

Elections and Voting Policy and Procedures

Made Effective by the Executive Board pursuant to Constitution Article 12.1 on September 8, 2023.

1. Purpose

1.1 The purpose of this Policy is to set out:

1.1.1 An “other reliable method” of secret-ballot voting that shall address practicality, economy, and the right of all Members in good standing to vote as enabled under Constitution Articles 5.2 and 6.2;

1.1.2 The voting “Procedures [that] shall provide for each Member to have the opportunity to vote, and shall if applicable provide time limits allowing sufficient time for the ballots to be mailed and returned” as required under Constitution Article 5.9;

1.1.3 The “Procedures for nominations and elections (or appointment) of Officers and other Representatives” and “The procedures for the election of Representatives, including Officers” as required under Constitution Articles 6.1 and 6.11;

1.1.4 Timing of “Elections for Representative positions other than those referenced in [Constitution Articles] 6.7 & 6.8” as enabled under Constitution Article 6.9;

2. Other Reliable Method of Secret-Ballot Voting

2.1 At its discretion, any time the Membership is to vote on a matter, the Executive Board may cause UCCE to retain the services of a third-party to facilitate secret-ballot voting, provided that the third-party:

2.1.1 Has a Privacy Policy that complies with the *Personal Information Protection Act*, SA 2003, c P-6.5 in the performance of its services to UCCE;

2.1.2 Is experienced in conducting secure voting services to organizations that evidence integrity in process and outcome; and

2.1.3 Provides a reliable method of secret-ballot voting that addresses practicality, economy in compliance with the Constitution, and the right of all Members in good standing to vote;

including, but not limited to Simply Voting Inc.

3. Voting Procedures

3.1 In-Person Voting: subject to the Constitutional requirements, including but not limited to, that “[a]t the discretion of the Executive Board, voting cast in person shall be by show of hands or by secret ballot” and that “[p]roxy voting by Members shall not be permitted”, Robert’s Rules of Order, Newly Revised (most recent edition) will be a reference and guide concerning questions of voting procedure at in-person meetings.

3.1.1 Candidate speeches and presentations shall be limited to three (3) minutes when conducting in-person electoral voting.

3.2 Mail-in Ballot: at the present time voting shall not be conducted by mail-in ballot.

3.3 Electronic Voting: electronic voting shall be conducted by a third-party service provider pursuant to #2, above.

3.4 The Returning Officer shall receive all complaints regarding irregularities of voting procedures and, subject to the Constitution, will determine the appropriate action on such complaints. Such actions shall not result in any Member being expelled or suspended, disciplined, or penalized in any form.

4. Procedures for Nominations and Elections (or Appointment) of Officers and Other Representatives

4.1 Subject to #5.1, notice and nomination forms for the election of Officers will be sent out to Members at Centres, Gas Bars, Liquor, and Cannabis Stores no later than five (5) weeks before the Annual General Meeting. Nomination forms will also be available online and in the Union Office.

4.2 Subject to #5.1, nominations must be received by the Returning Officer through the Union Office no later than twenty-one (21) days prior to Annual General Meeting before 4:00pm.

4.3 Pursuant to Constitution Article 6.4, “[e]xcept for Centre Stewards positions, and non-chair-level committee positions, Members accepting nomination for election (or appointment) to Representative positions must have the requisite training, education and experience to competently perform the duties of the position.” The Returning Officer will determine candidate eligibility based on the following minimum qualifications:

4.3.1 Executive Board Officers:

4.3.1.1 Member in Good Standing for a minimum of three (3) years;

4.3.1.2 Two (2) years service as a Centre Steward in the preceding five (5) years at the time of the election. For new Centre Stewards, their service will

commence upon completion of the training. For individuals who held Shop Steward positions before, and transitionally after, 13 September 2022, their service as Shop Stewards is deemed to be service as Centre Stewards for the purpose of this clause;

4.3.1.3 Minimum attendance at all General Meetings, including Special General Meetings, of seventy percent (70%) for the one (1) year period immediately preceding the Annual General Meeting to which the election is to be held;

