

2020 Amended District Caucus Rules

The National Executive Council has approved these Rules to govern the 2020 District Caucus elections.

Rule 1. Ordinarily, all National Vice Presidents, National Fair Practices Affirmative Action Coordinators, and National Women's Advisory Coordinators of the American Federation of Government Employees are to be nominated and elected in 2020 at a District Caucus to be held within each of the 12 Districts as set forth in Article V, Section 3 of the AFGE National Constitution, as amended, subsequent to April 30, and prior to June 1. The COVID-19 pandemic has rendered meeting these timeframes impossible. The National Secretary-Treasurer shall place in The Government Standard and post online a complete list of the Caucus Rules as soon as they are adopted, and the place, date, and time of each Caucus as soon they are established. The elected National Vice President, National Women's Advisory Coordinator, and National Fair Practices Affirmative Action Coordinator shall be installed prior to the adjourning of the Caucus.

Rule 2. The meeting place, exact time, and date of the Caucus shall be selected by the National Vice President of each of the 12 Districts as soon as possible. Written notices shall be mailed to each Local President and Treasurer within the District by the National Vice President no later than 60 days prior to the Caucus. These notices shall specify: the requirements for election of local delegates; the exact time, date, complete address of the meeting place of the Caucus; the deadline and mail address for registration 30 days prior to the caucus; and exact hours of check-in; or the date, time and method of any election held by remote/electronic means.

Rule 3. Locals in good standing within each District may participate through the medium of a delegate(s). The membership of the local has the right to make the determination of participation in the Caucus after proper notification to the membership.

Each local is obliged by law to provide requisite notice to its members that a secret ballot election for delegate(s) will be held, even if the local's officers perceive that the membership does not wish to elect a delegate(s). A local's membership then, in accordance with law, may vote not to elect a delegate.

(a) The local membership has the right to determine the number of delegates to elect to the Caucus, within the above authorization. The local membership has the right to determine the number of delegates to fund to the Caucus, within the above authorization. A decision by a local to authorize funds for less than the full number of delegates elected does not preclude the remaining delegates from participating, at their own expense, as delegates.

(b)(1) If a local is entitled to one delegate, the full voting strength is cast by that delegate.

(b)(2) In a situation where a local has elected its full complement of delegates, but not all delegates appear at the Caucus, those who are seated are entitled to a proportional share of the local's full entitlement of votes. If a local is entitled to more than one delegate, the voting strength is divided equally among those properly elected delegates participating in the caucus.

(b)(3) If a local is entitled to more than one delegate and the local has not elected its full complement, the local should conduct a delegate election to fill some or all of the remaining delegate slots. Or, the local may vote to not conduct a delegate election so only its already elected delegate(s), including ex officio delegates (by virtue of election to office), may participate in the caucus. In order for the delegate(s) to cast the full membership strength of the local, a notice of nomination must have been given and a local membership meeting held to allow the membership to decide to not hold a delegate election and to designate the delegate(s) to represent it at the caucus. If the local membership votes to have its delegate(s) cast its full complement of votes, a copy of the notice of nomination and a copy of the meeting minutes must accompany the delegate credential.

(c) A plurality of the valid votes cast is required for election of delegates, alternate delegates, and proxy delegates. If the number of delegate candidates exceeds the number of delegate positions to be filled, then the candidates receiving the greatest number of votes will be elected as delegates, and the remaining candidates will be elected as alternate delegates unless otherwise stated in local bylaws.

(d) No local will be eligible to cast a vote in the district caucus unless per capita tax, bargaining

council dues, and any other accounts due to the Federation or bargaining councils are paid in full 60 days prior to the caucus, subject to Rule 3(f) below.

(e) The bargaining council treasurer will submit information on bargaining council delinquencies to the National Secretary-Treasurer 120 days prior to the caucus. Any such information shall be reported to the Committee on Credentials and to the Election Committee.

(f) The requirement pertaining to payment of bargaining council obligations will be applied to all locals and councils on tape process and to any bargaining council whose records have been certified as acceptable by the National Secretary-Treasurer's office when the bargaining council alleges that an arrearage should disqualify a constituent local. Locals and councils will be notified at least 120 days in advance of the Caucus of any accounts due.

