



UWUA LOCAL 132 NOMINATION AND ELECTION GUIDELINES

I. INTRODUCTION. These Guidelines describe the procedures for nominations and the election of President, Secretary-Treasurer, Business Agent and 11 Regional Officers. The election will be supervised by the Utility Workers Union of America (UWUA), AFL-CIO. The Election Committee is Trustee Patrick Dillon, Richard Passarelli and James Gennett. The Committee Chair is Patrick Dillon. The Election Committee will oversee the nominations and election. These Guidelines are available on the UWUA Local 132 website (www.uwua132.org), have been sent to all UWUA Local 132 Stewards for posting on Union bulletin boards and are also available at the Union office located at 1155 Amelia Avenue, Glendora, CA. 91740.

II. NOTICE OF NOMINATIONS AND ELECTION. A Notice of Nominations and Election will be mailed to all members on/or about August 1, 2022.

III. OFFICERS TO BE ELECTED.

President

Secretary-Treasurer

Business Agent

11 Regional Officers

- Regional Officer For Headquarters (Gas Company Tower, Monterey Park, Olympic and Pico Rivera)
- Regional Officer For Call Centers (Redlands and San Dimas)
- Regional Officer For Inland Empire (Chino, Corona, Fontana, Murrieta and Ramona)
- Regional Officer For South Inland (San Bernardino, Riverside, Palm Desert, Beaumont, Blythe, El Centro and Yucca Valley Satellite)
- Regional Officer For San Gabriel Valley (Azusa, Pasadena, Alhambra, Glendale, Branford, Valencia, Canoga and Industry)

- Regional Officer For North Coastal (Saticoy, Simi Valley, Santa Barbara, Goleta, Santa Maria, San Luis Obispo, Templeton and Chatsworth)
- Regional Officer For San Joaquin Valley (Lancaster, Bakersfield, Porterville, Hanford and Visalia)
- Regional Officer For Pacific Coast (Yukon, 182nd Street, Santa Monica, San Pedro)
- Regional Officer For Orange County (La Jolla, Anaheim, Garden Grove, Aliso Viejo and Santa Ana)
- Regional Officer For Metro Northwest (Hollywood, Juanita, Crenshaw and Belvedere)
- Regional Officer For Metro Southeast (Whittier, Downey, Huntington Park and Compton)

IV. TERM OF OFFICE. The duly elected candidates will be installed in office no sooner than the conclusion of the election challenge procedure set forth in XIV below. Their term of office will expire March 31, 2025.

V. FILINGS. All filings must be in writing and should be addressed to the Election Committee Chair, Patrick Dillon at 1155 Amelia Ave., Glendora, CA 91740. Nomination petitions must be filed by hand delivery or by certified mail, return receipt.

VI. GENERAL INQUIRIES. Informal telephone inquiries regarding the procedures should be directed to Laura Niavez at Local 132. She may be reached at (909)305-9802. If you call with an informal inquiry, please leave your name, telephone number, date, and time of phone call, so your call may be returned. You may also contact the Election Committee directly at electioncommittee@uwua132.org

VII. ELIGIBILITY FOR OFFICE.

- A. For President, Secretary-Treasurer, and Business Agent any member in good standing who has not accepted a regular or temporary management position with the Company during the 12 months prior to April 1 of the election year.
- B. For each of the 11 Regional Officers, a member in good standing who has not accepted a regular or temporary management position with the Company during the 12 months prior to April 1 of the election year is eligible for Regional Officer *for the Region where they are employed*. For example, only a member employed in the Pacific Coast Region may be nominated for Regional Officer for Pacific Coast.

VIII. NOMINATION BY PETITION.

- A. Nominations will be by written petition. Any member in good standing may nominate a candidate for any office. A nomination petition shall include the nominator's printed name, signature, and Company ID number, as well as the nominee's name, the specific office for which they are nominated. A nomination petition may nominate more than one member for office, provided that each member is being nominated for a different office, and that the office for which each member is being nominated is specifically indicated.
- B. Nominations for President, Secretary-Treasurer, Business Agent and the 11 Regional Officers may be presented as individual nominations or as a full slate nomination on a single petition. Only full slates with 14 Officers (President, Secretary-Treasurer, Business Agent and 11 Regional Officers) will have a slate voting box on the ballot. If a partial slate is nominated, each nominee will be treated as an individual candidate on the ballot.

