

## 1.2.1 Conduct of Elections

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### 1. Duty of Confidentiality, Privacy, and Adherence to Policies

- 1.1. As a condition of accepting appointment as Returning Officer or Deputy Returning Officer, a duty of confidentiality is imposed.
- 1.2. The duty of confidentiality shall require that no knowledge gained as a result of the appointment, or contract, is divulged to any member of the BCIT Faculty & Staff Association (“the Association” or “FSA”) except as is required through the production of the reports specified in this policy.
- 1.3. The same duty of confidentiality also applies to Scrutineers.
- 1.4. The same duty also applies to the FSA Campaign Committee.
- 1.5. The Association’s and its Members’ (including candidates’) conduct in the course of elections must adhere to FSA polices including (but not limited to) 2.1.18 FSA Member Privacy Policy, 2.3.5 The Loop and Social Media Policy, 3.1.11 Endorsements Policy.
- 1.6. If the Association and its Members (including candidates) are using the employer’s (BCIT’s) resources, such as BCIT email, to engage in election activities, including communicating with Members or election campaigning, they need to be aware they are also subject to BCIT policies.

### 2. Elections

- 2.1. Elections are scheduled to occur annually. The President and Vice President are elected for two-year terms in even-numbered years. The Treasurer, Directors-at-Large, and Directors (Associate Members) are elected for two-year terms in odd-numbered years in accordance with article 6.2.4 of the Association’s Bylaws.
- 2.2. Activities associated with elections and by-elections shall be scheduled in accordance with the Election Procedure in Appendix A of this policy to be approved by the Board of Directors.
- 2.3. For vacancies occurring outside of the regular election schedule:
  - 2.3.1. When a vacancy arises for a Director-at-Large or Director, Associate Members or the Vice-President in the first year of a two-year term there shall be a by-election. In the event that the by-election is unsuccessful, the Board of Directors may choose to appoint, to hold a subsequent by-election, or leave the position vacant until the next election.

- 2.3.2. When a vacancy arises for a Director-at Large or Director, Associate Members or the Vice-President in the second year of the two-year term, the Board of Directors may choose to appoint, to hold a by-election, or leave the position vacant until the next election.
- 2.3.3. When a vacancy arises for a Director-at-Large or Director, Associate Members or the Vice-President in the last five months of a two-year term, the Board of Directors may choose to appoint or leave the position vacant until the next election.
- 2.3.4. When a vacancy arises for the President, the Vice-President becomes President and the Board must vote to elect one of the directors to be Vice-President for the remainder of their respective terms.

### 3. Eligibility

- 3.1. Eligibility for election is as defined in article 6.2.7 of the Association's Bylaws.

### 4. Nomination Process

- 4.1. A formal call for nominations shall be issued in the Association Newsletter, and/or by email or memo. The call for nominations shall include the positions, the number of vacancies to be filled, the length of the terms attached to those vacancies, the deadline for receipt of nominations, and election procedures.
- 4.2. The nomination form must indicate the position for which the nominee is running, the nominee's signature indicating acceptance of the nomination, the nominees' departmental or divisional affiliation, and the signature of one (1) Regular or Associate Member of the Association who is serving as nominator.
- 4.3. If the number of candidates is equal to or fewer than the number of vacant positions, the candidates shall be declared elected by acclamation.
- 4.4. Each candidate may include a Candidate's Statement of up to 500 (five hundred) words describing their experience in Association affairs and a description of any policy initiatives they intend to pursue, if elected. Candidates may also include an appropriate digital picture. If a Statement is not delivered to the Association offices by the close of nominations, the Election page on the FSA website shall include the wording "No Candidate Statement was provided by this candidate".

### 5. Candidates' Meetings

- 5.1. An All-Candidates' meeting shall be held. At this meeting candidates shall be permitted to make a time-limited statement. Time shall then be provided for members to ask questions.

- 5.2. In addition, a Candidates' Orientation meeting shall be held to go over the FSA Campaign Guidelines and all candidates will be provided with a copy of the FSA Campaign Guidelines whether they attend the Orientation or not.

