

# **LOCAL 802 NOMINATION AND ELECTION RULES 2026 SPECIAL DELEGATE ELECTION**

## **NOTICE TO CANDIDATES**

In all instances below that refer to the “Recording Vice President,” the official contact shall be the Recording Vice President’s Executive Secretary Maureen Cupid, who is reachable at: [mcupid@local802afm.org](mailto:mcupid@local802afm.org) and/or (212) 245-4802, ext. 111

The physical offices of Local 802 (“Local 802’s offices”), (including the “office of the Recording Vice President”) for the purpose of picking up a petition, returning a petition, voting, or for any other purpose in these election rules is located at: 25 West 45th Street (10th floor), New York, NY 10036.

## **INTRODUCTION**

On May 20<sup>th</sup>, 2026, Local 802 will conduct a Special Election of two (2) Delegates and three (3) Alternate Delegates to the AFM Convention to fill the vacant Delegate and Alternate Delegate positions. The election will be held by a secret ballot, in-person vote of the membership, with the opportunity to request and receive an absentee mail ballot if you are unable to vote in person. The American Arbitration Association (the "Election Firm") will conduct the election process. The election will be governed by these rules (the “Election Rules”) and, where applicable, the AFM Constitution, the Constitution and Bylaws of the Associated Musicians of Greater New York, Local 802, AFM (“Local 802”) and Title IV of the LMRDA. The term of office for the winning candidates will begin on May 21<sup>st</sup>, 2026 and continue until December 31, 2027.

## **ARTICLE I: NOMINATIONS**

### **1. Positions to be Filled**

The following offices are to be elected:

- A. Delegate to the AFM Convention (2 positions)
- B. Alternate Delegate to the AFM Convention (3 positions)

### **2. Nomination and Acceptance.**

A. Method. A member may be nominated by petition on a form prepared by the Recording Vice-President and signed by one hundred (100) members in good standing.

B. Nominating Petitions.

i) March 31<sup>st</sup>, 2026 is the first date that NOMINATING PETITIONS for the election will be available to those seeking to run for a Delegate or Alternate Delegate position. You may request a petition as early as March 30<sup>th</sup>, 2026 by sending an e-mail to Recording Vice President's Executive Secretary Maureen Cupid at: [mcupid@local802afm.org](mailto:mcupid@local802afm.org).

ii) Petitions may be picked up from the Recording Vice-President beginning on March 31<sup>st</sup>, 2026 by either the candidate or a representative that the candidate has authorized to pick up a petition. Such authorizations must be submitted in writing to the Recording Vice-President prior to or at the time that petitions are picked up.

iii) A ticket may designate one representative (the "Ticket Representative") to pick up petitions from the Local 802 Recording Vice-President beginning on March 31<sup>st</sup>, 2026 at Local 802's Offices.

iv) Petitions must be returned to the Recording Vice-President on or before April 30<sup>th</sup>, 2026 by the nominee, and must be accompanied by the signed acceptance of the nominee.

v) A member in good standing signing a petition must sign their name and must include their card number on the petition. If you need to look up your Local 802 union card number, you may do so at <https://info.local802afm.org>. Any signature of a member not in good standing and/or with a missing card number, or a duplicate signature (i.e. a member signing more than once for the same candidate) will not be counted toward the nomination.

vi) Local 802 will permit nominees to e-mail "blank petitions" to members. A "blank petition" means a petition without any other signatures on it.

vii) Once a member receives a petition on behalf of a nominee, they must sign it as a "wet" signature. The term "wet signature" means an original handwritten signature and not an electronic signature of any kind. (Example: Local 802 member Jack receives a blank petition via e-mail from Jill. Jack prints out the petition at home, signs it by hand, scans the petition and then e-mails it to another member who does the same, and then sends it back to Jill. Jack may also snail-mail it back to Jill, but Jill is responsible for all deadlines as per the election rules.)

viii) A petition may contain multiple signatures.

ix) Petitions may also be circulated by other people on behalf of nominees.

x) If the same member signs a nominee's petition more than once, it will only be counted once. **To prevent delays for your nominees, members should only sign each nominee's petition once.**

xi) All petitions MUST be returned directly to the nominee for submission to Local 802. The nominee must forward to Local 802 all petitions in one "batch." If the nominee hand-delivers petitions to Local 802, the petitions must be clipped, stapled or otherwise bound together in a packet. If emailing petitions, they must be attached to the email from the nominee in one attachment.

