



Hospital Employees' Union: Provincial Executive Campaign Rules

1. Preamble

- 1.1. This policy ("Policy") describes the rules that govern election campaigns for the Hospital Employees' Union's ("HEU") Provincial Executive.
- 1.2. The provisions in this Policy supplement and expand on provisions in the HEU's Constitution and Bylaws regarding elections to the Provincial Executive. If there is any conflict between the provisions of this Policy and the Constitution and Bylaws, the Constitution and Bylaws prevail.

2. Declaring Candidacy

- 2.1. Delegates who wish to run for the Provincial Executive ("Candidates") may announce their intention to HEU Locals by fax, email, phone messages, word of mouth and social media.
- 2.2. Candidates may declare their candidacy in advance of a Convention of the HEU (the "Convention") by submitting their biography, photo and a maximum two hundred (200) word candidate statement through HEU's online webform ninety (90) days prior to the Convention. Information submitted by Candidates by the deadline will be sent to all HEU Locals forty-five (45) days prior to the Convention and will be posted on the HEU website in the Convention section.
- 2.3. Candidates who miss the deadline in section 2.2 may submit a picture with their name, length of Membership in the Union, positions held with the HEU and in what HEU Local, candidate statement and biography by Monday at noon at the Convention. This information will be posted on the HEU website and in the Convention App.
- 2.4. Candidates may have their photo taken on the Monday of the Convention at lunch. All pictures of Candidates will be posted on the HEU website for a minimum of nineteen (19) hours before any nomination, election and installation of officers occurs.
- 2.5. A final call for nominations will be held immediately prior to the vote, allowing potential Candidates to run from the floor of the Convention.

3. Candidate Supports

- 3.1. The Secretary Business Manager will appoint a Convention Liaison from the HEU's Legal Services Department (the "Convention Liaison") when the Convention Call is issued. The Convention Liaison will:



- 3.1.1. share this Policy and any other relevant information with Candidates; and
- 3.1.2. assist Candidates in accessing relevant materials and supports under this Policy.
- 3.2. Candidates may request that the HEU Provincial Office photocopy a leaflet for distribution to Members.
 - 3.2.1. Candidates must email a photocopy-ready PDF of their leaflet forty-five (45) days prior to Convention to: **convention@heu.org – subject line: “P.E. candidate leaflet for printing”**.
 - 3.2.2. The HEU Provincial office will copy the leaflet, on one or both sides as indicated by the candidate, and on 8½ X 11 (letter sized) white paper.
 - 3.2.3. The HEU Provincial Office will not provide any assistance with formatting, layout, editing, or folding of leaflets.
 - 3.2.4. The HEU Provincial Office will produce up to 1,000 copies of the leaflet.
 - 3.2.5. The photocopies will be ready for pick up by, or mailing to, the Candidate within two (2) weeks of having been received by the HEU Provincial Office.
 - 3.2.6. Candidates must specify an address they wish the leaflets mailed to, or whether they intend to pick the leaflets prior to or at Convention.
- 3.3. The HEU Provincial Office may refuse a request to provide leaflets if a request does not comply with section 3.2.
- 3.4. Candidate leaflets or other campaign materials must not be distributed in the hallway outside the Convention hall. Candidate leaflets and other material may be distributed to delegates only in the area immediately outside the main entrance to the Convention area (for example, inside the main foyer of the Vancouver Convention Centre).
- 3.5. The Ethics Commissioner appointed under the HEU’s Code of Conduct for the Provincial Executive (the “Ethics Commissioner”) will hold training sessions for potential Candidates regarding the Code of Conduct for Provincial Executive and *Section 3: Standards of Conduct for Social Media Use by PE Members* of the HEU Social Media Policy. Any potential Candidate may attend the sessions, and the HEU will post which Candidates attended the sessions on the HEU website and in the Convention App.



