


International Union of
Bricklayers & Allied Craftworkers
620 F Street, N.W., Washington, D.C. 20004 - Phone 202-783-3788



Memorandum

TO: IU Executive Board

FROM: Timothy J. Driscoll 

DATE: August 27, 2020

SUBJECT: Amendment to Code 3 of the IU Constitution

Article XI of the Constitution sets forth the substantive conditions regarding the election of International Union Officers, and Section A(9) empowers the Executive Board to establish the rules and procedures in the Codes for effectuating the election accordingly. Our existing Code 3, Rules Governing the Election of International Officers, contemplates an in-person Convention and paper ballot.

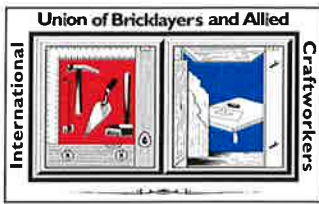
Most of Code 3 translates smoothly to a virtual format, but in order to hold an Officer election electronically during our upcoming virtual Convention, should one be necessary, I recommend that the Executive Board make explicit in Code 3 that an electronic election may be used, under certain circumstances, and with specific safeguards. I also recommend that we specifically exclude the physical arrangements set forth in the Code as inapplicable and provide flexibility as to the time and duration of the vote given the efficiencies of an electronic system. In the event any further procedural adjustments are necessary, I recommend that we delegate to the Election Committee the responsibility and the authority to make such adjustments by adopting procedural rules consistent with the letter and intent of Code 3.

Accordingly, pursuant to our authority under Article XVI, Section E of the IU Constitution, Rules of Order and Codes, I propose an amendment to add the following new Section 11 at the end of Code 3, Rules Governing the Election of International Officers:

11. *VIRTUAL/ ELECTRONIC ELECTION*: If the IU Executive Board determines that an in-person election of IU Officers is not reasonably feasible due to exigent circumstances, the Convention delegates may elect the IU Officers via virtual/ electronic election. The virtual election shall constitute a secret ballot election as required by Article XI and Section 3 of this Code 3, if, in addition to the other requirements of this Code as modified hereby, the following safeguards are present:

- A. Each voter can vote only once and can verify that his or her vote has been cast;
- B. All votes remain anonymous;
- C. The election is observable and verifiable as to:
 - 1. the eligibility of each voter;
 - 2. whether each vote was cast by a uniquely registered voter;
 - 3. the tallying of ballots and the totaling, recording, and reporting of the tally; and
 - 4. whether the election outcome corresponds to the votes cast; and
- D. The entire process is secured by Advanced Encryption Standard (AES) 256-bit encryption or other encryption technology that provides at least the same level of security.

In the event of a virtual/ electronic election, references to physical arrangements in this Code, including Section 5, shall not apply, and the time and duration of the voting period may be adjusted. Further, the Election Committee shall be empowered to establish procedural rules for the virtual election most closely consistent with the intent and purpose of the in-person election rules contained in Sections 1 through 10 of this Code 3.



International Union of Bricklayers and Allied Craftworkers

Executive Board

President

Timothy J. Driscoll

Secretary-Treasurer

Robert Arnold

Executive Vice President

Carlos Aquin

Executive Vice President

Jeremiah Sullivan

Memorandum

TO: IU Executive Council

FROM: IU Executive Board

DATE: September 25, 2020

SUBJECT: Amendment to Code 3 of the IU Constitution, Rules of Order and Codes

Pursuant to its authority under Article XVI, Section E of the IU Constitution, Rules of Order and Codes, the IU Executive Board has promulgated the amendment outlined below to Code 3. The amendment adapts Code 3 (Rules Governing the Election of International Officers) to the virtual format of our upcoming Convention by allowing for the electronic election of IU Officers under certain circumstances, and with specific safeguards, should an election be necessary.

The amendment to Code 3, adding a new Section 11 at the end of the Code, as set forth below, was adopted by the Executive Board on August 27, 2020, and is effective immediately from that date.

