

**SUBWAY SURFACE SUPERVISORS ASSOCIATION  
NOTICE OF NOMINATIONS AND ELECTIONS FOR  
UNION-WIDE OFFICES, SECTION  
VICE PRESIDENTS, AND EXECUTIVE BOARD MEMBERS**

In accordance with the Constitution of the Subway-Surface Supervisors Association, the election of Union-Wide Officers, Section Vice-Presidents, and Executive Board Members, will take place by secret mail ballot mailed out on November 4, 2019, to all those who are members in good standing as of October 18, 2019. Ballots will be counted on Tuesday, November 26, 2019.

**POSITIONS TO BE FILLED:**

**Four (4) Executive Officers:**

President	Executive Vice President
Financial Treasurer	Recording Secretary

**Seventeen (17) Section Vice Presidents, one for each of the following sections:**

Assistant Train Dispatcher	Stations	Third Rail	Infrastructure
Train Dispatcher	Car Equipment	Signals	Supply Logistics
Train Service Supervisor	Surface Line Dispatcher	Electric Power/Cable	Track
Yard Dispatcher	Bus Maintenance	TPPS	SIRTOA
		Line Equipment (Lighting, Telephones, Electric Equipment)	

**Twenty-Six (26) Executive Board Members (this number is subject to change depending on the number of members in various Sections; the number of Executive Board seats to be filled will be published on the Union's website on August 1, 2019):**

Assistant Train Dispatcher (1)	Car Equipment (3)	Infrastructure (3)
Train Dispatchers (3)	Surface Line Dispatchers (3)	Track (3)
Train Service Supervisors (3)	Bus Maintenance (2)	Signals (1)
Stations (3)	Line Equipment (1) (Lighting, Telephones, Electric Equipment)	

**NOMINATIONS:** By Petition or by Nominations Meeting

**NOMINATIONS MEETING:** October 9, 2019, 11am at,  
Apella, 450 East 29<sup>th</sup> St, 2<sup>nd</sup> Floor, New York, NY 10016, Between 1<sup>st</sup> Ave & FDR

**PETITIONS:** Available 8/26/19–9/27/19 @ Election Counsel, 225 Broadway, Rm. 1902, New York, NY 10007  
Filing Deadline: 10/3/19

**ELIGIBILITY:** 5 years good standing and must have reached top pay by 8/26/19

**For full rules, go to SSSA Website: [www.sssaunion.org](http://www.sssaunion.org)**

**SUBWAY SURFACE SUPERVISORS ASSOCIATION  
NOTICE OF NOMINATIONS AND ELECTIONS FOR  
UNION-WIDE OFFICES, SECTION VICE PRESIDENTS,  
AND EXECUTIVE BOARD MEMBERS**

**I.**

In accordance with the Constitution of the Subway-Surface Supervisors Association, the election of Union-Wide Officers, Section Vice-Presidents, and Executive Board Members will take place by secret mail ballot mailed out on November 4, 2019 to all those who are members in good standing as of October 18, 2019. Ballots will be counted on Tuesday, November 26, 2019.

**POSITIONS TO BE FILLED**

Executive Officers:

- President
- Financial Treasurer
- Recording Secretary
- Executive Vice President

Seventeen (17) Section Vice Presidents, one for each of the following sections:

- Train Dispatchers
- Assistant Train Dispatchers
- Stations
- Train Service Supervisors
- Yard Dispatchers
- Car Equipment
- Surface Line Dispatchers
- Bus Maintenance
- Third Rail
- Electric Power/ Cable
- Line Equipment
- Signals
- Infrastructure
- Track
- SIRTOA
- TPPS
- Supply Logistics; and

Twenty-Six (26) Executive Board Members (this number is subject to change depending on the number of members in various Sections; the number of Executive Board seats to be filled will be published on the Union's website on August 1, 2019):

- Train Dispatchers (3)
- Assistant Train Dispatchers (1)
- Stations (3)
- Train Service Supervisors (3)
- Car Equipment (3)
- Surface Line Dispatchers (3)
- Bus Maintenance (2)
- Signals (1)
- Infrastructure (3)
- Track (3)
- Line Equipment (Lighting, Telephone and Electronic Equip) (1)

## **NOMINATING MEETING/PETITIONING DEADLINES**

Nominations may be made at the Nominations Meeting or by Petition. The Nominations Meeting will occur on October 9, 2019, at 11:00 AM, at the Apella, at 450 East 29<sup>th</sup> Street, (2<sup>nd</sup> Floor) New York NY 10016. (Between 1<sup>st</sup> Ave & FDR). Petitions will be available August 26, 2019 – September 27, 2019 at the office of the Election Counsel. Nominating Petitions must be filed with the Elections Counsel six days before the Nominations Meeting, October 3, 2019.

