



A Union of Professionals

## **MFT LOCAL 59 ELECTIONS- 2022**

Personal and professional integrity from candidates, supporters, election committee, and all MFT members is paramount to running a fair election. This is expected at all times. This is our union, together.

The Federal Landrum-Griffin Act (1959) ultimately governs union election campaign activity for elections in public unions with private sector members. Passed by the U.S. Congress in 1959, this act is officially known as the Labor-Management Reporting and Disclosure Act (LMRDA). LMRDA includes a bill of rights that guarantees of freedom of speech, periodic secret ballot elections, and other protections for union members.

Under the LMRDA, Section 401g: "No moneys received by any labor organization by way of dues, assessment, or similar levy, and no moneys of an employer shall be contributed or applied to promote the candidacy of any person." This prohibition against the use of union and employer funds applies to direct expenditures from the union or employer as well as indirect expenditures including:

### **THE FOLLOWING ARE NOT PERMITTED/ALLOWED:**

- ✓ use of union/employer email or facilities (any MPS site) to campaign- This includes no notices or flyers handed out on MPS property- i.e.- no flyers in school mailboxes
- ✓ campaigning on time paid for by the union/employer- This includes things like wearing t-shirts or buttons that reference a candidate at your site and discussing/campaigning with coworkers on site during work time.
- ✓ use of union/employer owned or leased equipment such as telephones, fax machines, and copy machines
- ✓ use of union/employer supplies such as stamps, paper, and envelopes
- ✓ use of union employees to prepare campaign literature while on union time
- ✓ use of the union/employer letterhead
- ✓ 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, etc.

The LMRDA is enforced under the federal Dept of Labor, information is available online at:

- ✓ <http://www.dol.gov/olms/regs/compliance/localelec/localelec.htm>
- ✓ <http://www.dol.gov/olms/regs/compliance/members.htm>
- ✓ <http://www.dol.gov/olms/regs/compliance/UnionMemRightsPoster.pdf>
- ✓ [29 CFR Part 452](#)

Local 59's Constitution / Bylaws, resolutions, and Election Committee decisions that may be adopted will apply where they do not conflict with federal laws. Questions may be directed to [electioncomm@mft59.org](mailto:electioncomm@mft59.org)

## **Procedure for Campaign Practice Challenges in MFT Elections – Hopefully not necessary**

- Campaign Practice Challenges can be filed by email to [electioncomm@mft59.org](mailto:electioncomm@mft59.org)
- Any MFT member can file a complaint.
- The Elections Committee, or its designee, will investigate all properly filed campaign practice challenges. The Elections Committee, or its designee, will contact persons it determines to be relevant to the investigation.
- The Elections Committee will meet either in person, email or by telephone to review the facts obtained through the investigation and determine if there is a violation of the Election Rules.
- If the Elections Committee determines that no violation of the Election Rules occurred, that determination will be communicated to the complainant and the subject of the complaint.
- Should the Elections Committee find that a candidate is in violation of campaign practices, the Elections Committee will determine appropriate action. This may include directing a candidate to take corrective action or cease actions that are determined to violate the Election Rules, for example, to cease distribution of problematic campaign material.
- The Election Committee shall be the final authority as to the disposition of the challenge. \*Note the Elections Committee works closely with our Education Minnesota Union Attorneys to make final legal decisions.
- The window for Campaign Practice Challenges or MFT member complaint filings closes May 18<sup>th</sup>.

## **Balloting Timeline**

### **Electronic Balloting**

- Members will receive balloting instructions **by postcard** two weeks prior to elections.
- Members will receive their electronic ballot through their District email starting on May 2<sup>nd</sup> through May 13<sup>th</sup>.

### **Paper Balloting**

- Requests for paper ballots must be sent to the address included in the balloting instructions **one week prior** to elections to ensure timely response for mail ins.

### **Provisional Balloting**

If someone believes that they are an eligible voter but are not on the voting roster they may cast a provisional ballot. The Elections Committee will resolve issues that led to the provisional ballots being cast prior to certification if they may alter the outcome of the election. If provisional ballots cast will not alter the results of the election, issues may be resolved after the certification of ballots.

Thank you, The Elections Committee