# Immigration Service Union –

# NATIONAL ELECTIONS RULES

**Introduction.**

Trades Union elections at national level are covered by current legislation. The General Secretary and National Executive Committee elections shall at all times comply with the requirements of legislation and the Constitution of the ISU and nothing in these rules should be interpreted to mean otherwise.

This document has been produced to ensure a fair and transparent nomination and election process. If at any time it appears to any member that the operation of these rules causes unfairness they should contact the General Secretary or Deputy General Secretary (Organisation).

Nothing in these rules shall be taken to require a ballot to be held at an uncontested election.

[Explanatory notes appearing in square brackets are for information only and do not form part of these rules.]

**1. Term of Office.**

1.1 The term of office is three years (or the period set out in appendix c and d where this is a shorter period) from the end of the Annual Delegate Conference.

[The three-year term of office was introduced at the 2008 Annual Delegate Conference and transitional measures are set out in Appendix C and D to the Constitution reproduced at the end of these rules.]

1.2 In the event of retirement, resignation etc during the 3 year tenure a by-election will be held for that one post, the successful candidate to remain in office for the remainder of the 3 year tenure only, save that if the retirement, resignation etc occurred during the last 6 months of office, the post should remain vacant until the next scheduled elections.

**2. Eligibility.**

2.1 Only full members may stand for, or vote in, an election.

2.2 Nominees as Chairman, Vice-Chairman and General Secretary must be up to date with their subscriptions, must be elected to the NEC at the time of their nomination and must have expressed their willingness to stand for election.

2.3 Nominees as members of the National Executive Committee must be full members of the ISU, have served for a minimum of two years as a BEC member, and still hold that position at the time of nomination for the NEC, or at the time of nomination be an existing NEC member, or have served as an NEC member during the previous two years, be up to date with their subscriptions and must have expressed the willingness to stand for election.

**3. National Officer Posts.**

3.1 The National Officers required by the ISU Constitution are:

* General Secretary
* Chairman
* Vice-Chairman

3.2 There shall be only one incumbent for each of the officer posts.

3.3 An individual may hold only one National Officer posts listed at 3.1 at any one time.

3.4 If there is more than one valid nomination for any officer post a ballot will be held as specified below.

**4. NEC member posts.**

4.1 Nominations shall be sought for those posts that will become vacant during the next NEC year.

4.2 A NEC Officer may not concurrently serve as a NEC Member.

4.3 If the total number of nominations for NEC member is greater than the specified number sought a ballot will take place as detailed below.

4.4 There shall be only one incumbent for each of the member posts

**5. Nominations.**

5.1 Nominations shall be from two paid-up full members.

5.2 It is the responsibility of the Chairman to ensure that every reasonable effort is made to bring to the attention of members that nominations are being sought and to ensure that the elections comply with the rules, the ISU Constitution and legislation.

5.3 A membership circular shall be produced advising members of the arrangements of the forthcoming NEC elections. This must include a nomination form and give the time and date of the closing of the nomination period and give details of how nomination forms must be returned.

5.4 All nominations must be made on a nomination form.

5.5 All nominations must be proposed and seconded by a full member of the ISU.

5.6 A member nominated may not propose or second themselves and the proposer and seconder may not be the same person.

5.7 The person nominated must accept the nomination in writing.

5.8 Any nomination which is not properly proposed, seconded and accepted or which arrives after the closing date and time will be void.

5.9 Members should be given not less than 28 and not more than 42 days to make nominations.

5.10 A ballot will only be necessary when nominations exceed the number of posts.

**6. Election Address.**

6.1 Every candidate shall be provided with an opportunity of preparing an election address and history of trades union activity, in his or her own words, which shall be distributed along with the voting papers.

6.2 The candidates shall not bear any expense for the production and distribution of the election address and history of trade union activity.

6.3 The election address and history of trades union activity shall be published as a single document with every candidates address set out in the same style.

6.4 The name on the ballot paper and the election address and history of trades union activity shall be published in a random order without reference to alphabetical order, previous union position, grade etc.

6.5 The election address and history of trade union activity must be submitted to the independent scrutineer before the closing of the nomination period.

6.6 The election address and history of trade union activity shall be limited to no more than 200 words in total.

6.7 If an election address and history of trade union activity of more than 200 words is submitted, only the first 200 words will be published.

6.8 The election address and history of trade union activity shall consist of words only. *[i.e. no pictures, graphs, diagrams, charts, etc will be published.]*

6.9 The election address and history of trade union activity shall be in the English language.

6.10 For the purposes of the heading of the election address the candidate shall be identified only by their given name, except that any other name by which they are popularly known may be included in brackets. *[i.e. Jeremiah (Jerry) Jones – grade, work location will not be given.]*

6.11 The union will not circulate or distribute any additionalelection address and / or history of trades union activity nor any other publications or materials.

6.12 No-one other than the candidate shall incur any civil or criminal liability in respect of the publication of a candidate’s election address and history of trade union activity or of any copy required to be made for the purposes of the election.

