NOT make any other marks on this envelope.
3. Place this envelope inside the stamped, addressed envelope and write your name and address on the return.
4. Ballots received by [DATE and TIME] will be counted on [DATE and TIME].

If you have any questions, please contact [NAME] at [NUMBER] or [EMAIL]