



# **Election Procedure Policy**

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## ***Election Principles***

The following is a list of general principles upon which Cando will base elections for Directors to the Cando Board.

### ***Regional Elections***

Elections will be held in each respective region versus conducting them at the Annual General Meeting (AGM).

### ***Centralized Process***

The rules governing elections will be centralized to ensure uniformity amongst regions. There should not be a patchwork of rules; and regions must respect the need for centralized rules. An elections committee will ensure uniformity in rules and assist with the election process.

### ***Cando Board***

Cando Directors must be “full” Cando members to be eligible to stand for election (or a “student” member for a Student Board member position). They should clearly understand the type and level of commitment required and commit to a code of conduct, ethics and conflict of interest guidelines.

### ***Term of Office***

Directors require a certain period of time to familiarize themselves with the organization and as such terms should be three years in duration (and one year in duration for a Student Board member). A director may hold up to three consecutive terms. In addition, to ensure continuity, terms will be staggered and regionally balanced so that no more than half of the Cando Directors’ positions are up for election at any given time.

### ***Election Structure***

There will be clear rules respecting the process for elections. While these should not be too onerous, they should nonetheless provide a clear and uniform guideline for conducting elections.

### ***Committee Structure***

Given Cando’s growth over the past number of years, clear guidelines will be established respecting the creation, mandate and reporting of Committees. Furthermore, and again given Cando’s growth, three new Standing Committees should be created. These are:

- Membership Committee
- Elections Committee
- Audit Committee

## **1.0 Election Procedures**

### **1.1 Eligibility Criteria**

- a) Eligible candidates for Board election must be full members of Cando pursuant to Cando's by-laws at the time of their nomination and election
- b) Eligible candidates for a Student Board member position must be Student members of Cando at the time of their nomination and election. To be eligible to vote at a Cando election, voters must be full members of Cando pursuant to Cando's By-laws
- c) To be eligible to vote for a Student Board member, voters must be Student members of Cando pursuant to Cando's By-laws
- d) To accommodate the timing of elections and because Cando memberships expire March 31 of each year, memberships purchased between January 1 and March 31 will be valid until March 31 of the following year
- e) As with Directors, members of Cando are expected to follow Cando's "Conflict of Interest, Code of Conduct and Ethics Provisions"

### **2.0 Term of Office**

- a) The term of office for each Board of Director shall be three years, subject to "Cando Terms of Office for Directors" contained in this policy
- b) The term of office for a Student Board of Director shall be one year
- c) Directors can serve a maximum of three consecutive terms
- d) The terms for Directors will be on an alternating basis providing for fair balance between eastern and western representation. (See chart under 2.0 - Term of Office)
- e) All terms as represented by the term of office chart will commence effective the date this policy is implemented
- f) Should the office of Director be vacated, the Board will determine whether the position will be filled subject to section 2.0 (g)
- g) The Board can agree to hold another election in the respective region should circumstances warrant
- h) In the case of appointment contained in section 2.0 (f), the Board will first offer the vacant seat to the unsuccessful candidates, beginning with the runner up, (in regions where a contested election was held), to fill the vacancy. The vacancy can only be filled for the duration of the term
- i) A Director can be removed in accordance with Cando's By-laws. Removal will be done in accordance with Cando's "Code of Conduct, Code of Ethics and/or Conflict of Interest Guidelines". The Board as a collectivity is obligated to remove Directors who do not comply with all provisions contained in Cando's "Code of Conduct, Code of Ethics and/or Conflict of Interest Guidelines"
- j) A Director will be considered removed from office if they do not participate in three consecutive meetings of the Board and if the Board is not satisfied with the reasons for not participating
- k) Lack of attendance will be defined as an unexcused absence; an absence without forty-eight (48) hours prior written notice for a teleconference meeting and a minimum of fifteen days prior to an in-person meeting.

### **Cando Terms of Office for Directors**

In addition, to ensure continuity, terms will be staggered and regionally balanced so that no more than half of the Cando Directors' positions are up for election at any given time.

