

2021

ON THE RIGHT TRACK



For 21st Century Service

BLET Local Division Nomination and Election Procedure

REVISED APRIL 2021

Notice to Division Secretary-Treasurers

This edition of *On the Right Track* supersedes all previous editions. The instructions and procedures contained in this edition must be adhered to in order to enable your division to withstand

an election challenge. Failure to follow these instructions will put your election at risk of being overturned, with the consequent aggravation and financial costs involved.

Please study this booklet carefully now. Don't wait until nominations are upon you. Questions pertaining to election processes should be referred to National Secretary-Treasurer S. J. Bruno. Questions involving an interpretation of the BLET Bylaws and all requests for review of eligibility determinations must be submitted to National President D. R. Pierce. The BLET National Division's Electronic Communications Policy requires a hard copy of any correspondence, bearing a signature, to be received by the National President to be considered an official communication.



Railroad photography by Chase Gunnoe

General Information

Both federal and Brotherhood law require that local division elections be held every three (3) years.

Information provided on the following pages is intended to assist the divisions in conducting nominations and elections in accordance with both federal and Brotherhood law. It is the obligation of the secretary-treasurer and the president of the local division to see that all requirements are followed. Items appearing in **bold** reflect changes that have occurred since the 2018 triennial division elections.

Acronyms

GCA = General Committee of Adjustment

LCA = Local Committee of Adjustment

NDR = National Division Rules of the BLET Bylaws

LDR = Local Division Rules of the BLET Bylaws

ND = National Division

Local Division Officers Who Must Be Elected

- President
- Vice President
- Secretary-Treasurer
- Alternate Secretary-Treasurer
- Guide
- Chaplain
- Delegate to the National Division
- First Alternate Delegate to the

National Division

- Second Alternate Delegate to the National Division
- Legislative Representative (Delegate to the State Legislative Board)
- Alternate Legislative Representative (Alternate Delegate to the State Legislative Board)
- Local Chairman (Delegate to the General Committee of Adjustment)
- First Vice Local Chairman (First Alternate Delegate to the General Committee of Adjustment)
- Second Vice Local Chairman (Second Alternate Delegate to the General Committee of Adjustment)
- Additional Vice Local Chairman or Chairmen (if division has created the offices)
- Trustee
- Trustee
- Trustee
- First Alternate Trustee
- Second Alternate Trustee
- Third Alternate Trustee
- Corresponding Secretary (only for a subdivision that has been approved per NDR Section 35)

It is important to note that, pursuant to NDR Section 36(c), any division that fails to properly elect a president, a vice president, a secretary-treasurer, a local chairman, a legislative representative and three (3) trustees is subject to a possible investigation by the National President. The National



President is then authorized to order such division to be closed or merged with another division.

We suggest that both the president and the secretary-treasurer carefully review and follow the checklist below. This will help avoid the possibility of having to hold a second nomination or election.

Triennial Nomination and Election Procedure Check-Off List

- Nominations for officers of divisions must be made at the first regular meet-ing in September 2021.
- The secretary-treasurer of each division must post a notice on BLET bulletin boards and at every location at which members report for work at least thirty (30) days prior to the nominating meeting. Notices must state the time, date, place and purpose of such meeting and

the form for submitting nominations. In addition, notices must be mailed to members in exempt status pursuant to NDR Section 29(h) and to members on leave of absence, except company officials. (See sample nomination notice at the back of this booklet.)

- At the nominating meeting, the president shall accept oral and written nominations and seconds for each of the offices listed above. The section entitled “Nomination Procedure” outlines the process for accepting nominations. The president should turn the chair over to the vice president when nominations for the office of president are accepted.
- After nominations are closed, the division shall elect by ballot an Election Committee, unless appointed by the president with the unanimous consent of the members present, com-

posed of at least three (3) non-nominees, who shall oversee the election of officers.

- The Election Committee shall work with the secretary-treasurer to provide required notices, prepare and mail ballots, pick up and process undeliverable ballots, pick up voted ballots immediately prior to the election meeting, and act as the board of tellers at the election meeting.
- Following the nominating meeting, the Election Committee will develop a schedule for the preparation and mailing of ballots, checking the post office box for undeliverable ballots, and picking up voted ballots immediately prior to the election meeting. All candidates for office shall be provided the schedule so they or their observer(s) may be present.
- Within five (5) days following nominating meeting, the secretary-treasurer shall notify all members who did not attend the meeting of their nomination.
- **Within fifteen (15) days after date of the nominating meeting, the division secretary-treasurer must report the names of candidates nominated for each office in UnionTrack.**
- The secretary-treasurer shall also rent two (2) post office boxes, one for voted ballots and one for undeliverable ballots.
- The Election Committee shall ar-

range for printing ballots, or ordering printed ballots via **UnionTrack**. Ballots are to conform to a Sample Ballot furnished by the ND, which is available in the Document Library in UnionTrack.

