



On the Right Track

For 21st Century Service

BLET Local Division Nomination and Election Procedure

2015

REVISED JUNE 2015

Notice to Division Secretary-Treasurers

This edition of *On the Right Track* supersedes all previous editions. The instructions and procedures contained in this edition must be adhered to in order to enable your division to withstand an election challenge. Failure to follow these instructions will put your election at risk of being overturned, with the consequent aggravation and financial costs involved.

Please study this booklet carefully now. Don't wait until nominations are upon you. Study and be prepared! Questions pertaining to election processes should be referred to National Secretary-Treasurer S. J. Bruno. Questions involving an interpretation of the BLET Bylaws and all requests for review of eligibility determinations must be submitted to National President D. R. Pierce. The BLET National Division's Electronic Communications Policy requires a hard copy of any correspondence, bearing a signature, to be received by the National President to be considered an official communication.



Cover photo and left: Chase Gunnoe

General Information

Both federal and Brotherhood law require that local division elections be held every three (3) years.

Information provided on the following pages is intended to assist the divisions in conducting nominations and elections in accordance with both federal and Brotherhood law. It is the obligation of the secretary-treasurer and the president of the local division to see that all requirements are followed to the letter. Items appearing in bold reflect changes that have occurred since the 2012 triennial division elections.

Acronyms

GCA = General Committee of Adjustment

LCA = Local Committee of Adjustment

LDR = Local Division Rules

ND = National Division

NDR = National Division Rules

Local Division Officers Who Must Be Elected

- President
- Vice President
- Secretary-Treasurer
- Alternate Secretary-Treasurer
- Guide
- Chaplain
- Delegate to National Division

- First Alternate Delegate to National Division
 - Second Alternate Delegate to National Division
 - Legislative Representative (Delegate to the State Legislative Board)
 - Alternate Legislative Representative (Alternate Delegate to the State Legislative Board)
 - Local Chairman (Delegate to the General Committee of Adjustment)
 - First Vice Local Chairman (First Alternate Delegate to the General Committee of Adjustment)
 - Second Vice Local Chairman (Second Alternate Delegate to the General Committee of Adjustment)
 - Additional Vice Local Chairman or Chairmen (if division has created the offices)
 - **Trustee**
 - **Trustee**
 - **Trustee**
 - **First Alternate Trustee**
 - **Second Alternate Trustee**
 - **Third Alternate Trustee**
 - **Corresponding Secretary (only if a subdivision has been approved per National Division Rules Section 35)**
- We suggest both the president and secretary-treasurer should very carefully follow the checklist below. This will help avoid the possibility of having to hold a second nomination or election, which could be a very expensive procedure.

Also, an election must be conducted for each of the offices identified above.

Triennial Nomination and Election Procedure Check-Off List

- Nominations for officers of divisions must be made at the first regular meeting in September 2015.
- At least thirty (30) days prior to the nominating meeting, notices of nomination must be posted on BLET bulletin boards and at every location at which members report for work. In addition, notices must be mailed to members in exempt status pursuant to Section 29(h) – National Division Rules (“NDR”) of the BLET Bylaws, and to members on leave of absence (except company officials). Notices must include the form for submitting nominations (see sample nomination notice at the back of this booklet).
- At the nominating meeting, the president shall accept oral or written nominations and seconds for each of the offices listed above. The section below entitled “Nomination Procedure” outlines the process for accepting nominations. The president should turn the chair over to the vice president when nominations for the office of president are accepted.
- After nominations are closed, the division shall elect by ballot an Election

Committee, unless appointed by the president with the unanimous consent of the members present, composed of at least three (3) non-nominees, who shall oversee the election of officers.

- The Election Committee shall work with the secretary-treasurer to provide all required notices, prepare and mail ballots, pick up and process undeliverable ballots, pick up voted ballots immediately prior to the election meeting, and act as board of tellers at the election meeting.
- Following the nominating meeting, the secretary-treasurer and the Election Committee will develop a schedule for the preparation and mailing of ballots, checking the post office box for undeliverable ballots, and picking up voted ballots immediately prior to the election meeting. All candidates for office shall be provided the schedule so they or their observer(s) may be present.
- Within five (5) days following nominating meeting, the secretary-treasurer shall notify all members who did not attend the meeting of their nomination.
- The secretary-treasurer shall also rent two post office boxes, one for voted ballots and one for undeliverable ballots.
- The Election Committee shall arrange for printing or ordering ballots. Ballots are to conform to a Sample Ballot



furnished by the National Division.

