

# Saskatchewan Construction Association (SCA)

## Election Policy

Approved: April 24, 2016

### 1. PRINCIPLES

- The following principles guide the development and future adjustment of the SCA election policy. The policy is created to ensure that:
  - SCA elections are conducted according to the requirements outlined in the SCA bylaws; and
  - Elections are conducted in a transparent, fair, consistent and equitable manner.

### 2. DEFINITIONS

- *Full member* – The definition contained within the SCA bylaws will be the official definition. For the purposes of this policy, a full member is any member granted voting rights according to the SCA bylaws. The member is considered to be the company, and each member company is eligible to have one, and only one, vote in general elections.
- *General elections* – a general election is an election in which all full members of the SCA are eligible for nomination and to vote. General elections are, according to SCA bylaws, only to occur when electing members-at-large to the Board of Directors.
- *Board officer elections* – a Board officer election occurs as needed, and no less frequently than once per year, to elect the Board Chair and Vice-Chair.
- *Chief Electoral Officer* – the individual responsible for overseeing SCA election processes and responsible for reporting to the SCA Board and membership regarding the same. The Chief Electoral Officer shall be named by the Board of Directors.
- *Deputy Electoral Officers* – those individuals appointed by the Chief Electoral Officer to exercise any or all parts of the authority assigned to the Chief Electoral Officer and delegated by them to the Deputy Electoral Officers.
- *Presiding Electoral Officer* – the individual who is the senior Electoral Officer present and responsible for the conduct of an election.

### 3. CHIEF ELECTORAL OFFICER

- The SCA Board of Directors shall appoint a Chief Electoral Officer.

- The Chief Electoral Officer shall be responsible for the execution and enforcement of this policy, for the conduct of all SCA election processes, and for reporting on the same to the Board and to the SCA membership as appropriate.
- The Chief Electoral Officer may delegate any or all portions of their duties to Deputy Electoral Officers as is necessary for the proper conduct of elections.
- The Chief Electoral Officer will be responsible for ensuring that any Deputy Electoral Officers are properly trained and equipped for the conduct of their assigned duties.

#### **4. ESTABLISHING ELIGIBILITY**

##### **Eligibility to Vote**

- As per the SCA Bylaws, only Full Members are eligible to vote in elections.
- Each Full Member is entitled to one vote.
- In the case of board officer elections for the position of Chair and Vice-Chair, only members of the SCA Board of Directors at the time of the election shall be eligible to vote. Each Board member shall have one vote.

##### **Eligibility to Stand for Election**

- For election to a Director-at-Large position, any employee of a Full Member company shall be eligible to seek nomination and stand for election.
- For election to the Chair or Vice-Chair position, any member of the SCA Board of Directors who, by the time of the subsequent Annual General Meeting, will have completed at least one full year of service on the Board shall be eligible to seek nomination and stand for election.

#### **5. NOMINATION PROCESS**

##### **General Elections**

- Any employee of a Full Member company is eligible to nominate a candidate for election to a Director-at-Large position.
- Nominations must be received in writing, for which an email to the Chief Electoral Officer shall suffice, and must include the following:
  - The name, position, and company of the individual nominating a candidate, along with their contact information; and
  - The name, position, and company of the individual being nominated, along with their contact information.

- Once a candidate has been nominated, they must acknowledge their willingness to stand for election. This acknowledgement must be provided in writing, for which an email to the Chief Electoral Officer shall suffice, and must include the following:
  - The name, position, and company of the individual accepting the nomination, along with their contact information; and
  - A clear indication that the individual is willing to stand for election and has read and is comfortable with this election policy.
- Once a candidate has been nominated, has accepted nomination, and is deemed eligible by the presiding Electoral Officer, they are considered an official candidate.
- Only official candidates will be included on the ballot.

### **Officer Elections**

- Any member of the SCA Board of Directors is eligible to nominate a candidate for the position of Chair or Vice-Chair.
- Nominations may be received in writing or delivered in person during the election process.
- If a nomination is delivered in writing, it must follow the same protocol as outlined above for candidates for Director-at-Large, and must be acknowledged by the candidate according to the protocol outlined above.
- If the nomination is delivered in person, it must still be accepted by the candidate. This acceptance may be delivered in person, or in writing.
- Once a candidate has been nominated, has accepted nomination, and is deemed eligible by the presiding Electoral Officer, they are considered an official candidate.
- Only official candidates will be included on the ballot.

