



Report of the Ad Hoc Committee

to Review the Policies,
Procedures and Regulations
for the Province-Wide Vote
for President and Vice-President



At BGM 2017 the following Resolution was passed: *That the NLTA establish an Ad Hoc Committee of NLTA members to review the policy, procedures and regulations for the province-wide vote for Vice-President and President.*

Provincial Executive, at its June 2017 meeting, established the committee with Derek Drover, Provincial Executive member, as Chair. The committee was situated in Harbour Breton with the following members:

- Amelia Andrews-Dalton • Douglas Clark • Jennifer Hatcher • Stacey Matchem • Tiffany Stoodley • Wade Tibbo
- Staff Consultant was Mr. Steve Brooks, Executive Director.

The Committee met four times through the 2017-18 school year and reported progress regularly.

Proposed NLTA By-Law/ Policy Changes

Proposed amendments to the NLTA By-Laws/Policy from the Ad Hoc Committee to Review the Policies, Procedures and Regulations for the Province-Wide Vote for President and Vice-President, as recommended by Provincial Executive are as follows.

[Note: Additions appear in **bold** print and deletions in ~~strikeout~~.]

In considering these proposed by-law changes, you are reminded that a two-thirds majority is required in order for these changes to be carried at BGM.

ELECTRONIC VOTING USING RANKED BALLOTS

The committee is recommending the following changes to NLTA By-laws and Policies to allow for separate province-wide elections for the President and Vice-President using a ranked electronic ballot system. These changes will mean:

- The run-off ballots for President and Vice-President, if necessary, will occur using the original ranked ballots.
- The province-wide election for President will occur during the last five-day school week prior to the end of November.
- The province-wide election for Vice-President will occur during the second five-day school week of December.
- Unsuccessful Presidential candidates will have an opportunity to declare for the office of Vice-President.

CHANGES TO BY-LAWS

XII. NOMINATIONS AND ELECTION PROCEDURES FOR OFFICERS

- B. Photographs and information on candidates referred to in XII.A.(4) must be published in *The Bulletin* at least one month prior to the date of the **Presidential election period**.
- D. The President and Vice-President shall be elected by ballots **at the conclusion of the prescribed election periods** ~~on election day~~ as per the following:
- (1) Voting shall be by secret **ranked** ballots issued to active members as defined by By-law III.
 - (4) If no majority of votes of the active members voting is registered on the initial ballot, where more than two

candidates are involved, all but the two candidates receiving the highest number of votes shall be dropped and **a the alternative choices selected on ballots for unsuccessful candidates will be redistributed to the remaining candidates** ~~deciding ballot shall be held within fourteen (14) days of the original ballot.~~ **In instances where no alternative candidate has been identified, the ballot will not be considered in the final count. The recalculation using the ranked ballot will constitute the run-off election.**

XV. ELECTIONS

- A. Elections for President **shall be held during the last five-day school week of November, with the election concluding on the fifth day.** Elections for and Vice-President shall be held **during the second five-day school week of December, with the election concluding on the fifth day. The election periods will be on a day** ~~selected by the Electoral Committee, as appointed under Section B. of this By-Law, on the first Tuesday in December in the year prior to the year of the expiry of the term of office for that position.~~ Election information shall be published in a Bulletin at least one month prior to the date of the **Presidential elections period**.

CHANGES TO POLICY

V. Election of President and Vice-President by Province-Wide Vote

1. Procedures for Conducting the Election
 - b) Nominations
 - i) Nominations for the office of President and Vice-President of the Newfoundland and Labrador Teachers' Association shall be submitted on the official nomination form. In accordance with By-Law XII, nomination papers shall be signed by at least 10 members in good standing, each signature being witnessed by
 - an officer of a branch, or
 - a member of the NLTA Executive, or
 - a Commissioner for Oaths,
 and submitted to the Electoral Committee, appointed by the NLTA Executive under By-law XV.B. Such nominations must be accompanied by a signed

statement by the candidate of willingness to serve under conditions from time to time established by the Convention and applicable during the term sought. (The total length of the biographical data and policy statement must not exceed 800 words for presidential candidates and 600 words for vice-presidential candidates.)