- At least fifteen (15) days before election meeting, the Election Committee mails to each eligible active member a package containing the balloting material and notice of election. The section below entitled “Election Procedure” sets forth the requirements for the ballot package.
- Upon completion of the election, the secretary-treasurer must forward the election results to the National President. The Secretary-Treasurer Online Reporting System may be used to report the election results.

Nomination Procedure

NOTICE OF NOMINATION

The secretary-treasurer of each local division shall post a notice on BLET bulletin boards and at every location at which members report for work, at least thirty (30) days prior to the meeting at which nominations are to be held, such notice to state the time, date, place and purpose of such meeting. Notice must be sent to those active members not expected to be at the locations where notices are posted, such as those in exempt status pursuant to NDR Section 29(h).

WHEN ARE NOMINATIONS FOR OFFICERS?

Nominations are to be held at the first regular meeting in September every third year. This means that if your local division holds two or more meetings per month, nominations will be held at the first meeting in September 2015.

QUALIFICATIONS TO HOLD OFFICE

For all offices, a member must hold active membership as defined in Section 25(b) – Local Division Rules (“LDR”), as well as have been in “continuous good standing” with the BLET by paying dues for a period of twenty-four (24) consecutive months immediately preceding the meeting at which nominations are held and “actively employed at the craft,” as explained in the Note to NDR Section 1, which quotes the applicable portion of the IBT Constitution. This means that the member must be employed in an operating craft on surface, subway, or elevated lines, or hold seniority as such, or hold seniority as aforementioned and be employed exclusively by the BLET.

The following members are *not* eligible to hold offices in the BLET:

- Members holding membership in any other labor organization that purports to represent locomotive engineers, such as the Transportation Division of the International Association of Sheet Metal, Air,

Rail, and Transportation Workers (formerly UTU). Payment of a seniority maintenance fee to another labor organization that purports to represent locomotive engineers does not constitute membership in that organization.

- Members promoted to an official position on the railroad.
- Members removed from office because of defalcation. Defalcation means diversion, misapplication, misappropriation, misuse, or theft of funds by an officer who is entrusted with those funds, and the division should have received a notice issued by the United States Department of Labor identifying any members in this category.
- Members under BLET suspension following a process conducted pursuant to Article XIX of the IBT Constitution.
- Members who have not been in “continuous good standing” with the BLET by paying dues for a period of twenty-four (24) consecutive months immediately preceding the meeting at which nominations are held and “actively employed at the craft,” as explained in the Note to NDR Section 1, which quotes the applicable portion of the IBT Constitution.
- Members who are in exempt status pursuant to NDR Sections 29(h)(1),

29(h)(3), 29(h)(4) and 29(h)(5), unless all dues to the National Division, general committee of adjustment, legislative board and local division continue to be paid in a timely manner during the twenty-four (24) consecutive months immediately preceding the meeting at which nominations are held. **Effective December 15, 2014, members in these exempt classifications can continue to accrue continuous good standing by paying the non-working dues rate specified in NDR Section 29(h)(6) in lieu of paying all dues to the National Division, general committee of adjustment, legislative board and local division.**

- Eligibility for office for members who are in exempt status pursuant to NDR Section 29(h)(2), which applies to members serving in the armed forces of the United States, may be subject to Article II, Section 4(a)(4)(a) of the IBT Constitution. This provision of the IBT Constitution states that the “continuous good standing” and “actively employed at the craft” requirements shall not be applicable to any member in a reserve component of the military or National Guard who is called to active service lasting more than thirty (30) days but not more than twenty-four (24) consecutive months. Members in exempt status

pursuant to Section 29(h)(2) who do not qualify for the IBT exemption are ineligible for office, unless all dues to the National Division, general committee of adjustment, legislative board and local division continue to be paid in a timely manner during the twenty-four (24) consecutive months immediately preceding the meeting at which nominations are held. **Effective December 15, 2014, members in exempt status pursuant to Section 29(h)(2) who do not qualify for the IBT exemption can continue to accrue continuous good standing by paying the non-working dues rate specified in NDR Section 29(h)(7) in lieu of paying all dues to the National Division, general committee of adjustment, legislative board and local division.**

- Members who have retired and relinquished seniority, and who therefore are exempt from the payment of all dues and assessments pursuant to NDR Section 29(i).
- Members who have relinquished all seniority rights, or the exercise thereof, as part of a settlement or judgment (resolution) of litigation of any nature.
- No salaried national officer or employee of the National Office may be nominated as a delegate to the ND or an alternate delegate to the ND.



