

**UNITED FEDERATION OF TEACHERS
ELECTION COMMITTEE
MINUTES**

MEETING DATE: 1/3/19

ATTENDEES:

Amy Arundell—Election Committee Chairperson
Margaret Borrelli—Special Representative, Bronx UFT
Ellen Gentilviso—Chapter Leader, Manhattan
Johnathan Hinesley—Solidarity Caucus
Martha Lane—Special Representative, Brooklyn UFT
Bill Linville—MORE Caucus
Nicole Puglia—Chapter Leader, Staten Island
Washington Sanchez—Unity Caucus
Howard Sandau—Non-DOE Federation of Nurses Chapter
Michael Shulman—New Action Caucus
Michael Sill— UFT Director of Personnel, Payroll and Special Projects
Bruce Zihal—Special Representative, Queens UFT
Yasmin Colon— UFT Staffer-Membership Department
David Hickey—UFT General Manager
Megan Murphy—Assistant to UFT General Counsel

Amy Arundell distributed the minutes from the 11/28/18 Election Committee meeting for all to review and an agenda for today's meeting.

Amy Arundell stated that the decisions made today will be presented to Executive Board on Monday and that we will talk about getting out the vote and will look at timelines. She stated that the Election Notice went out on 12/6/18 and nominating petitions would be available as of 1/16/19 at the DA, in the borough offices and on the UFT website. Petitions would be due 2/15/19. Election Committee will meet possibly the week of February 25th when Yasmin and her staff will bring us boxes of petitions and we can look through them, will check which have met requirements for slates and will designate slates. Then, the first week of March we the representatives on the committee from the caucuses will meet to determine the order the caucuses will appear on the ballot, order of potentially 4 slates, order of officers and names of delegates by draw.

3/25/19 the ballots will go out and will be due by 4/16/19 and will be counted on 4/17/19. Election Committee is invited to attend to watch the count and we will request release time from school.

Yasmin Colon alerted the committee that there may be trouble at AAA with space to watch the count and Amy Arundell stated that the UFT would follow up with David Hickey and make sure there would be space to observe.

Amy requested that Yasmin distribute drafts of nominating petitions and candidate statements for review. She stated that candidate statements would be due any time before 2/15/19 (the due date for nominating petitions)

Bill Linville asked if the candidate statement involved just filling out the one sheet distributed and Amy Arundell confirmed that this was correct.

Johnathan Hinesley asked if the nominating petitions were due 2/14/19 and Amy Arundell responded that they were due 2/15/19

Amy stated that the Joint Petition and Individual Candidates petitions are the same as past elections.

Johnathan Hinesley asked if the Joint Petitions were also due 2/15/19 and Amy Arundell confirmed that they were.

Amy Arundell called a vote on approval of presenting the nominating petitions and candidate statements to the Executive Board. All committee members voted in favor of presenting these documents to the Executive Board.

Bill Linville asked if members could sign petitions for more than one officer slate. David Hickey and Amy Arundell responded that members could do this.

Bill Linville also asked if members on leave, retirees or members who have been fired could run on a slate. Amy responded that members on leave and retirees could run. She stated as long as the person is a member, he/she can run. She stated for example, that a per diem could run but someone who is terminated could not. Amy stated that you have to be an active employee to run and that committee members could email as the Election Committee chair with the name of any person your caucus wishes to run and she will check his/her eligibility with David Hickey.

Michael Shulman clarified that nominations for Officers could be made by joint or individual petitions and could be signed by any member with a total of 900 signatures needed. He stated that it was only for level-based Executive Board nominations that signatures must be of members from the particular relevant level.

Amy Arundell told the committee members that they should feel free to email her if anyone needed further clarification

Washington Sanchez expressed concern about predetermining if someone is eligible to run or not. Amy Arundell responded that nobody has to check with the UFT, we are just here for support if needed

Amy Arundell asked if there were any other questions about the nominating petition process before moving on.

Seeing none, she began a discussion on candidate advertisements in the NY Teacher. She stated that space was purchased for this in the 3/7/19 and 4/4/19 issues.