## **6. ELECTION TIMELINES AND PROCESS**

### **General Elections**

- General elections, involving the possibility of a vote from every Full Member, shall occur for the purposes of election Directors-at-Large. The results of the general elections shall be announced at the Annual General Meeting (AGM) of the SCA.
- Generally, nominations for open positions for a general election shall be declared open on September 1 of each year, or the first work day following that date. The Board shall have the authority to modify this date at their sole discretion, providing such modification is shared with members by notice no later than the first day of business following September 1.
- Nominations shall remain open for a period of six full weeks (not less than 42 days). The date for the closure of nominations shall be announced at the time that nominations are

opened. Full members shall be notified of the nomination period at least twice by the SCA during the time that nominations are open.

- If one or more candidates have been nominated for the open positions by the close of nominations, then nominations shall cease, and the election shall proceed to balloting.
- If no candidate has been nominated, or an insufficient number of candidates has been nominated, nominations shall remain open until the AGM, at which point the election shall be conducted in person.
- At the close of nominations, if the number of candidates is equal to the number of open positions, the nominated candidates shall be declared elected.
- At the close of nominations, if more than one candidate has been nominated, each candidate will be provided with the opportunity to share written information on why they should be elected. This information, which shall be provided to the SCA by no later than two business days following the close of nominations, shall then be shared by the SCA in a fair and equitable manner with all eligible voting members, by no later than three business days following the close of nominations.
- By no sooner than three business days, and no later than five business days following the close of nominations, the SCA shall issue voting ballots to all eligible voting members. These ballots shall be provided in either electronic (preferably) or paper means.
- Members shall have no less than ten business days, and no more than fifteen business days, to complete and return their ballots. Ballots must be received by the SCA by the end of the balloting period.
- In the event that the SCA issues paper ballots, the SCA shall also provide a postmarked return envelope, in which the voting member must seal their ballot.
- Voting may only be done in the prescribed manner, as outlined by the Chief Electoral Officer at the call for nominations. No proxy voting shall be allowed.
- To be successfully elected to a position in the case of general elections, a plurality of votes shall be considered sufficient.
- The Chief Electoral Officer, or presiding Electoral Officer, shall designate a time and a place for the tabulation of ballots in advance of the Annual General Meeting. All nominated candidates shall be informed of this time and place, and shall be eligible to have a representative present for the tabulation of ballots.
- Upon the completion of tabulation, the presiding Electoral Officer shall follow the procedures herein with respect to announcing results, recounts, and destruction of ballots.

## **Officer Elections**

- Elections for the position of Chair and Vice-Chair shall be conducted no later than 60 days prior to the SCA AGM, and generally speaking, shall occur at the regularly scheduled Summer meeting of the SCA Board of Directors.
- At the regularly scheduled Winter meeting of the Board, the Board shall confirm the date for the election meeting. After the conclusion of that Winter meeting, nominations shall be open.
- Nominations will not close until the presiding Electoral Officer closes nominations at the election meeting.
- The election meeting of the Board may not proceed unless a quorum of Board members is present. As the Officer shall preside over the election meeting, the SCA Chair shall be eligible to vote and shall be counted towards quorum.
- At the close of nominations, if only one candidate has been nominated, that candidate shall be declared elected.
- At the close of nominations, if more than one candidate has been nominated, each candidate will be invited by the Officer to speak to present Board members on the merits of their candidacy.
- After each candidate has been given the opportunity to speak, balloting shall be opened.
- Elections for the Chair and Vice-Chair shall be conducted by secret paper ballot. All members of the Board of Directors are eligible to vote, but in order to vote they must be present at the election meeting.
- The election for Chair shall be conducted first and separately from the election for Vice-Chair.
- To be successfully elected to either position, a candidate must receive 50%+1 of the votes cast.
- The names of all official candidates shall be prominently displayed throughout the balloting period.
- Each voting member of the Board shall be given a similarly sized and textured piece of paper. Each voting member shall write the names of the official candidates on their paper in the order of preference. In other words, the voting member shall place their preferred candidate's name first on the paper, followed by the second choice, and so on, until all of the candidates are listed.
- When all ballots have been collected, or the allotted time for balloting has expired (a maximum of fifteen minutes shall be allotted for balloting), balloting shall be closed by announcement of the presiding Electoral Officer.