- iii) Subject to b) i) above, the name of each candidate shall be released by the Electoral Committee within two weeks of receipt of each nomination. For publication in *The Bulletin*, a nomination, a short biographical sketch and an election statement must be postmarked not later than the date which is two months prior to the date of the **Presidential election period**.
- c) Returning/Electoral Officers
 - ii) The Electoral Committee, ~~the President of each NLTA branch (or designate) and the school representative (or designate) of each school or school board office~~ shall conduct the vote in accordance with this policy and the voting instructions outlined by the Association.
- d) Ballots

Ballots shall be **produced electronically** printed with candidates listed in alphabetical order using the full name of the candidate as it appears on the nomination form. **The ballots will be ranked ballots, providing members an opportunity to indicate their alternate choices for candidates, to be used only if required for a run-off election.**
- e) Distribution of Ballots
 - i) ~~The branch executive shall ensure that the school representative (or designate) is fully aware of the duties involved in conducting the vote.~~
 - ii) Ballots will be distributed **to registered members** by the NLTA office **using a secure website**, ~~to school representatives (or designates) in each school and board office in numbers sufficient for each teacher in that school and allowing extra ballots for substitute teachers, teachers on leave, teachers from other schools or branches, and spoiled ballots. The number of ballots sent to each school shall be recorded on the appropriate form supplied to the school. The package shall also include the appropriate forms as supplied by the NLTA office, any background materials needed and a voting instructions sheet.~~
 - iii) A record of the total number of all ballots issued to **members** each school shall be maintained by the NLTA office.
 - iv) School representatives (or designates) shall complete the acknowledgement of receipt of ballots form included in the electoral package and fax it to the NLTA office.

- g) Voting
 - i) **Voting for the position of President will occur during the last five-day school week of November. Voting for the position of Vice-President will occur during the second five-day school week of December** ~~Voting shall take place on the first Tuesday in December.~~
 - ii) Voting shall be by **electronic** written secret ballots issued to active members as defined by By-Law III.
 - v) A faxed ballot is permissible if it is not possible for a member **to complete the electronic ballot due to sustained loss of connectivity**, ~~be physically present in any branch on voting day, provided that the completed ballot which is returned by facsimile is accompanied by a signed statement from the member in question stating that the ballot was indeed cast personally by him/her. Facsimile ballots must be requested from the NLTA office no later than 12:00 noon on the last day of the election period.~~ Such vote will be administered by the Electoral Committee and the completed ballot received only at the NLTA head office.
 - vi) ~~The branch executive shall ensure that the organizational structure is in place within the branch and each school so that the vote can be conducted on the designated date. Voting should take place on the date designated by the NLTA office, unless special circumstances at a school require the vote being conducted at another time. With the approval of the Electoral Committee, a vote may be conducted on a date other than the designated dates only if required by conditions of geography, weather, school closure, etc. Candidates with concerns or questions related to the procedures for conducting the vote in branches or schools shall direct such concerns or questions to the Electoral Committee only and shall not make contact with individual branch presidents, branch executives or school representatives (or designates) concerning such matters.~~
 - vii) A voter who has inadvertently dealt with the ballot delivered to him/her in a manner that it cannot properly be used shall return it to the school representative (or designate) who shall destroy the ballot and provide another ballot to the voter.
 - viii) A voting station will be provided at the NLTA office so that teachers on leave attending university will have the opportunity to vote.
 - ix) If required, **the ranked ballot will be used to conduct** a deciding (run-off) ballot ~~shall be conducted 14 days later, (i.e. the same day of the second week following the original voting day)~~ **(i.e. the run-off ballot will occur on the same day as the original ballot).**