## **ELIGIBILITY**

To be eligible for nomination for any of the above positions, a member must be a dues-paying member in continuous good standing (not an agency fee payer) and work in the SSSA bargaining unit for no less than five (5) years and must have reached top pay on or before August 26, 2019. A member can only be nominated for one elective office.

## **NOMINATIONS**

Candidates may be nominated either at the Nominations Meeting or by Petition.

The Nominations Meetings shall be held on October 9, 2019 at 11:00 AM, at the Apella, at 450 East 29<sup>th</sup> Street, (2<sup>nd</sup> Floor) New York NY 10016. (Between 1<sup>st</sup> Ave & FDR). Petitions will be available to any member in good standing at the office of the Election Counsel, 225 Broadway, Suite 1902, in Manhattan, between Monday, August 26, and Friday, September 27, 2019, between the hours of 10:00 AM and 6:00 PM; the Office will be closed on Saturdays and Sundays, and on Labor Day, September 2, 2019. Petitions must be turned in by 5:00 PM on October 3, 2019, to the same location.

### **NOMINATIONS MEETING**

The Elections Counsel shall run the meeting on October 9, 2019 to take nominations.

Nominations for the office of President, Executive Vice President, Financial Treasurer, and Recording Secretary shall be made and must be seconded by seven (7) active members other than the nominator, each from different Sections. Nominations for Section Vice-Presidents and Section Executive Board Members must be seconded by five (5) members, in addition to the nominator, all from the particular Section involved.

A candidate nominated from the floor must be present at the Nominations Meeting when the candidate is nominated or must have signified acceptance in writing to the Secretary Treasurer prior to the meeting in which the candidate is nominated using the Nomination Acceptance Form available at the union office or on the SSSA website.

### **NOMINATING PETITIONS**

Nominations may also be made by Petition for President, Executive Vice-President, Recording Secretary, and Financial Treasurer by a Petition signed by ten percent (10%) of the active membership; nominations for Section Vice-Presidents and Section Executive Board members may also be made by a Petition signed by ten percent (10%) of the Section's good

standing members involved. The number required, and the number of Executive Board seats to be filled will be published on the Union's website on or before August 15, 2019.

Nominating Petitions shall be available beginning August 26, 2019 until September 27, 2019, between the hours of 10:00 AM and 6:00 PM at the office of the Election Counsel, 225 Broadway, Suite 1902, Manhattan, and must be filed with the Secretary-Treasurer through the Election Counsel, at 225 Broadway, Suite 1902, New York, New York 10007, no later than 5 PM on October 3, 2019. Any Nominating Petitions received after that date and time will be invalid.

Any individual candidate or candidate from a slate may pick up a Petition or may authorize a member in good standing to pick up a Petition for him/her or for the entire slate by submitting an "Authorization to Pick Up a Petition" form, which will be available on the Union website. The forms will be available at the Union Office or the SSSA website and may be hand delivered, mailed, emailed, or faxed to the Election Counsel. There shall be no limitation on the number of Petitions that a candidate or an authorized person may pick up, but a request for an unreasonable number may be denied. All Petitions shall be numbered by the Election Counsel and each member obtaining Petitions shall be required to sign for them and shall be held responsible for their proper use. The *member* (all Petitioners must be members) who obtains the signatures on a Petition must complete and sign the statement at the bottom of each Petition, asserting that he or she collected the signatures from persons representing themselves to be members in good standing of SSSA. If such a statement is not signed, the Petition will be invalid. Each member signing must be a member in good standing for the signature to count, and only members in good standing may solicit signatures.

The Petition must be signed in ink; the signing member must print his/her name and must include his/her pass number.

## **SLATE NOMINATIONS**

For purposes of nominations, any group of candidates may, by submission of a “Notice of Slate Candidacy Form,” provided by the Election Counsel and available on the Union website, constitute themselves as a slate, provided that the slate includes nominees for each of the top four Union-wide officers and for Vice President in one Section, and for at least one Executive Board position in at least one Section. A slate may not contain more than one candidate for each of the positions to be filled. A slate which meets the above requirements need not include a candidate for every position to be filled by this election.