IX. NOMINATION SCHEDULE.

- A. Any time after August 1, 2022, nomination petitions may be filed with the Union. The deadline for filing a nomination petition is 3:30 p.m. (P.D.T.) on August 22, 2022. Each petition must either be filed by mail (certified, return receipt) or by hand delivery to the Union office located at 1155 Amelia Ave., Glendora, CA. 91740. A nomination petition may not be filed by any other means. **A sample nomination petition is attached**, but any nomination petition which contains the required information listed above in **VIII (A)** of these Guidelines satisfactory.
- B. By no later than 3:30 p.m. (P.D.T.) on August 26, 2022, each nominee who wishes to accept nomination, must file a signed statement accepting nomination for the stated office. The acceptance must contain the nominee's name as they would like it to appear on the ballot, the office for which they have accepted nomination, the nominee's Region, the nominee's slate (if applicable), and the nominee's signature. The acceptance should also contain the nominee's contact information. A nominee who fails to file a timely acceptance will be deemed to have declined nomination. No member may accept nomination for more than one office. Nomination acceptance statements must either be filed by mail (certified, return receipt) or by hand delivery to the Union office located at 1155 Amelia Ave., Glendora, CA. 91740. **A sample acceptance statement is attached**, but any acceptance which contains the required information is satisfactory.
- C. The Election Committee will promptly rule on nominations and notify a nominee if their nomination is rejected. The Election Committee will notify each nominee if they have been properly nominated, the office for which they have been nominated, and whether they have been nominated as a member of a full slate. Any individual whose nomination is rejected may have the Election Committee reconsider its ruling by filing a written protest by September 1, 2022, by 3:30 p.m. (P.D.T.)

D. A candidate unopposed for office will be declared elected by the Election Committee.

X. BALLOTS.

A. **Slates.** Full slates that have candidates for President, Secretary-Treasurer, Business Agent and 11 Regional Officers (but not Trustees) will have a slate voting box on the ballot identifying the name of the slate and listing the candidate for each office. A vote may be cast for the entire slate by marking the slate box or a vote may be cast by marking the individual boxes for individual candidates who are part of the slate. Full slates will be listed first on the ballot. The order of full slates on the ballot will be determined by drawing lots.

B. **Individual Candidates.** The order of individual candidates on the ballot will be determined by drawing lots.

XI. INSPECTION OF THE MEMBERSHIP LIST. Any candidate for office has the right, once from September 13 to September 15, 2022, to inspect (but not copy in any way) the list of names and addresses of members who are covered by the collective bargaining agreement. A candidate who wishes to inspect the membership list must contact Laura Niavez at Local 132's Staff at (909) 305-9802. The time of the inspection will be scheduled in coordination with the Election Committee. Any candidate who, following an inspection, believes there is a problem with the membership list should **promptly** file written notice with the Election Committee Chair.

XII. DISTRIBUTION OF CAMPAIGN LITERATURE. Each candidate and slate have the right to have campaign literature distributed to the membership at their expense. The procedures for distribution are set forth below.

A. Upon written request, the Union will prepare membership name and address data for a mailing. Mailing data will be prepared by the Union at no cost for all or any portion of the members for which data can be reasonably segregated, such as by zip code, by classification or by Region. Because of the database limitations, mailing data by classification or by Region may contain inaccuracies. A minimum of 2 business days is required to prepare membership mailing data. A written request should be addressed to the Linda Niavez at Local 132 at (909) 305-9802.

B. The Union will provide the requested membership mailing data to Mercury Mailing Systems, Inc., an outside mailing company authorized to perform mailings. Mercury Mailing Systems, Inc.'s address is 6007 S. Saint Andrews Place, Unit #5, Los Angeles, CA 90047 and its telephone number is (323) 730-0307. The contact person is Gabie Perez. Mercury Mailing Systems, Inc. is a union company. Mercury Mailing Systems, Inc. has been advised to charge its standard rates to any candidate or slate that wishes to mail campaign material, to require advance payment for any mailing, and to maintain strict confidentiality of any member data provided by the Union. Mercury Mailing Systems, Inc.

may require several business days to perform a mailing, depending on the size and complexity of the work.

- C. A candidate or slate must deal directly with Mercury Mailing Systems, Inc. regarding mechanics, time, cost, payment, etc. for the mailing.

