

Report of the University Structure and Governance Committee on Charge S-0915: Recommendations on the Conduct of Staff Senator Elections

Charge: Consider the Recommendations on the Conduct of Staff Senator Elections proposed by the Staff Caucus. Recommend elements of an inclusive, practical method of electing staff Senators, based on the proposal, processes used in past staff Senator elections, and other research and discussion.

Recognizing that many types of staff with varying technology skills and primary languages should not be disenfranchised in their effort to run for positions on the University Senate, the Staff Caucus presented a series of recommendations to ensure that all staff remain enfranchised.

Background: The staff election process, while fairly new, has changed since the introduction of staff members to the Senate. Various groups participate in the election process, including University Human Resources and the Office of Information Technology. These groups have developed an electronic voting application that allows for web based voting procedures and candidate statements. However, not all university staff members have access to computers or the web, which makes it difficult or impossible to vote in the Staff Senate elections. Further, not all staff use English as their primary language. The second language varies based on the campus itself. Thus the secondary language may be Spanish in New Brunswick, or Portuguese in Newark. The Staff Caucus is concerned that because of these factors, there needs to be a mechanism to ensure fairness and eliminate any disenfranchisement of any group. The various Senate constituencies have a variety of election processes including local paper ballots, e-mail and electronic voting. Some elect members locally (such as faculty from a school or unit); others (such as students and staff) elect their representatives campus-wide. Consequently the Staff Caucus considered the issues surrounding the election of Staff Senators. Since these elections are campus-wide, they felt that two primary issues need consideration: how candidate information is distributed, and how the voting takes place. Some staff members have English as a second language, and do not have access to technology such as NETID's, e-mail, or Sakai. The USGC considered these various mechanisms and the recommendations of the caucus.

Considerations: The Staff Caucus recommendations include concerns by staff members that voting hours need to be extended beyond the normal typical workday, since many groups work shift hours and there have been reports of supervisors not allowing staff members to leave their post to vote during their work hours. They also call for an election committee and hotline to ensure fairness and access during the voting process. The USGC looked at all the issues presented by the Caucus and considered each one in turn.

The USGC examined each recommendation from the Staff caucus separately, and its preliminary analysis of each recommendation follows:

1. While the Staff Caucus recommends creating an election committee to ensure that fair and open elections occur and are properly advertised, and Senate regulations are updated, the USGC already exists to update Senate regulations, and a nominating committee already exists. Thus the USGC did not feel the need to add any additional committees or bureaucracy to the process. All faculty and student constituencies follow their own respective bylaws. Since staff do not have specific bylaws, the USGC members present felt that some central administrative office should be tasked with ensuring fairness. This role may naturally fall upon University Human Resources.

2. The USGC fully agrees with the *spirit* of the second recommendation, regarding distribution

of information. It is critically important that candidate, instruction and election information get to all staff members. However, after considerable discussion concerning the potential various modalities of voting, it was agreed that all staff should have NETID's and have some way of getting to a polling place (essentially a computer with Internet access). While not wanting to promote elitism in any way, the USGC consensus was that voting by postal mail, cell phones, paper ballots and any way other than electronically itself poses new problems for security and the integrity of elections. It was, however, noted that many staff are not computer savvy and some may not even have NETID's. It thus becomes imperative that there be a mechanism in place for those not yet comfortable with online access to have advanced instruction on this process, written documentation available to them, and supervisors who make it easy for all to be enfranchised to vote. Written instructions and documentation may be needed in multiple languages but most critically this training and awareness should be carried out before the Senate elections occur.

3. The remaining specific recommendations were also rejected, since there are concerns regarding security for cell phone use. Our focus should be online ballots as the most appropriate method, and on *ensuring* that no group is disenfranchised, so that paper ballots become unnecessary.

The USGC's primary concern with any election is that there be some group or department responsible for the election and ensuring compliance with fairness and all regulations.

Recommendation: The University Structure and Governance Committee recommends adoption of the following resolution by the Senate:

Be it resolved that:

1. The election should be conducted through the offices of University Human Resources with the cooperation of the Office of Information Technology. Doing so will best ensure fairness and access, and maintain the integrity of the election process. Results need to be tabulated and returned to the Senate Secretary no later than April 1 each year, so that the Senate Nominating Panel can consider all eligible staff Senators when making nominations for Staff Member of the Senate Executive Committee.
2. (1) As a part of the election procedures, all staff should be informed of their ability to serve, to access all candidates' statements and to vote, even if they do not normally have online access. Part of this process includes explaining that all staff should have already created their NETID upon their hiring at the university.