## **2.1 Election Structure**

- a) The Cando Board structure is regionally based, elected and predicated on uniformity
- b) Elections must be held on a regional basis
- c) All regional elections will adhere to the Cando elections procedures described in section 2.3, 2.3.1 and 2.3.2
- d) The Election Committee(s) established in section 2.2 will ensure that the election procedures have been adhered to
- e) The number of Board members will not be less than 12 (twelve) and not greater than 14 (fourteen) Full members plus 1 (one) Student Board member

## **2.2 Election Committee(s)**

- a) Cando will create an Election Committee for each provincial or territorial election
- b) The composition of that Committee will be three individuals, one who shall be the Executive Director or a designate, and two full members, one of whom must be from that respective province/territory
- c) The term of the Election Committee is such that the Executive Director or designate is a permanent member while the other two positions are not and will depend on the circumstances of each regional election
- d) The committee will be classified as a Standing Committee
- e) Candidates for election cannot sit on the respective Election Committee
- f) The purpose of the Election Committee is to encourage suitable candidates from that province or territory, who hold values consistent with Cando, are engaged in community economic development, are eligible for Cando full membership and are prepared to commit the necessary time and effort for the three year term, to seek election in that region to the Cando Board
- g) The Election Committee will develop a list of potential candidates, ensure their consistency with section 2.2(f) and make contact with those individuals encouraging them to seek election
- h) The Election Committee will be responsible for the implementation and management of the election process pursuant to section 2.3
- i) The Election Committee will have the authority, subject to appeal, to declare the election legitimate
- j) The Election Committee will hear and render decisions on appeals
- k) The Election Committee will report its activities and decisions to the Board and membership of that province or territory no later than six weeks prior to the election date, either at a meeting of the Board or through a written report and will provide a report within six weeks following any election
- l) The Election Committee's report will be presented as a collective report
- m) The Election Committee will provide its report and recommendations to the Board for final decision

## **2.3 Election Process**

- a) Primary responsibility for the management and conduct of a provincial election will reside in that region and will be overseen by an Election Committee. The committee will adhere to the Cando election process set out in this policy
- b) The Election Committee will be responsible for implementing the election process including the following:
  - setting the date, time and securing the location, subject to section 2.3.1 and 2.3.2 for the election
  - determine the mode of the election either through an in-person meeting, electronically or combination
  - securing a returning officer
  - encouraging participation in the election through publicity
  - securing an election chair subject to section 2.3.1
  - dealing with any appeal through the appeal mechanism set out in section 2.3.3
  - declaring the election, subject to appeal, legitimate

It should be noted that the Election Committee will strive to ensure maximum participation from any regional election. As such, while an in-person meeting is the preferred mode of election, the Election Committee will make a determination on whether to opt for an in-person election or an election through electronic means or a combination of both based on potential participation and feasibility.

- c) The Cando office will be responsible for the following:
  - distributing the election notice to all Cando members in that province or territory
  - providing notice to new eligible members within the six week notification period
  - assisting the Election Committee with conducting an electronic election as set forth in section 2.3.1 and 2.3.2

The following are rules specific to elections which are held in-person. Rules respecting an election conducted through electronic means are listed in section 2.4.1 and a combination is listed in section 2.3.2

- d) Notification will be sent out a minimum of six weeks prior to the election and will include, time, date, location (in the event of an in-person election), rules, and contact person
- e) Notification of six weeks, constitutes the deadline for membership, eligible to vote and/or seek election
- f) Nomination forms must include a brief biography of the candidate
- g) Nomination forms are legitimate when they include the nominators full name, address and telephone number, who must be full Cando members, and the full name, address and telephone of the candidate who must be a full Cando member

- h) Nominations forms for a Student Board of Director are legitimate when they include the nominators full name, address and telephone number, who must be a student Cando member, and the full name, address and telephone of the candidate who must be a student Cando member
- i) Nomination forms must be obtained from the Cando office
- j) The meeting chairperson must call the meeting to order at the set time, welcome participants, describe the agenda, provide a detailed description of the commitment and time requirement for becoming a Cando Board of Director and introduce the returning officer
  
- k) The returning officer will:
  - ensure that all nomination forms are in order
  - will disqualify any form that is not in order
  - ensure that the election rules are posted
  - will describe to the participants the rules
  - will announce the nominated candidate(s) and allow for candidates to withdraw
  - ensure that candidate(s) names are posted in a visible area
  - will request that all participants who are full members of Cando (or student members of Cando if electing a Student Board member) receive a marked ballot
  - will draw names of candidate(s) to determine speaking order
  - will allow seven minutes to each candidate to address the meeting during which the candidate must outline a brief background of themselves
  - request full Cando members to mark their ballot and place it in a box held by the returning officer
  - will request from candidates whether they wish to have one scrutineer to count the cast ballots with the returning officer
  - the successful candidate must secure the greatest number of votes cast, which are not deemed to be spoiled
  - should a tie exist for two consecutive ballots, the Chair of the Election Committee will cast the deciding ballot, constituting a second vote (in the event they are eligible to vote)
  - in the event there is only one candidate, and providing they have satisfied all listed requirements, the returning officer will declare the candidate successful, pending the Election Committee's ratification
  - seal all ballots and provide sealed ballots to Cando's auditors pending any appeal
  - Ballots and election materials will be stored until the next election has taken place

### **2.3.1 Electronic Election**

To ensure maximum participation, the Election Committee will determine whether a region will conduct its election through an in-person meeting, through electronic means or a combination.

