



## **New York City Managerial Employees Association**

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# **BYLAWS**

**(Revised February 11, 2009)**

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# **New York City Managerial Employees Association**

50 Broad Street – Suite 1101  
New York, New York 10004

## **BYLAWS**

*Revisions Adopted by MEA General Membership  
February 11, 2009*

### **ARTICLE I: NAME**

**Sect. 1.01** The name of this Association shall be the New York City Managerial Employees Association (MEA).

### **ARTICLE II: PURPOSE**

**Sect. 2.01** The Purpose of this Association shall be to protect and enhance the civil service and other rights of members; to secure the right to redress employment related grievances; to secure adequate compensation, retirement benefits and other employment related benefits; to improve working conditions; to improve promotional opportunities and rights; to promote the highest standards of public service managerial performance; and to improve the delivery of municipal services to the public.

### **ARTICLE III: MEMBERSHIP AND DUES**

**Sect. 3.01** Membership shall be open to persons employed by the City of New York's mayoral and non-mayoral agencies who are not eligible for collective bargaining representation under state and local law and to those retired from such service.

**Sect. 3.02** Membership shall begin and services of the organization shall be available immediately upon receipt of a dues check off authorization signed by the applicant. Membership shall terminate not later than six weeks after receipt of the signed resignation from the member.

**Sect. 3.03** Members shall have the option of paying dues by hand. Membership for hand payers shall begin upon the Association's receipt of the dues and MEA Membership Application card signed by the applicant. All hand payers shall pay dues annually by January 1, or semi-annually on January 1 and July 1. A retiree shall pay annually by January 1. Members paying dues by hand who are two months in arrears shall no longer be members.

**Sect. 3.04** The membership application of any person eligible to join the Association may be rejected for cause by the President. No person otherwise eligible

for membership in the Association shall be denied membership because of age, sex, race, color, creed, nationality, disability, sexual preference and orientation.

**Sect. 3.05** The dues rates of members shall be approved by the membership with 20 days notice upon the recommendation of the Executive Board. Membership meetings at which dues rate changes are considered shall have a quorum of at least 35 members.

#### **ARTICLE IV: ORGANIZATION STRUCTURE**

**Sect. 4.01** The structure of the Association shall consist of the following:

- 1.** The Membership as defined in Article III
- 2.** The Executive Board as defined in Article VI
- 3.** The Chapters as defined in Article VII

#### **ARTICLE V: OFFICERS AND DIRECTORS-AT-LARGE**

**Sect. 5.01** The Officers of the Association shall be President, Executive Vice President, Treasurer and Recording Secretary.

**Sect. 5.02(a)** The President, as the principal executive officer of the Association, shall have full authority to execute the policies of the Association as established by these Bylaws and the Executive Board. The President shall be the official spokesperson of the Association in all its external relations and may authorize counsel or other representatives of the Association to speak for the Association in the President's place. The President shall hold no other office or position in the Association. The President shall discharge the duties of the Office.

**Sect. 5.02(b)** The President shall implement provisions of these Bylaws, the directives of the membership and of the Executive Board. The President shall direct the activities of the other officers and supervise the staff. The President shall chair all General Membership and Executive Board meetings, unless the President chooses to delegate such duty to another member. The President shall report to the membership meetings orally and in writing; shall appoint chairpersons and members of all committees, unless otherwise specified in these Bylaws subject to an affirmative vote of the Executive Board; can remove committee chairs; shall be an ex-officio member of all committees and chapters except for the Election Committee; shall approve all written communications of the Association, except for communications from Chapter Directors to their membership dealing with Chapter business, and shall schedule meetings of the Executive Board pursuant to Sect. 6.03.

**Sect. 5.02(c)** The President may act in emergency situations until a meeting of the Executive Board can be called. Any such emergency actions must be reported in writing or by other appropriate means to all members of the Executive Board within ten business days.

**Sect. 5.02(d)** The President shall approve payment of proper vouchered expenses of the Association, in accordance with budget authorizations of the Executive Board.

**Sect. 5.03** The Executive Vice President shall act on the President's behalf in the absence of the President in the performance of the President's duties. The Executive Vice President shall see that chapter elections and meetings are held as required, certify that each chapter has sufficient members to be a chapter and have oversight over the chapter election process. The Executive Vice President shall have responsibility for implementing the process of amending the Bylaws established in Sect. 12.02(a). The Executive Vice President shall report these activities to the Executive Board.