The completed form submitted to the Election Counsel must: (1) be signed *by each candidate on the slate* (no one may sign for another member), (2) show which office he/she is a candidate for, (3) include his/her name, printed exactly as it is to appear on the Petition and ballot, and (4) include his/her contact information including the mailing address, pass number, telephone number, and e-mail address.

The Election Counsel will number the Executive Board positions in each Section entitled to more than one Executive Board member. Slate candidacy forms must show the particular numbered positions for which the nominees are candidates, and this number will govern the nominee’s position on the ballot.

The ballot shall give the voter the opportunity to cast one vote for a slate.

Filling in this form will not excuse a candidate from the requirement of being nominated at a Nominations Meeting or by Petition.

## **SIGNATURES REQUIRED**

Nominating Petitions for President, Executive Vice President, Financial-Treasurer and Recording Secretary must be signed by ten percent (10%) of the active membership; Nominating

Petitions for Section Vice Presidents and Executive Board Members must be signed by ten percent (10%) of the Section's good-standing members involved. The number of Petition signatures required for each office will be published on the Union's website on August 1, 2019.

To nominate a slate of candidates for the Union-wide Executive Officers and one or more Section Vice-Presidents and Executive Board members by Petition, a minimum of ten percent (10%) of the SSSA members in good standing is required. **IN ADDITION**, the Petition must include a sufficient number of signatures (ten percent (10%)) from each Section from which a Section Vice-President or Section Executive Board Member on the slate is nominated.

#### **PREPARATION OF PETITIONS/ELIGIBILITY TO BE INCLUDED ON PETITION**

Election Counsel will prepare the "Nominating Petition Forms" and will insert, before issuance, the name or names of the candidates for whom the Petitions are requested, showing the position for which each is a candidate. To expedite determinations of eligibility and to avoid delays on August 26 resulting from the time required preparing Petitions, individual candidates, and those individuals or groups of candidates desiring to run as a slate are requested to file their Nomination Form and Notice of Slate Candidacy Form with the Elections Counsel in advance of August 26 (fax no.: 212-285-1410/hand delivery: 225 Broadway, Suite 1902, New York, NY 10007).

Petitions for those individuals and slates filing required forms on or before Tuesday, August 20, 2019 will be available at 9:00 AM on August 26, 2019. Otherwise, Petitions will be prepared as promptly as possible after the Elections Counsel is provided with the necessary forms and information.

The Election Counsel will determine the eligibility of candidates to be included on the Petition as promptly as possible and will notify each candidate found to be ineligible by telephone, e-mail, and/or overnight mail. Those found ineligible will not be included on a Petition. The

inclusion by the Election Counsel of a candidate's name on a Petition shall not be construed as a final ruling about whether that candidate has met the eligibility requirements for election; such an issue can be the subject of an objection through a period ending 5:00 PM on Wednesday, October 16, 2014.

## **APPEALS OF ELIGIBILITY RULINGS**

A candidate ruled ineligible must appeal that ruling, in writing or by e-mail (to [aschwartz@afjlaw.com](mailto:aschwartz@afjlaw.com)), delivered to the Election Counsel within 48 hours of receipt of the notice. If the Election Counsel determines that a hearing is necessary, the Election Counsel will conduct a hearing on any appeal as expeditiously as possible, at a time designated by him. He will give the candidate 24 hours' notice of the hearing. The burden shall be on the candidate to demonstrate to the Election Counsel that his initial determination was wrong. The Election Counsel shall rule on eligibility appeals at the close of the hearing. Election Counsel determinations on an appeal are final.