XIII. ELECTION.

- A. All members in good standing as defined in the Local 132 By-Laws are eligible to vote.
- B. The election will be by secret mail ballot which will be conducted by the California Elections Company. Ballots, together with voting instructions, will be mailed to each member in good standing on or about September 20, 2022.
- C. A member who does not receive a ballot package on a timely basis should notify Laura Niavez at Local 132 Staff by phone (909)305-9802. The Union will promptly notify California Elections Company to mail a replacement ballot package to any such member eligible to vote.
- D. Ballots must be received at the Post Office box by 9:00 a.m. (P.D.T). October 18, 2022, to be counted.
- E. **Observers.** Each individual candidate may have 1 observer and each full slate may have 3 observers during the following events: (1) when California Elections Company picks up the ballots at the post office at 9:00 a.m. (P.D.T.) on October 18, 2022; and (2) during the tabulation of ballots at the office of Local 132 on October 18, 2022. Each slate or candidate must file the name(s) of any observer(s) in writing with the Election Committee Chair by October 14, 2022. Only Local 132 members in good standing are able to observe.
- F. Candidates for President, Secretary-Treasurer, Business Agent and 11 Regional Officers will be elected by a plurality of votes (i.e., the candidate with the most votes wins the election for each office).
- G. Write-in candidates are not permitted.

XIV. ELECTION CHALLENGES.

- A. All challenges to election results must be made in writing to the Election Committee within 15 days of the time the challenger becomes aware, or reasonably should have become aware, there have been violations of the election procedures of the Local 132 Bylaws, or the Labor-Management Reporting and Disclosure Act of 1959 as amended, which would have affected the outcome of the election. The challenge(s) must be signed by the person(s) proffering the challenge(s) and must set forth the specific violation(s) or wrong(s) and the date on which they allegedly occurred. Any challenge(s) must contain a brief statement of

the facts upon which the challenge(s) is based and must be sufficiently specific to permit an adequate investigation into the matter.

- B. Within seven (7) days after the challenge(s) has been filed, a copy of the challenge(s) to the election results shall be forwarded to the member being challenged to the member's last known address by certified mail. After the ballots are counted, the Election Committee will review the challenge(s).
 - (1) If the Election Committee determines that the challenge(s), in whole or in part, have not been properly or timely filed, do not state an offense for which an election may be challenged, or have not been supported by the evidence provided by the complainant, it shall render a decision dismissing those portions of the challenge(s).
 - (2) If the Election Committee, upon examining the evidence provided by the complainant concerning the remaining portion of the challenge(s), finds there is sufficient evidence to warrant a hearing, the complainant and challenged party shall be notified by certified mail with a written notification of the time and place the Election Committee will hold a hearing on the matter. The hearing shall take place not less than one week or no more than twenty-one (21) days from the date of the mailing of the challenges to the member whose election was challenged.
- C. Upon completion of the hearing, the Election Committee shall issue a decision listing each of the claimed violations of voting procedures and its findings and conclusions regarding each claimed violation of the election procedures. The Election Committee shall also ascertain whether or not the claimed violations would have affected the outcome of the election and set forth its reasoning for the conclusion reached.
- D. The Election Committee shall have the right to (1) order a new election; (2) certify the election of all positions involved; or (3) certify all positions not involved in the claimed violations and those elections where the outcome would not have been affected by the violations and order a new election only for the positions, the outcome of which would have been affected by the violations. A copy of the decision by the Election Committee shall be forwarded immediately to the challenged and the challenger, with a copy to the office of the National Union.
- E. An appeal from the decision of the Election Committee must be filed with the National Union Executive Committee by either the challenger or the challenged, within thirty (30) days of the mailing of the Election Committee's decision. A member of the Election Committee that rendered the decision will be recused from the National Union Executive Committee for the purposes of hearing or deciding the appeal.
- F. Within thirty (30) days of the receipt of the appeal from the decision of the Election Committee, the National Union's Executive Committee will review the written challenge, the response to the challenge, the record before the Election Committee, and the Election Committee decision.

- G. The Executive Committee will have the authority to:
- (1) order a new election;
 - (2) certify the results of the election;
 - (3) certify all positions not involved in the claimed violations and those elections where the outcome would not have been affected by the violations and order a new election only for the positions, the outcome of which would have been affected by the violations.
- H. Elections challenged by a member will be presumed valid pending a final decision on the claimed violations and their effect on the outcome.

XV. These Guidelines may be modified as necessary in order to conduct a fair and orderly election.

Trustee of UWUA Local 132

Patrick M. Dillon

Patrick M. Dillon

Sample Nomination Petition

The undersigned, _____
[print name]

hereby nominates _____
[name of nominee]

for the office of _____
[specific office].

This individual is nominated as a member of the

[name of slate if applicable]. slate

Signature: _____

My Company ID No. is _____

Date: _____

Sample Acceptance

I _____
[print name as you would like it to appear on the ballot]

accept nomination for the office of _____
[print the office for which you are running].

My Region is _____

My slate is _____
[name of slate if applicable]

Signature: _____

My Company ID No. is _____

Date: _____

Nominee Contact Information

My Company ID No. is _____

Home Address: _____

Cell Phone: _____