



Policy: Election of President
Section: Elections
Date Reviewed: April 6, 2021
Date Revised: April 7, 2021

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Policy Statements:

1. Nominations

- 1.1 At least 90 days prior to Convention, the Communications Department shall publish the call for nominations for President.
- 1.2 To be eligible, a nominee must have been a member of the Union for at least one year immediately prior to election.
- 1.3 To receive the nominee information package, a member can either request one from the Communications Department or download one from the HSA website. This package includes a nomination form.
- 1.4 To submit a completed nomination form, the candidate must deliver it to the Communications Department in accordance with instructions specified on the form.
- 1.5 The Communications Department shall accept completed nomination forms until the start of Convention. Once Convention has been convened, any nomination from the floor made before the close of nominations must be accompanied by a completed nomination form delivered to the Chair of the Elections Committee or designate.

2. Information provided for, and Requirements and Obligations of, a Candidate

- 2.1 Following receipt of a completed nomination form, the Communications Department shall provide the candidate with an information package that includes relevant HSA policy(ies), forms, and instructions pertaining to campaign communications and expenses. [See last page of this policy.]

2.2 To enable a candidate to communicate during the campaign period*, HSA shall, upon request to the Communications Department, provide a contact list of Stewards' and registered Convention delegates' name, facility, profession, and personal email address (if available). For privacy reasons, no other contact information shall be provided. The contact list is only to be provided to the candidate on the condition that the candidate has signed a privacy and confidentiality commitment to only use the contact list and information in it during the current campaign, solely for the purpose of campaigning and to delete and destroy the contact list, as well as any messages to/from any contact, as well as copies of the list or information on it, no later than 6 months immediately following the end of the campaign period*.

* The "campaign period" commences effective the date the election is announced and ends when the ballots are counted.

- i) The candidate must use a personal email address, and not an HSA email address or a workplace email address, if they choose to communicate via email.
- ii) A candidate must not send campaign-related email messages to any member's workplace email address.
- iii) The candidate's email messages must include a disclaimer that identifies the sender as a candidate for President, an explicit commitment to use members' information in accordance with HSA's privacy policies, and an option for the member to unsubscribe from the electronic mailing list.
- iv) A candidate must refrain from further communications with anyone on the list who has asked the candidate to cease communication with them.
- v) In order to maintain member privacy, a candidate must use the blind copy address field whenever composing an email message to send simultaneously to more than one member.
- vi) In order to maintain member privacy, a candidate shall not allow a supporter to send email on their behalf.
- vii) In order to maintain member privacy, a candidate shall protect the list and information in it from disclosure to anyone else.
- viii) In order to maintain member privacy, if a candidate contracts with a batch e-mail provider, the candidate must have a non-disclosure agreement in place with the batch e-mail provider.
- ix) A candidate may contact Stewards and registered Convention delegates only in-person or via email for the purpose of campaigning unless, via email, a member agrees to being contacted at their personal telephone number.

2.3 A candidate must not engage in organized campaign activity on employer-paid time.

2.4 A candidate must not willfully publish or circulate, verbally or otherwise, misrepresentations concerning the Union or concerning any member of the Union with respect to a matter connected with the affairs of the Union.

2.5 A candidate must not make slanderous, libelous, or unlawful statements in any campaign communication. Any such statement made by a candidate is their sole

responsibility; HSA is not liable for any such statement; HSA will not indemnify any candidate for costs associated with legal action resulting from any such statement.

- 2.6 A candidate must not communicate or reveal confidential information, without proper authorization, about the business, membership, proceedings or other affairs of the Union to someone not entitled to it. Such confidential information includes, but is not limited to, correspondence between Directors on the Union's Board of Directors and/or correspondence between Director(s) on the Union's Board of Directors and staff.
- 2.7 A candidate must not reveal personal information about a member or members to anyone not entitled to such information.
- 2.8 A candidate must not engage in an activity or course of conduct which is detrimental to the welfare or best interests of the Union.
- 2.9 A candidate must comply with HSA's Social Media policy.
- 2.10 A candidate shall seek Convention delegate status. However, if the candidate is unsuccessful in their bid to be a delegate to Convention, HSA shall nevertheless cover the cost of sending the candidate to Convention as a non-delegated member.
- 2.11 The following process shall be used regarding (i) an issue not contemplated by this policy, or (ii) any allegation that a candidate has violated this policy:
 - (i) Should an issue arise related to a candidate's campaign that is not covered by this or another policy, that issue will be referred to the Elections Committee which will, in turn, make a recommendation to the Board of Directors as to how the issue should be resolved.
 - (ii) Any allegation of a candidate's non-compliance with this policy shall be brought to the attention of the Elections Committee.