Rule 4. (a) The number of Caucus delegates a local is entitled to is determined in the same manner as Convention delegates under Article VI, Sec. 2, of the AFGE National Constitution as follows: Locals having a membership of 100 or less shall be entitled to one delegate; 101 to 200 members, two delegates; 201 to 300 members, three delegates; 301 to 400 members, four delegates; 401 to 500 members, five delegates; 501 to 750 members, six delegates; 751 to 1,000 members, seven delegates; 1,001 to 2,000 members, eight delegates; 2,001-3,000, ten delegates. Locals having a membership over 3,000 members are entitled to an additional delegate for every additional 1,000 members. Any local whose charter has not been in existence for one year is entitled to representation at a District Caucus in accordance with the above, on the average of per capita tax paid monthly since its admission.

(b) Membership strength will be based on the average number of paid members for the previous 12-month period through December of the year preceding that year in which the Caucus is held.

Rule 5. The National Secretary-Treasurer shall furnish the National Vice President of each of the 12 Districts a list of locals in good standing in the respective District showing the number of delegate(s) and the number of votes each local is entitled to cast, along with a list of disqualified locals, with reasons for disqualification.

(a) Each local shall be notified by the National Secretary-Treasurer of its membership strength on or before February 1st of the election year. Each local shall be notified by the National Secretary-Treasurer of its standing.

(b) Locals in which an alleged criminal act has resulted in the local being delinquent in per capita tax will not be listed as delinquent as long as all conditions of an approved repayment agreement have been and continue to be met. This exemption will only apply if criminal charges have been filed with local, state, or federal law enforcement officials. In a situation where the repayment schedule extends beyond three years, the local shall be eligible to participate in the next Caucus, if otherwise eligible. This three-year period shall commence upon the date of the signed repayment agreement.

Rule 6. Delegates, alternate delegates, and proxy delegates to the Caucus must be elected by the local they represent. Officers of the locals, by virtue of their election to office, may serve as delegates, if prescribed by the applicable local constitutions. The election must be by secret ballot after at least 15 days' notice to all members of the election date, such notices to be mailed to each member's last known home address. Nominations and elections may be held at the same time provided such notice is given.

Rule 7. The National Office shall furnish official credentials to the President of each local. When the delegate(s) to the Caucus have been elected, the local shall execute an official credential in triplicate. The Credential will show date, name of delegate, local number, complete address, type of local meeting, whether a delegate, alternate delegate, or proxy delegate and name, location, and number of the local if for a delegate or alternate delegate. It also shall contain certification that the delegate was elected by secret ballot in the local after 15 days' notice, in accordance with AFGE election rules and procedures.

Delegates must be elected in accordance with the requirements of the Caucus Rules, AFGE's National Constitution, the local's Constitution and Bylaws, and the statutory requirements pertaining to union elections as interpreted by the Department of Labor.

(a) If the delegate is a proxy delegate, his/her credential must show the name, location, and number of the local being represented by the proxy.

(b) A separate set of credentials must be executed for each elected delegate, alternate delegate, or proxy delegate.

(c) The original of the credential must be forwarded to the National Vice President of the District holding the election for which the credential is issued, with a certified true copy of the notice of the meeting which was mailed to each member, and a copy of the minutes and/or tally sheet of the delegate election meeting. Delegates who serve by virtue of their election to local office must provide a copy of the approved local constitution provision guaranteeing such "automatic" delegate status, as well as the notices of nomination and election, and the official record (i.e., tally or minutes) of the officer election. In filling a vacancy without an election, only a person who is appointed from a position in which the person was a delegate by virtue of election to the office, or succeeds from a position in which the person was a delegate by virtue of election to the office, may be a delegate by virtue of the office in the new position. Credentials will not be acceptable unless accompanied by these documents.

(d) The duplicate copy must be issued to the delegate and must be presented at the Caucus. Delegates who fail to produce their duplicate credential may be certified by the Credentials Committee upon presentation of proper identification and certification of their delegate status from the Credentials Committee records.

