

# APPNA ELECTION PROCESS & CODE OF CONDUCT

*\*Approved at Fall Council Meeting 2016\**

## THE ELECTION PROCESS

APPNA members contesting for any office in APPNA shall abide by the following guidelines.

NEC shall announce Election Timeline in the beginning of the year according to APPNA Constitutions and Bylaws

### NOMINATION & SLATE OF CANDIDATES:

- 1- NEC follows the election time line and nomination process as outlined in APPNA constitution and bylaws.
- 2- The NEC shall not have the authority to reject a candidate that otherwise meets the nomination requirements set forth in APPNA Bylaws and election rules and procedures.
- 3- NEC shall obtain in writing the candidate's consent that this Code of Conduct is binding under all circumstances.
- 4- NEC will announce the slate of candidates to membership in timely fashion [not before the summer meeting] as outlined in the Bylaws and election rules and procedures.
- 5- Each candidate shall provide his / her CV on a standard one-page document to be received by APPNA office at least 20 days prior to ballot mailing date. Candidates may use both sides of the one-page document. The CV will be uploaded on the election website.

### VOTERS LIST:

- 1- Membership Committee after its approval by the Executive Committee will release the Voters List to all the candidates.
- 2- Candidates shall have ten (10) days from receipt of voter list to raise objections if they have any.
- 3- Objections shall be made in writing to the Chairman of the Membership Committee.
- 4- The Chairman of the membership Committee shall review the objections and make recommendation to the Executive Committee.
- 5- The Executive Committee deliberates on the suggestions made by Membership Committee.
- 6- After EC Approval the final Voters List shall then be released to all candidates.
- 7- Candidates shall be given seven (7) days to sign off on the final Voters List, and a candidate failed to sign-off on the Voters List shall not be placed on the ballot.
- 8- Candidates may raise procedural objections to the NEC as to the process utilized to determine the final Voters List.
- 9- The NEC shall evaluate the process and determine the validity of the Voters List consistent with the requirements and standards of the APPNA Constitution and Bylaws and advise the candidate of their decision.

### DISPUTES AND GRIEVANCES:

- 1- All candidates shall acknowledge the sole jurisdiction of APPNA to resolve all disputes and grievances in the Election Process.

- 2- Election process is NOT limited to nomination, voting and counting but also includes electioneering, campaigning, speaking at meetings and all election related activities.
- 3- The written complaint is lodged with Nomination and Election Committee, through submission to the NEC Chairman with copy to the President of APPNA.
- 4- NEC shall render a written decision to the complainant (within 5 business days) with copies or direction to other parties in the election process as appropriate.
- 5- If the issue is not resolved to the satisfaction of the person lodging the complaint, it may be appealed to the Ethics and Grievance Committee.
- 6- The written appeal shall be submitted to the Chairman of the Ethics and Grievance Committee and a copy to the APPNA President.
- 7- The E&G Committee shall issue a written decision to the complainant (within 5 business days of filing of appeal) with copies or direction to other parties involved, as appropriate.
- 8- If the dispute is still not resolved, the complainant may appeal to the Board of Trustees.
- 9- The written appeal to the Board of Trustees shall be directed to the Chairman of Board of Trustees, with copy to the President of APPNA.
- 10- The written decision of the Board of Trustees (to be rendered within 5 business days of receipt of the appeal).
- 11- All candidates shall agree that upon conclusion of APPNA procedures for dispute resolution, as outlined above the decision arrived at by APPNA shall be FINAL and shall not be subject to any recourse outside APPNA whether judicial or extra-judicial in any state of the union.
- 12- It is emphasized that the above appeal process shall take precedence over other business and should be conducted expeditiously.
- 13- All decisions during the grievance process shall be promptly submitted in writing to the chairman of the NEC with a copy to the APPNA Central Office and the APPNA President.

### **THE CODE OF CONDUCT**

1. This code of conduct is in effect for the entire election year; starting from January 1st to December 31st of an APPNA year.
2. A candidate shall not announce his or her candidacy and/or start campaigning for a future election during any given election year.
3. Candidates can only start campaigning when the NEC announces official slate of candidates. There will be NO election campaigning allowed prior to this date.
4. Candidates are not allowed to present themselves as candidates at any component society meetings or similar events prior to the official announcement of the slate of the candidates by NEC.
5. Social Media campaign is also not allowed prior to the official announcement of the slate of candidates.
6. Each candidate will be allowed to send three electronic mails. These emails shall be shared with the NEC in advance, so that the count can be maintained. Each candidate shall be allowed up to three (3) campaign postal mailings. Candidates

shall share mailings with NEC in advance so that a proper count can be maintained.

