

# Branch election season will soon be upon us



**Judy Willoughby**

**O**n the local front, many branches will be conducting branch elections this fall. When conducting elections, equal treatment is a must. The rules regarding elections are set by your branch bylaws, the *NALC Constitution* and a federal law known as the Labor-Management Reporting and Disclosure Act (LMRDA). Otherwise, any and all privileges extended to one candidate by the branch must be extended to all candidates. (Please refer to Section 9 in the *NALC Regulations Governing Branch Election Procedures*.)

Electing officers and state delegates is very important. Title IV of the LMRDA states that all local

union officers must be elected. According to the *NALC Constitution*, local branch officers consist of president, vice president, recording secretary, financial secretary, treasurer, sergeant-at-arms, health benefits representative and a board of trustees (three or five members). Branches do have the option, however, of providing in their bylaws for the consolidation or addition of officers of the branch.

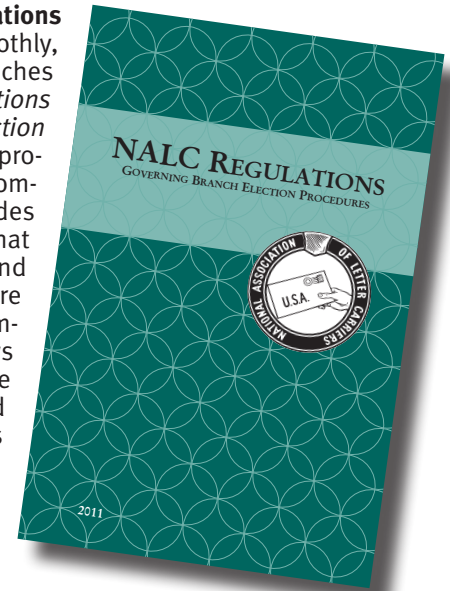
**Department of Labor regulations interpreting the LMRDA** state that any person who has executive or policy-making authority or responsibility must be elected. This provision can sometimes be misunderstood. For example, branch stewards do not normally have to be elected. However, if a branch steward is also a member of the branch executive board, he or she must be elected due to the executive authority of the board. Furthermore, such stewards must be elected by the entire branch because the executive board makes policy for the entire branch membership. (Some branch executive boards are advisory only and the foregoing would not apply in that circumstance.)

In the past, I have received some questions regarding a steward being a part of the branch executive board. In almost all instances, those stewards also held officer positions. Therefore, the member would be on the executive board by virtue of their elected officer position and not as a steward. For example, a member elected to the office of vice president by the entire membership also was appointed as a steward for their station. The member may be a member of the executive board by virtue of being elected vice president. Also being an appointed steward would have no relevance. I hope this clarifies the issue.

To make sure nominations and elections run smoothly, I recommend that branches review the *NALC Regulations Governing Branch Election Procedures* and also provide a copy to election committees. The guide provides the right way to ensure that notices, nominations and election procedures are followed correctly. A democratic process allows each eligible member the opportunity to vote and elect those individuals they feel will best represent them. After all, those in office should have one major goal: representation of all members.

The above guide can be downloaded from [nalc.org](http://nalc.org). Go to “Union Administration,” scroll down to the “Secretary-Treasurer” page and select “Election information.”

Note: Branches should refer to the branch bylaws *before* nominations and elections to ensure that the proper notices and dates are complied with to avoid any issues.



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**Labor Day**—Labor Day is a holiday in which we honor the American labor movement for its contributions from workers who have strengthened our country. I hope everyone has a wonderful holiday, reflects on all the great achievements and has some time for rest and relaxation.