## **FILING OF PETITIONS**

Signed "Nominating Petition Forms" must be hand-delivered, by a member in good standing, to the Elections Counsel, at 225 Broadway, Suite 1902, New York, New York, on weekdays from Tuesday, September 3, 2019, to Thursday, October 3, 2019 between the hours of 9:30 AM and 5:00 PM A receipt will be given to the delivering member indicating the number of pages and the number of signatures on all accepted Nomination Petitions. ***NO Petitions will be accepted after 5:00 PM October 3, 2019.***

## **OBJECTIONS TO NOMINATIONS**

Any member in good standing will be able to check filed Petitions to verify the number of valid signatures, under the supervision of the Election Counsel, on Friday October 4, 2019,



between the hours of 9:30 AM and 5:00 PM at the SSA office. Written objections alleging signature duplication, or other irregularities, must be signed and submitted by a member in good standing to the Election Counsel no later than 5:00 PM, Monday October 7, 2019. The burden shall be on the challenging party to present evidence that would invalidate signatures or a Petition as a whole. The Election Counsel will reach a decision about all objections on or before 5pm on Tuesday, October 8, 2019. The Election Counsel will notify the objector of its decision in writing, by email and by phone. The Election Counsel has the authority to investigate apparent irregularities on its own and make a ruling, which shall be final.

### **ELIGIBILITY REPORT**

The Election Counsel will issue the Final Report on Eligibility by Petition on or before Tuesday, October 8, 2019. Any party who wishes to contest the determination of the Election Counsel has forty-eight (48) hours from the date of this Report to appeal to the Election Counsel. All decisions will be posted on the SSSA website.

### **BALLOTING PROCEDURE**

The balloting for Union-Wide Officers, Section Vice Presidents and Executive Board Members, shall be by secret mail ballot mailed out on November 4, 2019 and counted on Tuesday, November 26, 2019 in accordance with the procedure set forth in Section II below.

## **II.**

### **ELECTION PROCEDURE – UNION-WIDE OFFICERS, SECTION VICE-PRESIDENTS, AND EXECUTIVE BOARD MEMBERS**

#### **THE BALLOT – UNION-WIDE OFFICERS/SECTION V.P.S./EXECUTIVE BOARD**

##### **Union-wide Officers, Section Vice-Presidents & Executive Board**

Unless otherwise requested in the Notice of Slate, each Slate will be identified on the ballot by the surname of the candidate nominated for the President on the Slate. The Incumbent Slate, if any, will be placed first on the ballot and other slates will be ranked alphabetically using the last name of its Presidential Candidate. Individual candidates will be placed on the ballot after slates, in alphabetical order by surname.

#### **THE MAILING/THE BALLOT**

Ballots will be mailed on Monday November 4, 2019, by the American Arbitration Association, utilizing the most recent membership list available. To be eligible to vote in the election and be mailed a ballot, a member must be in good standing (not an agency fee payer) and must have paid all arrears in dues and other financial obligations to the Union, on or before October 18, 2019.

Enclosed with the ballot mailed to each member will be two (2) envelopes. The words “SECRET BALLOT – OFFICER ELECTION AND SECTION ELECTION” will be printed on one envelope. The other envelope will be an addressed return envelope, with postage prepaid.

- Each ballot must be voted in accordance with the instructions printed on it.
- Having voted, the member must place their marked ballot in the appropriate secret ballot envelope and seal it. Any mark on the secret ballot envelope which could identify the voter will void the ballot.
- The sealed secret ballot envelope should be placed in the appropriate return addressed envelope and sealed.
- The voted ballots must be mailed so as to arrive at the AAA post office box before 6:00 AM on Tuesday, November 26, 2019. *No ballots may be returned to the AAA in person.*
- The Officer/Section VP/ and Executive Board candidates will appear on the same side of the ballots, and a slate box will appear above slates, allowing members to vote for an entire slate by checking one box.

## **THE AMERICAN ARBITRATION ASSOCIATION**

The AAA will administer the balloting. The AAA will be in possession of the membership list as it stands on October 1, 2019. That list will be updated on October 18, 2019 with new hires, retirements, resignations, etc. Any member who does not receive a ballot by November 11, 2019 should contact AAA at 1-800-529-5218. Any question by a member regarding his or her eligibility to vote should be directed to the Election Counsel. If the question is not resolved to the member's satisfaction, then the member will be given a "challenged ballot" with issues to be reviewed and reassessed on the day of the count.

## **THE COUNT**

The count of the ballots returned will commence at 9:00 AM on November 26, 2019, at the AAA office or at another location chosen by the AAA and the Election Counsel, and will continue until completed, with such breaks for meals and rest as the AAA may decide.