- At least fifteen (15) days before the election meeting, the Election Committee shall mail a packet containing the balloting material and notice of election to each active member who is eligible to vote. The section entitled “Election Procedure” sets forth the requirements for the ballot packet.
- **Within fifteen (15) days of completion of the election, the secretary-treasurer must report the exact return, with the total number of votes cast for each candidate, in UnionTrack.**

Nomination Procedure

Nominations are to be held at the first regular meeting in September every third year. This means that if your local division holds two or more meetings per month, nominations will be held at the first meeting in September 2021.

NOTICE OF NOMINATION

The secretary-treasurer of each local division shall post a notice on BLET bulletin boards and at every location at which members report for work, at least thirty (30) days prior to the meeting at which nominations are to be held, such

notice to state the time, date, place and purpose of such meeting and the form for submitting nominations. Notice must be sent to those active members not expected to be at the locations where notices are posted, including all members in exempt status pursuant to NDR Section 29(h).

QUALIFICATIONS TO BE ELECTED TO OFFICE

For all offices, a member must hold active membership as defined in LDR Section 25(b), as well as having been in “continuous good standing” with the BLET by paying dues for a period of twenty-four (24) consecutive months preceding the meeting at which nominations are taken, and also must be “actively employed at the craft” during these months, as explained in the Note to NDR Section 1, which quotes the applicable portion of the IBT Constitution. This means that the member must be employed in an operating craft on surface, subway, or elevated lines; hold seniority as such; or hold seniority as such and be employed exclusively by the BLET.

An election eligibility report that indicates the eligibility status of each member is available in UnionTrack.

The following members **are not eligible** to hold offices in the BLET:

- Members holding membership in any other labor organization that purports to represent locomotive engineers, such as the Transportation

Division of the International Association of Sheet Metal, Air, Rail, and Transportation Workers (SMART-TD, formerly UTU). Payment of a seniority maintenance fee to another labor organization that purports to represent locomotive engineers does not constitute membership in that organization.

- Members promoted to an official position on the railroad.
- Members removed from office because of defalcation. Defalcation means diversion, misapplication, misappropriation, misuse, or theft of funds by an officer who is entrusted with those funds; the division should have received a notice issued by the United States Department of Labor identifying any members in this category.
- Members under BLET suspension following a process conducted pursuant to Article XIX of the IBT Constitution.
- Members who have not been in “continuous good standing” with the BLET by paying dues for a period of twenty-four (24) consecutive months preceding the meeting at which nominations are taken and “actively employed at the craft,” as explained in the Note to NDR Section 1, which quotes the applicable portion of the IBT Constitution.
- Members who are in exempt status

pursuant to NDR Sections 29(h)(1), 29(h)(3), 29(h)(4) and 29(h)(5), unless all dues to the ND, GCA, legislative board and local division continue to be paid in a timely manner during the twenty-four (24) consecutive months preceding the meeting at which nominations are held. Alternatively, members in these exempt classifications can continue to accrue continuous good standing by paying the non-working dues rate specified in NDR Section 29(h)(6) in lieu of paying all dues to the ND, GCA, legislative board and local division.

- Eligibility for office for members who are in exempt status pursuant to NDR Section 29(h)(2), which applies to members serving in the armed forces of the United States, may be subject to Article II, Section 4(a)(4)(a) of the IBT Constitution. This provision of the IBT Constitution states that the “continuous good standing” and “actively employed at the craft” requirements shall not be applicable to any member in a reserve component of the military or National Guard who is called to active service lasting more than thirty (30) days but not more than twenty-four (24) consecutive months. Members in exempt status pursuant to Section 29(h)(2) who do not qualify for the IBT exemption are ineligible for office, unless all dues to the ND, GCA, legislative board and

local division continue to be paid in a timely manner during the portion of the twenty-four (24) consecutive months immediately preceding the meeting at which nominations are held that were not spent in active military service. Alternatively, members in exempt status pursuant to Section 29(h)(2) who do not qualify for the IBT exemption can continue to accrue continuous good standing by paying the non-working dues rate specified in NDR Section 29(h)(7) in lieu of paying all dues to the ND, GCA, legislative board and local division for months during the 24-month period they were in active military service.

