

**Local Union Elections
Increasing Member Participation
Electronic Voting (e-voting), Hybrids and other Options**

*By: Mike Dumler –AMM First Services
And
Wayne Peppard - WD Consulting*

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Introduction

This paper has been produced as a copy-write free draft to fill what we see as a gap in the information available to unions with respect to e-voting, and increasing membership participation in elections and/or other important union votes.

Local unions, like governments at all levels, are faced with declining participation rates in elections, and an increase in calls for electoral reform.

We have produced this paper in response to requests from local union officers, and members for information about e-voting, and other options for increasing membership participation in local union elections.

Although there is considerable information about e-voting and electoral reform available on the web, including white papers from Elections Canada and Elections BC, our research found much of it is dated.

We also found that there is very little information on the web related to key issues and concerns specific to local unions.

For these issues we have drawn upon our experience as former union officers and staff and discussions with local union officers. As with the other information in this paper, we hope you will find our comments helpful.

Unions and Civil Society

The importance of increasing participation in government elections at all levels was well documented in the various reports we reviewed. It is seen as not only desirable, but an important step in revitalizing democracy in Canada.

Its importance to local union's is not so well documented in electoral reform reports, however much has been written about the need for renewal and member re-engagement in the labour movement.

We agree with those writers that see unions as being at a critical point in the history of the movement. Not just because they are currently in the crosshairs of rightwing governments and anti-union employers. Unions have been attacked like this before, however because of declining density and the attendant loss of influence in civil society, the need for increased solidarity and the capacity to engage and mobilize members has never been greater.

Unions and Technology

The technological sophistication of unions vary, however most now have websites, use email, and have begun using social media (Facebook, Twitter etc.).

Some unions are even using video conferencing technology, and have experience running fairly sophisticated e-campaigns.

While only a few unions are currently using e-voting technology for local union elections, ratification and strike votes, given their positive experiences, we expect most unions will use electronic technology for membership engagement that goes beyond e-voting and social media before the end of this decade.

E-Voting and Hybrid Options

Definitions - Electronic voting (known as e-voting) is a term used to describe all types of voting where there is an electronic means of casting and counting votes.

In general, there are two main types of e-Voting. They are remote and non-remote e-voting.

Non-remote e-voting is done under the direct supervision of election officials at polling stations using equipment provided.

Remote e-Voting is not physically supervised, and is done via the internet (i-voting) using a personal computer, smart phone, IPAD, other similar device, or via a secure phone voting system (see Appendix A).

Hybrids are combinations of remote and non-remote e-voting. They may also include, voting by phone (regular and cell mail-in and at polling stations (with paper ballots) where such combination is permissible under union constitutions, and applicable labour legislation.

Pros & Cons

Pros:

- Electronic voting technology speeds up the casting and counting of ballots.
- It reduces the likelihood of re-counts.
- It now uses banking grade security, and has provisions for an audit trail.
- It is less damaging to the environment.
- It provides increased accessibility and increased participation of members. Particularly those with physical, geographical, and work schedule challenges.
- It can reduce cost per vote and free up union resources.

- It has been used successfully by unions, societies, political parties, and governments.

Cons:

- E-voting is relatively new, and has only been around for about 10 years.
- It may be controversial within the membership for a variety of reasons.
- In spite of improved security, and audit provisions, fears of election fraud and the opportunity for denial of service attacks persist.
- One time system set-up/ and managed services fees will likely result in increased cost for initial elections, but ameliorated over the long term.
- Membership attendance at AGMs may be reduced.

Best Practices

Union Constitutions/Bylaws

- Ensure that whatever form(s) of e-voting you want to employ are provided for.
- Allow ample time for making any required changes to permit e-voting.
- Seek pre-approvals when changes need approval by provincial, national, or international officers or Executives.

Applicable Legislation

- Check your Labour Code or Society Act as they govern certain types of votes.
- In the BC Code regulations Part 3 covers voting.

- Part 3 currently does not provide for e-voting, however upon the appropriate application to LRB approval may be granted.

Policies and Procedures

- Review existing electoral policy and procedures and make changes to ensure consistency with whatever form(s) of e-voting you may use. Note - Permissive is usually better than restrictive language.

Oversight and Review

- Use a knowledgeable and respected neutral party to oversee the first elections where e-voting takes place.
- Choosing managed services for the first time is highly recommended.
- Have a process in place to review initial experiences with e-voting. Share results of the review with membership. Review should include participation levels, positive and/or negative feedback from members, process or procedural issues encountered if any.

Implementation

Plan your implementation of e-voting carefully so there are no surprises for you or your membership.

- Consider responses from membership survey when planning implementation.
- Have a good communications plan (see Appendix B sample Q&A).
- Seek cost estimates and proposals from more than one such provider. Choose the proposal that will best

meet your current and future needs, even if it has a slightly higher cost.

- Only use a reputable service provider that has experience working with unions.

Other Options

If your union or local is not yet ready to try e-voting, we encourage you to consider other non-electronic options for increasing membership participation in local union elections.

These include:

- Adding an advance Poll or more advance Poll options.
- Increasing advance Poll dates, times, and locations.
- Provide more advanced pre-election information and enhance election related communication to the membership.
- Providing transportation to and from polls (or where available transit passes).
- Provide Childcare
- Negotiating paid time off for voting

We also encourage you to engage your membership in discussions about other possible options, as members who work in rural areas, remote locations and construction sites face different challenges than those working in urban centers.

Summary

It is apparent to us that e-voting will become a more common way of conducting union elections, and holding other types of votes.

We also believe that (on balance) the pros for e-voting outweigh the cons; however we know there will be those that disagree with us on that, but agree with us on the importance of increasing member participation in Union elections.