**No ballot which was received after 6:00 AM on November 26, 2019 shall be counted.**

**Walk-ins will not be permitted; ballots must arrive by mail.**

## **OBSERVERS**

Each candidate may designate in writing, signed by him or her, any member in good standing to act as their observer at each step in the election process, including: the assembling of ballots at the printer; the picking up of ballots from printers and their transportation to the Post Office for mailing; the eligibility check (which AAA will perform each weekday beginning November 19, 2019, at its office); and the count November 26, 2019. An individual candidate may not be represented by more than one observer at any one time, except at the count. Candidates on a slate may jointly be represented by up to, but no more than, three observers at any one time except at the count, where each candidate or slate may have the same number of observers as there are stations for counting (see Supplemental Rule III (7)(H)). A candidate may be one of the allowed observers. Each slate will be allowed to have an attorney present in the observer area.

## **THE NEUTRAL MONITOR**

A Neutral Monitor appointed by the Election Counsel, with consent of the SSSA President, will be responsible for handling post-count election appeals. Any appeal sent to the Neutral Monitor must be in writing and must be made within five (5) days of the count. It will be the Neutral Monitor's responsibility to resolve any appeals in accord with the SSSA By-Laws,

applicable law, the Election Rules adopted by the SSSA Executive Board. The Neutral Monitor will have the power to investigate and determine the facts prior to applying the law to appeals brought to the Neutral Monitor's attention. The Neutral Monitor may order a rerun of any election.

## **CERTIFICATION**

As soon as practicable, after the count has been completed and any appeal is decided and remedy put into effect, the Election Counsel shall certify, in writing, the results of the election to the Secretary Treasurer. Should a rerun be necessary, the Election Counsel shall certify those elections not subject to a rerun.

## **III.**

### **SUPPLEMENTAL RULES**

#### **1. Membership List**

The final list of the last known names and addresses of all members in good standing of the SSSA shall be delivered to the AAA no later than the close of business on October 1, 2019. This list shall be considered the master membership list. All members who have moved or changed their address and have failed to notify the SSSA office of such change should notify the SSSA office of the change no later than October 18, 2019. It is the responsibility of the member to keep the Union updated on his/her current address. After October 1, 2019 any additions made to the master membership list because of errors previously made and any deletions due to error, promotion or retirement made to the AAA list, shall be made with concurrence of the Election Counsel; such changes shall be subject to inspection by all affected candidates. The list delivered to the AAA on October 1, 2019 shall be the list used for all candidate mailings done after October 1, 2019.

**2. Inspection of Membership List**

Each candidate has the right, on one occasion between October 1, 2019 and October 30, 2019, to inspect, but not copy, a list containing the last known names and addresses of all members of the Union. The list may be reviewed only at the SSSA office. Arrangements for review of the list will be made by the Election Counsel. The membership list will be used for no other purpose except to generate labels for mailings. The Union shall not, in any way, discriminate in favor of or against any candidates with respect to the membership list. The Union shall take appropriate steps to direct that all staff and members who are in possession of part or all of the membership list, whether or not used for their work, shall be returned, together with any copies, to the Union not later than October 1, 2019.

**3. Freedom to Exercise Political Rights**

All SSSA members and all Union officers and employees, if members, retain the right to participate in campaign activities, including the right to openly support or oppose any candidate, to aid or campaign for any candidate, and to make personal campaign contributions.

**4. Prohibition on Interference with Voting**

No person or entity shall limit or interfere with the right of any SSSA member to vote.

**5. Campaign Contributions**

**A. 1.** No candidate for election shall accept or use any contributions or other things of value received from any employer, representative of an employer, foundation, trust, union or similar entity. Nothing herein shall be interpreted to prohibit receipt of contributions from fellow employees and members of SSSA, unless that employee or member is an employer.

**A. 2.** No employer shall be permitted to contribute anything to any campaign. The prohibition on employer contributions extends to every employer regardless of the nature of the business, or whether any union represents its employees, and includes but is not limited to political action organizations (other than a candidate's or slate's campaign organization), nonprofit organizations such as churches or civic groups, law firms, and professional organizations. These prohibitions include a ban on the contribution and use of stationery, equipment, facilities and personnel. This includes NYC Transit Authority or MABSTOA copiers, fax machines or computers.

**A. 3.** The prohibition on campaign contributions extends to all labor organizations, whether or not they are employers, except as permitted below.