- Members who have retired and relinquished seniority, and who therefore are exempt from the payment of all dues and assessments pursuant to NDR Section 29(i).
- Members who have relinquished all seniority rights, or the exercise thereof, as part of a settlement or judgment (resolution) of litigation of any nature.
- No salaried national officer or employee of the ND may be nominated or elected as a delegate to the ND or an alternate delegate to the ND.

The Secretary-Treasurer must verify the eligibility of all candidates using the election eligibility report in UnionTrack. Members must have paid dues for at least



twenty-four (24) consecutive months prior to the month in which the nomination is made and the election is held, and the member must be working in the craft for the 24-month period prior to nomination and election. This eligibility requirement must be met both in the month of nomination (September) and in the month of election (December), including those offices for which there is only one nominee. In application, to be eligible to be nominated in September 2021 a member must have at least twenty-four (24) consecutive months of dues payments prior to and including July 2021. Similarly, to be eligible to be elected in December 2021 a member must have at least twenty-four (24) consecutive months of dues payments prior to and including October 2021.

A member may not accept nomina-

tion for two or more offices that cannot be held simultaneously. Brotherhood law and interpretations thereof do not allow for the following offices to be held at the same time:

- President/Vice President and Secretary-Treasurer
- President/Vice President and Alternate Secretary-Treasurer
- President/Vice President and Local Chairman/Vice Local Chairman
- President/Vice President and Trustee/Alt. Trustee
- Secretary-Treasurer/Alt. Secretary-Treasurer and Trustee/Alt. Trustee
- Local Chairman and Vice Local Chairman
- Secretary-Treasurer and Alternate Secretary-Treasurer
- Legislative Representative and Alternate Legislative Representative

- Delegate to the ND and Alternate Delegate to the ND

A copy of the conflicting office matrix can be found in the Document Library in UnionTrack.

QUALIFICATIONS TO NOMINATE OR SECOND A NOMINATION FOR OFFICE

In order to be eligible to nominate or second the nomination of a candidate for office, a member must have been a member in good standing with the local division and paid dues in the month prior to the nominating meeting. **This means to be eligible to nominate or second a candidate for office in September 2021, a member must have paid dues in July 2021.**

MORE THAN ONE LCA

A number of BLET divisions have more than one LCA. This may be due to multiple jurisdictions within a single GCA, members of the division working for more than one railroad, or the presence of a LCA for trainmen. All members of divisions having more than one LCA, and who otherwise are eligible, have the right to nominate, second, be nominated, run and vote in the election of all division officers, except for LCA officers. Only eligible members working under the jurisdiction of a particular LCA may nominate, second, be nominated, run and vote in the election of the officers of that LCA.

AT THE NOMINATING MEETING

The president, under new business, shall say, “Brothers and Sisters, it is now time to nominate members to fill the division offices which will be vacant at the first meeting in January. Nominations are now in order for the office of _____. ” An active member in good standing may rise and after obtaining recognition of the chair may say, “I nominate Brother/Sister _____ for the office of _____. ” To be valid, a nomination must also be seconded by an active member in good standing, who may say, “I second the nomination of Brother/Sister _____ for the office of _____. ” If the nomination is not seconded orally, the president shall inquire of the secretary-treasurer whether any written nominations have been submitted for this member for the office and, if so, said written nomination shall serve as the second. After the nomination is duly seconded, the president shall inquire of the secretary-treasurer as to whether the nominee is eligible for election.

After all active members in attendance have been given the opportunity to nominate the members of their choice, the president will then inquire of the secretary-treasurer whether any written nominations have been submitted for the office, with two written nominations being necessary to comply with the requirement that all nominations be seconded. The president then will say, “Brothers and Sisters, if there

are no further nominations, we will now close the nominations for _____ and proceed to nominate candidates for the office of _____.” This procedure is to be followed for each office that is to be filled by election.

If only one candidate is nominated and seconded for any office, that candidate is elected by acclamation. The president will say, “Brothers and Sisters, if there are no further nominations, I cast my vote for Brother/Sister _____ for the office of _____, and he/she is declared elected by acclamation.” It is important to note that even though ballots need not be mailed for members elected by acclamation, these members must maintain their continuous good standing until the election is held at the first regular meeting in December, and shall not be installed as Officers until the division’s first regular meeting in January.

Those members unable to attend the nominating meeting on account of being on vacation, sick, working, or on outlying assignments may write in their choices of nomination to the division secretary-treasurer, who will read these nominations at the meeting.

A member who is present may decline to accept a nomination at the time of being nominated, or may do so by submitting to the secretary-treasurer, within five (5) days, a written declination of nomination and request that his/her name be removed from the ballot.