C. Revocation of Acceptance. After a candidate has been nominated, they may not, under any circumstances, revoke acceptance after 12:00 p.m. on May 4<sup>th</sup>, 2026 except where, as a result of such revocation, the remaining candidate is left unopposed.

D. Unopposed Nominees. When a nominee is unopposed, there shall be no necessity for the election of such nominee and they shall be declared duly elected effective as of the beginning of the nominee's terms.

### **3. Publication/Posting of List of Candidates.**

Local 802 shall post the list of nominated candidates on the Local's website as soon as practicable after the close of nominations.

## **ARTICLE II. ELIGIBILITY RULES**

### **1. Eligibility to Nominate.**

To be eligible to nominate, a member must have paid their dues for the first quarter of the election year on or before March 31<sup>st</sup> 2026.

### **2. Eligibility to Be a Candidate.**

To be eligible to run for office, one must:

A. Be a member in continuous good standing of Local 802, with one's dues paid to the Local Union for the period of two (2) consecutive years prior to May 20th, 2026, with no interruptions in active membership due to suspensions, expulsions, transfers or failure to pay fines or assessments provided, however, that suspensions during this two-year period for a period not exceeding six (6) months, when due solely to the failure to pay regular periodic membership dues, shall not be deemed a bar to eligibility;

B. Not have been convicted for a violation of the Constitution and Bylaws of Local 802 or the AFM Constitution within two (2) years of the date of nomination pursuant to Article VI Section 5 of the Local's Bylaws.

### **3. Eligibility to Hold Office**

To be eligible to hold office, one must:

A. Not be an employer including, but not limited to: (a) a leader, contractor, agent, Broadway producer, personnel manager, partner in a booking office or officer of a booking corporation; or (b) a member who is continuously engaged in the hiring or supervising or assisting in the hiring of other members; and

B. Be otherwise eligible to hold office if elected, consistent with the Constitution and Bylaws of Local 802, the AFM Constitution, and applicable federal law.

### **4. Eligibility to Vote.**

A. General Rule. To be eligible to vote, a member must have paid their dues for the 1st quarter of the election year on or before March 31<sup>st</sup>, 2026, or on or before the first business day following March 31<sup>st</sup> in the event that that date is a Saturday, Sunday, or other day on which the Local is not open for business.

B. New Members. Any member who first joins the Local after the close of the 4<sup>th</sup> quarter of the previous year, (December 31<sup>st</sup>, 2025) shall be ineligible to vote in the 2026 Special Delegate election.

### **5. Ticket Membership.**

Each candidate may campaign and appear on the ballot as a member of a ticket of candidates. No candidate shall be compelled to run as a member of a ticket. No candidate shall be permitted to run on more than one ticket.

### **6. Formation of Tickets.**

To form a ticket, there shall be mutual consent between and among all candidates running on the ticket. Such mutual consent shall be evidenced by the signing of a declaration by all members of the ticket, giving the name of the ticket to be formed, the printed name of each candidate as it will appear on the ballot, the contact information (email and cell phone) for each candidate, and the office (Delegate or Alternate Delegate) that each candidate seeks. The ticket declaration form shall be submitted in person or by email to the Recording Vice President at [mcupid@local802afm.org](mailto:mcupid@local802afm.org) and the Election Firm at: [KawaharaH@adr.org](mailto:KawaharaH@adr.org) no later than April 30th, 2026 at 5 p.m. Unopposed candidates may appear on the ballot if part of a ticket.

### **7. Effect of Eligibility Determination.**

Should one (1) or more members of a ticket be found ineligible to run, such ineligibility shall not affect the remaining member(s) of the ticket.

## **8. Non-Amendment of Ticket Declarations.**

Once submitted, a ticket declaration may be amended up until April 30<sup>th</sup>, 2026. After that date, no amendments may be made, regardless of whether any member of the ticket has been declared ineligible to run for office.

# **ARTICLE III CAMPAIGNING AND ACCESS**

## **1. Inspection of Membership List.**

Each duly nominated candidate is permitted, either in person or through a representative, including the Ticket Representative, to inspect the membership rolls of the Local prior to the election. A request in writing must be sent to the Recording Vice President in advance of a candidate's requested inspection date. The authorization of a representative must be in writing and signed by the individual candidate. No candidate or representative may copy the membership list or any member's contact information.

