

**RULES FOR THE 2021 IBT LOCAL 817**  
**OFFICER ELECTION**

**INTRODUCTION**

On Saturday December 11, 2021, the Local 817 election of Officers will be held. Global Election Services, Inc. (the "Election Firm") will conduct the nominations and election process. The election will be governed by these Rules and, where applicable, the IBT Constitution, the Local 817 Bylaws and federal law. The term of office for the winning candidates will begin on January 1, 2022 and continue until December 31, 2024.

**ARTICLE I.**  
**NOMINATION RULES**

**1. Nomination Meeting.** Nominations for the positions of President, Secretary-Treasurer, Vice-President, Recording-Secretary, and three (3) Trustees will take place on Saturday November 6, 2021 at 10:00 AM. at:

The Salvation Army Meeting Room  
120 West 14<sup>th</sup> Street  
New York, NY 10011

**2. Nomination and Acceptance.**

A. Method. A member may be nominated and seconded:

i) orally from the floor by a member in good standing other than the nominee; or

ii) in writing, by a member in good standing, submitted to the Local 817 Secretary-Treasurer prior to 4:30 p.m. on November 5, 2021. Any written nomination must state the name and last four digits of the social security number of the member being nominated, the nominator and the seconder, and the office for which the nomination is being made. It must be signed by the nominator, the seconder, and the nominee. It can also be given to the Secretary-Treasurer prior to the start of the meeting.

B. Multiple Nominations. A member may nominate more than one candidate or second the nomination of more than one candidate. However, no member may nominate or second more than one candidate for each office, except that a member may nominate or second up to three candidates for Trustee.

C. Self Nomination. No prospective candidate may nominate him/herself or second his/her own nomination.

D. Acceptance. Any member properly nominated and seconded for office must accept the nomination at the time, either in person or, if absent, in writing. The acceptance must include the last 4 digits of the member's Social Security number and a printed version of

how the member wishes their name to appear on the ballot. A personal cell phone number and personal email address must also be included in the acceptance. A written acceptance must be received by the Local 817 Secretary-Treasurer before the beginning of the nomination meeting. No member may accept nomination to more than one office.

E. Revocation of Acceptance. After a candidate has accepted the nomination he/she may not, under any circumstances, revoke acceptance once the ballots are printed, except where, as a result of such revocation, the remaining candidate is left unopposed.

F. Unopposed Nominees. When a nominee is unopposed at the regularly designated nominations meeting, there shall be no necessity for the election of such nominee and he/she shall be declared duly elected at such nominations meeting, effective as of the beginning of the nominee's terms.

3. Posting List of Candidates. As soon as possible, but in no case after 5:00 p.m. on November 8, 2021, Local 817 shall post or cause to be posted on the Local Union bulletin board at the Local Union's headquarters a list of those candidates nominated by name and slate, if known at the time.

## **ARTICLE II. ELIGIBILITY RULES**

### **1. Eligibility to Nominate/Second.**

A. Eligibility to Nominate/Second. To be eligible to nominate or second, a member must have paid dues through October 2021

B. Deadline for Dues Payment. Eligibility to nominate and second may be restored by full payment of dues arrearages on or before November 5, 2021 at 12 Noon. at the offices of Local 817, 817 Old Cutter Mill Road, Great Neck NY 11021.

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### **2. Eligibility to Be a Candidate.**

A. Eligibility to be a Candidate. To be eligible to run for office, one must:

i) Be a member in continuous good standing of Local 817, with one's dues paid to the Local Union for the period of 24-consecutive months prior to November 2021, with no interruptions in active membership due to suspensions, expulsions, withdrawals, transfers or failures to pay fines or assessments.

ii) Be employed at the craft within the jurisdiction of Local 817 for a period of 24-consecutive months prior to November 2021; and

iii) Be eligible to hold office if elected.

B. Additional Factors Relating to Candidate Eligibility. Other factors that relate to eligibility to run for office include, without limitation, the following:

i) Late Payments. Payment of dues after their due date shall not restore good standing status for such month(s). However, subject to the provisions of Article X, Section 5(c) of the International Constitution, no member who pays dues by check-off shall lose his/her good standing status for any month in which dues have been withheld by his/her employer by reason of delay or default in the payment of such dues by the employer to the Local Union.

ii) Unemployment. The requirement that a member be actively employed at the craft may be excused by unemployment only if the member was actively seeking and available for employment in the craft and not working outside the craft during such period of unemployment, or was actively pursuing an unresolved grievance or other legal action challenging a suspension or discharge.

### **3. Request for Review of Eligibility.**

A. Any member seeking office may make a written request to the Secretary-Treasurer of Local 817 to confirm his/her eligibility to hold office based upon the continuous good standing and working-in-the-craft eligibility requirements described in Article II (4)(a)(1) of the International Constitution.

B. Prospective nominees are advised to verify with the Secretary-Treasurer of Local 817, in advance of the nominations meeting, the eligibility of their nominators and seconders.

C. Prospective candidates are permitted once within 30 days of the election to review the eligibility list of members. A request in writing must be sent to the Secretary-Treasurer in advance of your requested date. In addition, prospective candidates can mail campaign literature to members. All information will be provided at the candidate's meeting following nominations.