After nominations are closed, an Election Committee of no less than three (3) non-candidate members shall be elected by a balloting of the members in attendance at the nominating meeting, or by appointment of the president with the unanimous consent of the members present.

AFTER NOMINATING MEETING

A member nominated in his/her absence from the nominating meeting shall be notified of such nomination by the secretary-treasurer, within five (5) days after the meeting, and given the opportunity to withdraw his/her name should he/she desire to do so. **Within fifteen (15) days after date of the nominating meeting the division secretary-treasurer must report the names of candidates nominated for each office in UnionTrack.**

In the event irregularities are claimed in the nomination of officers, protest must be filed in duplicate with the National President and the division secretary-treasurer within fifteen (15) days after the alleged violation. The protest must set forth the exact nature and specifications of the alleged irregularity, including a claim as to how it affected the outcome of the nominations. The National President will conduct an investigation and render a decision. Any member dissatisfied with such decision may appeal such decision within thirty (30) days to the BLET Executive Committee, whose decision shall be final and binding.



Election Procedure

Election of officers must be held at the first regular meeting in December 2021.

Active members, as defined in LDR Section 25(b), with the exception of those holding official positions on the railroad, may vote for all offices, provided that they are in good standing as of the month prior to the month in which the election is held. **This means to be eligible to vote in December 2021, a member must have paid dues in October 2021.**

RIGHTS OF CANDIDATES AND/OR CANDIDATES' OBSERVERS

Candidates have the right to distribute campaign literature to the members of their division, at their own expense.

Each candidate has the right, once within thirty (30) days prior to the casting of ballots in any election in which he/she is a candidate, to inspect a list containing the last known names and addresses of all

members of the Division who are eligible to participate in such election. The right of inspection does not include the right to copy the list but does include the right to compare it with a personal list of members. However, if the Division permits any candidate to copy the list, all candidates must be notified of this and provided the same opportunity. The Division shall not, in any way, discriminate in favor of or against any candidate with respect to access or use of the membership list.

Candidates and/or their observers have the right to observe all facets of the election process, including ballot packet preparation, ballot packet mailing, opening of post office boxes, repackaging and re-mailing of undeliverable ballots, voted and returned ballot retrieval, voted ballot transport, and ballot counting and tabulation. The Election Committee will prepare a schedule of all of these events and distribute it to all candidates.

Candidates must advise the Election Committee of their choices for observers.

DUTIES OF THE ELECTION COMMITTEE

The Election Committee shall oversee the election of officers. It shall work with the secretary-treasurer to: provide required notices; prepare and mail ballots; pick up, repackage and re-mail undeliverable ballots; pick up voted ballots immediately prior to the election meeting; and act as a board of tellers at the election meeting.

Following the nominating meeting, the Election Committee will develop a schedule for the preparation and mailing of ballots, checking the post office box for undeliverable ballots, and picking up voted ballots immediately prior to the election meeting. All candidates for office shall be provided with a copy of this schedule.

The Election Committee shall retain all election materials in its possession until elections are concluded. Election materials include a copy of a members' address list, additional ballots, and keys to post office boxes. No officers or members, except for the Election Committee, shall have access to ballots or to the post office boxes.

THE BALLOT

The ballot and required materials to conduct the election are defined in LDR Section 8(a). A sample copy of the ballot and notice of nomination are available in

the Document Library in UnionTrack. A division can also choose to have the ND print ballots and envelopes. Simply click the order ballot checkbox in UnionTrack while submitting nominations and follow the prompts. It is not necessary, however, to order supplies through the ND, but if you do not, you still must follow the sample forms in the Document Library in UnionTrack.

Write-ins are not permitted. Be sure there are no write-in lines or spaces on the ballot.

The secretary-treasurer shall rent two (2) post office boxes – one designated for voted, returned ballots, and the other designated for ballots returned as undeliverable. The return address on the ballot packet mailed to members shall be that of the post office box designated for ballots returned as undeliverable.

CIRCULATING THE BALLOT AND NOTICE OF ELECTION

After the ballots are printed, they will be folded and placed in the small envelopes, which shall contain no identifying information. The small envelope containing the ballot will be placed inside the pre-addressed return envelope. **The front, upper left corner** of the pre-addressed return envelope must contain space for the member's name and return address, must have first class postage affixed thereto, and must contain the local division number and the address of



the post office box designated for voted, returned ballots.

The ballot packet containing the ballot and the return envelope will be sent by the Election Committee via first class mail, to the last known address of the member, in an envelope that must have the address of the post office box designated for ballots returned as undeliverable affixed in the space for return address. Each ballot must show notice stating the time, date, place and the purpose of the election (notice of election) and must be mailed to each active member at least fifteen (15) days before the election meeting.