Photo: Chase Gunnoe

- A Secretary-Treasurer can verify eligibility of all members of the Division via the online BLET Secretary-Treasurer Reporting System. Members must satisfy the 24-month continuous good standing requirement in order to be nominated at the nominating meeting in September, and must also satisfy the 24-month continuous good standing requirement at the actual election which is held at the first meeting in December for all offices, including those with only one nominee.
 - A member may not accept nomination for two or more offices that cannot be held simultaneously. For example, Brotherhood law and interpretations thereof do not allow for the following offices to be held at the same time:
 - **President/Vice President and Secretary-Treasurer**
 - **President/Vice President and Alternate Secretary-Treasurer**
 - **President/Vice President and Local Chairman/Vice Local Chairman**
 - **President/Vice President and Trustee/Alt. Trustee**
 - **Secretary-Treasurer/Alt. Secretary-Treasurer and Trustee/Alt. Trustee**
 - Local Chairman and Vice Local Chairman
 - Secretary-Treasurer and Alternate Secretary-Treasurer
 - Legislative Representative and Alternate Legislative Representative
 - Delegate to the National Division and Alternate Delegate to the National Division
- QUALIFICATIONS TO NOMINATE OR SECOND FOR OFFICE**
- In order to be eligible to nominate or second a candidate for office, a member must have been a member in good stand-

ing with the local division as of the end of the month prior to the nominating meeting. This means timely payment of dues as reflected in the remittance report for the division due in August 2015, or in the remittance report for the division due in September 2015 if it has been filed.

MORE THAN ONE LOCAL COMMITTEE OF ADJUSTMENT (LCA)

A number of BLET divisions have more than one LCA. This may be due to multiple jurisdictions within a single General Committee of Adjustment (“GCA”), members of the division working for more than one railroad, or the presence of a LCA for trainmen. All members of divisions having more than one LCA, and who otherwise are eligible, have the right to nominate, second, run and vote in the election of all division officers, except for LCA officers. Only eligible members working under the jurisdiction of a particular LCA may nominate, second, be nominated, run and vote in the election of the officers of that LCA.

AT THE NOMINATION MEETING

The president, under new business, says, “Brothers and Sisters, it is now time to nominate members to fill the division offices which will be vacant at the first meeting in January. Nominations are now in order for the office of

_____.” An active member in good standing may rise and after obtaining recognition of the chair may say, “I nominate Brother/Sister _____ for the office of _____.” To be valid, a nomination must also be seconded by an active member in good standing, who may say, “I second the nomination of Brother/Sister _____ for the office of _____.” If the nomination is not seconded orally, the president shall inquire of the secretary-treasurer whether any written nominations have been submitted for this member for the office and, if so, said written nomination shall serve as the second. After the nomination is duly seconded, the president shall inquire of the secretary-treasurer as to whether the nominee is eligible for election.

After all members in attendance have been given the opportunity to nominate the members of their choice, the president will then inquire of the secretary-treasurer whether any written nominations have been submitted for the office, with two written nominations being necessary to comply with the requirement that all nominations be seconded. The president then will say, “Brothers and Sisters, if there are no further nominations, we will now close the nominations for _____ and proceed to nominate candidates for the office of _____.” This procedure is



Photo: Frank Orona

to be followed for each office that is to be filled by election.

If only one candidate is nominated and seconded for any office, that candidate is elected by acclamation. The president will say, “Brothers and Sisters, if there are no further nominations, I cast my vote for Brother/Sister _____ for the office of _____, and he/she is declared elected by acclamation.” It is important to note that even though ballots are not mailed when members are elected by acclamation, these Officers shall not be installed until the division’s first meeting in January.

Those members unable to attend the nomination meeting on account of being on vacation, sick, working, or on outlying assignments may write in their choices of nomination to the division secretary-treasurer, who will read these

nominations at the meeting.

A member who is present may decline to accept a nomination at the time of being nominated, or may do so by submitting to the secretary-treasurer within five (5) days, a written request that his/her name be taken off the ballot.

After nominations are closed, an Election Committee of no less than three (3) non-candidate members shall be elected by a balloting of the members in attendance at the nominating meeting or by appointment of the president with the unanimous consent of the members present.