- a) The Election Committee will determine whether a regional election is to be conducted by way of an in-person meeting or through electronic mode or a combination of the two
- b) Electronic mode is defined as mail or fax. E-mail and telephone will not be considered due to the requirement of a signature
- c) The determination of election mode will be based on two principles; firstly, maximum participation should be achieved and secondly, the election must be feasible. Feasible includes cost, timing and the reality that an election should be held
- d) Cando will bear the cost of conducting the election within the confines of its responsibilities. These costs include; notification, fax and mail, administrative and travel, if necessary, for the Election Committee. Other costs such as travel for participants will not be covered
- e) In its report to the Board, six weeks prior to an election, the Election Committee will list the reasons for its choice of election mode
- f) The Election Committee, with the assistance of the Cando office, will oversee all aspects of the election
- g) Notification will be sent out a minimum of six weeks prior to the election date by both mail and fax
- h) The notice will include, time, date, rules, and contact person
- i) Notification of six weeks will constitute the deadline for membership eligible to vote and/or seek election
- j) Nomination forms must be completed by nominators and supplied to the Cando office no later than three weeks prior to the election date
- k) Mail postmarked three weeks or more prior to the election date will be eligible. A faxed nomination form dated (at the reception) a minimum of three weeks prior will be considered eligible
- l) Nomination forms are legitimate when they include the nominators full name, address and telephone number, who must be full Cando members, and the full name, address and telephone of the candidate who must be a full Cando member, including signatures of both the nominator and the candidate
- m) Nomination forms for a Student Board of Director are legitimate when they include the nominators full name, address and telephone number, who must be student Cando members; and the full name, address and telephone of the candidate who must be a student Cando member, including signatures of both the nominator and the candidate
- n) Nomination forms must be obtained from the Cando office
- o) The voting method will be “first past the post”, meaning whoever receives the greatest number of votes is the successful candidate
- p) In the event of a tie, where two or more candidates have the same number of votes, the Chair of the Election Committee from that respective province or territory will cast the deciding vote. This will constitute a second vote (in the event they are eligible to vote)
- q) The Election Committee will:

- ensure that all nomination forms are in order
- will disqualify any form that is not in order and promptly inform the candidate
- ensure that should the three week closing deadline not be expired, the candidate may resubmit the nomination form
- ensure that all current full members (or student members for a Student Board member election), within one week following the closing of nominations, are mailed and faxed a copy of the candidates, their biography, the nominators and a ballot. The mail out and fax will include rules for submitting a ballot including relevant time frames
- ensure that the ballots list all candidates
- oversee the process by which all full members (or student members for a Student Board member election) must submit their ballot either by mail or fax within the two weeks prior to the election date
- ensure that mail, postmarked within the two weeks prior to election date but received more than one week after the election date will be considered a spoiled ballot
- oversee the counting of ballots, which will take place at the Cando office
- can designate the Cando office to count and seal the ballots
- the successful candidate must secure a majority of votes of the cast ballots
- in the event there is only one candidate, and providing they have satisfied all listed requirements, the Election Committee will declare the candidate successful, pending any appeal
- all ballots will be sealed and provided to Cando's auditors pending any appeal
- all election material including ballots will be stored at least until following the next election

### **2.3.2 Combination Election**

- a) The Election Committee can determine that a regional election be held through a combination in-person and electronic system
- b) This determination will take into consideration factors such as potential participation level, regional requests to do so, convenience of established meetings or functions, potential costs, and potential success level
- c) The notification period will be six weeks prior to the election day
- d) The notification will highlight the ability of members to vote either through attendance at a meeting or through electronic means
- e) The rules for each method of voting will be detailed on the notice including relevant deadlines and procedures
- f) Rules outlined in section 2.3 "Election Process", and section 2.3.1 "Electronic Election" will apply for each respective method of election pending section 2.3.2 (g through k)
- g) The Cando office will tabulate all ballots received through the electronic method on the day of the election but prior to begin of the election
- h) The Election Chair will call the Cando office, prior to begin of the election meeting to secure the tabulated votes received through the electronic method

- i) The results of the electronic method will be added to the ballots cast at the meeting resulting in a final number of votes secured for each candidate
- j) The returning officer, in announcing the outcome, will identify the number of votes received through each voting method
- k) The successful candidate will be the one who receives the greatest number of votes cast which are not deemed to have been spoiled