The Chair of the Elections Committee, or alternatively, another member on the Elections Committee, shall file an Article 15 complaint concerning the alleged non-compliance whenever there appears to be a reasonable basis for the allegation.

This process does not preclude a member from independently filing an Article 15 complaint about such allegation(s).

3. Publication of candidacy in the Annual Report

- 3.1 HSA shall publish a candidate's campaign statement and photograph in the *Annual Report*, provided the candidate's completed nomination form, campaign statement, and photograph are received by the Communications Department at least 60 days prior to Convention.
- 3.2 The candidate's statement is limited to 400 words (exclusive of contact information, including personal phone number, personal email address, and personal website URL) and its content is the responsibility of the candidate. HSA staff shall not correct minor

inaccuracies, spelling errors, or grammar errors. HSA staff shall review the statement to ensure its content is in accordance with this policy's requirements and obligations of a candidate prior to publishing or distributing the statement. And, if any concern arises, HSA staff shall refer the issue to the Elections Committee. The Elections Committee shall consider the referred issue and, if it determines that any content in the statement is not in accordance with this policy's requirements and obligations of a candidate, it shall redact that content before returning the statement to the candidate and to HSA staff for publication or distribution; the published or distributed statement shall display black space where any redactions were made unless the candidate and the Elections Committee agree to delete or change the redacted content, and provided such deletion or change of the redacted content can be done prior to the deadline for publication or distribution.

- 3.3 The candidate is responsible for providing a suitable head & shoulders photograph. A candidate who has an official HSA photograph on file may buy the rights to that photograph for an appropriate fee as determined by the Communications Department, based on the commercial rate. The cost of such a photograph, if used, or another professional photograph, must be claimed as a campaign expense.
- 3.4 HSA's Communication Department shall draw names of the candidates to determine the order in which their respective campaign statements and photographs appear in the Annual Report.

4. All Candidates Meeting

- 4.1 HSA shall hold at least one All Candidates meeting prior to Convention regardless of the number of candidates nominated for the office of President prior to the Convention being convened.
- 4.2 If it is not possible to hold the All Candidates meeting(s) in-person due to extraordinary circumstances, HSA shall hold any or all of those meetings using a virtual platform. HSA's Communications Department will make the appropriate arrangements for a virtual All Candidates meeting(s).
- 4.3 The Board of Directors may decide to hold an All Candidates meeting(s) using a virtual platform in addition to holding the in-person All Candidates meeting(s). The Elections Committee may make a recommendation in this regard to the Board of Directors. HSA's Communications Department will make the appropriate arrangements for a virtual All Candidates meeting(s).
- 4.4 The All Candidates meeting(s), whether in-person or virtual, will be video recorded and posted on the HSA website.

5. Appointment of a Chief Electoral Officer; Election Process

- 5.1 At its meeting prior to Convention in the year there is to be an election for President, the Board of Directors shall appoint a Chief Electoral Officer. The Chief Electoral Officer must be external, i.e. the appointee must not be an HSA member or staff person. The Elections Committee may make a recommendation for appointment.

- 5.2 The election of the President shall be overseen by the Chief Electoral Officer, as appointed by the Board of Directors.
- 5.3 Once the Convention has been convened, the second call for nominations shall be made during the Convention proceedings by the Chair of the Elections Committee or designate.
- 5.4 On the day of the election at the Annual Convention, the President shall turn the Chair over to the Chief Electoral Officer when the agenda calls for the election to commence.
- 5.5 The Chief Electoral Officer shall make the third/final call for nominations. After the third/final call, the Chief Electoral Officer shall declare that nominations are closed.
- 5.6 Once Convention has been convened, any nomination from the floor made before the close of nominations must be accompanied by a completed nomination form delivered to the Chair of the Elections Committee or designate.
- 5.7 If more than one candidate is nominated, the Chief Electoral Officer shall conduct the election.
- 5.8 The Chief Electoral Officer shall read the list of candidates in reverse order and shall ask each person if they accept their nomination. If the candidate declines, their name is struck from the list. Those candidates who have declared that they have accepted their nomination shall be considered the final list of candidates.
- 5.9 The Chief Electoral Officer shall determine the speaking order by drawing names of candidates.
- 5.10 The Chief Electoral Officer shall invite each candidate and one of their nominators to address the Convention for a total of 5 minutes. The speakers shall decide how to allocate the speaking time.
- 5.11 In the event there is only one candidate, the ballots shall be dispensed with and the Chief Electoral Officer shall declare that candidate elected as President.

