

ASSOCIATION OF FLIGHT ATTENDANTS-CWA, AFL-CIO
FORTY FOURTH BOARD OF DIRECTORS MEETING
MAY 23-24, 2016
ATLANTA, GEORGIA

SUBJECT: Electronic Balloting (Sections IX.H. & IX.M.)

STATEMENT OF QUESTION:

Should the AFA-CWA process for conducting Local Officer elections be modified to comply with a recent election process decision pertaining to electronic balloting?

SOURCE AN DATE SUBMITTED: International President – April 15, 2016

BACKGROUND INFORMATION:

In April 2014, the Allied Pilots Association (APA) conducted an election of Local Officers that was successfully challenged.

In November 2015, the Department of Labor (DOL) issued a Stipulation of Settlement that deemed the electronic balloting procedures used in that election could potentially cause the secrecy of the vote to be compromised.

The findings and rationale for their decision stems from the balloting process in that the electronic balloting software “held” the electronic votes with the identity of the voter until the time to count the votes. The software kept these together so a credentials/eligibility update on the Count Date could determine if anyone became ineligible, e.g., fell into Bad Standing, transferred out, etc.

Procedures currently used at AFA mirror those that were successfully challenged, and the changes included in the Proposed Resolution provide the necessary update.

The resolution within the DOL Stipulation of Settlement was that a vote must be counted at the time it is cast so that the Voter ID and vote are not “held” at all. Because of this, there is no subsequent credentials/eligibility check, so all on the initial eligibility list remain eligible for the duration of the election. Because of this, no vote that is cast by a voter who is eligible or becomes eligible will ever be deemed void.

A second aspect, which will be noticed by members, is that one will not be able to re-vote. Since the vote is counted at the time that it is cast and the voter ID is separated from the vote, there will be no way to over-write the previous cast vote.

PROPOSED RESOLUTION:

WHEREAS, electronic balloting has become the standard that members expect when voting in Local Officer elections, resulting in greater member satisfaction and higher member participation; and,

WHEREAS, a recent Department of Labor (DOL) Stipulation of Settlement has further defined the DOL position with respect to acceptable procedures to follow; and,

WHEREAS, AFA-CWA is committed to updating internal procedures to ensure compliance with both constitutional provisions and DOL regulations;

THEREFORE BE IT RESOLVED, that Section IX.M.3., M.5., M.7., M.12., and M.13. be amended as follows, with all other paragraphs with in Section IX.M. remaining the same:

M. Electronic Balloting Procedures

3. **The database shall be updated for verification of membership status, standing, and eligibility to vote with the most recent information available to generate the voting notice to be sent to the membership.** Any member attaining eligibility status subsequent to the initial polling date shall be granted access to an electronic ballot upon request. **No one on the initial verified eligibility list that has voted will have her or his vote deemed to be void.**
5. Members may ~~vote or change their vote as often as they choose during the balloting period. Only the last vote as of the close of the polling period shall be counted~~ **not change their vote.**
7. Ballot Count – **The count will take place** after the close of the polling period. ~~but prior to the final tally of all votes received, the database shall be updated for verification of membership status, standing, and eligibility to vote with the most recent information available.~~
12. Ballots will **not** be voided for ~~the following~~ **any** reasons:-
 - a. ~~Ineligible to vote (bad standing)~~
 - b. ~~Ineligible to vote (other than bad standing)~~
 - e. ~~Any remarks or notations identifying the voter~~
13. Tally and Certification Report shall show:
 - a. Number of eligible voters
 - b. Dates and times of the polling period
 - c. Number of ballots cast
 - d. ~~Number of ballots voided~~ **Not used.**
 - e. Results of tally
 - f. Signatures of Committee members certifying the vote.

BE IT FURTHER RESOLVED, that Section IX.H. be amended to add this paragraph in compliance with DOL procedures on electronic balloting for officer elections:

H. Additional Procedures for Local Council Elections

4. Electronic balloting will be used to conduct Local Officer Elections.

BE IT FINALLY RESOLVED, the International Secretary-Treasurer shall make other necessary changes to Section IX. and elsewhere as needed to ensure consistency with the changes described above.