- ix x) All regulations governing the voting procedure are to be strictly followed.
- xi) Special Instructions for Coastal Labrador South; Nutak Labradorimi Branches and other isolated schools as designated by the Electoral Committee:
- The person designated to conduct the vote in each school will, with a witness, count the ballots, record the results, and telephone or fax the results to the branch president on the day of the count. All materials to be returned, as specified under i) vi) below, shall be sent directly by the school representative (or designate) to the NLTA office via an Express Post envelope which will be provided.
 - Any other variations from the regulations for the province will be made in consultation with the Electoral Committee.
- h) Collection of Ballots
- i) Each voter shall **complete their electronic ballot online**. deposit his/her completed ballot into the envelope provided to the school representative (or designate) by the NLTA office.
- ii) **The electronic voting system shall:**
- **Ensure that each member can only vote once by registering individual ballots to individual members.**
 - **Ensure voter anonymity by deleting voter information once the ballot has been verified by the online voting system.**
 - **Maintain an electronic file of all cast ballots.**
- After the voting has been completed:
- The school representative (or designate) and a witness shall ensure that the number of ballots used corresponds with the number of teacher signatures on the registration of voters form. Should the number of completed ballots returned to the branch executive be more than or less than the number of signatures on the registration of voters form, the vote from that school will be nullified.
 - The completed ballots and accompanying forms shall be delivered to the branch executive by the school representative (or designate) or collected by the branch executive.
- iii) Ballots are not to be counted at the school but shall be counted by the branch executive in accordance with i) “Counting of Ballots”, below:
- i) Counting of Ballots
- i) **Counting of ballots will be done electronically using the ranked ballots. The online system will count all first choice candidates from each ballot and determine if either candidate has obtained a 50%+1 majority.**
- ii) **If neither candidate receives 50%+1 majority on the initial ballot, the ranked ballots will be used to redistribute alternate selections from ballots originally cast for unsuccessful candidates to the two candidates receiving the most first ballot support. This will be the run-off election.**
- iii) **Ballots in which no alternative candidate has been selected will not be included in the run-off election count.**
- i) Ballots shall be counted by the branch executive, in the presence of one representative for each candidate, if s/he so desires:
- ii) On election day, or the day following, all completed ballots from all schools, once verified by the branch executive in accordance with h) ii) above, will be placed together to ensure that a total branch count is achieved, and not a school-by-school breakdown:
- iii) The branch ballots must be counted by a committee of the branch executive, with the results recorded on the appropriate form(s) and telephoned, faxed or e-mailed to the NLTA office no later than 6:00 p.m. of the day following the election day.
- iv) The counting of the ballots will be done at a time and place designated by the branch executive. Each candidate may appoint one scrutineer to be present at the counting of ballots. All such scrutineers must complete an “Oath or Affirmation of a Scrutineer” form and present it to the Branch President or his/her designate. A scrutineer shall not interfere with the counting process in any manner, but is permitted to:
- observe the counting of all ballots cast in the branch (or coastal or isolated schools);
 - offer his/her opinion whether a particular ballot should be counted or should be rejected, (however, the decision of the branch executive committee responsible for counting the ballots is final).
- v) In counting the ballots, the branch executive shall reject all ballots:
- that have not been marked for a candidate;
 - on which votes have been cast for more than one (1) candidate;
 - upon which there is writing or a mark or other means by which the voter could be identified; or
 - on which the intention of the voter is not clear and evident.
- vi) The branch executive will mail the ballots and all related forms to the NLTA office no later than the second day after election day, via Express Post envelopes provided, ensuring that all ballots are packaged in accordance with the voting instructions.