**Sect. 5.04(a)** The Treasurer shall be the chief fiscal officer of the Association and shall be responsible for its fiscal affairs, subject to the approval of the membership and Executive Board and the direction of the President. The Treasurer shall submit an annual operating budget to the Executive Board for approval pursuant to Sect. 6.02; shall oversee the maintenance of membership rolls, the collection of dues and other monies and shall recommend rejection for cause of an individual's application for membership pursuant to Article III. The Treasurer shall retain a certified public accounting firm, subject to affirmative vote of the Executive Board to audit the Association's books and records, and shall report orally and in writing on the Association's financial state at the Spring Membership meeting. The Treasurer shall chair the Finance Committee established in Sect. 9.02(c).

**Sect. 5.04(b)** The Treasurer shall retain a certified public accounting firm, subject to an affirmative vote of the Executive Board on an annual basis for a procedure engagement to ensure that expenditures conform to the Association's policies and shall report orally and in writing the findings to the Executive Board.

**Sect. 5.04(c)** The Treasurer shall keep all contracts, records and property of the Association not otherwise given by these bylaws to another officer; cause the payment of bills approved by the President; cause funds of the Association to be deposited in banks approved by the Executive Board or invested in vehicles approved by the Executive Board; and shall prepare and distribute to the Executive Board monthly a statement listing the Association's receipts and disbursements. The Treasurer shall report these activities to the Executive Board.

**Sect. 5.05** The Recording Secretary shall keep a record of the proceedings of all regular and Special Membership meetings of the Association and the Executive Board, including the recording of motions, resolutions and amendments; record, report and monitor attendance at the Executive Board meetings.

**Sect. 5.06** There shall be two Directors-at-Large responsible to serve as ombudsmen for all MEA members and assume other duties subject to the approval of the Executive Board.

**Sect. 5.07** Any Officer or Director-at-Large who fails to attend three consecutive meetings of the Executive Board or four of any six successive meetings without a reason satisfactory to a majority of the Board shall be deemed to have resigned from the position and that position shall be declared vacant.

**Sect. 5.08** An officer who is found by a two-thirds majority of the Executive Board to be in dereliction of duty as a result of specific charges filed in writing by at least seven members of the Board shall be removed from office and the position shall be declared vacant. Such charges shall be filed with the President, or if the President is charged with the Directors-at-Large who shall cause the item to appear on the Agenda of the next Board meeting. At such a meeting the charged Officers(s) shall be afforded an opportunity to explain the actions in question.

**Sect. 5.09** The four Officers shall be signatories on the Association's accounts.

**Sect. 5.10** The Officers shall be bonded by the Association.

#### **ARTICLE VI: THE EXECUTIVE BOARD**

**Sect. 6.01(a)** The Officers and Directors-at-Large elected pursuant to Sect. 10.05, the Chapter Directors elected pursuant to Sect. 7.06, and the past Presidents shall constitute the Executive Board. No person may hold more than one Executive Board position at the same time.

**Sect. 6.01(b)** Past Presidents who continue as members of the Association shall remain as voting members of the Executive Board. A past President having a vote on the Executive Board who is elected to another Executive Board position enabling the past President to vote on the Board may not vote as a Past President while holding that other position. Past Presidents who have votes do not count toward quorums at Executive Board meetings, unless they are present. In no instance shall any person be able to cast more than one vote.

**Sect. 6.02** The Executive Board may adopt any policy, process or procedure for the Association not in conflict with these Bylaws, unless the membership decides otherwise. It shall approve by affirmative vote the annual budget prepared by the Treasurer, and that approval shall constitute authorization to spend Association funds for the purposes indicated in the budget.

**Sect. 6.03** The President shall schedule at least ten meetings per year not less than 20 days or more than 60 days apart, except as required by Article X, to select members of the Election Committee and, except that the Executive Board may establish its own meeting schedule that is consistent with this section.

**Sect. 6.04:** The Association shall have as part of its staff an Executive Director. The Executive Board shall determine the process and procedure for choosing the Association's Executive Director and shall approve by affirmative vote the individual selected for this position.

**Sect. 6.05** Any member of the Executive Board who is hired for a staff position with the Association must resign from the Executive Board before beginning the duties of that position.

