

# **ONA Group/Provincial Negotiating Teams Election Policy**

**Note: The following Policy applies to all candidates and anyone acting on behalf of a candidate.** Any questions on the policy should be directed to the ONA Chief Executive Officer (CEO) who serves as ONA's Chief Electoral Officer.

In the event that an election issue is not specifically addressed in this Policy, then the Chief Executive Officer shall apply the intent of the Policy in making determinations.

## **Candidate Eligibility**

1. A member who allows their name to stand for an elected position on an Ontario Nurses' Association (ONA) group/provincial negotiating team must be a member with entitlements of ONA and currently employed in an ONA bargaining unit.
2. A member running for an ONA group/provincial negotiating team should be an active union member with a commitment to the advancement of the ONA. Other recommended and/or required qualifications shall be outlined in the mandate for the provincial/group negotiating team.

## **Posting of Call for Nominations**

3. All Bargaining Units will post the Call for Nominations. The Call for Nominations and the Ticket of Nominations will be posted on the ONA provincial website.

## **Nomination Process**

4. The nomination process shall be outlined in the mandate for the provincial/group negotiating team.
5. All candidates must sign a Nomination Form which stipulates that they have read, understand and agree to abide by the ONA Group/Provincial Negotiating Team Election Policy. The Nomination Form must also be signed and dated by five (5) members with entitlements from the relevant sector in the region (or group as applicable).
6. When determining if a candidate or the nominators are members with entitlements, the CEO will check the membership status against the information maintained in the membership database.
7. A scanned copy of the completed and signed Nomination Form is to be sent to the CEO via email by 4:00 p.m. ET on the date specified in the Call for Nominations. Candidates are responsible for confirming receipt by calling the CEO. Within two (2) business days the CEO shall verify to the candidate whether they have been nominated in accordance with the Constitution.

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## **Ticket of Nominations**

8. Once nominations have been closed, a ticket of nominations will be prepared and provided/made available to every member employed in the relevant sector in the region (or group as applicable).
9. Candidates are required to submit a typed resume/CV, article and photograph to the CEO along with their Nomination Form. The resume/CV is to contain an overview of their past experience. The article should contain their present beliefs in relation to the issues confronting their sector (or group). The font size and length of the information for inclusion in the Ticket of Nominations will be consistent. The article shall contain no more than 1,000 words and be in MS Word format. The CEO is responsible for including these resumes/CVs and articles with the Ticket of Nominations.
10. For the Ticket of Nominations and for any other election purposes, the candidates will be listed in alphabetical order by last name, by region.
11. Candidate contact information to be included on the Ticket of Nominations shall be at the candidate's discretion.
12. The Ticket of Nominations shall be posted on the ONA website.

## **Acclamations/Nominations from the Floor**

13. Candidates whose nomination forms are received before the deadline will be acclaimed if there are only enough nominations to fill the number of positions. Nominations from the floor will only be for positions not filled on the first call for nominations. This call for nominations will occur at the first available Area Coordinators Conference, Provincial Coordinators Meeting, Provincial Leadership Meeting or Biennial Convention.

## **Voting**

14. Each member employed in the relevant sector in the Region (or group as applicable) will be entitled to one vote, which may be exercised by online voting (web and/or phone based) or mail-in ballot in accordance with ONA's Constitution. The vote should only be cast by the person to whom the voting information is intended; voting by proxy is not permitted.
15. Voting information will be provided to members with entitlements up to the cut-off date determined by the Chief Electoral Officer. Members who do not receive or lose their voting information can request this information up to the cut-off determined by the Chief Electoral officer. Voting information can only be provided to the member themselves.

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## Election Communication by ONA Provincial Office

### Notice for Posting

16. ONA will send out one notice to be posted in each relevant Bargaining Unit that contains the following information:
- i) The name and email address of each candidate.
  - ii) The 1-800 ONA number.
  - iii) Basic voting information.
  - iv) ONA provincial website address.
  - v) Contact information for the Chief Electoral Officer (CEO).

### Provincial Website

17. ONA will publish each candidate's article (of no more than 1,000 words) that is submitted with their Nomination along with their photograph on the ONA provincial website.

Each candidate's article, photograph, biography and email address will be posted on the ONA website. A link to any candidate's personal website can also be included when a request is made in writing with the website address to the CEO.

### Mailing Labels

18. ONA Leadership mailing labels will be provided for the use of candidates upon written request to the Office of the CEO. Candidates must specify which specific leadership mailing labels they are requesting. Such labels will be held in strict confidence by all candidates and will only be utilized for ONA election purposes. Candidates will be provided a maximum of two sets of labels at no cost. The candidate is responsible for all other costs associated with any mailings.

### ONA Membership Email

19. On behalf of the candidates, ONA will facilitate the sending of up to two (2) emails to the appropriate ONA Membership using Action Network or other ONA-sponsored mass email. These emails will be sent from the CEO. After receiving the first email, a member may choose to have their name removed and not receive any further correspondence relating to the candidates.

Emails will be reviewed and approved by the Chief Electoral Officer (the CEO) to ensure compliance with the Policy. Candidates will be advised as to the date that email content must be provided to the CEO in order to be included in the email to ONA membership.

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## ONA Leadership Email

20. On behalf of each candidate, ONA will facilitate the sending of up to three emails to the appropriate Local leaders using the Association's email system. These emails will be sent from the CEO. After receiving the first email from a candidate, a leader may choose to have their name removed and not receive any further correspondence from that candidate.

Emails will be reviewed and approved by the Chief Electoral Officer (CEO) to ensure compliance with the Policy. Candidates are to provide two business days' notice of the proposed content of their email.