That is why we included the section on other non-electronic options to increase member participation. We welcome feedback on these, as well as any other sections in this paper.

We also welcome suggestions for improving this paper, and have included our contact information below.

In conclusion, as we said in our introduction, this is a copy-write free document, so please feel free to adapt it to your needs with or without attribution.

In Solidarity,

Wayne & Mike

Wayne Peppard

Email: wpeppard@shaw.ca

Mike Dumler

Email: Mike@mdumler.ca

Web: <http://www.mdumler.ca/amm/about/>

Appendix

Appendix A. - Secure Phone Voting

Appendix B - Sample Q&A or FAQ's

Appendix A. - Phone Voting

Draft - Secure Phone Voting

Secure Phone Voting is a tool available to unions and other groups who want a more accessible method for members to vote on critical issues, such as strike votes and collective agreement ratification. It may also be useful for union elections where the ballots are not that complex. It may be particularly useful for locals or groups with:

- ✓ Geographically spread out membership
- ✓ Historically low participation rate for such votes

How it works

The Union, or group provides a membership list to the service provided, and each member is assigned a unique pin number. The service provider then mails each member a letter with:

- ✓ A phone number to call into to vote;
- ✓ A date range when they are able to call in and vote; and

- ✓ Their unique pin number

Members then call in, enter their unique pin number, and hear message explaining how to vote. For example:

- ✓ Are you in favor of Strike – press 1 to vote yes, press 2 to vote no
- ✓ For the position of president- press 1 to vote for Sister Jan Arnold, press 2 to vote for Brother Dan Brown, press 3 to vote for Sister Sue Chan, etc...

Reporting Results

At the end of the polling period, the service provider will provide the union or group with a report that includes the number of eligible voters, total number of votes cast, and the number of yes's and no's; or in the case of an election, the number of votes cast for each candidate. This report will not identify any individual member's voting preference.

The service provider can also include a hotline number members can call to find out the results of the vote, or information about how and when the union will announce the results.

Notes

- ❖ Phone voting may also be used on its own or in conjunction with other forms of voting, however the later will make tabulation more complex, and require more time before results can be announced.
- ❖ Phone voting is not as secure as e-voting, and the cost per vote is approximately X% greater.

Appendix B - Sample Q&A

- Sample Q&A - CUPE Local 1750

Q. Why use electronic voting:

A. On line voting will provide increased security, increased voter accessibility and turnout, eliminate long lines at voter booths, substantial cost savings for the Union and members, customized ballots with bios, info, photos etc. to help you make informed decisions, automated vote tabulation, instant, accurate results, eliminates the need for advance polls, 128-bit encryption for bank level security, anti-fraud controls, secure login, auditable, voter verifiable, 24/7 internet access and support during polling

Q. Do other unions use on-line voting?

A. Yes. The CUPE Airline Division conducts their elections and ratification votes across Canada with web based voting. Other users include the Ontario teachers College, Green Party of Canada, KPMG consulting, and the USA Democratic Party. In 2008 the American Democratic Party conducted a special online voting primary for party members outside of the USA. For the first time tens

of thousands expatriates voted via the internet.

Q. How will the constitutional ballots be set up?

A. Each ballot will be headed with the question followed by the option to click "Yes" or "No".

A link beside each question will take you to information provided to help you make an informed decision.

Q. What if I experience a problem?

A. Voters will be able to contact the provider directly during the entire 36 hour timeframe during which the ballot is open. Contact information will be included in an email sent to you by the provider.

Q. Can I move back and forth on my ballot and change my choices?

A. Simply point your cursor and click and an X will appear beside your selection. To change your vote, point your cursor to another option and click again. Once you confirm your decision the ballot will be locked in.

Q. Do I have to vote for every option I'm eligible to vote for?

A. If you would rather skip a category, just move to the next option. It won't affect your other vote.

Q. Is there a limit on how much time I can spend reading information and deciding who or what to vote for?

A. For security, your ballots will time out if there is no activity for 15 minutes.

Q. Why the ballot times out?

A. To protect your privacy. If you were voting and got called away, this would prevent others from accessing your ballot.

Q. I accidentally submitted my ballot before I was finished voting. Can I get another ballot?

A. No. A ballot may be re-issued only if the original ballot has not been cast.

Q. How is information, including my ballot, kept confidential?

A. The protection of confidential information is of paramount importance to CUPE Local 1750. Information is protected by the same .128 – bit encryption used by banks for their online transactions.

Each member is required to authenticate their identity using their alpha numeric personal identification number (PIN) to log in. The e-voting system is designed to ensure that no one can tell who you voted for – only whether you completed and submitted a ballot.

Q. When will I know the outcome of the vote?

A. Voting is open from 8:00 a.m. (EDT) on June 9, 2009 and closes at 7:59 p.m. (EDT) on June 10, 2009. At the conclusion of the count the independent election auditor will complete a statement of the results accounting for all ballots cast.

The statement will be presented to the Chief Electoral Officer who will formally announce the results on the day after polls close on the CUPE website www.cupe1750.ca

Q. If on-line voting is endorsed by the membership how will the Candidate ballots be set up?

A. For Candidate elections each ballot will be headed with the name of the position with an alphabetized list of the candidates below.

A link beside each candidate's name will take you to information provided by candidates such as brief biographical details, their views and why they are standing for election.

Q. If on-line voting is approved how will I know which positions I am eligible to vote for during the Executive Board election?

A. When you access the voting area you will automatically receive a personalized electronic listing of all positions you are eligible to vote for based on your status as a Regional employee or Head Office employee. Details regarding the electoral categories and candidates will also be located at www.cupe1750.ca and in the union election newsletter.