## 6. Electronic Balloting process

- 6.1. Balloting shall be contracted to an external company (the Company).
- 6.2. The contract shall include a clause requiring that all information related to the election be held confidential by the Company and its employees. Alternatively, the Company employees shall be asked to swear a formal oath of confidentiality.
- 6.3. The listing of candidates as it will appear on the electronic ballot shall be displayed on the FSA website, listing the name of each candidate in alphabetical order, for each office.
- 6.4. Members will be emailed a link to securely access the electronic voting login page. Each Member will have a unique identifier, and will only be permitted to vote once. The voting login page shall include links to the FSA Bylaws, Conduct of Elections Policy, electronic voting instructions, the election schedule, the Candidates' Statements, and the electronic ballot.
- 6.5. If an elector's name does not appear on the voters list, then voting eligibility shall be determined by the Returning Officer. If eligibility is confirmed, then the voter's name shall be added to the electronic voter's list and appropriate control information will be supplied to the elector. If eligibility cannot be confirmed, the elector shall have the opportunity to cast a contested ballot. The contested ballot will be put into an electronic "holding area" until eligibility can be determined, or until the close of balloting, whichever comes first. The Returning Officer will make any final decisions about eligibility. If eligibility is denied, the Returning Officer will advise the Member of the reason. The Returning Officer may opt to withhold the decision on contested ballots if the election outcome is not changed by such withholding.
- 6.6. The electronic voting system shall have safeguards to ensure that identification of how the voter marked their ballot will not be possible, and to ensure that Members can only vote once.
- 6.7. At no time during the voting period will any interim results be revealed.

## 7. Rights and Responsibilities of Candidates during the Election Period

- 7.1. Upon the close of nominations, each official candidate shall have access to a copy of the official voters list appropriate to the candidate's position, upon request. This is normally a list of all current FSA Members' names as provided to the Association by

the employer (no Members' contact information is included in the list provided to candidates).

- 7.2. Candidates may view a printed list of Members' names (without contact information) who have not yet voted to ascertain which voters' ballots have not been received. The inspection shall be carried out in the FSA offices, by appointment, and scheduled during normal office hours posted.
- 7.3. Each candidate shall be entitled to one (1) Scrutineer to monitor the balloting procedure.
- 7.4. Candidates by their decision to participate in election are confirming their agreement to follow the FSA Campaign Guidelines as published in that election year.
- 7.5. Candidates who do not adhere to the FSA Campaign Guidelines will receive a warning in writing from the FSA Campaign Committee with a request and timeline for correcting actions that do not adhere to the FSA Campaign Guidelines.
- 7.6. A candidate who continues to violate the FSA Campaign Guidelines following the written warning may be removed from the ballot; any decision to remove a candidate from the ballot must be approved via formal motion and majority vote by the Board of Directors.

## 8. Rights and Responsibilities of the Board of Directors During the Election Period

- 8.1. Sitting Directors, like FSA Members in general, may personally recruit, encourage, support, and campaign on behalf of any candidate duly nominated in an FSA election, but need to be clear in their activities that they are acting solely as a Member, not as a Director, and that they are not endorsing on behalf of the FSA nor giving the FSA's endorsement to any candidate. This distinction is important since Sitting Directors are bound by relevant FSA Policies in the course of their Directors' duties and activities; these policies include (but are not limited to) 2.1.18 FSA Member Privacy Policy, 2.3.5 The Loop and Social Media Policy, 3.1.11 Endorsements Policy.
- 8.2. Like all Members, Directors are bound by the Duty of Confidentiality, Privacy, and Adherence to Policies noted in Section 1 of this Policy.
- 8.3. The Board of Directors is responsible for overseeing the FSA Campaign Committee and approving the FSA Campaign Guidelines annually.

## 9. Election Results

- 9.1. The Returning Officer shall prepare a signed statement declaring election results. These results shall include the:

- 9.1.1. number of votes cast for each candidate

#### 9.1.2. number of spoiled ballots

- 9.2. The candidate(s) with the most votes shall be declared elected. The Returning Officer shall notify the candidates of the results of the election, giving a deadline for a request for recount.
- 9.3. In the case of a tie, the Returning Officer shall ascertain whether each of the tied candidates wish to submit to a run-off election. The names of those tied candidates who wish to run again shall be re-submitted to the electorate for a run-off election which shall be conducted according to the time frames for voting periods established for the conduct of regular elections.
- 9.4. In the case of the positions of President, Vice President, or Treasurer, the incumbent in a tied election shall remain in office until the completion of the run-off election, regardless of whether the run-off election is completed prior to the expiry of their term of office.
- 9.5. In the case of a tie for a Director-at-large or Director (Associate Members) position, the position shall be vacated at its normal expiry and remain vacant until the completion of the run-off election.
- 9.6. The results of the election shall be announced in the next issue of the Association Newsletter, and/or by email or memo and posted on the FSA website.