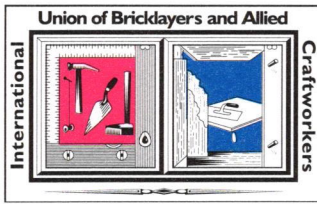
11. VIRTUAL/ ELECTRONIC ELECTION: If the IU Executive Board determines that an in-person election of IU Officers is not reasonably feasible due to exigent circumstances, the Convention delegates may elect the IU Officers via virtual/ electronic election. The virtual election shall constitute a secret ballot election as required by Article XI and Section 3 of this Code 3, if, in addition to the other requirements of this Code as modified hereby, the following safeguards are present:

- A. Each voter can vote only once and can verify that his or her vote has been cast;
- B. All votes remain anonymous;
- C. The election is observable and verifiable as to:
 - 1. the eligibility of each voter;

2. whether each vote was cast by a uniquely registered voter;
3. the tallying of ballots and the totaling, recording, and reporting of the tally; and
4. whether the election outcome corresponds to the votes cast; and

D. The entire process is secured by Advanced Encryption Standard (AES) 256-bit encryption or other encryption technology that provides at least the same level of security.

In the event of a virtual/ electronic election, references to physical arrangements in this Code, including Section 5, shall not apply, and the time and duration of the voting period may be adjusted. Further, the Election Committee shall be empowered to establish procedural rules for the virtual election most closely consistent with the intent and purpose of the in-person election rules contained in Sections 1 through 10 of this Code 3.



**International
Union of Bricklayers
and Allied Craftworkers**

Office of the Secretary-Treasurer

**EXECUTIVE BOARD
OF THE INTERNATIONAL UNION OF BRICKLAYERS
AND ALLIED CRAFTWORKERS**

27 August 2020

SPECIAL CIRCULAR NO. #1

TO: All BAC Local Unions, District Councils and State/Provincial Conferences

SUBJECT: Notification of Amendment to Code 3 of the IU Constitution

Dear Brothers and Sisters:

As a result of the ongoing COVID-19 pandemic and the resulting health risks and legal prohibitions associated with large in-person gatherings, the IU Executive Board determined that the 2020 Convention will be held as scheduled this September, but it will be held in a virtual format.

In order to adapt Code 3 (Rules Governing the Election of International Officers) to the virtual format of our upcoming Convention, pursuant to its authority under Article XVI, Section E of the IU Constitution, Rules of Order and Codes, the Executive Board has amended Code 3, adding a new Section 11 at the end of the Code, as set forth below.

The amendment was adopted by the Executive Board on August 27, 2020, and is effective immediately from that date.

Please notify your members of this amendment according to your normal procedures.

11. VIRTUAL/ELECTRONIC ELECTION: If the IU Executive Board determines that an in-person election of IU Officers is not reasonably feasible due to exigent circumstances, the Convention delegates may elect the IU Officers via virtual/ electronic election. The virtual election shall constitute a secret ballot election as required by Article XI and Section 3 of this Code 3, if, in addition to the other requirements of this Code as modified hereby, the following safeguards are present:

- A. Each voter can vote only once and can verify that his or her vote has been cast;
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- C. The election is observable and verifiable as to:
- (1) the eligibility of each voter;
 - (2) whether each vote was cast by a uniquely registered voter;
 - (3) the tallying of ballots and the totaling, recording, and reporting of the tally;
and
 - (4) whether the election outcome corresponds to the votes cast; and
- D. The entire process is secured by Advanced Encryption Standard (AES) 256-bit encryption or other encryption technology that provides at least the same level of security.

In the event of a virtual/ electronic election, references to physical arrangements in this Code, including Section 5, shall not apply, and the time and duration of the voting period may be adjusted. Further, the Election Committee shall be empowered to establish procedural rules for the virtual election most closely consistent with the intent and purpose of the in-person election rules contained in Sections 1 through 10 of this Code 3.

Fraternally yours,

BY ORDER OF THE IU EXECUTIVE BOARD

BY: Robert Arnold
Robert Arnold