



## **NOTICE OF ELECTION & ELECTION RULES FOR THE 2021 NATCA NATIONAL ELECTION**

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This is the Notice of Election and Election Rules for the election of the following officers of the National Air Traffic Controllers Association, AFL-CIO (“NATCA” or “Association”):

- NATCA President
- NATCA Executive Vice President
- Regional Vice President, NATCA Alaskan Region
- Regional Vice President, NATCA Central Region
- Regional Vice President, NATCA Eastern Region
- Regional Vice President, NATCA Great Lakes Region
- Regional Vice President, NATCA New England Region
- Regional Vice President, NATCA Northwest Mountain Region
- Regional Vice President, NATCA Southern Region
- Regional Vice President, NATCA Southwest Region
- Regional Vice President, NATCA Western Pacific Region
- Regional Vice President, NATCA Region X

The election shall be referred to as the “2021 NATCA National Election.” In accordance with Article VII of the NATCA National Constitution, the NATCA National Election Committee (“NEC”) has established rules, contained herein, for the 2021 NATCA National Election.

### **Section 1 – General Provisions**

- A. Elections shall be held by referendum and all balloting shall be conducted via secret ballot.
- B. Write-in votes shall not be permitted.
- C. Members shall vote by mail ballot.
- D. With respect to mail-in ballots, the following procedures shall apply:
  1. The official number and/or barcode assigned to each member shall be printed on the removable footer attached to each ballot, which shall be inserted in the corresponding official ballot return envelope so that the official number and/or barcode is visible on the exterior of the envelope.
  2. A list of the names of all members, together with their corresponding official numbers, shall be made available to the NEC for the purpose of checking the voting eligibility of the members whose ballots have been returned prior to the ballot count.
  3. Notwithstanding any provision to the contrary as set forth herein, all ballots shall be returned to a predetermined depository to ensure the secrecy of the ballots, and the ballots shall be held there until the time designated for the counting of such ballots.



- E. Except as otherwise specifically provided herein, any protest or challenge regarding the conduct of the 2021 NATCA National Election shall be made in accordance with Article VII of the NATCA National Constitution.
- F. Any further appeals must be filed with the Secretary of Labor, pursuant to 5 U.S.C. Section 7120 and applicable regulations.
- G. With respect to campaigning for office in the 2021 NATCA National Election, candidates shall comply with the Labor-Management Reporting and Disclosure Act of 1959, NATCA’s Election Campaign Guidance, and any NATCA rules.
- H. Candidates may not seek or accept endorsements from individuals or entities outside of NATCA.

**Section 2 - Nominations**

- A. All nominations shall be made in accordance with Article VII of the NATCA National Constitution.
- B. Nominations shall be in writing and delivered via **UNITED STATES POSTAL SERVICE CERTIFIED MAIL** to: National Election Committee c/o NATCA General Counsel, 1325 Massachusetts Avenue, NW, Washington, DC 20005. Nominations must be received at the Association Headquarters by 5:00 p.m. EDT on March 31, 2021.
- C. To be eligible for candidacy, nominees must have been active NATCA members in good standing for at least one year prior to the close of the nominations period.
- D. The Association Headquarters shall be charged with the safekeeping of all nominations and shall turn them over to the NEC.

**Section 3 – Nomination Acceptances**

- A. Nominees shall not accept candidacy for more than one office.
- B. Nomination acceptances shall be in writing and contain the following information:
  - 1. The candidate’s full name and, if desired, any special name to appear on the ballot;
  - 2. The candidate’s facility, his/her home or mailing address, and the last four digits of his/her Social Security number;
  - 3. The title of the office for which the candidate is accepting nomination; and
  - 4. The following certification, completed, signed, and dated by the nominee:

“I hereby accept the nomination for the office of \_\_\_\_\_. I certify that I am not now, nor have been for the past 13 years, convicted of or served any part of a prison term resulting from conviction of robbery, bribery, extortion, embezzlement, grand larceny, burglary, arson, violation of narcotics laws, murder, rape, assault with intent to kill, assault which inflicts grievous bodily injury, or violation of Title II or III of the Labor-Management Reporting and Disclosure Act of 1959, as amended, or conspiracy to commit any such crime.”