**B.** No Union services, facilities, equipment or goods—including, but not limited to, time, staff, copying machines, fax machines, telephones, printing and postage—shall be used to promote the candidacy of any individual or slate unless the Union notifies all candidates of the items available for use and all candidates are provided equal access at equal cost to such goods and services. The use of the Union's official stationery, or its logo or its name is prohibited irrespective of compensation or access.

**C.** No candidate or other member may campaign for her/himself or for any other candidate during time that is paid for by the Union or by any employer. For this purpose union officers and staff must designate an 8 hour period which will be considered their work period; this must be a time period which they actually work on each day. However, campaigning incidental to regular Union business, before or after the designated 8 hour work period, or during paid vacation, paid lunch hours or breaks, or similar paid time off, is permitted. Vacation request forms must be

approved in advance and request/approval forms and vacation balances must be made available to the Neutral Monitor upon request.

D. Nothing shall prohibit any candidate from accepting contributions made by any non-member who is not an employer, or by any member, whether or not such member is an employer, or by any caucus or group of Union members or any campaign organization of any candidate provided that such caucus, group or campaign organization is itself financed exclusively from contributions permitted under these rules.

E. Nothing shall prohibit the donation of services by an individual to a candidate rendered on the individual's personal, free, uncompensated time.

F. It is strongly recommended that each candidate notify all prospective contributors of the limitations on campaign contributions, that the limitation be placed on all campaign literature soliciting contributions, and at all fund-raising events, and that candidates keep a record of all donations greater than \$99.

## 6. Protests or Appeals

A. All protests or appeals alleging a violation of the SSSA Constitution, applicable law, and the Election Rules related to the conduct of the nominations and election, except count-day protests, **must be filed within forty-eight (48) hours (or five (5) calendar days in the case of a post-election appeal) of the time the complainant(s) knows or should have known of the alleged violation. All complaints made after these time periods shall be deemed waived.**

B. Protests regarding any alleged improper mail ballot count-day conduct must be brought to the Election Counsel's attention immediately, but no later than the completion of the counting of the ballots.



**C.** All pre-election protests except those regarding disputes over an alleged improper failure to issue a ballot shall be filed by sending the Election Counsel a clear and concise written statement of the alleged improper conduct by overnight mail or by email or facsimile transmission and shall include the name(s), address(es), e-mail address(es) and telephone number(s) of the complainant(s) and the name(s) of the person(s) against whom the protest is filed. The Election Counsel shall serve the protest on the designated representative of the affected slate or independent candidate(s) unless it is clear that the protest does not impact on a slate or candidate(s).

**D.** With respect to any protest, it shall be the burden of the complainant to present evidence that a violation has occurred.

**E.** No protest of any candidate or member shall be considered if such candidate or member or anyone acting under his/her direction or control or on his/her behalf, caused or significantly contributed to the situation giving rise to such protest.

**F.** As soon as practicable after receipt of the pre-count protest or post-count election appeal, the Election Counsel or Neutral Monitor shall evaluate the protest and shall determine its merits, applying the SSSA Constitution, applicable law, and these rules, and, if found meritorious, determine the appropriate remedy. The Election Counsel shall render a written decision on each pre-count protest and shall notify the complainant(s) and any other candidate(s) affected by his decision.

**G.** All candidates, members, and the SSSA shall cooperate with the Election Counsel in his investigations.

**H.** *Remedies.* If as a result of any protest filed or any investigation undertaken by the Election Counsel with or without a protest, the Election Counsel determines that these Rules have been violated, the Election Counsel may take whatever remedial action is appropriate.

I. 1. *Post-Election Appeals.* The decision of the Neutral Monitor shall be considered final and binding.

7. **Voting and Ballot Count Procedures**

A. All candidates and slate representatives will have an opportunity to view and comment on the draft of the ballot and instructions.

B. AAA will send the Election Counsel a daily list of all members requesting a duplicate ballot whose names the AAA has not been able to find on its lists. The Election Counsel will investigate these names as quickly as possible and report back to AAA as to the member's eligibility to receive a ballot. If the Counsel finds that the person is not eligible or does not get back to the AAA with the person's status within 48 hours after receiving the name from AAA, then AAA will send the person a challenged ballot. AAA will fax or e-mail to the Election Counsel on a daily basis the names, divisions and pass numbers of all those receiving challenged ballots. The Election Counsel will fax or e-mail these lists to candidates; slate representatives on request to the extent practicable. All parties agree that these lists are to be used for the sole purpose of investigating the eligibility to vote of the people listed, so that if it becomes necessary to resolve challenges on the day of the count, their status can be more readily determined.

