

“Did you know that electronic voting is not prohibited by the Collective Agreement?”

In response to recent queries, we would like to answer some frequently asked questions about voting procedures in departments.

The relevant article of the CA, Article 7.3.3, states:

"Employees have a right to vote in Department and Faculty meetings except where there is a personal conflict of interest as specified in Article 15.3.30 or elsewhere restricted in this Collective Agreement."

This means that all members of a Department are entitled to vote on appointments, tenure, promotion, and renewal files, except where there is a demonstrable conflict of interest, or where they are subject to other restrictions. In the absence of such conditions or restrictions, every member is entitled to vote: they do not have to be present at a meeting to cast their vote.

A few FAQs are:

1) Who is entitled to vote on hiring?

All members of the department are entitled to vote, except in the exceptional circumstances underlined in the CA.

2) How do we count the votes?

There are different requirements for voting on hires as against other votes, e.g. promotion, tenure, renewal.

a) For votes relating to new appointments, a majority of all eligible members of the department is required (see Article 10.1.20(h) for eligible member appointments):

e.g. If your department has a complement of 12 eligible members, 7 'Yes' votes are required for the motion to pass; that is, 50% +1.

b) For other issues, a majority of all members casting their votes is required:

e.g. If your department has a complement of 12 but only 9 members cast their vote, a majority of 5 'Yes' votes is required for the motion to pass.

3) Am I allowed to vote while on sabbatical or administrative leave?

Yes. The CA does not exclude members on leave from voting. If a department member expresses their intention to vote while on leave, all reasonable efforts should be made to make the relevant files available to them in advance of the vote. Files may be posted to SMUPort for viewing restricted to Department members.

4) Can a department use 'anonymous balloting' for tenure and promotion?

Yes. Departments are not required to have open votes. However, voting is not anonymous in the sense that all votes have to be recorded and tallied against a list of eligible voters. What is required is that the voting

system be transparent and accountable, as well as confidential. This means that a record of eligible voting members should be tallied with a record of who has cast a vote while keeping the voter's choice confidential.

5) Are departments allowed to organize the vote electronically?

Yes. There is nothing in the CA to preclude a department from using electronic voting. It can be helpful to facilitate members on sabbatical leave, for example. A record must be kept of eligible voters and votes cast, to ensure that only eligible members vote, and that no one votes more than once. Every effort should be made to keep the actual choice of the voter confidential.

6) Can the Senate or Dean's Office be used to conduct the vote?

Yes. The CA does not preclude the use of the Senate or Dean's Office to organize and tally a departmental vote. Again, a record of the vote must be kept.

7) What happens in the event of a tied vote?

In the event of a tied vote, the motion does not carry.

8) How do we count abstentions?

Abstentions count as a cast vote. It is not the same as not voting. If nine votes are cast, and two of them are abstentions, you still need a majority of five 'Yes' votes to carry the motion.

SMU Faculty Union Office