(e) The triplicate copy of the credential must be retained by the local with a certified true copy of the notice of meeting which was mailed to each member, and a copy of the minutes and/or tally sheet of the delegate election meeting.

(f) All credentials and copies of required documents must be received by the NVP or postmarked at least 30 days prior to the Caucus, except in extraordinary circumstances, when the Caucus Credentials Committee may waive the 30 day period.

Rule 8. Locals within the District may be represented by a proxy delegate provided, however, that such a delegate is an elected delegate of his/her home local within that District and otherwise qualified in accordance with the AFGE National Constitution. The proxy delegate must be elected by secret ballot and by name. If only one proxy delegate is nominated, he or she will be elected by acclamation.

Rule 9. (a) The National Vice President of each of the 12 Districts shall assemble all credentials and supporting documents received in individual file folders in numerical order by local. He/she shall prepare a complete list of delegates by name and local number for which credentials are received.

(b) Prior to the convening of the Caucus, a Credentials Committee shall be selected by the National Vice President. A temporary Sergeant-at-Arms also will be selected by the National Vice President. The Credentials Committee shall consist of delegates and shall be composed of at least three members, and if a larger Committee is required, it shall contain an odd number of members, so that the Committee can decide by majority vote any credentials questions presented to it, thus avoiding the possibility of tie votes of the Committee. The Committee shall be representative of the District, considering the location and composition of members and the geographical areas of the District.

In order for a candidate to have a representative on the Credentials Committee, the individual must notify in writing the National Vice President of the District holding the election of his/her candidacy at least 10 days prior to the Caucus date.

(c) The National Vice President shall deliver to the Credentials Committee:

(1) The file of all credentials and supporting documents received, arranged in individual file folders in numerical order by local number.

(2) The completed list of delegates.

(3) A list of locals in good standing showing the number of delegates and the number of votes each local is entitled to cast.

(4) A list of all locals that are ineligible because of arrearages in submitting per capita taxes or other indebtedness.

In the event of an election conducted by remote/electronic means, the credentials committee will prepare a report of all Locals certified as eligible and the corresponding votes, as well as all Locals ineligible to participate/ This report will be delivered to the election committee at least 5 days prior to the date of the caucus. Any Local deemed ineligible to

participate by the credentials committee may challenge this determination to the Election committee prior to the election.

Rule 10. There shall be an Election Committee consisting of delegates and composed of at least three members, and if a larger Committee is required, it shall contain an odd number of members. The members of the Election Committee shall be selected in the following manner:

(1) upon the convening of an in-person Caucus, the Caucus will elect by majority vote a Chairperson, who will serve as Chairperson of the Election Committee. Each candidate will select one person to serve on the Election Committee. Any further members of the Election Committee shall be elected by majority vote of the Caucus.

(2) where a caucus is conducted remotely, a candidate may appoint a member of the election committee five days prior to the election. If there are fewer than three election committee members, or an even number of election committee members, the NVP will appoint members necessary to make an odd number greater than three.

The Caucus Chairperson will receive from the National Secretary-Treasurer a sealed election kit containing sufficient ballots, tally sheets, and charts for the names of the candidates and letter symbols for at least three ballots.

In the alternative, at the discretion of the National Vice President, the District may employ an independent organization to conduct the election under the direction of the Caucus Chairperson and the Election Committee. Furthermore, at the discretion of the National Vice President, the District may conduct the election by electronic means (other than “touch screen voting”) or secure and electronic option(s), with the prior approval of the National President.

If printed and issued by the National Secretary-Treasurer, the ballots will be issued in denominations of 500, 100, 50, 25, 10, 5, and 1 votes, and each denomination shall be of a different color. The candidates will determine their position on the ballot by drawing lots. The names of the nominees will be placed on the chart at the front of the Caucus room and designated alphabetically, according to the draw (A, B, C), large enough to be clearly read.

If printed at the Caucus by an independent election organization, the ballots will be issued in denominations of 500, 100, 10, and 1 votes (or multiples thereof). Candidates shall appear on the ballot in the order determined by the drawing of lots. In addition to the aforementioned balloting options, with the prior approval of the National President, the National Vice President may engage an independent organization to conduct the Caucus election remotely using an online voting system. Any vendor employed to conduct online voting shall take appropriate steps to protect the secrecy of the balloting.

