

Constitution 2025-04 - Re-adding Acclamation and a Second Election as Needed to Fill Vacancies

Submitting Local

AFT-Oregon Executive Council

Summary

This proposed amendment is to add procedures for acclamation and a second election to fill vacancies during the convention. As far as we can tell, both of these mechanisms were unintentionally removed in an amendment merge in 2019 due to a copyediting error, see [Background](#). This amendment also updates the ranked-choice voting procedure for multi-seat elections, bringing it into compliance with standard practice for ranked-choice voting and simplifying the language, and clarifies the language for single-seat elections.

Acclamation is when a candidate runs unopposed for a given seat, so rather than putting their name on the ballot, the convention simply votes to elect all such candidates. The second election would fill any vacancies remaining after the first in a second election during Convention, to ensure compliance with the LMRDA.

Background

Two copyediting errors happened after Constitution Article VI, Section 3 was amended in the 2019 convention, with unintended results: 1) election by acclamation was removed, and 2) the optional second election, in the event there are vacancies after the first election, was partially removed, and the C&B were left in a state that underspecifies the process and does not handle both single and multi-seat vacancies.

Detailed explanation of copyediting errors: (see [2019 proposed amendment](#)):

1. In the [pre-2019 version of the C&B](#), item "e" has two subitems: 1 and 2. Subitem 2 allows for election by acclamation of candidates running for uncontested seats. The proposed amendment modified 1, appending some text and striking other text. The proposed amendment did not list subitem 2 at all, and certainly did not strike subitem 2. Instead, it skips to the next proposed modification: striking item "f". The proposed amendment did not list all other text in the article, and besides the two cases identified here, that unlisted text was preserved. So, the merge was inconsistent: in these two cases, unlisted and unstruck language in the proposal was removed, but in all other

cases, unlisted and unstruck language in the proposal was maintained in the next version of the C&B. To summarize, subitem 2 was never struck in the proposal, and if the merge had been performed consistently, then subitem 2 would have remained in the C&B.

2. In the old version, item "g" contains the language that allows a second round of nominations and a second election to fill offices left vacant after the initial election. We need this to give us a better chance of filling all seats by election at the convention, to comply with the LMRDA requirement that seats be initially filled by election. The proposed amendment did not explicitly renumber remaining items, and the merge ignored the fact that the original text of item "g" was not struck in the proposed amendment, and assumed that the new item "g" in the proposal replaced item "g" in the original version. Item "g" in the proposal describes how to fill positions with multiple seats in the first election, which requires special consideration because of ranked choice voting. It then describes how to fill vacant positions with multiple seats after the first election, but it does describe how to handle vacant positions with single seats, or any of the other needed details in the old item "g", including, for example, how nominations for these elections work. Further, it refers to a process for running a subsequent election for a vacant single seat position, but does not provide this language. The old item "g" describes how to run a subsequent election for a vacant single seat position, which seems like additional evidence that the intent of the amendment was to leave the old item "g" in there, to describe how to implement the process for running subsequent elections that the new item "g" refers to. To summarize, in addition to the clear fact that the old item "g" is not struck, there is evidence that the intent of the new item "g" was to sit alongside the old item "g", rather than to replace it.

Solution

Section 3(h) has been adapted from the pre-2019 Constitution and Bylaws to restore acclamation and support multi-seat offices, and Section 3(g) has been rewritten to follow a more standard procedure for ranked-choice voting. We have also added a sentence to Section 3(h) to explain acclamation in plain language. We have also updated Sections(d,f) for clarity.

Original Language with Tracked Changes

To Constitution Article VI: This amendment will take effect as of July 1, 2025.

Section 3. Election of Officers.

- a.** Offices open for election shall be announced at the opening session of the convention.
- b.** Nominations of officers shall be by petition signed by at least ten (10) delegates and presented to the secretary no later than noon on the second day of the convention. Declination of nominations shall be made no later than 1:00 p.m. on the same day. No individual shall hold more than one (1) elective office, nor be allowed to be a candidate for more than one (1) elective office in any given election. In the event an election results in a violation of Article V, Section 2 (not more than two persons from the same

local holding office at the same time), and beginning in the order the officers are listed in Article V, Section 1(a), the first candidate elected to office from that local shall be declared elected; then the second candidate elected to office from that local shall be declared elected; and subsequent candidates from that local shall be eliminated until all positions of the executive council are filled.

- c.** Candidates shall be introduced to the convention during the next scheduled general session following submission of nominations.
- d.** At the time of introduction, candidates may make a five-minute speech of acceptance of the nomination.
- e.** Balloting for election of officers shall take place under the supervision of the Elections Committee during the last general session of the Convention. Elections will be conducted by a single ballot listing all offices. Delegates will rank candidates in the order of their preference for each office. The number of votes for a local shall first be distributed evenly, without fractional votes, to the seated delegates of the local and then any remaining votes shall be distributed one at a time in the order of the delegate ranking.
- f.** In elections for positions with a single seat, if a candidate receives a majority of first preference votes, that candidate is elected. If no candidate receives a majority of first preference votes, an instant runoff shall be tabulated by eliminating the candidate with the lowest total votes and awarding those votes to other candidates in the order of the delegate's preference ranking. The instant runoff tabulation is repeated until a candidate receives a majority of the vote. If a delegate's ballot reaches the last preference, those votes remain with their last candidate preference. In the event of a tie for lowest vote total, those candidates who tie for lowest vote total are eliminated. In the event that a winner could not be awarded, a choice between the two candidates with the most votes in the final tabulation shall be made by a roll-call vote, and the winner of that vote elected.
- g.** In elections for positions with multiple seats, the seats will be filled in a sequence of single-seat elections as described in Section 3(f). The winner of each seat will be elected, and the next seat will be considered without any candidates who have already won. ~~In elections for positions with multiple seats, the number of votes needed to be elected shall be half of the number of votes distributed to delegates. The number of votes distributed to a delegate shall be awarded to each candidate that the delegate specified a ranking number lower than or equal to the total number of seats available. The candidates with the most votes, that are above the number of votes needed, shall be elected. If vacancies exist after the first round, additional elections shall be held. If there is only a single multi-seat vacancy after an election, the next election shall be considered a single-seat election.~~
- h.** When nominations result in only one candidate for a seat, the convention may conduct the election by acclamation. Acclamation allows for one person, running unopposed, to be voted into a seat. A vote by acclamation shall be taken only on a motion to elect by acclamation made and seconded by properly credentialed and seated delegates.
- i.** If, after an election, vacancies remain for any office, nominations for open offices will be accepted from the floor and shall remain open for a minimum of ten (10) minutes. A member may be eligible for nomination even if that person was a nominee for another office in the previous election. After the nomination period the presiding officer shall declare a ten (10) minute recess. Following the recess the candidates will be introduced, may speak according to Section 3(d), and balloting will proceed following Section 3(e).
- ji.** Ballots shall be impounded and kept by AFT-Oregon for not less than one year.

kj. New officers shall assume their duties on July 1 following their election.