AFTER NOMINATING MEETING

Within five (5) days, a member nominated in his/her absence shall be notified of such nomination by the secretary-treasurer, and given the opportunity to

withdraw his/her name should he/she desire to do so. At the conclusion of the nominating meeting in September, secretary-treasurers will report nominations online, listing all candidates for all offices.

In the event irregularities are claimed in the nomination of officers, protest must be filed in duplicate with the National President and division secretary-treasurer within fifteen (15) days after alleged violation. The protest must set forth the exact nature and specifications of the alleged irregularity, including a claim as to how it affected the outcome of the nominations. The National President will conduct an investigation and render a decision. Any member dissatisfied with such decision may appeal such decision within thirty (30) days to the BLET Executive Committee (comprised of the National President, the First Vice President, and the National Secretary-Treasurer), whose decision shall be final and binding.

ELECTION PROCEDURE

Election of officers must be held at the first regular meeting in December 2015.

Active members, as defined in LDR Section 25(b), with the exception of those holding official positions on the railroad, may vote for all offices, provided that they are in good standing as of the month prior to the month in which the election is held. This means timely payment of

dues as reflected in the remittance report for the division due in November 2015, or in the remittance report for the division due in December 2015 if it has been filed.

RIGHTS OF CANDIDATES AND/OR CANDIDATES' OBSERVERS

Candidates have the right to distribute campaign literature to the members of their division, at their own expense.

Each candidate has the right, once within thirty (30) days prior to the casting of ballots in any election in which he/she is a candidate, to inspect a list containing the last known names and addresses of all members of the Division who are to participate in such election. The right of inspection does not include the right to copy the list but does include the right to compare it with a personal list of members. However, if the Division permits any candidate to copy the list, all candidates must be notified of this and provided the same opportunity. The Division shall not, in any way, discriminate in favor of or against any candidate with respect to access or use of the membership list.

Candidates and/or their observers have the right to observe all facets of the election process, including ballot packet preparation, ballot packet mailing, opening of post office boxes, repackaging and re-mailing of undeliverable ballots, voted and returned ballot retrieval, voted bal-

lot transport, and ballot counting and tabulation. The Election Committee will prepare a schedule of all of these events and distribute it to all candidates.

Candidates must advise the Election Committee of their choices for observers.

DUTIES OF THE ELECTION COMMITTEE

The Election Committee shall oversee the election of officers. It shall work with the secretary-treasurer to provide all required notices, prepare and mail ballots, pick up and process undeliverable ballots, pick up voted ballots immediately prior to the election meeting, and act as a board of tellers at the election meeting.

Following the nominating meeting, the Election Committee will develop a schedule for the preparation and mailing of ballots, checking the post office box for undeliverable ballots, and picking up voted ballots immediately prior to the election meeting. All candidates for office shall be provided with a copy of this schedule.

The Election Committee shall retain all election materials in its possession until elections are concluded. Election materials include a copy of a members' address list, additional ballots, and keys to post office boxes. No officers or members, except for the Election Committee, shall have access to ballots or to the post office boxes.

THE BALLOT

The ballot and necessary material to conduct the election is described in LDR Section 8(a). A sample copy of the ballot, envelopes, notice of election, and order blank will be furnished each secretary-treasurer, which will facilitate ordering material through the National Office. It is not necessary, however, to order supplies through the National Office, but if you do not, you still must follow the sample forms furnished.

Write-ins are not permitted. Be sure there are no write-in lines or spaces on the ballot.

The secretary-treasurer shall rent two post office boxes – one designated for voted, returned ballots, and the other designated for ballots returned as undeliverable. The return address on the ballot package mailed to members shall be that of the post office box designated for ballots returned as undeliverable.

CIRCULATING THE BALLOT AND NOTICE OF ELECTION

After the ballots are printed, they will be folded and placed in the small envelopes which shall contain no identifying information. The small envelope containing the ballot will be placed inside the pre-addressed return envelope. This pre-addressed envelope must contain space for the member's name, return



address and have first class postage affixed thereto and must contain the local division number and the address of the post office box designated for voted, returned ballots.

The ballot and return envelope will be sent by the Election Committee via first class mail to the last known address of the member in an envelope that must have the address of the post office box designated for ballots returned as undeliverable affixed in the space for return address. Each ballot must show notice stating the time, date, place and the purpose of the election (notice of election) and must be mailed to each active member at least fifteen (15) days before the election meeting.