- The Officer shall then proceed with the ballot count in a private location. Each official candidate is eligible to have a representative present for the counting of the ballots.
- In the event where more than two official candidates exist, the Officer shall use preferential balloting rules to tabulate the results. This means that the first choice (the top name) on each ballot shall be counted as one vote, and the results tabulated. If a candidate receives more than 50 per cent of the votes, then the count is concluded. If however no candidate secures enough votes, then the candidate with the lowest total count shall be dropped from each ballot (the results of each round of counting should be kept in writing for verification). With one fewer candidate to consider, a second count is conducted.
- The second count should look at any ballot for which the dropped candidate was the first choice, and count that ballot now for the second choice on the ballot. After all ballots are re-tabulated using this process, if no candidate still has enough votes to win, the candidate with the next lowest vote total is dropped for the third round of ballot counting.
- This process continues until one candidate has secured more than 50 per cent of the total votes cast.
- Once a candidate has a sufficient total of votes, the Officer shall follow the procedures contained herein with respect to announcing the results, recounts, and destruction of ballots.

## **7. ELECTRONIC BALLOTING**

- Whenever feasible, the SCA shall use electronic balloting for election purposes.
- Electronic balloting must be conducted in a manner that has been approved by the Chief Electoral Officer. The following conditions must apply for electronic balloting to be approved:
  - Voter anonymity must be assured;
  - All members must be provided with an alternative option for voting by paper ballot if preferred;
  - The results must be verifiable; and
  - The balloting mechanism must be reasonably secure against ballot stuffing, voter fraud, and tampering.

## **8. ANNOUNCING THE RESULTS**

- After the votes have been tabulated, the presiding Electoral Officer will privately notify the candidates of the results. All the candidates shall be notified at the same time. In the event that a candidate is not available to be notified at the same time, they may designate a representative who can be notified in their place.
- In the event of a possible recount, the Officer will ask the unsuccessful candidates if they wish to challenge the results. If they do, a recount shall proceed as immediately as possible. If they do not wish to challenge, the Officer will announce the results publicly.
- If an automatic or possible recount occurs, upon the completion of the recount procedure, the Officer shall declare the results official and proceed to announce them publicly.

## **9. RECOUNT PROCEDURES**

### **Automatic Recount**

- In the event that after counting of the ballots, two or more candidates are within one per cent of each other in terms of vote totals, the presiding Electoral Officer shall immediately proceed to a recounting of the ballots.
- Following the automatic recount, the Officer shall notify the candidates privately (but at the same time) as to the results, and follow the procedures for announcing the results.

### **Possible Recount**

- In the event that after counting of the ballots two or more candidates are separated in vote totals by more than one per cent, but are within five per cent, any of those candidates may request a recount of the ballots.
- If a request for a recount is valid and is made, the presiding Electoral Officer shall proceed immediately to a recount.
- Following the recount, the Officer shall follow the procedures for announcing the results.

### **General Recount Provisions**

- As with ballot counting, each candidate is entitled to have a representative present during the recounting of ballots. The representative must not interfere with the recount procedures, and must remain silent unless directed otherwise by the presiding Electoral Officer.
- A recount may not trigger another recount. So for instance, if the first count indicates Candidate A won, but the second count indicates Candidate B won, Candidate A may not challenge the results. At this point it will be at the sole discretion of the Officer to determine whether another count is justified.

## **10. IN THE EVENT OF A TIE**

- If a tie should occur, the presiding Electoral Officer shall put the names of all tied candidates onto similarly sized and textured pieces of paper and place those pieces of paper into a receptacle.
- The Officer shall then pull one piece of paper, containing the name of one candidate, out of the receptacle.
- The candidate whose name is printed on the piece of paper shall be declared the winner, and results shall be official.

## **11. DESTRUCTION OF BALLOTS**

- When the results of an election have been declared official by the presiding Electoral Officer, the ballots are to be destroyed.
- In the event of an electronic ballot, the data files are to be erased, or encrypted.

## **12. SUPREMACY OF BYLAWS**

- In the event of a disagreement between this policy and the SCA Bylaws, the SCA Bylaws will be considered the supreme authority.

## **13. AMENDMENTS AND REVIEWS**

### **Amendments by the Board**

- Amendments to this policy may only be made by the SCA Board of Directors.
- The Board may amend the policy any time from January 1 to August 31 each year, but may not make amendments from September 1 to December 31.
- In considering amendments to the policy, the Board should consider input from the Governance Committee, the integrated partner associations, individual members, and the SCA administration.

### **Review by the Committee**

- The Board delegates responsibility for administering and reviewing this policy to the Governance Committee.
- By June of each year, the Committee shall review this policy and recommend any necessary amendments to the Board.

This version of the SCA Election Policy is certified as the current and correct version:

SCA Board Chair

SCA Chief Operating Officer