The ballot packet shall also include these instructions:

- **Mark this ballot in ink**
- **Write-in voting is not permitted**

- **Vote for one candidate only for each office**
- **Do not sign, or put your name or any identifying information on this ballot**
- **Place ballot in small secrecy envelope, seal and place in larger return envelope**
- **Place name and addresses on the return envelope and mail or bring to the division meeting**

UNDELIVERABLE BALLOTS

The contents of this second post office box must not be accessible to anyone other than the Election Committee. The box will be opened periodically by the Election Committee in accordance with its published schedule to ascertain if any

undeliverable ballots are therein, and efforts will be made by the committee to re-mail them to the member(s) correct address. It will be the right of any candidate or candidate's observer to accompany the Election Committee for the purpose of observing this procedure.

COLLECTING THE BALLOTS

The Election Committee shall remove the envelopes containing the voted, returned ballots from the post office box in accordance with its published schedule and deliver them intact to the first regular December meeting. The envelopes must be placed in a sealed container until the count begins. The Election Committee shall sign the tape sealing the package.

Members may present their ballots at the meeting under the following conditions:

1. A member may hand carry his/her own ballot to the meeting.
2. A member claiming that he/she did not receive a ballot may pick up another ballot and vote, as long as the ballot count has not yet begun and it can be ascertained that the local division did not receive an original ballot from the member.

COUNTING THE BALLOTS

The secretary-treasurer has no duties during the counting of the ballots except to assist the Election Committee by giving the eligibility to vote status of each mem-

ber whose name is announced.

Each candidate or his/her observer may stand not less than five (5) feet from the table and observe the work of the Election Committee. The observers shall not interfere with the work of the Election Committee and must address any remarks to the secretary-treasurer, who will convey such remarks to the Election Committee and record in the minutes of the election any grievances registered by the candidate or the observer.

The Election Committee must count the ballots in full view of candidates and members and in same room.

When the election begins, the name of each member returning a ballot will be announced. The secretary-treasurer will advise the Election Committee of the status and voting eligibility of each member when his/her name is announced. Envelopes from members determined to not be eligible will be placed in a separate stack and remain unopened.

When the eligibility determination is finished, the returned envelopes will be opened and the inner envelopes will be removed and stacked. Once all inner envelopes have been removed, they will be shuffled and then opened. Ballots will be removed from the inner envelopes, and tabulation will proceed.

If the election is for more than one local chairman or LCA, the Election Committee will also mark the envelopes of eligible voters with the LCA to which the mem-

ber belongs. The inner envelopes will be removed and placed in stacks designating the LCA of the member voting the ballot.

When the Election Committee has completed its work and any unidentified outer envelope remains, it will be retained, unopened, with the records of the election. Ballots that contain the signature or that otherwise identify the voter shall not be counted, but also shall be retained with the records of the election.

CLOSING THE ELECTION AND FINAL RESULT

When the above procedures have been completed, the president shall declare the election closed. The Election Committee will make an exact return of the total number of votes cast for each candidate and announce such returns to the president, who will thereupon declare the results of such election. **A copy of the exact return with the total number of votes cast for each candidate must be reported by the division secretary-treasurer to the National Secretary-Treasurer, in UnionTrack, within fifteen (15) days of completion of the election.** The candidate receiving the highest number of votes in each contest is declared the winner.

If an election ends in a tie vote, the winner will be decided by another election in which the tied members are the only candidates. This is called a “run-off” election.

When a member is elected to an office

for which he/she no longer is eligible, the election for that office must be run again with the name of the ineligible candidate stricken from the ballot. If, after the ineligible candidate is stricken, there is only one candidate on the ballot, then nominations for that office must be conducted again. This is called a “re-run” election.

When a member is elected but resigns or refuses to accept the office, and the office is not covered by an alternate, a vacancy is created which must be filled in accordance with the provisions of LDR Section 20(a).

BALLOTS SEALED AND PRESERVED

The ballots and envelopes shall be sealed by the Election Committee in the presence of the division, and together with all other records pertaining to the election, will be placed among the private papers of the local division. Ballots may not be unsealed except through the provisions of LDR Section 9(b). All records pertaining to the election shall be retained for one (1) year after the close of the election.

