

April 16, 2023

Dear Member(s),

Members shall have the right to fair and democratic elections at all levels of the union. This includes due notice of nominations and elections, equal opportunity for competing candidates, and proper election procedures which shall be constitutionally specified.

Members shall have an equal right to run for and hold office, subject only to constitutionally specified qualifications, uniformly applied.

Elections conducted by mail are more complicated than those conducted in-person and, as a result, there is a greater chance of encountering problems that can adversely affect the election process.

Due to work complexities and the current working environment facing our members, the Election Committee decided to vote by mail in ballots. We obtained the services of American Arbitration Association (AAA) who are experience election experts. They provide impartial cost effective and timely election administration, from ballot preparation to tabulation and result certification.

AAA election procedure complies with Local union bylaws and meets the strict election standards outlined by the US Department of Labor. They have a national impeccable record.

In Solidarity,

Local 696 Election Committee 2023

Darlene Booker-Jones, Chairperson
Tyrone Brooks, Co-Chair
Ethel Funches, Secretary
Jacqueline Robinson
Bobby Davis, Advisor
Cc: Tori Rogers, DC 33 Local 696 Secretary

After careful review and consideration of the protest the Election Committee's decision is as follows:

1. Candidate Sterling Davis was excluded from the election results.

Decision: Due to an oversight by the vendor (American Arbitration Association) Sterling Davis name was omitted from the election results published on March 30, 2023. Once notified, AAA corrected the previously issued election results notice inclusive of Sterling Davis vote count results.

2. The Election Committee did not allow the Rabble Rousers to review the ballots before they were sent to distribution.

Decision: The AFSCME election code does not specify that the ballots must be viewed by the candidates. It states: the Election Committee is responsible for correctly spelled names on the ballots and giving the candidate the opportunity to choose how they want their name spelled on the ballot. This was done during the candidates' meeting on February 27, 2023.

The election committee did state we would accommodate your request. However, a member (Charles Payne III) on the Rabble Rousers slate requested a change to the ballot, the election committee granted the change creating a delay in forwarding the information thus the ballots were sent out before we were able to grant the request. This is not a requirement under the election code.

3. Proper nomination protocol was not followed, preventing potential candidates from being nominated.

Decision: Regarding the matter of the nomination challenge, it is clear that no one challenged the nomination process held at the nomination meeting or with the Election Committee thereafter.

In accordance with Appendix D, Section 4A of the AFSCME Constitution. This provision states, "Any member of a local union or any council delegate may challenge the eligibility of any nominee by filing such challenge with the Election Committee prior to the holding of the election."

If the challenge is not made prior to the election, it cannot be considered, this was not brought to the attention of the Election Committee until after the election.

4. Trustee candidates should not have been listed on the ballot.

Decision: The names of the Trustees should not have appeared on the ballot; however, this did not change or alter the results of the election.

5. The slates on the ballot were printed in the wrong order.

Decision: The order of the slates in the present election were the same order as the past elections: Listed alphabetically based on the presidential candidates.

6. There was no option to drop off ballots at American Arbitration Association.

Decision: The American Arbitration Association, Administrator mailed "Voting Instructions" with the Official Ballot which states: For your ballot to be counted it must be received in the

office of the American Arbitration Association, 230 South Broad Street, Philadelphia, PA 19102 no later than March 29, 2023, via U.S. Mail. No drop off ballots were allowed.

This was also stated at the candidates' meeting, February 27, 2023. No candidates objected.

7. SBU utilized an email list that was obtained with Local 696 resources, and this list was not provided to the Rabble Rousers.

Decision: The Election Committee received no evidence with this protest confirming emails were obtained with Local 696 resources.

The election committee was informed by the secretary of local 696 that no e-mail addresses are retained by AFSCME, local 696.

8. New Hires were unconstitutionally suppressed from voting.

Decision: The election committee was informed by the Controller of District Council #33 that the mailing list used was the most current of all dues paying members and the addresses was the last known mailing address.

9. Candidates' observers were not permitted to observe ballot preparation or distribution.

Decision: No candidates' observer requested to be present during preparation or distribution of ballots. No member of the Election Committee was present during this process as well.

10. SBU Candidates used intimidation tactics to prevent Rabble Rouser campaigning.

Decision: The Election Committee was not advised of any intimidating tactics used by the SBU Slate. Some unwelcome verbal statements may have been made by opponents of the opposite slate; however, the AFSCME Bill of Rights for Union Members guarantees members the right to freedom of speech.

11. The Election Committee used an improper mailing list, leading to members never receiving their ballots.

Decision: The mailing list was provided by District Council #33. The most current mailing list at that time was used. At no time did the Election Committee handle the mailing list.

In conclusion, all protest filed by the members of the Rabble Rousers Slate have been denied.