APFA
FALL BOARD OF DIRECTORS MEETING
OCTOBER 12 – 13, 2010
EMBASSY SUITES DFW NORTH
GRAPEVINE, TX.

Y = Yes
N = No
P = Pass
A = Abstain
N/A = Absent
PXY = Proxy Vote

Resolution Tally Sheet

Resolution: # 6

Maker: **Bedwell**

Second: **Bauer**

Date: 10/13/10

Time: 1318

		Y	N	P	A	N/A
BOS	McCauley	✓				
BOSI	Vargas	✓				
DCA	Prayon	✓				
DCAI	Gale	✓				
DFW	Barnes (V. Chair)	✓				
IDF	Bedwell	✓				
JFK	Nasca	✓				
LAX	McCullor (V. Chair)	✓				
LAXI	Ransom	✓				
LGA	Aviles	✓				
MIA	Washbish	✓				
IMA	Trautman	✓				
ORD	Breckenridge	✓				
IOR	Bauer	✓				
RDUI	MacPherson	✓				
SFO	Salas	✓				
SFOI	Ross					✓
STL	Hunter	✓				
PRES	Glading (Tie Breaker)					

YES: 17   **NO:**   **ABSTAIN:**   **ABSENT: 1**

STATUS: **PASSED (✓)**   **FAILED ( )**   **TABLED ( )**   **WITHDRAWN ( )**

WHEREAS, Section 401(c) of the Labor-Management Reporting and Disclosure Act (LMRDA) provides that: "E*very national... labor organization... and its officers, shall be under a duty, enforceable at the suit of any bona fide candidate for office in such labor organization...to comply with all reasonable requests of any candidate to distribute by mail or otherwise at the candidate's expense campaign literature....to all members in good*

standing of such labor organization…with equal treatment as to the expense of such distribution;" and

WHEREAS, the Department of Labor OLMS advises"…..*if the candidate's request for an alternative method of distributing campaign literature is a reasonable one, the union is required to make the distribution*"; and

WHEREAS, *the OLMS advises unions to comply with a candidate's reasonable request to distribute campaign literature to the membership through e-mail if the union uses e-mail to disseminate information to its members*; and

WHEREAS, Section 401(c) of the LMRDA further provides that: "*Adequate safeguards to insure a fair election shall be provided*;" and
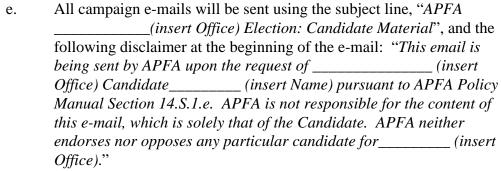
WHEREAS, Section 14.S.1 of the APFA Policy Manual provide all candidates, "*the right to request mailing labels and /or the use of the APFA mailing service*" to distribute their literature *via* U.S. Mail.

THEREFORE BE IT RESOLVED, the following changes be included in the APFA Policy Manual to allow for e-mail dissemination:

SECTION 14. S. CANDIDATE ACCESS TO MEMBERSHIP MAILING LABELS, USE OF THE APFA MAILING SERVICE, OR EMAIL DISSEMINATION

1. All candidates may request mailing labels, the use of the APFA mailing Service, or dissemination of campaign material *via* e-mail.
    a. The cost of all labels, mailings or e-mailings must be borne by the requesting candidates.
    b. Additionally, each candidate is entitled to inspect the membership list and a list of the voting members from the previous National Officer election once within forty-five (45) days prior to the mailing or electronic availability of ballots. An NBC member must be present at any such inspection.
    c. At the option of a candidate, if the APFA mailing service is not utilized for the distribution of campaign material, the candidate or his / her designated representative(s) may affix APFA-provided mailing labels to campaign material at APFA Headquarters in the presence of two (2) or more members of the NBC. An NBC member will accompany the campaign material to the post office for mailing.
    d. If the candidate chooses to disseminate campaign material *via* e-mail, the e-mail blast will be sent from APFA Headquarters in the presence of two (2) or more members of the NBC to observe the e-mail process. The candidate or his / her designated representative(s) may also be present to view the process.

e.   All campaign e-mails will be sent using the subject line, "*APFA _____(insert Office) Election: Candidate Material*", and the following disclaimer at the beginning of the e-mail: "*This email is being sent by APFA upon the request of _____ (insert Office) Candidate_____ (insert Name) pursuant to APFA Policy Manual Section 14.S.1.e. APFA is not responsible for the content of this e-mail, which is solely that of the Candidate. APFA neither endorses nor opposes any particular candidate for_____ (insert Office).*"

f.   A union is required to maintain a membership list of addresses; however, a union is not required to create e-mail records that it does not presently have to accommodate a candidate's request. If APFA's e-mail list of members is incomplete, APFA should advise the requesting candidate of how many e-mail addresses it has and let the candidate decide if he or she still wants to use this option.