

Recall of Elected Officers

Section 1: Definition

For purposes of this Article, “recall” shall be defined as “the removal of an elected officer from office by a petition of the membership followed by a secret-ballot vote of the eligible membership”

Section 2: Initiation

Any Local or any active member in good standing may initiate a recall petition at any time, subject to the requirements of this Article.

Section 3: Recall of a Regional Vice President

A petition to recall a Regional Vice President shall require either:

- a. Written affidavits from the Facility Representatives (or their designees) of at least fifty percent (50%) of the Locals within the Region or;
- b. Written affidavits from at least five percent (5%) of the active members in good standing within the Region.

Affidavits may be submitted in handwritten and signed forms or by electronic means that clearly identify the name(s) of the member(s) and their facility.

If a member who has signed an affidavit transfers to another facility before the recall election, the member’s name shall remain on the petition unless the member designates in writing a desire to withdraw it.

If a member who has signed an affidavit applies for or accepts a management position, that member’s name shall be removed from the petition.

If the removal of a member’s name from a petition causes the petition to fall below the required threshold, the recall process shall be suspended until the threshold is again met.

Section 5: Local Initiation

When a Local initiates a recall petition, the Local shall first conduct a special meeting. The petition may proceed only if at least three-fifths (3/5) of the active members in good standing present and voting at that meeting vote in favor of pursuing the recall.

The meeting shall be properly documented and the minutes retained in accordance with the Association's document-retention policy. Attendance shall be recorded; a record of how each individual member voted shall not be required.

Section 6: Notice of Recall Election

Upon verification that a petition meets the applicable threshold of this Article, the National Office shall promptly notify all affected Locals that a recall election will be conducted.

Section 7: Submission of Petitions

Completed petitions shall be delivered to the National Office by United States Postal Service certified mail or another trackable delivery method that provides proof of receipt.

Section 8: Election Committee and Scheduling

Regardless of whether the initiator(s) appear before the National Executive Board, the Board shall appoint an Election Committee to administer the recall election.

The officer subject to recall shall not participate in the selection or appointment of the Election Committee.

- In the case of a Regional Vice President, the most senior Assistant Regional Vice President (determined by current Association seniority rules) shall act in that officer's stead.
- In the case of the President, Executive Vice President or other National Officer, the most senior Assistant Regional Vice President of the officer's home Region (determined by current Association seniority rules) shall act in that officer's stead.

The Election Committee shall schedule and conduct the special election no later than two (2) months after the final day of the National Executive Board meeting at which the recall was presented.

The election committee shall schedule and conduct a special election within two (2) months of the final day of the NEB meeting at which the recall was presented.

Section 9: Ballot and Election Rules

- All rules, pursuant to Article VII of this Constitution, shall apply to the recall election and to all candidates participating in the special election.

- The ballot shall contain the following question: "Shall [name of officer] be recalled from the office of [title]?"
- If the recall is approved, the ballot shall also ask a second question instructing voters to select their preferred qualified candidate to fill the vacancy. The second question shall be effective only if the incumbent is recalled.
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