### **4. Eligibility to Vote.**

A. General Rule. To be eligible to vote, a member must have his dues paid through November 2021 and must still be an active member on the day of the election.

B. Deadline for Dues Payment. Eligibility to vote may be restored by full payment of dues arrearages at the Local 817 office on or before December 10, 2021 at 12 Noon.

### **5. There will be no slate voting. Candidates will appear under each position**

Following nominations, the order in which candidates appear under each position will be conducted by lottery.

## THE ELECTION

The Election for the offices of President, Secretary-Treasurer, Vice-President, Recording Secretary, and three (3) Trustees will be conducted by in-person vote.

### 10. The Ballot.

A. Printing of Ballot. All ballots shall be identified as the "Official Ballot: Local 817 Officer Election" and shall be printed in a legible manner, with appropriate voter instructions as determined by Local 817 and the Election Firm.

C. Order of Placement. The order of the placement of names under each position shall be following past practice of the Local.

D. Candidate Names. Candidates shall be identified on the ballot only by name.

E. No sticker, write-in or proxy votes shall be permitted.

F. Representative(s) of the Election Firm shall maintain the ballots at all times throughout the election period.

### 11. Time, Date and Location of Election.

- i. In-person Voting. The in-person voting process shall take place on December 11, 2021 at the meeting hall selected by Local 817. The location of the election will be the Plumbers Union **50-02 Fifth Street, 2nd Floor, Long Island City, New York 11101**. NYS Covid restrictions will be in place) Voting hours will be from 6:00 a.m. until 12:00 Noon.
- ii. Campaigning on Election Day. Campaigning on election day shall not be permitted inside the polling area. Candidates and Observers will be provided with locations for campaigning prior to the opening of the polls.
- iii. Absentee Balloting--Absentee balloting shall be permitted for those who on or before November 12, 2021, make application to vote absentee to the Local 817 Secretary-Treasurer, on the grounds of illness, scheduled vacation, employees in the Philadelphia area, anyone working at distant locations, Covid concerns or military tour of duty. If a member mails their Absentee ballot and comes to the polling area to vote, only the in-person ballot will be counted and the absentee ballot will be void. If a member applied for an absentee ballot but it was not received, the member should vote in person. Only one vote per member will be permitted.
- iv. Election Challenges. A voter shall be permitted to vote subject to challenge(s). All unchallenged votes shall be counted first including Absentee Ballots. In the event that any candidate attains a margin of victory greater than the number of challenged votes left to be counted, the count shall cease with respect to such candidate(s). However, if such is not the case for all candidates, for all offices, a sufficient number of challenged votes shall be resolved

so that the number of challenged votes remaining could no longer affect the outcome of the election.

- v. Voting Rules. If, on any ballot, the total number of candidate votes exceeds the number of candidates to be elected for such position, that portion of the ballot shall be void.
- vi. Vote Count. The vote count shall begin immediately following the closing of the polls at 12:00 Noon on December 11, 2021 and shall proceed without interruption until concluded.
- vii. Observers: Each candidate shall have the right, at his/her expense, to have one observer present at the tabulation of the ballots. Such observer(s) shall be member(s) in good standing of the Local Union. Candidates shall have the right to be present at the counting of the ballots following the closing of the polls. Please note that if New York State restrictions apply to how many people can be present at the tabulation, all candidates will be provided with updated information one week prior to the election.

#### **ARTICLE V. PROTESTS AND APPEALS**

A. Eligibility: Pursuant to Article XXII, Section 5 of the IBT Constitution, any member who desires to challenge a ruling on eligibility to run for office must appeal, in writing within forty-eight (48) hours after receipt of the eligibility ruling from the Secretary-Treasurer of Local 817 to the IBT General President or his designee and a copy to the Election Monitor, Maralin Falik [maralin@voteges.com](mailto:maralin@voteges.com) . The decision of the General President should be appealable to the General Executive Board pursuant to the provisions of Article VI, Section 2 of the IBT Constitution.

A. Pre-Election Protests and Allegations Before the day of the Election count, any member of Local 817 may file a protest either alleging a violation of the Election Rules, the Local 817 Bylaws or the IBT Constitution. ("Election Protest"). An Election Protest shall be filed with the Secretary-Treasurer of Local 817 within two (2) working days of the date when the protestor became aware, or reasonably should have become aware, of the facts alleged upon which the protest is based or such protest shall be waived.

B. Post-Election Protests and Allegations. Any member of Local 817 may file a post-Election Protest relating to the conduct of the Election. A post-Election Protests alleging a violation of the Election Rules, the Local 817 Bylaws or the IBT Constitution shall be filed with the Secretary-Treasurer of Joint Council 16 within 72 hours of the ballot count. The protest must set forth the exact nature and specification of the claim and a description of how it affected the outcome of the election.

**ANNOUNCEMENT AND CERTIFICATION OF ELECTION RESULTS**

Upon completion of the vote count, the Election Firm shall announce the results of the count and certify the count in writing. The officers and business agents elected in the Local 817 Election shall assume their offices on January 1, 2022.

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