21. With the exception of the mailing labels or the email communications provided above, candidates must not utilize the ONA email system for the purpose of campaigning. Any information gathered from any source must not be used unless the member has granted permission to do so. Note: If consent is provided then a candidate may communicate to a leader's individual ONA email address.
22. For clarity, candidates who hold executive positions within the Association are expected to continue fulfilling their duties during the election period. If a candidate must use the ONA email system in order to fulfill their duties, the candidate must ensure that the emails sent are not directly or indirectly campaign emails. Personal promotion on the ONA email system is strictly prohibited.

## **Campaigning**

23. Active campaigning (speaking engagements, distributing materials/pamphleting, posting materials on websites and or bulletin boards, sending group emails, hosting campaign events, etc.) may begin upon the close of nominations. Note this does not prohibit seeking support from members by or on behalf of a candidate prior to the close of nominations.
24. There will be no campaigning in workplaces without the consent of the Bargaining Unit Leadership Team pursuant to Local policy and, where required, the consent of the employer. Consent of the Bargaining Unit Leadership Team will be granted on a fair and equitable basis. In addition, if the collective agreement so requires, the consent of the employer must be sought.
25. Candidates may provide election material to members for distribution to other members in their own bargaining unit on behalf of the candidate (subject to #24 above).
26. With the exception of meetings called in accordance with #40 below, candidates and their supporters will not go into workplaces (e.g., site visits and/or tour of units) other than their own, for the purposes of campaigning.

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27. Members and candidates shall ensure that patient care is not interrupted by campaigning. There shall be no distribution of campaign materials to members while providing patient care or during delivery of patient care.
28. Campaigning is permitted before or after ONA functions/booked engagements but not during any breaks or meal periods.
29. No candidate may use the provincial resources of ONA (including financial, physical and human) to campaign except where identified specifically in this Policy. For example, candidates may not use photos taken by ONA staff or contractors.

### **Campaign Material/Behaviour**

30. Election materials and behaviour must not violate the *Human Rights Code*. All materials and behaviour must be truthful, respectful, professional and in good taste.
31. Candidates who wish to utilize an image of a person on any medium (including hard copy and electronic) must have the expressed written consent of that individual prior to the publication of their image.
32. Campaign material may contain the ONA logo. Candidates should contact the Communications and Government Relations Team (CGRT) Intake to obtain the logo.
33. There will be no posting of campaign materials in workplaces without the agreement of the Bargaining Unit Leadership Team. In addition, if the Collective Agreement so requires, the consent of the employer must be sought. Should consent be granted, all posting of election materials will be done by the Bargaining Unit Leadership Team or designate. The only material required to be posted is the notice sent out by ONA referenced in #16 above.
34. The utilization of a Local or Bargaining Unit database is determined by the Local or Bargaining Unit Leadership Team as appropriate. The Local/Bargaining Unit may send emails to their members on behalf of a candidate.

### **Electronic Communications and Social Media**

35. Candidates may create and utilize personal election social media accounts during the campaign. Any use of such accounts must comply with this Policy.
36. Candidates will not call or send electronic communications to members at their employer email address for the purpose of campaigning. Candidates may use their campaign material to request members to contact them directly if they wish to speak to a candidate.

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37. Candidates will respect requests from individuals not to send them any campaign-related electronic communications.

### Personal Endorsements

38. All members and leaders (except for ONA Board and Election Team members) can openly support the candidate of their choice.
39. With the permission of the endorser, endorsements for the purpose of campaigning may include the person's position within the ONA.

### Local and Bargaining Unit Meetings

40. If a Local Executive and/or Bargaining Unit Leadership Team chooses to hold any meeting(s) for the purpose of personally getting to know candidates, then all candidates must be offered the same courtesy, and all be invited.

### Board of Directors

41. Board members who are candidates in a provincial/group negotiating team election must declare a conflict of interest and therefore not vote on any Board motions regarding the election guidelines.

Should a Board member be elected to a provincial/group negotiating team, they must select whether they wish to remain on the Board or accept the negotiating team position.

### Questions or Complaints Under the Election Policy

42. It is understood that candidates will abide by the Group/Provincial Negotiating Teams Election Policy of the ONA. Any alleged breach of the Policy will be addressed in accordance with this Policy and article 7.19 of the ONA Constitution.

#### For clarity, Article 7.19 states:

*“Any member who wishes to make a complaint that the Union’s Election Policy has been breached shall promptly do so in writing to the Chief Executive Officer providing as much detail as possible. The Chief Executive Officer shall investigate the complaint and forward the results of the investigation to the Election Team. If the Election Team is satisfied that the Election Policy has been breached by one or more members, it may refer the matter directly to the Board of Directors for a hearing pursuant to Article 9. When such a referral is made the Election Team shall be the complainant for the purposes of pursuing the complaint.”*

43. The CEO and the Election Team Chair will work together to address any questions/concerns/complaints in an expeditious manner. The CEO can provide direction to

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candidates/members. The Election Team will be notified immediately by the CEO of the direction provided.

44. For clarity, where a breach of the Election Policy is found as a result of an investigation under Article 7.19 of the ONA Constitution, the CEO may provide direction to the candidate with a view to mitigating the impact of the breach in a timely manner. The results of the investigation will then be forwarded to the Election Team for their deliberation pursuant to Article 7.19.

If you require further information or wish to confirm receipt of your nomination or have any questions in regard to this policy, please contact the Office of the CEO at ONA's Toronto Office at 416-963-8833, ext. 5221, or (toll-free) 1-800-387-5580. Press 1 for "English" or 2 for "French," then press 0 for the Toronto Office and enter 5221 when prompted to enter the extension.