
NATIONAL UPDATE 2011-05 As of August 29, 2011

Questions and an appeal has brought an important subject to light with a discrepancy between the Local's election process and those procedures outlined in the CAW's "Guide For Local Union Elections."

This administration inherited our current Elections Policy document. It is our understanding that it was developed during the ATSAC days, based on operating conditions and considerations of that time, submitted to the CAW National when we merged with them and thus accepted by them, along with our By-laws.

When the Local received the "Guide For Local Union Elections" in 2003, it was reviewed. This Guide was developed without prior knowledge or consultation from the Local. The first page of this guide states the disclaimer:

NEW If a Local Union has not developed its own set of ELECTION RULES the procedures outlined in this booklet are to be considered an extension of the CONSTITUTION and must be followed to the letter.

As the Local had its own set of election rules that had been in place and accepted by the CAW, it was assumed that our rules could be used. The CAW National office at no time advised the Local that our rules were in violation or required changing, despite having accepted our policies and By-laws. This was taken as confirmation that our procedures were in fact, compliant.

These rules were in place when we merged with the CAW, and have been used subsequently to this day.

After consultation with CAW National, they advised we are in compliance with the constitution and agreed with the decision to continue to use the current rules. This was based on a number of factors. The first was the introduction of the "Guide For Local Union Elections" and how that transpired and how the Local would believe that their established procedures could be used.

The second was the fact that there are issues with other, large, federally regulated, national Locals within the CAW and the establishment and use of the Guide. For numerous reasons, these Locals have established procedures that do not fit within the Guide. One of these procedures is the use of a "plurality" vote, otherwise known as "first



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past the post majority” vote. While used by the Federal Government in their elections, it differs from the use of a true majority vote, otherwise known as “50% + 1.”

Thirdly, these procedures have been in use for many years, with no problems or appeals in the past. The current elections were being conducted as they always have been in the past, and it would be inappropriate to change something mid-stride. Given the first and second considerations, this reasoning would definitely apply.

The Elections Policy was originally put on the website with other local union policies. Due to the various improvements, increased usage and refreshment/“face-lifts,” the document was inadvertently lost in one of the transitions. A copy always has been, and still is, available to anyone who requests it. This omission should have been rectified sooner and the Executive Board will be taking stronger steps to ensure that this type of information is always readily available, given our commitment to communication and transparency.

The Elections Policy will have to be amended with the new positions of Contract Committee and Bargaining Committee members and this will be an opportune time to review how we conduct all of our elections. Conditions, restrictions or constraints have changed significantly since the pre-CAW days and the XB believes we should begin the debate and take advantage of changes in perspectives and technology.

The Executive Board – Air Traffic Specialists Local 2245 CAW-Canada