### 10. Recount

- 10.1. A request for recount must be made, in writing, to the Returning Officer through the Association Office.
- 10.2. The results of the recount shall be certified in the same manner as the results of the original count.

### 11. Destruction of ballots

- 11.1. The Company shall be notified to destroy the electronic ballots after completion of the election process.

### 12. Returning Officer Reports

- 12.1. After the election has been conducted the Returning Officer will debrief with FSA Board and staff to contribute to the ongoing improvement of the electoral process.

### 13. The FSA Campaign Committee

- 13.1. The FSA Campaign Committee will be struck annually to update the FSA Campaign Guidelines, lead the Candidates' Orientation meeting, provide guidance to candidates regarding campaigning rules during the election period, help resolve any campaign

issues, update the Board regularly, and inform the Board of any pressing campaign issues that arise.

- 13.2. The purpose, rationale, composition, and scope of duties and responsibilities for the FSA Campaign Committee are defined in the FSA Campaign Committee Terms of Reference.

## Appendix A: Election Procedure

Event	Timeline
Election: all dates must be set and membership must be notified (1.2 Bylaws: 6.2.3)	On or before April 1 and conclude no later than by May 31. Date for all election events should factor in public holidays, BCIT's Spring Break, Public Schools' Spring Break, and FSA communication to the membership schedules. Effort should be made to schedule the All Candidates' Meeting in conjunction with an already scheduled Tech Rep or General Meeting of the membership.
Election: Formal call for nominations	
By-Election: Formal call for nominations	Within 45 days of the vacancy
Election: Nominations close deadline for receipt in FSA office	Minimum of two weeks after the formal call for nominations.
By-election: Nominations close and deadline for receipt in FSA office	14 days after the call for nominations (see Note 2 below)
Candidates' statement deadline for receipt in FSA office	Statement must be received by close of nominations
Candidates' statements posted to FSA website	Within 4 working days following the close of nominations
Notice to membership advising names of candidates running for election	Within 4 working days following the close of nominations
All candidates meeting	
Electronic voting turns on	

Electronic voting turns off	Minimum of 8 working days from when electronic voting turns on
Election results to membership	Within 2 working days from when electronic voting turns off
Deadline for request of recount	Within 2 working days of election results
Recount	Within 3 working days of election results
Destruction of ballots	10 working days after the expiry of the deadline for requesting a recount
Election must be concluded 1.2 Bylaws, 6.2.5(c)	May 31st

Note 1: No significant events should be scheduled to coincide with Spring Break and the Easter long weekend.

Note 2: No by-election will be held between June 15 and September 1, and this period shall not count towards toward the 45-day period for the initiation of the by-election.



# Revision History

Date	Revision (Brief description)
Feb. 2020	Amendments to policy approved by the board
Feb. 2020	Edited policy to the board for proposal
Jan. 2020	Proposed edits to align with by-laws and changes to Appendix A: to allow for flexibility in scheduling election events year-to-year based on operational demands
Feb. 2019	Final minor edits presented to Board for approval.
Jan. 2019	Proposed edits to add the FSA Campaign Committee and FSA Campaign Guidelines.
Feb. 2017	Updating to bring into alignment with new and updated bylaws on membership and eligibility to be a director.
Nov 2014	Minor housekeeping edits – reviewed and approved at November 26, 2014 board meeting
Dec 2010	Updated version approved by Exec
Nov 9/94; Dec 11/96; Dec 10/97; Feb 17/99; Jun 2/99, Nov 3/01, Apr 2/03 (per note from Cal Davis), Nov 15/04, Sep 16/09	Various Revisions
Mar 14, 1994	Approved