The ballot is to be filled out by the member, in whose name it is to be voted, naming his/her choice for officers. Write-ins are not permitted. The completed

ballot must then be folded and placed in the small envelope that is provided for that purpose. The small envelope must then be sealed and placed in the larger envelope upon which the member will clearly mark his/her name and return address. The member will then place the larger envelope, containing the ballot, in the U.S. mail for delivery to the post office box designated thereon.

UNDELIVERABLE BALLOTS

The contents of this second post office box must not be accessible to any member. The box will be opened by the Election Committee in accordance with its published schedule to ascertain if any non-deliverable ballots are therein, and efforts will be made by the committee to re-mail them to the member(s) correct address. It will be the right of any candidate or candidate's observer to

accompany the Election Committee for the purpose of observing this procedure.

COLLECTING THE BALLOTS

The Election Committee shall remove the voted, returned ballots from the post office box in accordance with its published schedule and deliver them intact to the first scheduled December meeting. Ballots must be sealed in a container until the count begins. The Election Committee shall sign the tape sealing the package.

Members may present their ballots at the meeting under the following conditions:

1. A member may hand carry his/her own ballot to the meeting.
2. A member claiming that he/she did not receive a ballot may pick up another ballot and vote, as long as the ballot count has not yet begun and it can be ascertained that the local division did not receive the original ballot from the member.

COUNTING THE BALLOTS

The secretary-treasurer has no duties during the counting of the ballots except to assist the Election Committee by giving the financial standing and eligibility status of each member whose name is announced.

Each candidate or his/her observer

may stand not less than five feet from the table and observe the work of the Election Committee. The observers will address any remarks to the secretary-treasurer, who will convey such remarks to the Election Committee and record in the minutes of the election any grievances registered by the candidate or the observer.

The Election Committee must count the ballots in full view of candidates and members and in same room.

When the election begins, the name of each member returning a ballot will be announced. The secretary-treasurer will advise the Election Committee of the status and voting eligibility of each member when his/her name is announced. Envelopes from members determined to not be eligible will be placed in a separate stack and remain unopened.

When eligibility determination is finished, the inner envelopes will be removed and stacked. Once all inner envelopes have been removed, they will be shuffled and opened. Ballots will be removed from the inner envelopes, and tabulation will proceed.

If the election is for more than one local chairman or local committee, the Election Committee will also mark the envelopes of eligible voters with the local committee to which the member belongs. The inner envelopes will be removed and placed in stacks designat-

ing the local committee of the member voting the ballot.

When the Election Committee has completed its work and any unidentified outer envelope remains, it will be retained, unopened, with the records of the election. Ballots affixed with the signature or identification of the voter shall not be counted, but also shall be retained with the records of the election.

CLOSING THE ELECTION AND FINAL RESULT

When the above procedures have been completed, the president shall declare the election closed. The Election Committee will make an exact return of the total number of votes cast for each candidate and announce such returns to the president, who will thereupon declare the results of such election. The candidate receiving the highest number of votes in each contest is declared the winner.

If the election ends in a tie vote, the winner will be decided by another election in which the tied members are the only candidates.

When a member is elected to an office to which he/she is ineligible, the election for that office must be run again with the name of the ineligible candidate stricken from the ballot. If, after the ineligible candidate is stricken, there is only one candidate on the ballot, then

nominations for that office must be conducted again.

When a member is elected but resigns or refuses to accept the office, and the office is not covered by an alternate, a vacancy is created which must be filled in accordance with the provisions of LDR Section 20(a).

BALLOTS SEALED AND PRESERVED

The ballots and envelopes shall be sealed by the Election Committee in the presence of the division, and together with all other records pertaining to the election, will be placed among the private papers of the local division. Ballots may not be unsealed except through the provisions of LDR Section 9(b). All records pertaining to the election shall be retained for one (1) year after the close of the election.

PROTEST OF ELECTIONS

In the event of any alleged irregularities in the election of officers of a division, resulting in a contest of election, a protest must be filed in duplicate with the division secretary-treasurer and the National President within thirty (30) days after such election. The protest must set forth the exact nature and specifications of the alleged irregularity, including a claim as to how it affected the outcome of the election. The National President will conduct an investigation to obtain



Photo: Brent Lane

the facts and evidence and render his decision accordingly. Any member who is dissatisfied with the decision of the National President may appeal such decision within thirty (30) days to the BLET Executive Committee whose decision shall be final and binding.

INSTALLATION OF OFFICERS

All officers, except those elected to succeed themselves, shall be installed at the first meeting in January.