4. Candidate Conduct

4.1. Candidates are covered by and must comply with the provisions of the Code of Conduct for Provincial Executive and *Section 3: Standards of Conduct for Social Media Use by PE Members* of the HEU Social Media Policy, including but not limited to the provisions regarding:

- 4.1.1. Not making any statements that will bring the union, other Candidates, HEU members (“Members”) or HEU employees into disrepute;
- 4.1.2. Refraining from making any defamatory, inflammatory, or knowingly or recklessly false statements. **Appendix A** provides more detail on these terms;
- 4.1.3. Treating other Candidates, Members, and HEU employees respectfully, and not engaging in any abusive, bullying, harassing, intimidating, or discriminatory behaviour. **Appendix A** provides examples of behaviours which may constitute bullying and harassment.
- 4.1.4. Refraining from disclosing or using confidential, or Member personal information gained by virtue of their association with the HEU for the purposes of campaigning, without consent of the affected parties.

5. Candidate Forums and Elections

- 5.1. Each Candidate will have the opportunity to address Convention delegates for a maximum of five (5) minutes per forum, and an additional one (1) minute to include their pronouns and a territorial acknowledgement of Indigenous lands.
- 5.2. Candidates will be provided with the opportunity to participate in a moderated question and answer period at an evening forum during the Convention.
- 5.3. Candidates must declare their candidacy by noon on the Monday of the Convention in order to be provided with the opportunity to address the delegates under section 5.2.
- 5.4. A Candidate who has been elected to a position on the Provincial Executive at the Convention is not eligible to run for election for another position on the Provincial Executive at the Convention.

6. Disputes

- 6.1. Convention proceedings will be governed by Article 21 (Rules of Order) of the



Constitution and Bylaws, and any disputes regarding Convention proceedings will be resolved pursuant to Article 21.

- 6.2. The Ethics Commissioner has jurisdiction over any allegations of breaches of this Policy.
- 6.3. Any disputes regarding the provisions of this Policy must be submitted to the Ethics Commissioner, and the Ethics Commissioner has sole responsibility for interpreting the provisions of this Policy and deciding any disputes regarding the provisions of this Policy.
- 6.4. The Ethics Commissioner may impose any sanctions and remedies that they deem appropriate for violations of this Policy, including disqualification from running for the HEU Provincial Executive.
- 6.5. During Convention, the Convention Liaison will be available to answer any Delegate questions or refer Delegates to the appropriate person or process to address their questions.

Appendix A

Statements and Behaviour contemplated by Sections 4

Section 4 of this Policy provides that Candidates must not make any “defamatory, inflammatory, or knowingly or recklessly false statements.”

Barron’s Canadian Law Dictionary defines “**defamation**” as “[t]he publication of anything that is injurious to the good name or reputation of another or tends to bring him or her into disrepute” and section 298 of the *Criminal Code* provides that “[a] defamatory libel is matter published, without lawful justification or excuse, that is likely to injure the reputation of any person by exposing him to hatred, contempt or ridicule, or that is designed to insult the person of or concerning whom it is published.”

The Oxford English Dictionary defines “**inflammatory**” as “tending to excite anger, disorder, or animosity.”

Canadian arbitrators have held that “**knowingly or recklessly false statements**” are statements that are “rash, incautious, careless or heedless” and “not supported by facts.”

Section 4 of this Policy also provides that Candidates must treat other Candidates, Members, and HEU employees respectfully, and must not engage in any abusive, bullying, harassing, intimidating, or discriminatory behaviour.



Bullying and harassment is defined in the Code of Conduct for the HEU Provincial Executive as follows. Bullying and harassment:

- (a) includes any inappropriate conduct or comment by a person towards a Provincial Executive Member, Member, or HEU employee that the person knew or reasonably ought to have known would cause that Provincial Executive Member, Member or HEU employee to be humiliated or intimidated, but
- (b) excludes any reasonable action taken by an employer or supervisor relating to the management and direction of employees or the place of employment.

The following are examples of conduct or comments that may constitute bullying and harassment:

1. verbal aggression or insults;
2. calling someone derogatory names;
3. harmful hazing or initiation practices;
4. vandalizing or damaging personal belongings, work area, or work product;
5. spreading malicious rumours (regardless of whether they are believed to be true), including making, or continuing to make, unfounded accusations; and
6. personal attacks, including making frivolous, vexations, or bad faith complaints.