PROTEST OF ELECTIONS

In the event of any alleged irregularities in the election of officers of a division, resulting in a contest of election, a protest must be filed in duplicate with the division secretary-treasurer and the National President within thirty (30) days after such election. The protest must set forth the exact nature and specifications



of the alleged irregularity, including a claim as to how it affected the outcome of the election. The National President will conduct an investigation to obtain the facts and evidence and render his decision accordingly. Any member who is dissatisfied with the decision of the National President may appeal such decision within thirty (30) days to the BLET Executive Committee, whose decision shall be final and binding.

INSTALLATION OF OFFICERS

All officers, except those elected to succeed themselves, shall be installed at the first regular meeting in January.

Filling Mid-Term Vacancies

Even though all local division offices will be filled by election later this year,

an organization the size of the BLET will experience literally hundreds of vacancies prior to the 2024 triennial elections. Therefore, it is important for you to understand the application of Brotherhood law concerning filling mid-term vacancies.

The general rule is set forth in LDR Section 20(a), which provides that resignations must be in writing and shall be read at the next regular meeting of the division by the secretary-treasurer, at which time the president will appoint an active member to fill the vacancy pending a special election, if one is required. The resigning officer shall not be eligible for nomination, reelection or appointment to the office vacated until the next regular triennial election of division officers.

The Section 20(a) special election process is (1) that a notice of nomina-

tion must be posted at least ten (10) days prior to regular meeting after the meeting at which the resignation is read, and (2) the ballots must be mailed by the division secretary-treasurer at least fifteen (15) days prior to the subsequent regular meeting. The ballots must specify the date they are to be returned to the division secretary-treasurer.

There are six (6) circumstances in which a special election is not required. One is when the vacant office is protected by an alternate. Those offices are as follows:

- president, which is protected by the vice president;
- secretary-treasurer, which is protected by the alternate secretary-treasurer;
- delegate to the ND, which is protected, in succession, by the first alternate and the second alternate delegate to the ND;
- local chairman / delegate to the GCA, which is protected, in succession, by the first and the second vice local chairman / alternate delegate to the GCA; and
- legislative representative / delegate to the state legislative board, which is protected by the alternate legislative representative / alternate delegate to the state legislative board.
- trustee, which is protected, in succession, by the first, second and third alternate trustees.

Section 20(a) also provides that no

special election is necessary to fill an alternate office that is vacated because of succession. It further states that a special election need not be held if the vacancy occurs within twelve (12) months before a regular division election. However, the correct application of these provisions is more complex than the Bylaws language would indicate. Some believe that these exceptions permit a division to decline to fill a vacant office; they do not.

Furthermore, some “alternate” offices embody duties beyond merely succeeding to another office. For example, both the first vice local chairman and the second vice local chairman have duties and responsibilities beyond succeeding to a vacancy in the office of local chairman. Each vice chairman also has regular duties to perform as a member of the LCA, as assigned by the local chairman. Therefore, filling in-term vacancies in these offices is mandatory.

Similarly, LDR Section 12 provides that the vice president of a division serves as an alternate to the president and assumes the duties of that office in the event it becomes vacant due to death, resignation or for any other reason. However, the fifth paragraph of LDR Section 1(a) further specifies that the vice president is a member of the executive board of the division. Thus, the vice president has duties independent of and not predicated upon being the alternate to the president and this office is not exempt from

the requirement that a vacancy be filled because it has other enumerated duties.

Finally, the first, second and third alternate trustees fill permanent vacancies in the office of division trustee, but they also can be called upon to perform a particular monthly audit if one or more of the trustees are unavailable that month, as prescribed by the sixth paragraph of LDR Section 1(a). Accordingly, vacancies in these alternate offices, too, must be filled to ensure a full complement at all times.

Special care also must be taken in applying that portion of Section 20(a) stating that a special election need not be held if the vacancy occurs within twelve (12) months before a regular division election. Federal law requires that the local chairman, the legislative representative and the delegate to the ND **MUST** be elected in order to be eligible to nominate and/or vote for candidates in convention assembled. This requirement is contained in the last sentence in the first paragraph of Section 20(a).

Therefore, if you fill vacant offices for alternate legislative representative, alternate delegate to the ND or for vice local chairman by appointment and do not hold a special election — and those officers subsequently succeed to the higher office or attend a National Convention or GCA meeting in their appointed capacity — those delegates will not be eligible to nominate (including seconding nominations) or vote in any candidate election.

Questions concerning the filling of midterm vacancies must be submitted, in writing, to the National President at the address shown on the rear cover, so that proper interpretive guidance can be given.

Frequently Asked Questions

Q1: How long does a person have to be a member in order to be eligible to vote in local division elections?

