

2019 RULES AND ORDER OF BUSINESS

RULE 1. The Credentials Committee shall make its first report directly after the opening ceremonies of the first business meeting. The Credentials Committee shall be responsible for the review of each delegate's eligibility. Acceptance of the Credentials Committee's report of delegates to be certified by the convention shall be the final determination regarding seating of delegates. In order to be entitled to vote and participate in the convention, a delegate must be properly seated by the convention. The Credentials Committee shall make a Supplemental Report at the beginning of each day that business continues.

RULE 2. Delegates shall go through Registration prior to being seated. There, they will be informed if they need referral to the Credentials Committee. Registration is open for most of the convention sessions plus in the evening. It is closed for a short time after the Credentials Committee report is prepared and re-opened after the report is accepted.

RULE 3. Delegates must have their OCSEA ID scanned by a sergeant at arms in order to enter or leave the convention floor while the convention is in session. Only delegates on the convention floor will be recognized by the Convention Chair.

RULE 4. Any delegate who must end his/her presence at the convention should promptly report his/her departure to the Credentials Committee and locate the properly accredited alternate, if any.

RULE 5. A member registered as an alternate may, upon approval by the Credentials Committee, be transferred from alternate to delegate at any time during the convention.

RULE 6. If an alternate is to replace a delegate who has previously registered, proper evidence of that delegate's withdrawal must be presented to the Credentials Committee and the alternate must be re-registered as the new delegate before he/she can sit or vote as a member of the convention.

RULE 7. A delegate's temporary absence from the convention hall does not entitle an alternate to make motions, speak in debate or cast the delegate's vote – even with the delegate's authorization.

RULE 8. Before a delegate is granted the floor, the delegate must proceed to a microphone and inform the sergeant at arms whether the floor is being sought to speak on a matter of business, for a point of order or point of privilege. Upon being recognized by the Chair, the delegate shall first make known his/her name and the subordinate body he/she represents before making any statement.

RULE 9. No motion shall be subject to debate until it has been made, seconded and stated by the Chair.

RULE 10. If a "call for the question" or a motion to cease debate is adopted but both sides of the issue have not been presented for debate, the Chair shall permit at least one speaker, but not more than three (3) speakers to be heard on the side previously unheard before taking a vote on the motion. This selection shall not be subject to appeal.

RULE 11. A delegate may not make a motion to cease debate or move the previous question immediately after speaking on the pending issue.

RULE 12. If a delegate's remarks are called out of order while he/she is speaking, the delegate shall, at the request of the Chair, be seated until the question of order is decided.

RULE 13. No delegate shall interrupt another's remarks, except to rise to a point of order. The Chair shall determine whether the issue raised is a point of order and, if it is, whether it should be upheld.

RULE 14. Should two or more delegates rise to speak at the same time, the Chair shall decide which one is entitled to the floor. This decision is not subject to appeal

RULE 15. An appeal from a decision of the Chair shall not be entertained unless it has the support of at least twenty-five percent (25%) of the certified delegates.

RULE 16. Speeches on matters of business shall be limited to two minutes, but the time may be extended by a majority vote of the delegates present and voting.

RULE 17. A delegate may not speak a second time upon the same question until all delegates wishing to speak upon the same question have had an opportunity to do so.

RULE 18. If a delegate wishes to challenge the announced result(s) of a voice vote, the delegate must request a visual standing vote. Any delegate who is unable to stand shall be provided with a flag to be waved in lieu of standing. The Chair shall announce the results of the visual standing vote.

RULE 19 In preparation for a roll-call or counted standing vote, the Chair shall appoint three (3) tellers and three (3) alternate tellers to record the votes as cast. The identity and location of the tellers shall be announced to the Body. Three (3) of the six (6) tellers shall participate in each roll call or counted standing vote.

RULE 20. If the Chair is in doubt or if a delegate challenges the announced results of a visual standing vote, a counted standing vote shall be provided. The sergeant at arms shall perform the count. Sergeant at arms shall be assigned a specific cluster of tables for each count.

RULE 21. The count for each cluster of tables shall be written down, signed by the sergeant at arms performing the count and provided to the tellers. The tellers shall present the totals in writing to the Chair for inclusion in the records. The Chair shall announce the results of the counted standing vote.

RULE 22. If a delegate wishes to challenge a counted standing vote, the delegate may only do so by requesting a roll-call vote.

RULE 23. A roll call vote shall require the support of at least twenty-five percent (25%) of the certified delegates. If a roll call vote has been approved, no adjournment, recess or special order of business shall be in order until the vote has been taken and the results announced.

RULE 24. The count shall be coordinated by the Secretary-Treasurer.

RULE 25. Registration, if open, shall be closed from the commencement through the conclusion of any roll call vote.

