

April 15, 2015

**Election and Campaign Rules**  
**Transport Workers Union of America, AFL-CIO**  
**Local Union 542**  
**Website <http://local542.twuatd.org>**

**1. Constitution and Bylaws**

The nomination and election of TWU Local 542 1<sup>st</sup> Vice President will be conducted in accordance with the 2013 edition of the TWU Constitution, the Local 542 Bylaws revised July 2008, and the Labor-Management Reporting and Disclosure Act of 1959.

**2. Terms of Office**

Candidates elected to office will serve from June 9, 2015 through February 28, 2017, and until the next scheduled Officers election and installation for March 1, 2017 outlined in the Local 542 Bylaws. In the event only one Candidate is nominated, **that Candidates term will begin** on May 13, 2015 through February 28, 2017.

**3. Eligibility to Hold Office**

To be eligible for nomination and election to office, a candidate shall be a member in continuous good standing of the Transport Workers Union of America for the twenty four (24) months immediately preceding nominations.

No Member of Local 542 shall be permitted to run for more than one elected office.

**4. Nomination Notice**

An Official Local 542 Nomination Form will be mailed to all TWU Local 542 members, posted on the TWU Local 542 website, and posted on union bulletin boards at the worksite location.

**5. Nominations**

Nominations for all elected positions will open on April 21, 2015 and will close at 12:00 noon CDT on May 11, 2015, 2015.

Any Local 542 Member in good standing may nominate a Member for the office of 1<sup>st</sup> Vice President.

Any Local 542 Member in good standing may nominate Members for the office of 1<sup>st</sup> Vice President. Delegates to the International Convention shall be the Local President, 1<sup>st</sup> Vice President, Financial Secretary-Treasurer in that order and to the extent and number entitled by the Constitution.

**Any Local 542 member wishing to nominate another Local 542 member for the position of 1<sup>st</sup> Vice President must return the completed Official Local 542 Nomination Form via email to [local542@twu.org](mailto:local542@twu.org) or USPS mail to TWU Local 542, Attn Elections, 1201 Airports Freeway, Suite 386, Eules, TX 76040. All Nominations sent via USPS must be mailed in order to arrive by the close of nominations at 12:00 noon CDT, on May 11, 2015. The completed form must contain acceptance of nomination from the nominee that he/she is willing to serve for that office. Any nomination form that does not meet this criteria will be voided.**

## 6. Inspection of the Membership List

The Membership List of Local 542 will be available for inspection by any candidate on May 12, 2015. No candidate is entitled to receive a copy of the list.

## 7. Distribution of Campaign Literature

TWU Local 542 will honor any reasonable request by a candidate to distribute campaign literature to members at the candidate's expense. Use of the TWU international or Local 542 logo on campaign material is prohibited. For this election, arrangements to process candidate mailings have been made with the union printer listed below. Please contact Allied Union Services directly to arrange your mailings.

Allied Union Services  
240 N. Fenway Drive  
Fenton, MI 48430  
Contact: Randall Rockman  
Telephone: (810) 433-7334  
randy@alliedunionservices.com

## 8. Campaign Restrictions

Section 401(g) of the Labor-Management Reporting and Disclosure Act of 1959 prohibits the use of union and employer funds to promote the candidacy of any person in a union officer election. This prohibition applies to facilities, equipment, supplies, and cash, as well as to campaigning on time paid for by either a union or employer. These restrictions are highlighted here in more detail:

- A union or employer may not contribute money or anything of value to promote the candidacy of any individual in a union officer election.
- The prohibition against the use of union and employer funds applies to any union and any employer, not just to TWU Local 542 or to the employers with whom TWU Local 542 has collective bargaining agreements. For example, it is improper for a candidate to have campaign literature duplicated free of charge on a copy machine at a friend or relative's employer.
- Any expenditure of union or employer funds on behalf of a candidate, even if the amount is small, is a violation of federal law.
- The use of union or employer funds or facilities is a violation of federal law even if union officials or the employer do not know about or approve of the use.
- The prohibition against the use of union and employer funds applies to direct expenditures from the union or employer and indirect expenditures such as:
  - Campaigning on time paid for by the union or employer
  - Use of union or employer-owned or leased equipment such as telephones, fax machines, computers, copy machines, email accounts and vehicles
  - Use of union or employer supplies such as stamps, paper, and envelopes
  - Use of union employees to prepare campaign literature while on union time
  - Use of the union letterhead, logo, or membership list
  - Use of union or employer property or facilities to conduct campaign activities, store campaign material or distribute campaign material
  - Printing articles which support or criticize an individual's candidacy in a union newspaper or other publication
  - Giving free services or special discounts to a candidate customer such as printing, photocopying, or equipment rental