4.3.1.4 Cannot be a bankrupt, and if they become a bankrupt after taking office, their office shall be deemed terminated immediately;

4.3.1.5 Must possess a reliable personal motor vehicle, and the legal capacity to operate it on public roadways, and if they no longer possess motor vehicle and/or the legal capacity to operate it on public roadways after taking office, their office shall be deemed vacant if they have not regained possession of a reliable personal motor vehicle and the legal capacity to operate it within one hundred and twenty (120) days, subject to the Union's obligation to accommodate human rights protected grounds to the point of undue hardship; and

4.3.1.6 As "Individuals may not run for or hold more than one Representative position concurrently" (Constitution 6.3):

4.3.1.6.1 No Executive Board member shall be eligible to be nominated for election, nor elected to any other Executive Board position while holding an Executive Board position, unless: (1) The term of office held by such Executive Board member expires before or at the meeting at which the election is to be held; or (2) the nomination papers filed are accompanied by the Executive Board member's written resignation from the Executive Board position held. Such resignation to be effective not less than fourteen (14) days prior to the election meeting. For clarity, the resigning member's Executive Board position will be vacated and open for nomination and election at the meeting at which the election is to be held.

4.4 Returning Officer must have been Member in Good Standing for a minimum of one (1) year, and must possess their own motor vehicle and the legal capacity to operate it on public roadways.

4.5 Sergeant-At-Arms must have been Member in Good Standing for a minimum of one (1) year, and must possess their own motor vehicle and the legal capacity to operate it on public roadways.

4.6 Centre Stewards must be a member in good standing for a minimum of one (1) year.

5. Timing of Elections for Representative Positions Other Than the Offices of President, Recording Secretary, Vice President, Treasurer, Chief Centres Steward, Sergeant-at-Arms, Returning Officer

5.1 Centre Stewards: Elected, acclaimed and appointed Centre Stewards shall hold office for 4-year terms upon taking office, subject to this provision. Centre elections, if required, shall be staggered, and the timing to be at the discretion of Executive Board. Nominations shall be sought and received a reasonable time in advance of potential elections. If Centre Steward positions at a Centre are filled by acclimation, no election at that Centre will be held. If after nominations, one or more Centre Steward positions at a Centre remain vacant due to an insufficient number of candidates accepting nomination, the Executive Board may fill such positions through appointment. Only if more Members accept nomination than the available Centre Steward positions at a Centre shall an election at that Centre be held. Election of Centre Stewards, when required, shall be by electronic voting conducted by a third-party service provider pursuant to #2, above.

5.2 Negotiating Committee Members: Shall be appointed by the Executive Board from the Membership. To be eligible for appointment, Members must have been Member in Good Standing for a minimum of two (2) years, and must possess their own motor vehicle and the legal capacity to operate it on public roadways. At the Executive Board's discretion, external labour relations or legal experts may be contracted to assist the Negotiating Committee, and where so contracted the person shall be a member of the Negotiating Committee. Appointed and hired members of the Negotiating Committee shall hold their positions from 120 days preceding the nominal expiry of the term of the extant collective agreement until the next Negotiating Committee is appointed/hired 120 days preceding the nominal expiry of the term of the successor collective agreement. The Negotiating Committee and its members shall be under the direction of the Executive Board. The Negotiating Committee shall participate in the collective agreement bargaining process on behalf of the Union, as directed by the Executive Board. The Negotiating Committee does not have the authority to enter into binding agreements on behalf of the Union, and any agreements it reaches with the Employer must be expressly subject to approval by the Executive Board, and if applicable, to ratification by the Membership.

5.3 Ad hoc Committee Members: will be appointed by the Executive Board from the Membership as and when such *ad hoc* Committees are created as the Executive Board may determine necessary or advisable. If and when the Executive Board creates an *ad hoc* Committee, the duties, obligations, and authorities and eligibility of such Committees and their members will be set out in Policy.