RULE 26. Roll call voting lists shall be generated by the Credentials Committee after each acceptance of the Credentials Report by the Convention. Lists shall contain the names of the certified delegates, in alphabetical order, by District and contain space for the tally. State Board Members shall be included in their appropriate district.

RULE 27. When a Roll Call Vote is requested, the Secretary-Treasurer shall first call the names of the members of the Credentials Committee. Thereafter, the Secretary-Treasurer shall call the name of each certified delegate. Each delegate shall stand, proceed to a microphone, state his/her name and cast his/her vote. In the event a delegate does not respond after three (3) calls, the Secretary-Treasurer shall proceed to the next delegate. At intervals, the Secretary-Treasurer will confer with the tellers in order to ensure an accurate count.

RULE 28. During a Roll Call Vote, the Credentials Committee shall meet to generate a Supplemental Credentials Report. When the current Roll Call Voting list has been exhausted, the Credentials Committee shall be called to present a Supplemental Report to the Convention. Upon acceptance of the Supplemental Report, a list of names of newly certified delegates, if any, shall be supplied to the Secretary-Treasurer.

RULE 29. When both the original roll call list and the supplemental roll call list, if any, have been exhausted, the Secretary-Treasurer shall ask if any delegate wishes to change his/her vote. After all changes if any, are recorded, the voting shall then be declared closed.

RULE 30. Upon the conclusion of the count, the Secretary-Treasurer and the tellers shall complete a Roll Call Count Form. They shall sign the form and present it to the Chair for announcement of the vote and inclusion in the records.

RULE 31. Any material, including pamphlets, fliers, chachkas, etc., must be given to the sergeant at arms at 7:30 AM in order to be distributed on the convention floor. No inflammatory or derogatory material will be permitted. Any unauthorized distributions, as determined by the sergeant at arms, shall be removed.

RULE 32. All proposed resolutions for the convention shall be referred, without vote or debate, to the Resolutions Committee for review and recommendation.

RULE 33. All proposed amendments to the OCSEA Constitution, By-Laws or Subordinate Body Constitution shall be referred, without vote or debate, to the Constitution Committee for review and recommendation.

RULE 34. All proposed amendments and resolutions which may have a financial impact shall be referred to the Finance Committee for review and recommendations. All proposed amendments and resolutions which may have political implications shall be referred to the Legislative Committee for review and recommendations. Both Finance and Legislative Committees shall forward their recommendations back to the original committee for presentation to the Convention.

RULE 35. Committees shall have the authority to alter, correct or modify any resolution and/or amendment before it. When there are two or more like resolutions or amendments on the same subject, the committees shall have the authority to combine them, use the language of one or more of the proposed resolutions or amendments, to amend such resolutions or amendments, or to offer a substitute for such resolution or amendment to the extent deemed appropriate by the committees.

RULE 36. Each Committee shall report its recommendation as to the appropriate action for each proposal, except for those proposals which the Committee by vote of two thirds of its members may decide not to report.

RULE 37. The convention, by a majority vote of the certified delegates, may order a Committee to report on a particular proposal which the Committee has voted not to report.

RULE 38. Where a portion(s) or section(s) of an Article of the State Constitution, By-Laws or Subordinate Body Constitution has been presented for amendment, no other portion(s) or section(s) of that Article may be amended. No changes may be proffered from the floor which affects a portion(s) or section(s) of an Article which was not previously proposed for amendment and, as such, distributed to convention delegates at least thirty (30) days prior to convention pursuant to Article XVII of the OCSEA State Constitution.

RULE 39. All recommendations on Resolutions and proposed Amendments shall be presented to the delegates as a positive statement. A “Yes” vote will be for passage of the measure and a “No” vote will count to defeat the measure. As the Chair calls up a resolution/amendment for action, the Chair will note the motion and second to adopt, this placing the resolution/amendment before the delegate body in a positive manner.

RULE 40. Motions pertaining to reports of committees shall be subject to amendment on the floor of the convention in the same manner as other motions. Any Resolution, proposed State By-law or Subordinate Body Constitution amendment may be amended by a majority vote of the delegates present and voting. However, any amended proposed state constitutional amendment which is subject to adoption by two-thirds (2/3) vote of the delegates present and voting, may only be amended by two-thirds (2/3) vote of the delegates present and voting.

RULE 41. Only one amendment and one amendment to the amendment may be pending at the same time.

RULE 42. Any proposed amendment to the State Constitution requires a two-thirds vote of the delegates, present and voting, to pass. Proposed Resolutions, Proposed Amendments to the State By-Laws and/or the Subordinate Body Constitution require a majority vote of the delegates, present and voting, to pass.

RULE 43. A Motion to reconsider shall not be entertained unless (1) it is made by a delegate who voted with the prevailing side and (2) it has the support of at least twenty-five percent (25%) of the certified delegates. The motion must be made and voted upon no later than the next session following the session in which the vote to be reconsidered was taken.