## ARTICLE VII: CHAPTERS

**Sect. 7.01** There shall be a chapter for each municipal department or agency, provided there are at least twenty-five members in that department or agency and that the Executive Board approves the establishment of such a chapter. Members in the departments or agencies not in sufficient number to constitute a separate chapter shall be included in the Municipal Chapter. Retirees shall be members of a chapter consisting solely of retirees. Each member of the Association shall be a member of a chapter and no member of the Association shall be a member of more than one chapter.

**Sect. 7.02** The purpose of chapters shall be to identify issues that are appropriate for resolution at the agency level and attempt to resolve them; to actively recruit members for the Association; to attempt to resolve agency-related individual grievances; to encourage cooperation among members.

**Sect. 7.03** The Officers of each chapter shall be a Chapter Director and Assistant Chapter Director and they shall be members of that chapter. The Chapter Director shall have been a member of the Association for at least three months as of the date of the election. The Chapter Director shall preside over all regular and special meetings of the Chapter, shall appoint committees as needed, shall serve as ex-officio member of such committees and shall ensure that minutes are taken at chapter meetings. The Assistant Chapter Director shall serve in the absence of the Chapter Director. Chapters may establish additional officers.

**Sect. 7.04** Chapter Directors of chapters whose members exceed or equal ten percent of the entire membership of the Association shall be Vice Presidents of the Association.

**Sect. 7.05** Chapter Directors shall hold meetings of their chapters in the *Spring* and in the *Fall* of each year. Special meetings of a chapter may be called by the President, Chapter Director or by written request of five members. A quorum shall be five members if the chapter membership is between 25 and 199 and it shall be ten members if the Chapter membership is greater than 199.

**Sect. 7.06** Terms of chapter officials shall be two years beginning January 1 of the odd numbered years. Biennial elections for Chapter Officers shall take place at the Fall Chapter meeting in the even-numbered year, subject to any Election Code that may be adopted by the Executive Board and to oversight by the Executive Vice President.

**Sect. 7.07** Any Executive Board member who is found by a two-thirds majority of the Executive Board to be in dereliction of duty as a result of specific charges filed in writing by at least seven members of the Board shall be removed from office and the position shall be declared vacant. Such charges shall be filed with the President, or if the President is charged, the Directors-at-Large shall cause the item to appear on the Agenda of the next Board meeting. At such a meeting the

charged Board member shall be afforded an opportunity to explain the actions in question. A Chapter Director who does not attend three consecutive meetings of the Executive Board or four of any six successive meetings of the Executive Board without a reason satisfactory to a majority of the Board shall be deemed to have resigned from the position and the position shall be declared vacant.

Sect. 7.08 Upon resignation or removal of the Chapter Director, the Assistant Chapter Director shall become Acting Chapter Director, pending election of a new Director by the Chapter's membership. If the Chapter has no duly elected Assistant Director, the President with approval of the Executive Board shall appoint another member of the chapter to serve as Acting Chapter Director. Election of the new Chapter Director shall occur at the second Chapter meeting following the effective date of the Chapter Director's vacancy or at the next biennial Chapter election, whichever occurs first.

### **ARTICLE VIII: MEETINGS AND MEMBERSHIP**

Sect. 8.01 Chapter meetings shall be held in the *Spring* and *Fall* of each year. Twenty days written notice shall be given to the members. Members may adopt any policy, process, or procedure for the Association not in conflict with these Bylaws.

Sect. 8.02 There shall be at least three regularly scheduled General Membership meetings each year. Twenty days written notice for each meeting shall be given to the membership. The Membership may adopt any policy, process or procedure for the Association not in conflict with these bylaws.

Sect. 8.03(a) Special meetings of the membership may be called by the President or by majority of the Executive Board.

Sect. 8.03(b) A quorum of the membership shall be 25 members except for nominations pursuant to Article X.

Sect. 8.03(c) Membership meetings at which dues rate changes are considered shall have a quorum of at least 35 members.

### **ARTICLE IX: COMMITTEES**

Sect. 9.01 Committee assignments shall expire with the term of the President who is making the appointments. Permanent committees of the Association and their purposes shall be:

Sect. 9.02(a) The Organization Committee shall, in conjunction with the staff, assist chapter officials plan and implement membership retention and recruitment strategies and shall make training and guidance available to chapter officials and members in organizing and recruitment matters. The Committee shall administer any awards programs for members subject to funds being approved by

the Executive Board. It shall review existing dues-funded benefits for members and, after consultation with the Treasurer, recommend improvements.