- C. Nomination acceptances must be returned to the National Election Committee, c/o the NATCA General Counsel at the Association Headquarters, 1325 Massachusetts Avenue, NW, Washington, DC 20005. Nomination acceptances must be received at the Association Headquarters by 5:00 p.m. EDT on April 30, 2021. Nomination acceptances not received by this time and date shall be declared invalid.
- D. The NEC shall determine whether each candidate has correctly submitted his/her nomination acceptance and whether the candidate possesses the necessary qualifications for the proposed office. The NEC shall prepare a report listing each candidate and the office for which he/she has accepted nomination. Each candidate shall be marked “qualified” or “disqualified” on the report, based on the findings of the NEC. If a candidate has been deemed “disqualified,” the reason for disqualification shall be stated in the report. The report shall be signed by all five (5) members of the NEC and submitted to the NATCA National Executive Board.
- E. The NEC shall notify any disqualified candidates, in writing and delivered by United States Postal Service certified mail, of the reason(s) for his/her disqualification. Disqualified candidates shall have the right to file a written appeal to the NATCA National Executive Board within ten (10) business days of the receipt of the disqualification notice. The NATCA National Executive Board shall review the appeal and issue a response within five (5) business days of receipt of the appeal.
- F. Once the nomination acceptance period has closed, a candidate may not withdraw from the race.

#### **Section 4 – Balloting Procedures**

- A. The NEC shall ensure the proper and timely preparation of ballots without partiality as to candidates. The names of the candidates for each separate office shall appear in alphabetical order based on the candidates’ last names. Ballots shall contain voting instructions consistent with the provisions established herein.
- B. The ballots prepared at the direction of the NEC shall be the only official ballots. No other ballots may be used. The NEC shall maintain a record of the ballots distributed.
- C. Members shall return ballots via mail to a predetermined depository, which shall be paid for by NATCA, to ensure secrecy. No signature of the voter or other distinguishing mark may appear on the ballot. A signed ballot or a ballot with a distinguishing mark shall automatically be ruled ineligible.
- D. Ballots shall be distributed to the membership on June 21, 2021. Ballots must be received at the predetermined depository by 9:00 a.m. EDT on July 30, 2021. Ballots not received in the depository by this time and date shall not be counted.
- E. Each member shall be entitled to a duplicate ballot and receive same, provided that he/she notifies the NEC by July 16, 2021. In the event that both the original and duplicate ballot(s) mailed to a member are both cast, the returned ballot last mailed to the voter shall be counted.
- F. To have his or her ballot counted, a member must be in good standing as of fifteen (15) days immediately preceding the close of the balloting.



- G. If any member wishes to challenge a voter's eligibility to have their ballot counted, the member may review a list of eligible voters at the National Office during the seven days preceding the ballot count.
- H. The NEC shall supervise the conduct of the election and take the measures it deems necessary to ensure a fair and impartial election.

### **Section 5 – Ballot Collection and Tally Procedures**

- A. On the morning of July 30, 2021, a member of the NEC shall proceed to the depository and obtain all the ballots. Ballots shall be retained in the custody of the NEC until such time as they are checked and counted.
- B. The NEC shall tally all ballots and prepare a report detailing the results of the election, including a complete account of all ballots and a reconciliation of the ballots with rosters and verification lists of the membership.
- C. The NEC shall commence the counting of the ballots on July 30, 2021 (the same day that the ballots are collected) and shall complete this work as quickly as possible. The report of the NEC shall be filed with the Association Headquarters no later than forty-eight (48) hours following the completion of the count.

### **Section 6 – Runoff Procedures**

- A. In the event of a runoff election, the NEC shall supervise the distribution of ballots. The ballots shall be distributed no later than sixteen (16) days after the NEC has ruled on challenges or protests of the election or, if there are no challenges or protests, within sixteen (16) days following the submission of the NEC's report.
- B. Any runoff elections shall be conducted in accordance with Section 4, herein. Ballots shall be distributed to the membership and shall be due back to the predetermined depository within thirty (30) days of the date of distribution. In the event that the thirty-day deadline falls on a weekend or holiday, the next regular business day shall be designated as the deadline for the receipt of returned ballots. The NEC shall meet the following day to tabulate ballots and announce the results of the runoff election.

### **Section 7 – Installation of Officers**

- A. New officers shall take office on September 1, 2021. In the event of a runoff election, such officers shall take office thirty (30) days after the results of the runoff election are finalized.