Filling Mid-Term Vacancies

Even though all local division offices will be filled by election later this year, an organization the size of the BLET will experience literally hundreds of vacancies prior to the 2018 triennial

elections. Therefore, it is important for you to understand the application of Brotherhood law concerning filling mid-term vacancies.

The general rule is set forth in LDR Section 20(a), which provides that resignations must be in writing and shall be read at the next regular meeting of the division by the secretary-treasurer, at which time the president will appoint an eligible member to fill the vacancy pending a special election, if one is required. The resigning officer shall not be eligible for nomination, reelection or appointment to the office vacated until the next regular triennial election of division officers.

The Section 20(a) special election process is (1) that a notice of nomination

must be posted at least ten (10) days prior to regular meeting after the meeting at which the resignation is read, and (2) the ballots must be mailed by the division secretary-treasurer at least fifteen (15) days prior to the subsequent regular meeting. The ballots must specify the date they are to be returned to the division secretary-treasurer.

There are six (6) circumstances in which a special election is not required. One is when the vacant office is protected by an alternate. Those offices are as follows:

- president, which is protected by the vice president;
- secretary-treasurer, which is protected by the alternate secretary-treasurer;
- delegate to the National Division, which is protected, in succession, by the first alternate and the second alternate delegate to the National Division;
- local chairman / delegate to the GCA, which is protected, in succession, by the first and the second vice local chairman / alternate delegate to the GCA; and
- legislative representative / delegate to the state legislative board, which is protected by the alternate legislative representative / **alternate delegate to the state legislative board.**

- **trustee, which is protected, in succession, by the first, second and third alternate trustees.**

Section 20(a) also provides that no special election is necessary to fill an alternate office that is vacated because of succession. It further states that a special election need not be held if the vacancy occurs within twelve (12) months before a regular division election. However, the correct application of these provisions is more complex than the Bylaws language would indicate. Some believe that these exceptions permit a division to decline to fill a vacant office; they do not.

Furthermore, some “alternate” offices embody duties beyond merely succeeding to another office. For example, both the first vice local chairman and the second vice local chairman have duties and responsibilities beyond succeeding to a vacancy in the office of local chairman. Each vice chairman also has regular duties to perform as a member of the local committee of adjustment, as assigned by the local chairman.. Therefore, filling in-term vacancies in these offices is mandatory.

Similarly, LDR Section 12 provides that the vice president of a division serves as an alternate to the president and assumes the duties of that office in the event it becomes vacant due to death, resignation or for any other reason. However, the fifth paragraph of LDR Section 1(a)

further specifies that the vice president is a member of the executive board of the division. Thus, the vice president has duties independent of and not predicated upon being the alternate to the president and this office is not exempt from the requirement that a vacancy be filled because it has other enumerated duties.

Finally, the first, second and third alternate trustees fill permanent vacancies in the office of division trustee, but they also can be called upon to perform a particular monthly audit if one or more of the trustees are unavailable that month as prescribed by the sixth paragraph of LDR Section 1(a). Accordingly, vacancies in these alternate offices, too, must be filled to ensure a full complement at all times.

Special care also must be taken in applying that portion of Section 20(a) stating that a special election need not be held if the vacancy occurs within twelve (12) months before a regular division election. Federal law requires that the local chairman, legislative representative and delegate to the National Division MUST be elected in order to be eligible to nominate and/or vote for candidates in convention assembled. This requirement is contained in the last sentence in the first paragraph of Section 20(a).

Therefore, if you fill vacant offices for **alternate legislative representative, alternate delegate to the National**

Division or for vice local chairman by appointment and do not hold a special election — and those officers subsequently succeed to the higher office or attend a National Convention or GCA meeting in their appointed capacity — those delegates will not be eligible to nominate (including seconding nominations) or vote in any candidate election..

Questions concerning the filling of midterm vacancies must be submitted, in writing, to the National President at the address shown on the rear cover, so that proper interpretive guidance can be given.

Frequently Asked Questions

Q1: How long does a person have to be a member in order to be eligible to vote in local division elections?

A1: A member is eligible to vote if his/her dues are paid through the month prior to the month in which the election is held. For an election held in December 2015, the member must be paid through the period covered by the November 2015 membership status and remittance report, or in the remittance report for the division due in December 2015 if it has been filed.

Q2: May retired members, or members who have relinquished either their seniority or the right to exercise their seniority, run for office, nominate candidates, second nominations or vote for local division officers?

A2: No.