Amy Arundell stated that in the last election, a caucus did not have enough candidates for a slate but was allowed the same amount of advertising space as caucuses that achieved slate status because the Election Committee decided that fulfilling the requirements of a slate would not be a requirement for advertising space. Amy stated that posed the question as to whether or not the current Election Committee concurs. She later explained that we are trying to prepare ahead of time as one caucus was unable to achieve slate status during the last election, caucuses need to prepare their advertisements in advance and Michael Shulman had raised this question at our last Election Committee meeting. A discussion amongst committee members ensued for 25 minutes regarding this question:

Michael Shulman spoke against the continuance of this policy and stated he felt very strongly about this. He stated that a group of 5 people could get enough signatures. They should not be afforded the same amount of advertising space. He stated that individuals could include a statement.

Martha Lane asked if there was a number requirement for a group to have a slate. Amy responded 40 for a slate but also stated that there was no number requirement for a caucus. Amy provided information in her role of facilitator that caucus and slate have different definitions. A slate is not a requirement for a caucus to be a caucus. Theoretically, a caucus could be 2 people, although that has never happened. A slate is something that allows the members the ability to check one box. Slate is a function of balloting and does not define caucus.

She stated that the question that has been put out by Michael Shulman is do we want every caucus to get a two page spread or only those that achieve slate status?

Washington Sanchez said he didn't believe that a caucus that was unable to achieve 40 candidates should have equal space with those that could. He stated that he didn't believe that such caucuses should be excluded but they should not have the same amount of space.

Amy stated that such a proposal could be made.

Martha Lane made a proposal that caucuses that achieved slate status would be afforded 2 pages of advertising space while those that could not would be afforded one.

Jonathan Hinesley asked if this would become a rule moving forward or if it would be discussed each election cycle. Amy explained that it would be discussed each election cycle.

Bill Linville stated that he didn't think that too much information getting out was a problem and did not see a need to change the way caucuses advertised from the last election. He asked the Committee to consider what it would say to a caucus that submitted a two page ad but then didn't make slate status.

Amy Arundell reminded the Committee that it must have a good reason for limiting a caucus to one page of advertising , that its decisions are subject to question and it must be able to articulate what 1 or 2 pages means to the election, that it must be able to answer a question of a caucus that asks why it is not afforded 2 pages when a slate doesn't define a caucus. She asked if we want everyone to know who is running, is there good reason for limiting a caucus to one page?

Ellen Gentilviso stated that she believed each caucus should have the same right to advertising. Howard Sandau agreed and stated that a dues paying member should not be limited on advertising which dues is paying for.

Johnathan Hinesley stated that Howard Sandau's argument was the best

Ellen Gentilviso stated that we have to present a fair election with equal representation.

Amy Arundell asked Michael Shulman what he thought about the conversation and he stated that he was not looking to limit anyone but he thought a cut off should be made. He made the point that he could make various caucus names for members from his caucus each with 2 members and could wind up with 8 pages of advertisements

Howard Sandau stated that in a post-Janus world people may decide that they don't want to be in a union if not afforded equal representation.

Washington Sanchez stated that it is about members being slighted by the union and changed his position and agreed that all caucuses should be afforded equal space for advertising.

Howard Sandau made the proposal that every caucus is treated equally and two pages will be allowed for each caucus (in the New York Teacher)

Amy called for a vote by stating "All in favor of 2 page ads in the newspaper for all caucuses" All voted in favor except Michael Shulman voted against and Johnathan Hinesley abstained.

Amy Arundell stated the second issue about the paper is that in all previous elections, caucuses were allowed to submit one set of campaign material documents on one deadline. The question being posed to the Election Committee is should caucuses be allowed the option of submitting different campaign material for the second issue. Is it defensible in a fair election to limit what is placed in each issue?

Ellen Gentilviso asked if there would be any impact on the newspaper staff in terms of review if a second set of materials was allowed?

Amy Arundell responded that there was no impact on newspaper staff as there is no review of the material. The union does not interfere with campaign materials, they are printed as is even if false.

Washington Sanchez stated he agreed with allowing two sets of materials to be submitted for the two deadlines.

Amy Arundell stated she saw readiness to vote. She stated the proposal being voted on was "Two papers, two deadlines. Each caucus can decide if it wants to change the material for the second paper. First deadline is 2/5/19 for the 3/7/19 issue and 3/5/19 is the deadline for the 4/4/19 issue" David Hickey alerted the committee members that the Election Notice would need to be changed.