(2) All persons supervising staff should be sent a separate email as part of the election process, including an instruction to post an attached announcement (in English and in Spanish) explaining the election process. The announcement should include advice on where these employees can go to vote; e.g., computer lab, library, or alternative location where access and privacy can be provided. At any location listed, help should be provided for logging on and finding the voting website. The announcement should provide a link to the candidates' campaign statements, as well as a link to the voting website.

(3) Printed copies of the posted announcement should be made for any staff employee who needs it. Supervisors are responsible for ensuring that staff who do not normally use a computer for their work see the posted announcement.
3. Supervisors *must* allow all employees to vote, and must make appropriate arrangements to ensure they can do so.

University Structure and Governance Committee, 2010–2011

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Appendix: Staff Caucus Recommendations on the Conduct of Senate Elections

Given the recent conversation in the Executive Committee about the possibility of conducting of Senate elections via Sakai, the Staff Caucus discussed the election process for staff senators. Following is our response to the conversation of the Executive Committee, and our recommendations for ensuring that all staff members are equally enfranchised in this process.

Several staff members noted that some staff are unfamiliar with technology, and would not be able to learn quickly enough to confidently navigate the Sakai site without substantial technical assistance. Moreover, many staff members do not have access to the internet and email during the work day, and would be disenfranchised by a process that transpires solely online.

To fully enfranchise all staff members in the voting process, there are two issues to consider: first, distribution *about* the voting process and; second, the voting process *itself*. The key elements that are necessary are communication and then access. We need to be able to communicate to all staff that there is an upcoming election, identify the candidates, and explain how to cast a vote. The “how to vote” communication is a key part of providing access.

First, we recommend that the Senate should formally develop an election committee (with a single rep from each constituency) which would have the following express purposes: updating the University Senate regulations under Section B, monitoring elections to ensure that they are done fairly, and ensuring that the vote count is appropriate.

Second, we recommend that information about voting, including lists of candidates and their statements be distributed not simply via email, but perhaps printed in an announcement on paychecks (though we are aware that paychecks will soon no longer be printed) and/or posted at time clocks and other spaces where staff members gather (e.g. lunchrooms). Ensuring appropriate distribution of information could also entail working with HR to have a list of staff given to the Senate elections committee (staff rep) so that a list of nominees and directions for voting can be distributed. This could include pre-printed ballots with a some identification of the staff member on it such as their NETID (to eliminate duplicate ballots) – perhaps using some barcode technology.

Regarding the voting *process*, we recommend that voting take place via four methods:

1. Sakai, but also
2. absentee ballot
3. cell phone (there are some free online services that can be used for this purpose, and most staff members have access to a cell phone), provided that this method would have some mechanism to avoid ballot-stuffing and
4. ballot boxes at several well-publicized locations (perhaps University Libraries, in order to limit the locations to ensure validity and security). At these locations, staff would be able to hand in a written ballot or get online and vote during the extended hours. The difficulty here is ensuring that one ballot is cast by each individual staff member. This needs to be vetted and discussed at the election committee level.

Using at least 1., 2., and 4., it would be possible ensure that staff members had only voted once; it might be more difficult to check with the addition of 3., but we thought it worth mentioning, since it came up in our discussion as a viable and accessible method.

To address the concerns of many staff members that supervisors will not allow them to vote during regular work hours, some staff suggested that an announcement be made by the senior leadership on each campus (i.e. the provost/chancellor) that supervisors *must* allow all employees half an hour to vote during work hours (that is, that they are not required to use their lunch hours or vote on their own time at home). There was some disagreement about this among the staff members, some of whom were concerned about what could and could not be mandated; still, the concerns deserve attention.

Some of our staff members recommend that in order to fully enfranchise employees, a hotline be established so that employees could call to report problems with the voting process. Others believe that by doing so we risk wandering into collective bargaining territory. Though we do not anticipate many calls, staffing the phone line could be problematic. Perhaps the Senate election committee can provide some direction on this matter.

We recommend that voting take place during extended hours, either starting at 8:30 a.m. and ending at 8 p.m., or perhaps lasting more than one day. Some staff members suggested that release time may be provided in half hour shifts for any staff member who wishes to vote in order to accommodate offices who can not afford to lose multiple staff members at the same time. (Though there was some disagreement about this matter, there was feeling among some staff members that without time provided to vote, particularly for union members who are “on the clock,” some staff members would not vote at all, and would be reluctant to do so during their lunch hour. We felt it important that this consideration be mentioned.)

Finally, we are sensitive to the fact that conducting an election with paper ballots will require some coordination and human resources; we recommend that the Senate Election Committee, chaired by Secretary of the Senate, and/or the Senate Parliamentarian be responsible for counting ballots (both absentee and cast at ballot boxes).

It is crucial, if staff participation in the University Senate is to be taken seriously, that we fully enfranchise all staff members in the election process.