**Sect. 9.02(b)** The Compensation and Professionalism Committee shall recommend proposals to enhance members' compensation and retirement and other fringe benefits. It shall develop proposals for improving the skills of members.

**Sect. 9.02(c)** The Finance Committee shall consist of four members in addition to the Treasurer, and shall assist the Treasurer with the preparation of the Association's Annual Budget.

**Sect. 9.02(d)** The By-Laws Committee shall consist of at least seven members provided that no more than four are Executive Board members. The President shall propose the Chairperson and members of the Committee at the January Executive Board meeting *every three years, beginning in 2011* and approval shall be by affirmative vote of the Board at its next meeting. The Committee shall convene during the April – September calendar period. They shall review all submitted By-Laws and proposed revisions and make recommendations to the Executive Board no later than September 30<sup>th</sup> of that year. The Committee shall also convene a special session based upon a finding of “urgent necessity” pursuant to Article XII, Sect. 12.02(a).

**Sect. 9.02 (e)** The Legislative Committee shall execute such assignments with regard to legislation as the Executive Board or the Membership may direct.

**Sect. 9.02(f)** The Executive Board shall promulgate an Ethics, Conduct and Conflict of Interest Procedure.

## **ARTICLE X: ELECTIONS**

**Sect. 10.01** To be eligible to run for any and all elected offices in the NYC Managerial Employees Association, a member shall be in good standing for at least two years and/or have a minimum of two years membership immediately prior to leaving city service.

**Sect. 10.02:** Election of Officers and Directors-at-Large shall be by mail ballot referendum among members of the Association, conducted by an outside neutral party. The term of office shall be three years.

**Sect. 10.03:** The Officers shall take an oath prior to assuming office.

**Sect. 10.04** There shall be an Election Committee appointed to administer the election process for Officers and Directors-at-Large established by these Bylaws and any Election Code that the Executive Board may adopt. The President shall

**propose the Chair and members of the Election Committee to the Executive Board at its May meeting, and their approval shall be by affirmative vote of the Board at its next meeting. Election Committee members shall be neutral on the candidates and issues in the election and shall not engage in any campaign activity. The Election Committee shall arrange full and equitable distribution of all appropriate membership contact information as described in the election code.**

**Sect. 10.05 Nominations for Officers and Directors-at-Large shall be from the floor of a Special Membership meeting held during the first full week of September. No second shall be required and nominations shall remain open for as long as there are members to be nominated. If only one candidate is nominated for a particular office that candidate shall be declared elected and will not appear on the ballot. No quorum is needed to conduct nominations. The Election Committee shall conduct the nominations.**

**Sect. 10.06 Candidate Replacements: If a candidate withdraws for personal reasons or disqualification, the candidate's slate may present a replacement nominee to the Election Committee for certification no later than seven days before the ballot is scheduled to be printed.**

**Sect. 10.07 Ballots shall be mailed during the last two weeks of October with a turn around of 21 days. If no candidate for a particular office receives a majority of the ballots cast for that office, ballots for a run off between the two candidates receiving the most votes for that office shall be mailed 21 days after the election committee declares the results of the first voting. Directors-at-large shall be elected by plurality.**

**Sect. 10.08 A vacancy among the Officers or Directors-at-Large shall be filled for the unexpired term by vote of the Executive Board, except that the Executive Vice President shall become President if that office is vacated.**

**Sect. 10.09 Employees of the Association shall be neutral on the candidates and issues in the election and shall not engage in any campaign activity.**

#### **ARTICLE XI: PARLIAMENTARY AUTHORITY**

**Sect. 11.01 The Bylaws shall be the governing document of the Association in all instances for which they apply. The current edition of Robert's Rules of Order (newly revised) shall apply in all other instances.**

#### **ARTICLE XII: AMENDMENTS**

**Sect. 12.01 Amendments to these Bylaws shall be adopted at any membership meeting by a two-thirds vote of the members present, provided the text of the proposed changes have been submitted in writing to the membership at least twenty days prior to the meeting.**

**Sect. 12.02(a) Proposed amendments shall be filed in writing by any two Association members with the Executive Vice President at least 90 days prior to the**

meeting and they will be put to a vote. All proposals shall be referred to the Bylaws Committee for consideration during its regular session. The Executive Board may upon receipt of the proposal at its sole discretion based on two-thirds vote of that body, issue a finding of “urgent necessity” and thereby direct that the Bylaws Committee convene a Special Session for expedited amendment consideration.