6. Balloting

- 6.1 The Board of Directors will determine the method by which balloting will take place (i.e. by paper ballot or by electronic voting), in accordance with the principle of maintaining the secrecy of the ballot. The Elections Committee may make a recommendation in this regard to the Board of Directors.
- 6.2 Sergeants-at-arms shall tile the doors when balloting is to commence. The Chief Electoral Officer shall indicate which numbered ballot is to be used and holds the vote. The Balloting Committee shall collect the ballots in sealed ballot boxes. The Sergeant-at-arms shall untile the doors at the end of balloting. The Balloting Committee shall take the ballots to a predetermined room for counting.

- 6.3 Each candidate may appoint a scrutineer. A candidate is not eligible to be appointed as a scrutineer during balloting for their own election.
- 6.4 The Chief Electoral Officer shall witness the ballot count.
- 6.5 If no candidate gets more than 50 percent of the votes cast, then the Chief Electoral Officer shall drop from the ballot the candidate receiving the least number of votes, as well as any candidate receiving less than 5% of the votes.
- 6.6 The Chief Electoral Officer shall repeat the balloting until one candidate receives 50 per cent plus one of the votes cast.
- 6.7 In the event of a tied vote between two candidates (with 5% or more of the votes) for **last place**, the Chief Electoral Officer shall conduct a re-ballot. If this vote still ends in a tie, there will be a run-off between the two candidates to determine which candidate will be dropped off the subsequent ballot.
- 6.8 In the event of a tied vote between the last two candidates for **first place**, the Chief Electoral Officer shall conduct a re-ballot.

7. Announcing the President-elect; Recount Request; Speech by President-elect

- 7.1 The Chief Electoral Officer shall assume the Chair of the Convention and announce the results of the election, including the total number of ballots cast and the number of votes cast for each candidate.
- 7.2 Should a candidate want a recount, they must make their request to the Chief Electoral Officer immediately after the results are announced to the Convention.
- 7.3 If the incumbent President has been defeated, the Chief Electoral Officer shall provide an opportunity for Convention participants to express their appreciation for the incumbent's work.
- 7.4 The successful candidate, as President-elect, shall address Convention.
- 7.5 Should a defeated incumbent not wish to continue as Chair of the Convention, the Vice President or designate shall assume the Chair.
- 7.6 The President-elect shall assume the office of President at the close of the Convention.

8. Virtual Annual Convention, including Virtual Election of President Process

- 8.1 If it is not possible to hold the Annual Convention in-person due to extraordinary circumstances, HSA shall make every reasonable effort to hold it using a virtual platform. If the agenda includes election of President, the election process will be conducted using a virtual platform.

For greater clarity, the following sections of this policy will be conducted using virtual technology, adapted as necessary given any technology constraints/limitations:

Section 5 – Appointment of a Chief Electoral Officer; Election Process - policy statements 5.2 to 5.11, inclusive.

Section 6 – Balloting – policy statements 6.1 to 6.8, inclusive.

Section 7 – Announcing the President-elect; Recount Request; Speech by President-elect – policy statements 7.1 to 7.6, inclusive.

- 8.2 HSA's Communications Department shall make the appropriate arrangements for a virtual Annual Convention, including for the election of President if the election of President is on the agenda.

References:

Constitution: Article 9 - President

Candidate for President Statement of Campaign Expenses Form

Agreement on Use of Steward and Delegate Lists

Policies:

Allowable Spending for Candidates Running for Office of President

Convention Balloting

Support for Individual Candidates

Membership Lists and Member Mailings

Social Media

Privacy of Personal Information