A1: A member is eligible to vote if his/her dues are paid through the month prior to the month in which the election is held. **This means to be eligible to vote in December 2021, a member must have paid dues in October 2021.**

Q2: May retired members, or members who have relinquished either their seniority or the right to exercise their seniority, run for office, nominate candidates, second nominations or vote for local division officers?

A2: No.

Q3: May members who do not hold seniority in engine service (e.g., conductors, trainmen, etc.) be elected to a local division office?

A3: Yes, provided they (1) do not hold membership in another organization that purports to represent engineers, (2) maintain seniority in a craft eligible for representation by the BLET, and (3) are in continuous good standing and actively employed at the craft for twenty-four (24)

months prior to nominations. Payment of a seniority maintenance fee to another labor organization that purports to represent locomotive engineers does not constitute membership in that organization.

Q4: Are retired or honorary members eligible for election to any office in the local division?

A4: No.

Q5: May conductor/trainmen members be elected to the local chairman position?

A5: If they do not hold membership in another organization that purports to represent engineers, and are in continuous good standing for twenty-four (24) months prior to nominations and elections, the answer is yes.

Q6: In a single division GCA, are nominations held for the office of general chairman?

A6: No, unless the applicable division or GCA bylaws provide otherwise. GCR Section 2(a) provides that on a road or system where there is but one (1) division and one (1) LCA, the LCA will be the GCA, with the local chairman serving as general chairman and the first vice local chairman serving as vice general chairman and, the division secretary-treasurer will be the GCA secretary-treasurer. In this circumstance, the member elected as local chairman will be the general chairman, the members elected as vice local chairmen will be the vice general chairmen and the member elected as the division secretary-treasurer will be

the GCA secretary-treasurer, unless the GCA has adopted Bylaws approved by the National President that provide for the GCA secretary-treasurer to be elected in a different fashion.

Q7: If only one nomination is received for a particular office, can the person so nominated be declared elected by acclamation?

A7: Yes. The president casts a vote in favor of the sole candidate, and that candidate will be declared elected **at the first meeting in December. Therefore, members elected via acclamation must maintain their continuous good standing until the election is complete and reported in December. Also, the requirement to report election results, pursuant to the second paragraph of LDR Section 8(d), applies to all offices including those elected via acclamation. And any member elected via acclamation shall not be installed until the division's first regular meeting in January 2022.**

Q8: Only one person is nominated for a particular office. After nominations and before elections **at the first meeting in December, that member becomes ineligible to hold the office for which he/she was nominated. Should nominations be reopened for that office?**

A8: Yes. Nominations for that office must be conducted again.

Q9: How would the votes received by the ineligible candidates be treated in tabulating the election results?



A9: If the ineligible candidate received the most votes, the election would have to be rerun with the ineligible candidate stricken from the ballot. If only one candidate remains in the contest after the ineligible candidate is stricken from the ballot, nominations for that office would need to be conducted again.

Q10: Can a person nominate and/or second himself/herself for office?

A10: No. The first paragraph of LDR Section 7(a) expressly prohibits a member from nominating himself/herself and from seconding his/her nomination.

Q11: Must nominations be seconded?

A11: Yes, including written nominations.

Q12: How does a member contest an election?

A12: A member wanting to contest an election must file a protest in duplicate with the local division secretary-treasurer and the National President within thirty (30) days of the election. See LDR Section 8(g). It should be noted that any protest that fails to set forth the exact nature and specifications of the alleged irregularity, including a claim as to how it affected the outcome of the election, will be denied by the National

President as procedurally deficient.

Q13: Members who are off due to illness or injury are carried by the secretary-treasurer on the books as excused members. Do these members have the right to vote for all officers of the local division?

A13: No, unless they pay either full dues or dues at the non-working rate per NDR Section 29(h)(6) in the month prior to the month in which elections are held. If full dues are paid the secretary-treasurer should report the member in the appropriate active status.

Q14: Members who are retired due to disability are carried by the secretary-treasurer on the books as NDR Section 29(h)(1) members. Do these members have the right to vote for all officers of the local division?

A14: The answer to Q&A13 applies to NDR Section 29(h)(1) members, as well. It should be further noted that a member who has retired due to disability is only entitled to the Section 29(h)(1) exempt status until full retirement age — as defined in the Social Security Act — is reached. At that point, the member's occupational disability is converted to an age and service annuity; relinquishment of all seniority is part of the conversion process by operation of Railroad Retirement Board regulations. At that point the member's status must be changed from Section 29(h)(1) exempt to Section 29(i) retired. Retired members do not have voting rights in BLET elections.

Q15: May a member submit his/her ballot by any means other than by government mail?

A15: Yes, a member also may submit his/her ballot by delivering it to the division meeting, in person, prior to the opening of any ballot envelopes.