C. If any member does not receive a ballot within four (4) days of the mailing date, he or she should call the AAA at 800-529-5218. It is preferable for all members to mail their return ballots and to do so as soon as possible after receiving them in the mail. If someone is requesting a duplicate ballot on behalf of someone else, the member for whom the request is made must sign the written request for a duplicate ballot, which may then be mailed or faxed to AAA. No duplicate ballot will be mailed less than three (3) days before the count. No one may pick up or drop off a

ballot in person. If a member who has timely requested a duplicate ballot by phone has not yet received it in the mail, he or she should contact the Election Counsel.

**D.** If more than one ballot is received by the AAA from any person, the later posted ballot will be the one counted. AAA will note the day of receipt of any ballot(s) received from a person sent a duplicate ballot, so that the order of posting of multiple ballots received might be determined in the absence of a postmark.

**E.** If a voter votes for more than the set number of candidates for a given office, his/her ballot will be void for that office only. If the voter votes for a slate, the slate vote will be treated as an individual vote for every member of the slate, so that if the voter votes for a slate and for an independent candidate or an individual candidate on another slate, the ballot will be void for that office only.

**F.** If a voter makes any identifying marks on the ballot or erases or defaces the ballot in a manner that makes his/her intent unclear, the ballot will be void or will be void for the office marked in an ambiguous manner. If, however, the voter makes marks or comments on the ballot that do not identify the member or obscure his/her intent, the ballot will be counted.

**G.** If a return envelope is completely blank or the return ID completely illegible, the ballot will be void. If there is a partial ID, the AAA will attempt to identify the voter by matching the number on the envelope with the number on the AAA mailing list and then comparing the ID on the envelope with the voter information on the list. A name, an address with street name and number, a signature and/or a pass number will constitute sufficient partial identification to allow such a matching process, so long as the ID is legible.

H. Each independent candidate or slate may have the same number of candidates/observers as there will be stations for counting the ballots for their office(s). The exact number will be determined several days before the count, based on the number of returns.

8. **Election Count Candidates & Observers Rules**

A. Any candidate who wishes to designate a member in good standing as an observer must notify the Election Counsel in writing.

B. Candidates and observers may not count or handle the ballots.

C. Campaign apparel, stickers or buttons may not be worn in the room where counting takes place.

D. Candidates/observers may not engage in campaign activities, including conversations about candidates or conversations about the election campaign in the room where counting takes place. Candidates/observers who are disruptive may be ordered to leave the counting area.

E. Candidates/observers must enter and exit through the designated door only.

F. Candidates/observers must sign in and sign out each time they enter or exit the room.

G. Candidates/observers may not address the ballot counter. The member may request the counter to stop and address the issue with the Neutral Monitor.

H. Candidates/observers are permitted to view all aspects of the election process, but must give the ballot counters room to do their job.

I. The Election Counsel will look for the Head of Slate or their designated observer to discuss issues.

J. No one will be permitted to bring knapsacks or oversized bags into the count room.

**9. Procedures for Mailing of Campaign Literature**

**A.** Each candidate shall be permitted a reasonable opportunity, equal to that of any other candidate, to have literature mailed, via the US Postal Service, to all or part of the membership, at the candidate's expense. Each candidate is entitled to a reasonable number of mailings, whether or not any other candidate makes such request(s). Requests for mailing shall be made to the Election Counsel at least five (5) days before the desired mailing date.

**B.** All written requests will be honored in the order received.

**C.** Arrangements will be made by the Election Counsel with a professional mailer to handle the mailing of campaign literature.

**D.** All costs for the mailing or emailing of campaign literature will be borne solely by the candidate. Costs associated with the mailings include, but are not limited to:

1. Address labels, materials, and labor
2. Postage
3. Fees as determined by the outside mailer.

**E.** The outside mailer chosen shall be one prepared to provide candidates with either bulk rate or First Class service at the candidate's expense. Once the Election Counsel is contacted by the candidate regarding the volume of the mailing, the vendor will inform the candidate of the estimated cost of the mailing. Cost will vary according to volume. Payment by cashier's check or cash must be made upon delivery of the campaign materials to the mailer. No personal checks will be accepted by the mailer.

**IV.**

**CONTACTS**

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