All committee members voted in favor of the proposal except Johnathan Hinesley abstained.

Amy Arundell asked the committee if #5 on the agenda, “Request for Mailing Protocol” could be addressed next instead of item #4. All committee members agreed. No objections.

Amy stated that any caucus could request the UFT to do a mailing if it fills out and submits a mailing request form. David Hickey explained that if a caucus wants the UFT to apply postage, and/or stuff envelopes and/or mail to a particular group of members such as Elementary School Teachers or Functionals or Brooklyn teachers, etc. the UFT staff will cooperate with any kind of mailing request. David Hickey stated that a caucus could decide to have materials printed by the UFT print shop or could print the materials themselves and have them mailed by the UFT. Martha Lane asked if caucuses pay for services and David Hickey responded in the affirmative, that the print shop determines cost for any printing, the caucus pays for postage and paper dime for dime. The caucus pays for a percentage for labor cost. The caucus chooses the date the material would be mailed out from the UFT.

Bill Linville asked who should be called to figure out cost and David Hickey responded Oscar or David Hickey’s staff.

David Hickey emphasized that the UFT does everything it can to get the material out the way the caucus wants.

Johnathan Hinesley asked if there is a labor cost for address labels.

Amy Arundell responded that it does and the least expensive option is for a caucus to prestuff their own envelopes and the caucus would just be charged the cost of putting address labels on and postage.

Amy Arundell then covered #4 on the agenda—Email and text information re: Candidates and Get out the Vote. Last election cycle, we had two text messages and one email blast to get out the vote. Last time we were concerned about oversaturation of emails and texts, that too many about the election would cause members not to read other UFT emails.

Johnathan Hinesley proposed to include in the text/emails the question “Have you voted? and check yes or no”

Ellen Gentilviso pointed out that it is not the Election Committee’s role to know who voted, this would put us in jeopardy.

Johnathan Hinesley stated that ID is put on the ballots so someone keeps a record of who voted.

Amy Arundell emphasized that AAA uses the identification to make sure no one votes twice and Yasmin Colon stated if a member claims he/she did not receive a ballot and requests a duplication, AAA codes it as such.

Amy Arundell stated that data is not collected and the ID is not to keep track of who is voting. There is also no way to tell how someone votes based on the envelope.

Amy Arundell stated that last election the first email regarding voting information went out the date of the first newspaper, stating here are your candidates and then an email goes out with the second paper and then text messages reminding people to vote went out.

Nicole Puglia states she believed that was enough and Howard Sandau agreed.

Bill Linville asked if people were actually getting saturated with emails and texts.

Howard Sandau assertively confirmed this was occurring.

Bill Linville made the point that some people may get their ballots before the second email was going out

Yasmin Colon stated that AAA will be color-coding the ballot envelope so that that it will be distinguishable from other mail.

Amy Arundell stated she would come with dates and a calendar at the next Election Committee meeting so that dates for the emails and texts could be determined. Amy Arundell stated that the vote on the table was for a text and email to be sent to members to get out the vote and 2 emails with campaign material possibly not linked to the newspaper.

All committee members voted in favor

Johnathan Hinesley abstained.

Michael Shulman raised other issues related to agenda item #6. He requested that Principal's Weekly include information about access to mailboxes for campaign material and wanted the issue of DOE email use to be clarified. Amy stated that we cannot direct the DOE to place this information in Principal's Weekly but we have always relied on the memo on this that stands and there is never a problem with access. Michael Shulman stated that he was denied access to Martin Luther King High School and never got access. Amy Arundell stated that she to the Staff Directors regarding this request.

Bill Linville asked who should be called if there is a problem with access to mailboxes.

Amy Arundell stated that she should be called.

Michael Shulman stated that with rare exception, Amy has always resolved issues.

Johnathan Hinesley stated that he had issues with school safety and suggested school safety be alerted. Amy Arundell responded that that was not appropriate as school safety's concern is not our election but rather to keep the schools safe. She stated that nine out of every 10 issues gets resolved and only once in a while does someone have to return to a school.

Amy Arundell stated that with regard to DOE email use, the UFT's legal opinion is that the use of DOE email for election material is not appropriate and anyone who uses it for such is at risk.

Megan Murphy emphasized that use of DOE email for election material is a very contentious issue and the safer ground is not to use DOE email.