Q16: May a member change his/her vote after mailing the ballot?

A16: No.

Q17: May a member who was initiated after ballots were mailed out by the Election Committee be allowed to vote?

A17: The member may vote only if he/she paid dues the month prior to the month in which the election is held. If there are more than fifteen (15) days before the election meeting, the new member may request that a ballot be mailed by the Election Committee. If there are fewer than fifteen (15) days before the election meeting, the new member must attend the meeting to receive a ballot and vote.

Q18: A member does not receive a ballot from the Election Committee. How may he/she vote?

A18: If there are more than fifteen (15) days remaining before the election meeting, the member may request that a duplicate ballot be mailed by the Election Committee. The ballot envelope should be marked, "Duplicate Ballot." If there are fewer than fifteen (15) days before the election meeting, the member must attend the meeting in order to receive a ballot and vote.

Sample Notice of Nominations



BROTHERHOOD OF LOCOMOTIVE ENGINEERS AND TRAINMEN

OFFICIAL NOTICE

NOMINATION OF OFFICERS FOR DIVISION ____
____ (DATE)

THIS IS TO INFORM YOU THAT DIVISION ____ WILL CONDUCT
ITS ELECTION OF OFFICERS IN DECEMBER. SECTION 7(a)
– LOCAL DIVISION RULES OF THE BLET BYLAWS STATES:

“Nominations for officers of divisions shall be made at the first regular meeting in September preceding the date of election; no member shall be nominated for office who is not eligible for election at the time of nomination. Members in good standing desiring to place their nominations for division officers may nominate by voice from the floor at the meeting at which nominations are being held and those unable to attend the above meeting on account of being on vacation, sick, working, or on an outlying assignment may write their choice of nominations to the division secretary-treasurer, who will read same at the meeting. All nominations, including written, must be seconded. Candidates may not nominate themselves or second their own nominations.”

NOMINATIONS FOR ALL DIVISION OFFICERS WILL BE IN ORDER
AT THE REGULAR DIVISION MEETING, WHICH WILL OPEN IN DUE
FORM AT ____ A.M./P.M. ON THE ____ DAY OF SEPTEMBER,
2021, AT THE FOLLOWING ADDRESS:

YOU MAY SUBMIT NOMINATIONS IN WRITING TO THE UN-
DERSIGNED. SUCH WRITTEN NOMINATIONS MUST INCLUDE THE
NAME OF THE CANDIDATE(S) AND OFFICE(S) NOMINATED FOR,
THE DATE, YOUR SIGNATURE, AND YOUR NAME LEGIBLY PRINTED.

_____. Secretary-Treasurer, Division ____



Sample Nomination Form

BROTHERHOOD OF LOCOMOTIVE ENGINEERS AND TRAINMEN

NOMINATION OF OFFICERS FOR DIVISION ____

I hereby nominate the following members for the office(s) identified below:

President: _____

Vice President: _____

Secretary-Treasurer: _____

Alternate Secretary-Treasurer: _____

Guide: _____

Chaplain: _____

Delegate to National Division: _____

First Alternate Delegate to ND: _____

Second Alternate Delegate to ND: _____

Legislative Rep. / Delegate to the SLB: _____

Alt. Legislative Representative / Alt. Delegate to the SLB: _____

Local Chairman / GCA Delegate: _____

First Vice LC / First Alt. GCA Delegate: _____

Second Vice LC / Second Alt. GCA Delegate: _____

Trustee: _____

Trustee: _____

Trustee: _____

First Alternate Trustee: _____

Second Alternate Trustee: _____

Third Alternate Trustee: _____

(Other, specify)

(Other, specify)

Member's name (printed)

Date

Member's signature



Dennis R. Pierce
National President;
President,
Teamsters Rail Conference



E. Lee Pruitt
First Vice President
& Alternate President;
Vice President,
Teamsters Rail Conference



Stephen J. Bruno
National
Secretary-Treasurer



QUESTIONS INVOLVING
INTERPRETATION OF BLET BYLAWS
MUST BE SUBMITTED IN WRITING TO:

D. R. Pierce,
NATIONAL PRESIDENT
Brotherhood of Locomotive
Engineers and Trainmen
7061 East Pleasant Valley Road
Independence, OH 44131

FOR QUESTIONS PERTAINING
TO ELECTION PROCESSES,
PLEASE CONTACT:

S. J. Bruno,
NATIONAL SECRETARY-TREASURER
Brotherhood of Locomotive
Engineers and Trainmen
7061 East Pleasant Valley Road
Independence, OH 44131

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