7. Any System-wide celebration emails and postal mails, e.g., Eid and holiday greetings and similar will be counted towards the allotted mailing for the campaign.
8. All facts stated in campaign mailings shall be verifiable. It is the responsibility of the candidate to validate their statements by substantial proof, when requested.
9. No letters from supporters are allowed. Any letter/email of support for or against any candidate can be a ground for disciplinary action against the member, including member's name removed from the voter list. The NEC can make recommendations to the EGC for disciplinary action.
10. Negative campaigning" will be defined by the Ethics and Grievance Committee and will not be allowed.
11. The candidates shall only participate in debates sponsored by Central APPNA. NEC must approve the Candidate debate format and moderator(s).
12. The candidates shall not take part in any debates arranged by chapters, alumni and component societies or arranged by group of physicians.
13. The candidates shall not spend or donate money directly or indirectly in any way in APPNA, APPNA component society or APPNA affiliate organization activities. Charitable donations of any kind are also included in this binding.
14. APPNA may provide up to a one-page advertisement to all the candidates free of cost in spring and/or summer publication.
15. The use of APPNA logo in any form of communication by a candidate is prohibited.
16. Telephone calls, direct mailings, and emails to members are permitted as long as the member is not on a No Call-No Mail (NCNM) list and/or No Email (NE) list as maintained by APPNA. NCNM and/or NE voters will be marked on the voter list.
17. Facsimile (fax) transmission as a means of campaigning is not allowed.
18. Only individual personal calls and text messages by the candidates themselves are permitted, i.e. there can only be one to one communication. No other phone calls or text messages are allowed.
19. Candidates' appearances and speaking at the component society events are allowed after the beginning of campaign [After first day of Summer Meeting] but at no cost to candidates (except cost of general admission to any ticketed event) and has to be offered to all candidates. Candidates are not allowed to financially support these events directly or indirectly. Candidates are not allowed to make any donations directly or indirectly or to pay for advertisements in component society journals. Component societies may choose to allow candidates to distribute campaign flyers, cards, etc., at their meetings or events but at no charge to candidates. Component society shall inform by email all candidates of materials allowed at least 30 days in advance of the meeting.
20. Paid personal advertisements of any kind are not permissible. This restriction is included but not limited to APPNA meetings and events of component societies. It also includes newspaper Ads, TV Ads, Paid Social media Ads and others.

## **VIOLATIONS:**

- 1- First violation of this Code of Conduct shall be grounds for a cease and desist citation and a fine, not to exceed \$1,000 per violation.
- 2- Second violation shall be grounds for removing the candidate's name from the election ballot at the discretion of the NEC with the approval of BOT.
- 3- NEC need not give a warning prior to issuing its citation upon a first violation.
- 4- If the candidate is cited for a violation and all appeals have been exhausted, the violation and candidate's name can be made public to the membership.
- 5- All VERIFIABLE complaints and decisions WILL be shared with general membership prior to start of voting and regularly during the voting period on additional complaints (if any), once IT HAS GONE THROUGH THE DUE PROCESS, INCLUDING NEC DECISION, E&G COMMITTEE APPEAL AND BOT DECISION.

## **AMMENDMENTS TO THE CODE OF CONDUCT:**

The APPNA Council shall approve any proposed changes in existing rules or adoption of new rules in election Code of Conduct.

## **APPNA Candidate Statement of Compliance**

The undersigned candidate for a position on the Executive Committee of APPNA hereby acknowledges and agrees that he or she has been provided with the APPNA Election Process and Code of Conduct document as the "Code of Conduct"

The undersigned further acknowledges and agrees that the Code of Conduct shall govern candidate conduct, campaigning and the APPNA election process, including resolution of all questions, grievances and disputes arising during the election process.

The undersigned acknowledges and agrees that review of the Voters List is provided as a courtesy to the candidates, and while a process for objection is provided, it does not impart any right to demand, veto or otherwise influence the decisions of the Membership Chairman and /or the Executive Committee. If a candidate does not sign-off on the Final Voting list, the candidate will not be listed on the ballot.

The undersigned further acknowledges and agrees that the grievance procedure provided in the Code of Conduct is the sole and exclusive remedy for such grievances and that a decision of the Board of Trustees of APPNA shall be final and binding on the candidate and the other parties to the grievance.

The undersigned further acknowledges and agrees that in participating in the election process and consenting to be bound by the Code of Conduct, including its grievance procedures, he or she has given up substantial rights, including his or her right, if any, to

have such grievance litigated in a court or by jury or bench trial, and has done so freely and voluntarily without any inducement.

The undersigned acknowledges that throughout the election process, he or she will maintain a courteous conduct appropriate to the image of APPNA and oneself. Although this document cannot address every instance of inappropriate campaigning or social media use, it is intended to offer APPNA's spirit of conduct to its candidates and members, facilitating them raise APPNA's image.

Acknowledged and agreed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Signed Name

\_\_\_\_\_  
Printed Name

Subscribed and Sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
Notary Public: Signature & Stamp/ seal

**Proposed by Nomination and Election Committee 2016 in APPNA Fall Council Meeting October 22, 2016.**

**Approved by APPNA Council; 10/22/2016**