- vii) The branch executive may release the voting results of the branch to the members of the branch, only after the Electoral Committee has officially declared the name of the incumbent for that office. All results of the vote which are released to the public will be released by the Electoral Committee.
- j) Election of Candidate
In accordance with By-Law XII.D.:
 - ii) If no majority of votes of the active members voting is registered on the initial ballot, where more than two candidates are involved, all but the two candidates receiving the highest number of votes shall be dropped and **the ranked ballot will be used to redistribute alternate selections from ballots originally cast for unsuccessful candidates to the two candidates receiving the most first ballot support. This will be the run-off election.** a deciding ballot shall be held within fourteen (14) days of the original ballot.
- k) Announcement of Balloting Results
 - ii) The results shall be based on **electronic voting system along with any votes provided by fax or other means approved by the Electoral Committee.** the telephone/faxed results received from branches unless, in the opinion of the Electoral Committee, the margin is too narrow thus requiring an official count at the provincial level.
 - vi) The Electoral Committee is permitted to release the branch-by-branch breakdown of the vote to the candidates after the name of the incumbent is officially announced.
 - vi vii) The NLTA shall issue a media release announcing the outcome of the vote but not containing the vote count.
- m) Financial Guidelines
 - ii) The total campaign spending for candidates on a run-off ballot may include an additional \$500 for a total of \$5,500. All amounts spent by the candidate and all spending on behalf of the candidate, including the value of any 'in kind' contributions, are included in this limit for campaign spending.
- p) Administration
 - i) After the vote is taken, ballots have been received from individual branches and any necessary provincial count or recount has been completed, the Electoral Committee, by Executive motion, shall be authorized to destroy the ballots in question, but not less than 30 days after the date of the ballot.

THE ELECTORAL COMMITTEE

- c) The duties of the Electoral Committee shall be:
 - i) To recommend to the Executive policies governing the conduct of elections, such rules of conduct to be published not later than 30 days prior to the date of the **Presidential** elections.
 - ii) To hold the election for **President during the last five-day school week of November, and the election for Vice-President during the second five-day school week of December** on the first Tuesday in December in accordance with By-Law XV.A.
 - vi) To oversee the ~~printing and~~ distribution of ballots to voters in accordance with the policy governing procedures for election of NLTA President and Vice-President by province-wide vote.
 - ix) To receive the results of the balloting from branches.
 - xiii) **To conduct a run-off election, in accordance with the By-laws and policy governing the procedures for election of the NLTA President and Vice-President by province-wide vote using the ranked ballots, by redistributing alternate selections from ballots originally cast for unsuccessful candidates to the two candidates receiving the most first ballot support.** To announce the date of the deciding (run-off) ballot to be held within fourteen (14) days of the original ballot if no majority of votes of active members voting is registered on the initial ballot and to conduct the deciding (run-off) ballot in accordance with the by-laws and policy governing the procedures for election of the NLTA President and Vice-President by province-wide vote.
 - xii) To release the ~~branch by branch breakdown of the~~ vote to the candidates after the name of the incumbent is officially announced.

ELECTRONIC POSTER

- n) Publicity
 - viii) For each candidate, Communications staff of NLTA will print and mail to each school and school board office an 8½" x 11", one-sided poster. **An electronic version of the poster will also be provided to each candidate.**

ADVERTISING

- n) Publicity
 - iii) Candidates may advertise in *The Bulletin* as per current advertising guidelines and subject to the NLTA policy on communications. Candidates may purchase two one quarter (1/4) page advertisements in *The Bulletin* at **one-quarter (1/4) one-half (1/2)** the current advertising rates. Any additional advertisements will be subject to current advertising rates. All advertisements placed in *The Bulletin* by candidates must be prepaid.

The following resolutions will be presented at BGM 2019:

- That the By-Law changes recommended by the Ad Hoc Committee to Review the Policies, Procedures and Regulations for the Province-Wide Vote for President and Vice-President be adopted as presented.
- That the Policy changes recommended by the Ad Hoc Committee to Review the Policies, Procedures and Regulations for the Province-Wide Vote for President and Vice-President be adopted as presented.

Recommendation from Provincial Executive: CARRY

Rationale for Executive’s Recommendation: Executive considered different models that would provide unsuccessful presidential candidates the opportunity to run for Vice-President. It was determined that the only way to provide this opportunity would be to separate the province-wide vote for President and Vice-President with the presidential vote occurring prior to the vice-presidential election. Executive considered the possibility of holding separate votes and concluded that the “two province-wide elections” model would increase costs to both the Association and to candidates unless an electronic vote was conducted. Executive determined that the best way to provide opportunity for unsuccessful presidential candidates to run for Vice-President would be to have the vice-presidential election after the presidential election with both elections conducted electronically using a ranked ballot system.