A Voting Authorization (V-2) Form will be made available to a delegate who wishes to designate another delegate from the same local to cast his or her votes. The delegates then will vote their individual ballot as follows:

(a) When one or more of the delegates elected by a local is not certified by the Credentials Committee, the total voting strength of the local shall be proportionately divided among those delegates who do receive credentials. When a local has failed to provide the membership an opportunity, with proper notice, to elect up to the local’s full complement of delegates, the voting strength of the local shall be reduced proportionately. The failure of a delegate to vote, after being certified by the Credentials Committee, does not allow distribution of that delegate's votes among his local's remaining delegates, unless a properly executed V-2 Form has been given those delegates.

(b) In an on-site Caucus, the Election Committee will issue ballots in appropriate amount to delegates on presentation of properly authenticated credentials, immediately prior to the delegates entering the voting booth. In a Caucus that is conducted remotely, the Election Committee shall ensure that delegates are afforded access to the voting system.

(c) In an on-site Caucus, the Election Committee must provide a voting booth or enclosure where members can mark their ballots in complete privacy to assure secrecy of their vote.

(d) In an on-site Caucus, marked ballots should be placed immediately in a sealed container by the voter, not to be opened until the votes are tabulated.

(e) After the tabulations of all votes, the results must be read, posted (physically or online), or written on a board clearly stating the number of votes received by each candidate.

(f) Where there are more than two candidates for the office of National Vice President, National Fair Practices Affirmative Action Coordinator, or National Women's Advisory Coordinator, and no candidate receives a majority of the votes cast on the first ballot, a runoff election shall be conducted between the two candidates receiving the largest number of votes.

(g) When only one candidate is nominated for an office to be filled, the Election Committee shall declare the candidate elected by acclamation.

(h) The Caucus Election Committee must certify the eligibility of all candidates.

All records of the Caucus must be certified as complete and accurate by the Caucus Election Committee Chairperson and packaged and sealed to the extent applicable, and forwarded to the National Secretary-Treasurer. The National Secretary-Treasurer shall retain the records for one year, or until any protest is resolved and applicable time frames for appeal have elapsed, whichever of these is later.

Rule 11. The Caucus Election Committee shall receive and resolve, by majority vote, any protest or challenge to the manner in which the election for National Vice President, National Fair Practices Affirmative Action Coordinator, or National Women's Advisory Coordinator is conducted, including the eligibility of delegates and the qualification of candidates.

A Caucus Election Committee only may entertain an election complaint which has been delivered or postmarked to that Committee, or any of its members, prior to, during, or within five calendar days after the adjournment of the Caucus.

In any protest the Election Committee will determine whether the protest was timely, whether the alleged misconduct occurred, whether the misconduct was a violation, and whether the violation could have affected the outcome of the election. Only if the outcome could have been affected will the election be rerun. Any appeal from the decision by the Election Committee shall be submitted to the National

President, pursuant to Appendix A, Part III of the AFGE National Constitution.

Rule 12. In order for a candidate to be elected as a District National Vice President, National Fair Practices Affirmative Action Coordinator, or National Women's Advisory Coordinator, a candidate must (a) meet the following qualifications: be a member in good standing; been a governmental employee for three consecutive years; been a member in good standing of the Federation for the three consecutive years immediately prior to the date of nomination for the office being sought; not be a member in any labor organization not affiliated with the AFL-CIO; and (b) receive a majority of the valid votes cast.

Rule 13. Councils shall not be permitted to send delegate(s) to the Caucus.

Rule 14. Full-time National Representatives and full-time paid employees of AFGE shall not be permitted to attend the Caucus as delegates, per Article VIII, Section 2(d), of the AFGE National Constitution.

Rule 15. Any local wishing to merge with a local in another District must have all steps outlined in the *NEC Policy on Multi-District Locals* finalized and approved by the NEC no later than December 31 of the year previous to the Caucus year, for purposes of voting at the appropriate District Caucus. (Copies of the *NEC Policy on Multi-District Locals* are available from the National Secretary-Treasurer.)