Sect. 12.02(b) Upon receipt of the Bylaws Committee report the Executive Board will review its findings and, if acceptable by a majority vote of the Board will be submitted for approval to the membership.

### **ARTICLE XIII: EFFECTIVE DATES**

Sect. 13.01 These amendments shall be effective upon adoption by the membership, except for Section 10.02 which shall begin with the next Officer election which is to be held in Fall of 2009.

*Revised February 2009*

### **ELECTION CODE**

#### **A. General Provisions**

1. **Adoption/Amendments:** The Election Code and Amendments to or modifications of the Election Code shall be adopted by a 2/3’s majority vote of the MEA Board of Directors with prior notice.
2. **Omissions:** All issues not covered by this Election Code or not covered in the MEA By-Laws which are related to the election of officers or chapter positions shall be addressed and resolved by the designated Election Committee. Election Committees can make recommendations for changing this Election Code based upon experience gained during the election process.
3. **Election Committee Quorums:** A quorum (i.e., majority of members of the Committee) shall be required at all Election Committee meetings, in order to conduct business.
4. **Observers:** Each individual candidate or, in the event candidates for different positions decide to run as a team, each slate of candidates, may have up to two observers to witness the counting of votes. The Election Committee shall have the authority to increase the number of observers, if conditions warrant.
5. **Ballot Format:** The sequence in which individual candidates and slates appear on the ballot shall be by random selection. Slates of candidates shall be grouped in a single column; individual candidates shall appear in their own column. A statement shall appear on the ballot which explains the manner in which the slate/individual candidate position on the ballot was determined.

**6. Candidate Eligibility:** The Election Committee is responsible for verifying that candidates are eligible to run for office and must obtain written statements from members of slates that they are running as a slate. Slates shall inform the Election Committee of their nominees at least seven days before the Nominating meeting. This verification process must be completed no later than the closing of the nominations. If there are other nominations made at the Nominating meeting, the Election Committee has up to seven days to verify their eligibility.

## **B. Officer and Director-at-Large Elections**

**1. Protocol:** Election for MEA Officers and Directors-at-Large shall be conducted by the American Arbitration Association utilizing mail ballots.

**2. Liaisons:** Each individual candidate for Officer and Director-at-Large positions or, in the event candidates for different positions decide to run as a team, each slate of candidates shall designate one liaison to serve as spokesperson for and intermediary between the candidate and the Election Committee.

Within two weeks of identifying oneself as a candidate or slate of candidates, identification of the liaison shall be made in writing to the Election Committee.

**3. Chapter Contacts:** Each individual candidate and slate of candidates shall be provided with the names and telephone number of all MEA Chapter Officers.

**4. Campaign Literature:** Each individual candidate and slate of candidates shall be entitled to distribute campaign literature to the membership. Campaign literature directed to the membership shall be forwarded to the MEA office for distribution to the membership via a private mailer. The MEA shall be obligated to pay for one mailing, including all individual candidates or slates. If additional mailings are desired, individual candidates and slates shall pre-pay the cost of the mailing to the MEA which shall forward the literature to the private mailer for distribution.

**5. Debate:** The Election Committee shall be obligated to schedule one debate. Individual candidates and slates negotiate the terms of the debate. The Election committee shall have final authority in resolving disputes regarding terms of the debate. If less than one percent of the membership attends the debate, the candidates shall forgo formal statements and respond to questions only from attendees who are not current officers, directors-at-large, candidates or liaisons.

## **C. Chapter Elections**

**1. Protocol:** Elections for MEA chapter positions shall be conducted by a chapter's Election Committee to be appointed by the Chapter Director. Elections shall be conducted by in-person ballot voting; however, mail ballot voting can be permitted upon approval of the MEA Board of Directors.

2. **Mediator:** The MEA Executive Vice President shall oversee the election process and mediate disputes between individual candidates or slates and the Election Committee.

3. **Chapter Roster:** Each individual candidate and slate shall be provided with a roster (names) of members within the Chapter.