**7. Independent Scrutineer.**

7.1 An independent scrutineer, who meets the requirements of current legislation, shall be appointed.

7.2 He shall act in all matters as required by law.

7.3 The choice of independent scrutineer shall be at the discretion of the NEC.

*[As part of his duties the independent scrutineer shall:*

* *Inspect the register of members’ names and addresses.*
* *Supervise the production of the voting papers.*
* *Supervise the distribution of the voting papers.*
* *Nominate the address to which the voting papers shall be returned.*
* *Conduct the counting of the voting papers.*
* *Retain the voting papers for the period of one year.*
* *Issue a report on the conduct of the election.]*

**8. Voting.**

8.1 The method of voting must be by the marking of a voting paper by the person voting.

8.2 Each voting paper must-

1. State the name of the independent scrutineer and clearly specify the address to which, and the date and time by which, it is to be returned,
2. Be given one of a series of consecutive whole numbers every one of which is used in giving a different number in that series to each voting paper printed or otherwise produced for the purposes of the election, and
3. Be marked with its number.

8.3 Every person who is entitled to vote at the election must-

1. Be allowed to vote without interference from, or constraint imposed by, the union or any of its members, officials or employees, and
2. So far as is reasonably practicable, be enabled to do so without incurring any direct cost to himself.

8.4 So far as is reasonably practicable, every person who is entitled to vote at the election must-

1. Have sent to him by post, at his home address or another address which he has requested the trade union in writing to treat as his postal address, a voting paper which either lists the candidates at the election or is accompanied by a separate list of those candidates; and
2. Be given a convenient opportunity to vote by post.

8.5 The ballot shall be conducted so as to secure that -

1. So far as is reasonably practicable, those voting do so in secret, and
2. The votes given at the election are fairly and accurately counted.

For the purposes of paragraph 8.5.2 an inaccuracy in counting shall be disregarded if it is accidental and on a scale which could not affect the result of the election.

8.6 The ballot shall be so conducted as to secure that the result of the election is determined solely by counting the number of votes cast directly for each candidate.

8.7 Voting shall take place in order of seniority of the post as an individual may be nominated for more that one post. The order of seniority shall be:

* General Secretary
* Chairman
* Vice Chairman
* Member

8.8 At least 28 and no more than 42 days should be allowed for voting.

8.9 The following shall be excluded from voting:

1. Retired members.
2. Members who are in arrears in respect of union subscriptions.
3. Associate members.

**9. The Ballot Count**

9.1 The counting of voting papers shall be overseen by the independent scrutineer.

9.2 The nominee for each of the NEC Officer posts who receives the highest number of votes will be elected.

9.3 If the total number of nominations for NEC member is greater than the specified number sought, the nominee receiving the highest number of votes will be elected. The nominee receiving the second highest number of votes will be elected and so on until the specified number of NEC member posts has been filled.

9.4 In the event of more than one nominee receiving the same number of votes a new ballot will be held between those nominees who received the same number of votes, except where in a NEC Member election, posts are available for all the nominees that received the same number of votes to be elected.

9.5 The result of each ballot shall be published as quickly as possible before any other ballot is commenced.

9.6 The report of the independent scrutineer shall be published to the membership within three months of its presentation to the union.

APPENDIX C

“Elections to the NEC

The transitional process for introducing a three-year period of office will be:

2009 The top 4 NEC members elected until 2012, remaining 6 elected for one year only

2010 Elections held for the remaining 6 NEC posts. The top 3 elected until 2013, the remaining 3 for one year only

2011 The remaining 3 NEC members elected until 2014

2012 Those elected in 2009 retire, elections for those 4 posts (incumbents could of course stand for election again, with no limit on the number of terms for which they could be elected).

2013 Those elected in 2010 retire, elections held for those three posts (incumbents could of course stand for election again, with no limit on the number of terms for which they could be elected).

2014 Those elected in 2011 retire, elections held for those three posts (incumbents could of course stand for election again, with no limit on the number of terms for which they could be elected).

And so on.

In the event that numbers 4 and 5 in 2009, or 3 and 4 in 2010 receive an equal number of votes, a by-election be held for those two candidates only, to determine the term of election.

In the event of retirement, resignation etc during the 3 year tenure a by-election will be held for that one post, the successful candidate to remain in office for the remainder of the 3 year tenure only, save that if the retirement, resignation etc occurred during the last 6 months of office, the post should remain vacant until the next scheduled elections.”

APPENDIX d

“Elections of the Chair, Vice-Chair and General Secretary.

The transitional process for introducing a three-year period of office will be:

2009 Chair elected until 2012, V/C and Gen Sec for 1 year

2010 Gen Sec elected until 2013, V/C for 1 year

2011 Vice-Chair elected until 2014

2012 Chair elected until 2015

2013 General Secretary elected for 3 years

2014 Vice Chair elected for 3 years

2015 Chair elected for 3 years

And so on

In the event of retirement, resignation etc during the 3 year tenure a by-election will be held for that one post, the successful candidate to remain in office for the remainder of the 3 year tenure only, save that if the retirement, resignation etc occurred during the last 6 months of office, the post should remain vacant until the next scheduled elections.”