

# Frequently asked questions about branch election procedures



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**T**his month, we'll review some of the provisions in the *NALC Regulations Governing Branch Election Procedures (NRGBEP)*, with an emphasis on some of the questions we commonly receive.

## Who has to be elected?

**NRGBEP 2.1**—Branch bylaws must specify which officers and positions must be elected, as follows: all branch officers, as defined in the *NALC Constitution* or branch bylaws; branch stewards if they are members of the branch executive board; delegates and alternate delegates to national and state association conventions; and any other branch position(s) with executive or policy-making authority or responsibility.

**NRGBEP Section 2.11**—Branch stewards and any other persons who are members of the branch executive board or similar body must be elected by the entire branch, not just by the station or area they represent.

## How far in advance of the nominations must the notice of nominations and elections be mailed to every member?

**NRGBEP 5.1**—The recording secretary must notify every member by mail of nominations and the upcoming elections at his or her last known home address. The notice must be mailed to each member at least 45 days before the election.

**NRGBEP 6.1**—The notice must be sent out at least 10 days before nominations are held.

Note: Posting the notice on station bulletin boards does not satisfy the provision. There are other timeline requirements; please refer to the *NRGBEP*.

## Our branch has the election at a regular branch meeting. Can I get an absentee ballot?

**NRGBEP 11.5**—Any member who, for any reason, will be unable to vote during the times the polls are open may request an absentee ballot. Absentee ballots must be requested after nominations have been closed but at least two weeks before the election. (Absentee ballots are not used for elections conducted by mail ballot.) If applicable, the notice of nominations and elections should state who can request an absentee ballot, where such requests must be received, and when requests must be made.

## Can a candidate for any office be appointed to the election committee?

**NRGBEP 7.11**—No candidate for any office can be appointed to the election committee.

## Can the branch endorse a candidate in its branch publication?

**NRGBEP 9.4**—A branch may not use branch dues, assessments or similar levies, or contribute anything of value to

promote one candidate over another, or discriminate against any candidate. Branch funds, however, may be used for all notices and for all other expenses necessary for conducting the election.

The bottom line is that a branch is absolutely prohibited from criticizing or endorsing any candidate in a union-financed newspaper, publication or letter. In addition, publication of information sheets with biographical data is permissible, as long as all candidates are given an equal opportunity to submit data and the data are given equal space and prominence. Similarly, providing newspaper space for candidates to present their views is permissible. Branches also can sponsor a debate at a branch meeting.

## Can a member who is not in good standing vote in the branch election?

**NRGBEP 11.4**—Each regular branch member, as defined in Article 2, Section 1(a) of the *NALC Constitution*, is entitled to one vote for each position to be filled. It states, in relevant part:

[R]egular branch members who shall be non-supervisory employees in the Postal Service, and regular branch members who the Executive Council has determined were unjustly separated from the Postal Service, retirees from that Service who were regular members of the NALC when they retired, and persons leaving the Service with coverage under Office of Workers Compensation Programs (OWCP).

As mentioned above, each regular branch member, as defined in Article 2, Section 1(a) of the *NALC Constitution*, is entitled to one vote for each position to be filled. The mere fact that a member is in arrears with dues does not in itself disqualify the regular member from voting.

However, a member who forfeits membership for non-payment of dues under Article 7, Section 4 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)* would not be entitled to vote. Each fact circumstance must be reviewed before claiming that a member has forfeited his/her membership for non-payment of dues under Article 7, Section 4, which states:

Any member failing to pay any fine, assessment or monthly dues within thirty (30) days after the same shall become due, shall forfeit his/her membership. He/she shall vacate any office held in the Branch or Association, effective on the date of such forfeiture. He/she shall not be entitled to vote in the Branch, and he/she shall not be eligible for nomination or election to any office; provided, that the Branch for good and sufficient reasons, under reasonable rules uniformly applied, may extend the thirty (30) days grace period for not more than an additional sixty (60) days.

See also Article 7, Section 3(b) of the *CGSFB*:

Branches may exempt or remit the dues of any member under reasonable rules uniformly applied for a stated period of time. Branches may provide for the payment of dues in advance for any period in excess of one month.

**I hope that each branch that has elections this year will review the *NRGBEP* prior to the nomination/election periods and become familiar with it, especially the time frames involved.**