RULE 44. Nominations for each office shall remain open until the Elections Committee Chair shall have called for further nominations three consecutive times without any delegate seeking the floor for the purpose of making a nomination.

RULE 45. A candidate for office may also be nominated by completing a “2019 OCSEA State Officer Nomination Form” prior to the opening of nominations on the convention floor. Said form shall be available at the Registration Booth and must be returned to the Chair or Co-Chair of the Elections Committee no later than noon of the first day of convention.

RULE 46. Where only one person is nominated for any office and said person accepts the nomination, such nominee shall be declared elected. Where there are more candidates for any office than the number to be elected, elections shall be conducted by electronic voting machines. Write-in, proxy, or absentee votes shall not be used for any purpose.

RULE 47. Any nominee who subsequently wishes to withdraw from an election may do so by announcement from the floor or by written communication to the Chair of the Elections Committee at any time prior to the close of the meeting on the day of nominations. The Chair of the Elections Committee shall announce to the convention receipt of any written communication(s).

RULE 48. Names of the candidates shall appear on the ballot in the order determined by the Elections Committee.

RULE 49. No person shall be a candidate for more than one office.

RULE 50. Any challenge concerning the eligibility of any nominee shall be filed, in writing, with the Chair of the Elections Committee prior to the opening of the convention on the morning of the day immediately following the nominations. Any challenge so filed shall be referred to the full Elections Committee, which shall report on the eligibility of such nominee prior to the election.

RULE 51. Any candidate whose name is to appear on the ballot shall have the right to have one official observer, of the candidate's choosing, present in all places where ballots are to be cast or counted. An observer need not be a delegate or alternate but must be a member of OCSEA. An Observer Form shall be available from the Elections Committee or the Registration Booth. No person shall be permitted to act as an observer for any candidate without a completed form. No candidate may serve as an observer for his/her self or any other candidate. In the event a substitute observer, other than an alternate observer, is requested, a new form must be completed by the candidate and submitted to the Elections Committee Chair. Observers are subject to the direction of the Elections Committee.

RULE 52. The role of an observer is to observe the proceedings on behalf of a candidate. A single observer may be designated by more than one candidate. Observers will only be allowed to observe on behalf of the candidate or candidates for whom he/she is designated. An observer may register a protest, in writing, with the Election Chair only on behalf of his/her candidate. Any person who shows up without an observer form having been completed and submitted by a candidate will not be allowed to observe. Disagreements and interruptions by observers may result in ejection from the voting area.

RULE 53. The Credentials Committee shall supply the Elections Committee with a Voting List containing the names of all delegates certified as of the morning report on Friday, August 30th. Each delegate seeking to vote shall be required to have his/her OCSEA ID scanned in order to cast his/her ballot. Challenges regarding a delegate's identity shall be resolved by the Elections Committee.

RULE 54. A majority of the votes cast for any office shall be required to be elected. If no candidate receives a majority, a run-off election shall be held between the two candidates receiving the greatest number of votes. In the event a tie exists for either the greatest or second greatest number of votes, all candidates involved in the tie shall be included in the run-off election. Run-off elections may be repeated for an office as many times as necessary to obtain a majority vote for a single candidate. Registration shall remain closed through the completion of run-off election(s), if any.

RULE 55. Any challenge regarding the eligibility of any delegate attempting to vote and/or any protest regarding the election shall be referred to the Elections Committee. The Elections Committee shall rule on all such issues. If a ruling cannot be made prior to completion of voting, the delegate shall be permitted to cast a Challenge Ballot. No Challenge Ballot shall be counted unless the number of Challenge Ballots is such that the Challenge Ballots could affect the outcome of any election. All challenges or protests and the resultant rulings of the Elections Committee shall be reported out to the convention body.

RULE 56. There shall be no campaigning or distribution of campaign material in the designated voting area or among delegates in line waiting to vote. Delegates shall not be permitted to display any campaign related materials – including buttons, stickers, t-shirts or other campaign paraphernalia – while in the voting or polling areas.

RULE 57. Sergeant at arms shall be assigned to the voting and observer areas to insure an orderly and professional process that safeguards all candidates' right to a fair, accurate and impartial result.

RULE 58. Upon completion of voting, delegates are to immediately exit the voting area.

RULE 59. Should any delegates remain in line at the closing time of the polls, they shall be given the opportunity to vote.

RULE 60. Delegates may attend a committee meeting to observe. Such persons shall not cause any disruption or speak unless requested by the committee chairperson and may be requested by the committee to leave the committee meeting.

RULE 61. Roberts Rules of Order, Newly Revised, shall govern in all cases in which they are applicable and where they are not inconsistent with the OCSEA and AFSCME Constitutions, these rules or other special rules of this organization.