### **2.3.3 Appeal Mechanism**

- a) Candidates may not always agree with the election outcome because of possible errors in process or prescribed rules
- b) Cando will conduct an open and transparent election process including candidate profiles and full (or student) membership lists. All of this information will be available to full (or student) members of Cando on written request and the receipt of a self-addressed envelope
- c) The Cando office will provide a notice to all members in the respective region within seven days following the election, pending appeal, highlighting the method of voting, the number of ballots issued/cast/spoiled, and the successful candidate
- d) Any Cando candidate can file an appeal respecting the conduct of an election in which one or more elements may appear to be outside of the Cando Election Procedures
- e) Any candidate wishing to appeal the process of the election and hence outcome, must do so in writing within five days following the election. The written appeal must indicate the candidate's name, address and telephone number, must list the reason(s) for appeal and must be signed by the candidate
- f) The appeal must be directed to the Cando Election Committee and forwarded to the Cando office by registered mail
- g) The Cando Election Committee will be notified and a meeting of the Election Committee will be set, no later than one week following receipt of the appeal
- h) The Cando office will provide a copy of the appeal to the Board as a matter of information
- i) The Election Committee will review the appeal, can request clarification from the candidate appealing, and any other relevant source and render a response. The response will be in writing, directed to the member issuing the appeal and will be copied to the Cando Board
- j) Should the candidate not be satisfied with the response, that candidate can request an additional response from the Cando Appeal Committee
- k) A request by the candidate to do so must be in writing and received by the Cando office, by registered mail, no later than one week following the Election Committee's response
- l) The Appeal Committee will consist of three members, one from the Cando office, the Cando Corporate Auditor or designate and a representative appointed by the appellant
- m) The Appeal Committee's decision will be rendered by a majority vote of the Committee
- n) The response from the Appeal Committee will be final

### **2.3.4 Election Timing/Post Election Meeting of the Board**

- a) Elections for Directors will be held at least sixty (60) days prior to the Annual General Meeting (AGM)
- b) New Directors will be sworn within thirty (30) days following the Annual General Meeting (AGM)
- c) Board members prior to the Annual General Meeting (AGM) will remain as Board members until new Directors are sworn in

### **3.0 Election of the Executive Committee**

#### **3.1 Election Process**

- a) Eligibility for being elected to the Executive Committee and voting is full Cando membership and current Board membership
- b) The Executive Committee consists of three table officers, President, Vice President, and Secretary/Treasurer
- c) Of the President and Vice President, at least one must be Aboriginal
- d) The President and Vice President will determine the division of their responsibilities
- e) The term of office for Executive Officers is one year or until the first Board meeting following the AGM at which new Directors will be sworn in
- f) Elections for Executive Officers will take place at the first meeting of the Board following an AGM
- g) Only Board members can vote for Executive Officers
- h) Each of the three Executive Officers must be from a different region
- i) A Chairperson and a returning officer, who should not be a Board member will be selected to conduct the election for Executive Officers
- j) At a Board meeting where due notice has been given respecting the election of Executive Officers, the Chairperson will open the election meeting, announce the agenda, describe the role and responsibilities of an Executive member and introduce the returning officer
- k) The returning officer will outline the rules for election and will seek nominations from the floor
- l) The order for nominations and elections will be President, Vice President and then Secretary/Treasurer
- m) Nominations do not require a second motion
- n) The returning officer, following each nomination, will ask the nominee if she or he is prepared to stand for that position and understands the requirements of that position
- o) In the event there is only one nomination for one position, the returning officer will declare the candidate elected
- p) In the event there is more than one candidate nominated, the returning officer will issue marked ballots to all Board members who will cast their vote by secret ballot
- q) To be successful, a majority of votes cast is required
- r) In the event of a tie or failure to obtain a majority, the returning officer will issue ballots and a second vote will take place
- s) This will be repeated until one candidate receives the greatest number of votes
- t) If a second tie has been reached the returning officer will invite each of the candidates to address the meeting in the reverse order of the initial speeches

- u) If a third tie occurs following the process outlined in section 3.1 (t), the returning officer will toss a coin to determine the successful candidate
- v) This process will be repeated for all three positions
- w) The successful candidate will be required to sign a declaration pledging commitment to the goals and standards of the organization, the required time commitment and all policies, by-laws and constitution of Cando

#### **4.0 Amendment Process**

This Election procedure policy meeting can only be amended at a duly convened meeting of the Board if a minimum of sixty-six (66%) percent of those full members present vote in favour of the amendment(s).