



Brotherhood of Maintenance of Way Employes Division of the International Brotherhood of Teamsters

Freddie N. Simpson
President

Perry K. Geller, Sr.
Secretary-Treasurer

September 4, 2008

SLCORR

ALL LOCAL LODGE SECRETARY-TREASURERS

RE: NOMINATION AND ELECTION OF LOCAL LODGE OFFICERS

Dear Brothers and Sisters:

In accordance with Article XVIII, Section 9, of the Bylaws of the Brotherhood of Maintenance of Way Employes Division of the IBT, local lodge officers are required to be elected once every three years. Elections for the ensuing three-year term must take place at the first regular meeting of each local lodge during the last quarter of this year. The elected officers are to assume office effective January 1, 2009.

All officers shall be elected from duly nominated candidates. Write-in candidates are not permitted and all elections must be conducted by secret ballot. If only one candidate is nominated for a given office, he/she may be declared elected by acclamation. Otherwise, a majority of the votes cast for each office is necessary to elect. If three (3) or more candidates are nominated for a particular office and no candidate receives a majority of the votes cast, the candidate receiving the lowest number of votes shall be dropped and the balloting continued until one candidate receives a majority of the votes cast.

The offices of each Local Lodge that must be filled are Past President, President, Vice President, Secretary-Treasurer, Recording Secretary, Auditing Committee of three (3) members and Grievance Committee or Committees composed of at least one (1) member from the different departments coming under the jurisdiction of the Brotherhood.

The position of Past President is honorary and should be filled by the nomination and election of a member who formerly held the office of President of the Lodge. The offices of Secretary-Treasurer and Recording Secretary may be consolidated into a single position at the option of the lodge.

ELIGIBILITY REQUIREMENTS TO VOTE IN LODGE ELECTIONS

The IBT Constitution provides that members are eligible to nominate and vote only if, as of the date of nominations or election, they are members in good standing through the month prior to the month of nominations or elections. **However, a member not in good standing may restore good standing for the purpose of attending meetings, nominating, voting and participating in**

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the affairs of the lodge by the payment of delinquent dues prior to said meeting. Retired members, who are paying full dues, retiree dues of \$16.00 per year, or National Division dues to protect their death benefit, are not eligible to vote in lodge elections. The issuance of unemployment cards or withdrawal cards by the BMWED does not satisfy the requirement to maintain “member in good standing” status under the IBT Constitution for the purpose of being eligible to vote.

ELIGIBILITY REQUIREMENTS TO RUN FOR LOCAL LODGE OFFICE

The IBT Constitution provides that members are eligible to run for election only if they are “in continuous good standing and actively employed in the craft for a period of twenty-four (24) consecutive months prior to the month of nomination”. In general, “continuous good standing” means the timely payment of dues for each of the twenty-four months during the applicable period together with no interruptions in active membership during that period. Timely payment of dues is accomplished by actually paying dues for the month by the last day of that month. This requirement is also satisfied if a member is on dues check-off and has earnings during the month from which dues could have been deducted.

The issuance of unemployment cards or withdrawal cards by the BMWED will not satisfy the requirement to maintain “member in good standing” status under the IBT Constitution for the purpose of eligibility to run for office.

Provided that full dues and assessments are properly paid, Local Lodge Secretary-Treasurers holding office as of January 1, 2005 shall remain eligible to continue to run for and hold the office of Secretary-Treasurer even though they may not be actively working at the craft. Retired state legislative directors holding such office, and all other BMWED retirees (i.e., those not “actively employed at the craft” as required under Article II, Section 4(a) (1) of the IBT Constitution), are not eligible to run for local lodge office.

Particular attention should be given to qualifications for candidates at the time of nominations and elections, as well as the manner in which the elections are conducted. When ineligible members are elected to office or elections are not conducted properly, considerable additional time and effort are required in conducting new elections.

FIFTEEN DAYS ADVANCE WRITTEN NOTICE REQUIRED

Fifteen (15) days prior to the date of the nomination and election of officers, advance written notice by mail to the membership is required of the holding of a meeting for the purpose of nominating and electing Local Lodge officers. In calculating the 15-day period, the day the cards are mailed is not counted, but the day of the meeting is counted.

The "Notice of Meeting Card" (Form F-86) must be mailed to all members who are eligible to participate in the election at their last known address. However, as a matter of courtesy, all members should be advised of the meeting. The posting of meeting notices on bulletin boards, tool sheds etc. or distribution to members of gangs at the work site does not satisfy the notice requirements of federal law.

The Secretary-Treasurer of the Local Lodge is required to preserve the ballots and all other records pertaining to the election of officers for a period of one year. The results of the election for each office, as well as the names of the nominees for each office and those members proposing the nomination should be recorded in the minutes of the Lodge and reported to the membership at the next meeting of the Lodge.

Enclosed is a dues payment history of your lodge members covering the last (24) months for your use in determining eligibility to run for local lodge office. If you provide my office with advance notice of the date of your meeting, we will also furnish you with address labels or preprinted meeting cards as well as a more current version of your lodge's dues payment history, (if needed). Prior to mailing, you should check the address labels against your current membership records to insure that all members receive a notice of the meeting, since it may be necessary to hand address cards to members for whom labels were not furnished. Labels for those members who are deceased or individuals who are no longer members of the Brotherhood should be discarded.

LOCAL LODGE OFFICERS LIST, FORM F-53

After the election of officers, the Local Lodge Secretary-Treasurer shall furnish the names and addresses of the officers elected to the National Division Secretary-Treasurer and the System Division/Federation office. A Local Lodge Officers List, Form F-53 (enclosed) must be used for that purpose. **For security reasons, you should enter an officer's membership number in place of their social security number where it is requested on the form.**

Send the white copy of Form F-53 to National Division, the green copy to your System Division/Federation office and retain the pink copy for your records. **Form F-53 must be completed and mailed promptly after the lodge election, regardless of whether or not there were any changes in the officers of the lodge.**

Should you have any questions in connection with the foregoing, please contact Staff Assistant Steve Mocher at (800) 848-8830, extension 604.

Fraternally,



Secretary-Treasurer

Enclosures

cc: F.N. Simpson

National Division Officers

System Officers

SMM:adw

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