Q3: May members who do not hold seniority in engine service (e.g., conductors, trainmen, etc.) be elected to a local division office?

A3: Yes, as long as they (1) do not hold membership in another organization that purports to represent engineers, (2) maintain seniority in a craft eligible for representation by the BLET, and (3) are in continuous good standing and actively employed at the craft for twenty-four (24) months prior to nominations, they may be elected to any office. Payment of a seniority maintenance fee to another labor organization that purports to represent locomotive engineers does not constitute membership in that organization.

Q4: Are retired or honorary members eligible for election to any office in the local division?

A4: No.

Q5: May conductor/trainmen members be elected to the local chairman position?

A5: If they do not hold membership in another organization that purports to represent engineers, and are in continuous good standing for twenty-four (24) months prior to nominations, the answer is yes.

Q6: In a one-division GCA, are nominations held for the office of general chairman?

A6: No, unless the applicable division or GCA bylaws provide otherwise. Section 2(a) – General Committee

Rules of the BLET Bylaws provides that on a road or system where there is but one (1) division and one (1) local committee of adjustment, the local committee will be the GCA, with the local chairman serving as general chairman **and the first vice local chairman serving as vice general chairman and, the division secretary-treasurer will be the GCA secretary-treasurer.** In this circumstance, the member elected as local chairman will be the general chairman, the members elected as vice local chairmen will be the vice general chairmen **and the member elected as the division secretary-treasurer will be the GCA secretary-treasurer unless the GCA has adopted Bylaws approved by the National President that provide for the GCA secretary-treasurer to be elected in a different fashion.**

Q7: If only one nomination is received for a particular office, can the person so nominated be declared elected by acclamation?

A7: Yes. The president casts a vote in favor of the sole candidate, and that candidate is declared elected by acclamation.

Q8: Only one person is nominated for a particular office. After nominations and before election, that person becomes ineligible to hold the office for which he/she was nominated and elected by acclamation. Can nominations be reopened for that office?

A8: No. The provisions of LDR Sec-



Photos: Frank Orona

tion 20(a) apply, once elections for the other offices have concluded.

Q9: How would the votes received by the ineligible candidates be treated in tabulating the election results?

A9: If the ineligible candidate received the most votes, the election would have to be rerun with the ineligible candidate stricken from the ballot. If only one candidate remains in the contest after the ineligible candidate is stricken from the ballot, nominations for that office would need to be conducted again.

Q10: Can a person nominate and/or second himself/herself for office?

A10: No. The first paragraph of LDR Section 7(a) expressly prohibits a member from nominating himself/herself and from seconding his/her nomination.

Q11: Must nominations be seconded?

A11: Yes, including written nominations.

Q12: How does a member contest an election?

A12: A member wanting to contest an election must file a protest in duplicate with the local division secretary-treasurer and the National President within thirty (30) days of the election. See LDR Section 8(g). It should be noted that any protest that fails to set forth the exact nature and specifications of the alleged irregularity, including a claim as to how it affected the outcome of the election, will be denied by the National President as procedurally deficient.

Q13: Members who are off due to illness or injury are carried by the secretary-treasurer on the books as excused members. Do these members have the right to vote for all officers of the local division?

A13: No, unless they pay either full dues or dues at the non-working rate per NDR Section 29(h)(6) as of the end of

the month prior to the month in which elections are held; in other words, timely payment of dues as reflected in the remittance report for the division due in November 2015, or in the remittance report for the division due in December 2015 if it has been filed. If full dues are paid the secretary-treasurer should report the member in the appropriate active status.

Q14: Members who are retired due to disability are carried by the secretary-treasurer on the books as NDR Section 29(h)(1) members. Do these members have the right to vote for all officers of the local division?

A14: The answer to Q& 13 applies to NDR Section 29(h)(1) members, as well. It should be further noted that a member who has retired due to disability is only entitled to the Section 29(h)(1) exempt status until full retirement age — as defined in the Social Security Act — is reached. At that point the member’s occupational disability is converted to an age and service annuity; relinquishment of all seniority is part of the conversion process by operation of Railroad Retirement Board regulations. At that point the member’s status must be changed from Section 29(h)(1) exempt to Section 29(i) retired. Retired members do not have voting rights in BLET elections.

Q15: May a member submit a ballot by any means other than by government mail?

A15: The only means by which a

member may submit a ballot other than by mailing it to the designated post office box is by delivering it to the division meeting, in person, prior to the opening of any ballot envelopes.