Federal law also provides that candidates must be treated equally regarding the opportunity to campaign and that all members may support the candidates of their choice without being subject to penalty, discipline, or reprisal of any kind.

## **9. Voter Eligibility**

Membership dues are payable on the first working day of each month. Any member who is not on check-off and who hand pays dues fails to pay dues for the month of May by 5:00 PM CST on June 1, 2015, shall be in bad standing and shall be ineligible to vote in this election.

No member enrolled in dues check-off will be declared ineligible to vote because of an alleged delay or default in the payment of dues by the employer.

Retirees are not eligible to vote.

## **10. Election Notice**

A notice of election will be mailed to the last known home address of each TWU Local 542 member no later than April 21, 2015. Election notices will also be posted on the TWU Local 542 website and on union bulletin boards at the worksite.

## **11. Casting Ballots**

This election will be conducted by BallotPoint using phone or internet for casting ballots through the BallotPoint program. Voting instructions and access credentials will be mailed to you at the address you have on file with the Local.

## **12. Lost or Missing voter instructions and access credentials**

If you do not receive or misplace your voting instructions and access credentials, please call 1-800-285-8801 or 817-821-6046 to have your access credentials re-issued.

## **13. Observers**

All candidates may appoint one observer to be present at the ballot tally process. Candidates must submit the names of their observers in writing to the Local Trustee. Paying election observers is the responsibility of the candidate they represent.

## **14. Election Day**

Balloting will take place by internet and telephone beginning May 18, 2015, at 5:00 PM CDT and closing June 8, 2015, at 12:00 noon CDT. All members will be required to use BallotPoint. Notice of election with account activation information and voting instructions will be mailed before the polls open. Write-in votes will not be permitted.

## **15. Tally of Ballots**

The tally will be certified by BallotPoint beginning at 12:30PM CDT on June 8, 2015. The candidate who receives the most votes cast for each office shall be deemed elected to that office. In the event of a tie vote, the winner will be determined by a coin toss. The candidate with the lowest employee number has the option of calling the coin toss. If more than two candidates tie, the candidates' names will be placed into a container with the Trustee randomly selecting the winning candidate.

## **16. Election Results**

The election results will be posted at the union hall, on the TWU Local 542 website, and on union bulletin boards at the worksite after the tally is completed and certified.

## **17. Election Records**

The Trustee is responsible for maintaining all nomination and election records for at least 1 year after the election as required by federal law.

## **18. Questions or Problems**

Any violation of these rules should be reported promptly to the Trustee so that corrective action can be taken, if necessary. All questions or requests pertaining to this election must be submitted in writing to the Trustee at the following address:

Transport Workers Union Local 542  
Attn: Trustee  
1201 Airports Freeway, Suite 386  
Euless, TX 76040

## **19. Protests**

Any Member in good standing, who believes that he/she has been improperly denied the opportunity to be a candidate for an elective office or position, may file a complaint with the Local 542 Trustee no later than 15 days after receiving notice of the denial.

Any Member in good standing who believes that an election in which he/she was a candidate was improperly conducted may file a complaint with the Local 542 Trustee no later than 15 days after the results of the election have been made known.

The decision of the Trustee may be appealed to the International Committee on Appeals within 15 days of the decision pursuant to Article XXII of the constitution. If the Trustee does not issue a decision within 30 days, the member may appeal to the International Committee on Appeals under Article XXII of the constitution.

**The above rules are not all inclusive. Additional election rules or clarifications may be issued by the Ballot Point as needed during the nomination and election period.**