Q16: May a member change his/her vote after mailing the ballot?

A16: No.

Q17: May a member who was initiated after ballots were mailed out by the secretary-treasurer be allowed to vote?

A17: The member may vote only if he/she paid dues the month prior to the month in which the election is held. See Q&A13. If there are more than fifteen (15) days before the election meeting, the new member may request that a ballot be mailed by the Election Committee. If there are fewer than fifteen (15) days before the election meeting, the new member must attend the meeting to receive a ballot and vote.

Q18: A member does not receive a ballot from the Election Committee.

How may he/she vote?

A18: If there are more than fifteen (15) days remaining before the election meeting, the member may request that a duplicate ballot be mailed by the Election Committee. The ballot envelope should be marked, “Duplicate Ballot.” If there are fewer than fifteen (15) days before the election meeting, the member must attend the meeting in order to receive a ballot and vote.

Sample Notice of Nominations



BROTHERHOOD OF LOCOMOTIVE ENGINEERS AND TRAINMEN

OFFICIAL NOTICE

NOMINATION OF OFFICERS FOR DIVISION _____
_____ (DATE)

THIS IS TO INFORM YOU THAT DIVISION _____ WILL CONDUCT
ITS ELECTION OF OFFICERS IN DECEMBER. SECTION 7(a)
– LOCAL DIVISION RULES OF THE BLET BYLAWS STATES:

“Nominations for officers of divisions shall be made at the first regular meeting in September preceding the date of election; no member shall be nominated for office who is not eligible for election at the time of nomination. Members in good standing desiring to place their nominations for division officers may nominate by voice from the floor at the meeting at which nominations are being held and those unable to attend the above meeting on account of being on vacation, sick, working, or on an outlying assignment may write their choice of nominations to the division secretary-treasurer, who will read same at the meeting. All nominations, including written, must be seconded. Candidates may not nominate themselves or second their own nominations.”

NOMINATIONS FOR ALL DIVISION OFFICERS WILL BE IN ORDER
AT THE REGULAR DIVISION MEETING, WHICH WILL OPEN IN DUE
FORM AT _____ A.M./P.M. ON THE _____ DAY OF SEPTEMBER,
2012, AT THE FOLLOWING ADDRESS:

YOU MAY SUBMIT NOMINATIONS IN WRITING TO THE UN-
DERSIGNED. SUCH WRITTEN NOMINATIONS MUST INCLUDE THE
NAME OF THE CANDIDATE(S) AND OFFICE(S) NOMINATED FOR,
THE DATE, YOUR SIGNATURE, AND YOUR NAME LEGIBLY PRINTED.

_____ Secretary-Treasurer, Division _____



BROTHERHOOD OF LOCOMOTIVE ENGINEERS AND TRAINMEN

NOMINATION OF OFFICERS FOR DIVISION ____

I hereby nominate the following members for the office(s) identified below:

President: _____

Vice President: _____

Secretary-Treasurer: _____

Alternate Secretary-Treasurer: _____

Guide: _____

Chaplain: _____

Delegate to National Division: _____

First Alternate Delegate to ND: _____

Second Alternate Delegate to ND: _____

Legislative Rep. / Delegate to the SLB: _____

Alt. Legislative Representative / Alt. Delegate to the SLB: _____

Local Chairman / GCA Delegate: _____

First Vice LC / First Alt. GCA Delegate: _____

Second Vice LC / Second Alt. GCA Delegate: _____

Trustee: _____

Trustee: _____

Trustee: _____

First Alternate Trustee: _____

Second Alternate Trustee: _____

Third Alternate Trustee: _____

(Other, specify)

(Other, specify)

Member's name (printed) Date Member's signature



Dennis R. Pierce
National President;
President,
Teamsters Rail Conference



E. Lee Pruitt
First Vice President
& Alternate President;
Vice President,
Teamsters Rail Conference



Stephen J. Bruno
National
Secretary-Treasurer

**QUESTIONS INVOLVING
INTERPRETATION OF BLET BYLAWS
MUST BE SUBMITTED IN WRITING TO:**

D. R. Pierce,
BLET National President
1370 Ontario Street, Mezzanine
Cleveland, OH 44113-1702

**FOR QUESTIONS PERTAINING
TO ELECTION PROCESSES,
PLEASE CONTACT:**

Office of the BLET
National Secretary-Treasurer
1370 Ontario Street, Mezzanine
Cleveland, OH 44113-1702



**This booklet was prepared and made available by the
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