## **2. Mailings of Candidate Literature.**

A. Each candidate shall be permitted a reasonable opportunity, equal to that of any other candidate, to have their literature mailed at the candidate's expense. Each candidate is entitled to a reasonable number of mailings, whether or not any other candidate makes such request(s).

B. Such request(s) for literature mailings shall be made in writing by the candidate to the Recording Vice-President at [mcupid@local802afm.org](mailto:mcupid@local802afm.org) and shall specify the desired date of the mailing and the portion of the membership that is to receive the mailing. If feasible, Local 802 will honor requests to distribute literature mailings to a specific portion of the membership.

C. Local 802 will arrange for the production of mailing labels/electronic database from the Local's computer records and for a New York area mail house to either: (a) label and mail pre-sealed envelopes containing campaign material; or (b) insert the candidate's preprinted campaign material into labeled and sealed envelopes. Candidates must tender the cost of such literature distribution upon delivery of their material to the mail house. A candidate also will be responsible for reimbursing Local 802 for the reasonable costs it incurred in connection with the distribution of candidate campaign material, including the production of mailing labels, prior to the mailing.

D. The Local Union will not distribute any candidate's campaign literature if that candidate has not paid for the reasonable costs of the mailing, including the costs of printing and affixing the mail labels, prior to the mailing. Payment of the costs associated with the labels shall be made to the Local Union prior to the time the mailing labels are generated.

E. In complying with requests to mail literature, the Local Union shall use the names and current addresses that are on file for all members. Mailing labels shall be prepared through the least expensive system available to the Local Union.

### **3. Emailing Candidate Literature**

A. Each candidate shall be permitted a reasonable opportunity, equal to that of any other candidate, to have their literature sent via electronic mail at the candidate's expense. Each candidate is entitled to a reasonable number of electronic mailings, regardless of whether or not any other candidate makes such request(s).

B. Such request(s) for electronic mailings shall be made in writing by the candidate to the Recording Vice-President's Executive Secretary [mcupid@local802afm.org](mailto:mcupid@local802afm.org), and shall specify the desired date of the electronic mailing and the portion of the membership to receive the electronic mailing. If feasible, Local 802 will honor requests to distribute literature mailings to a specific portion of the membership.

C. All candidates have the opportunity to send campaign communications by email to all eligible voters who have provided an email address to the Union. Email distribution of literature will be transmitted by an independent company designated by Local 802 that specializes in electronic communications. The email message must identify the candidate and be in rich text format. The message may not include attachments, though it may include a website's URL in rich text format. The subject line will read "Local 802 Election Campaign Literature." All messages will be preceded by the following statement:

"This email is not an official communication from Local 802 and has not been transmitted at Local 802's expense."

and followed by the following statement:

"Local 802 is required by federal law to comply with all reasonable requests by candidates for union office regarding the distribution of campaign literature at the candidate's expense. The preceding message has been prepared by the candidate and is not endorsed or reviewed by Local 802. The candidate has not been provided with your email address and will not receive any responses. This message is being transmitted by an independent electronic communications company that has signed an agreement with Local 802 which requires the company to guarantee the confidentiality of your email address."

D. The candidate will be responsible for all vendor costs and will pay the vendor directly for the transmission of candidate literature via email. Local 802 will provide candidates requesting the distribution of literature via email with the name of the authorized vendor. Payments must be made to the vendor prior to its rendering services.

E. Upon the reasonable request of a candidate, and if feasible, Local 802 will provide segmenting services wherein it will isolate the email addresses of a particular segment of the membership and transmit that list to the email vendor. Candidates will be required to reimburse Local 802 for staff time spent segmenting the list at a rate of \$50.00/hour.

#### **4. Confidentiality**

All vendors will sign a confidentiality agreement that guarantees that members' mail or email addresses will not be made available to the candidate(s), the recipients of campaign materials, or any third party. The vendor will verify with Local 802, before entering into an agreement with the candidate, that they are included on a list of authorized candidates. Candidates will not be able to see progress messages, bounce notifications or failed delivery information. Upon request by the candidate, the vendor will provide them with a report on the total number of emails sent and the total number of undeliverable emails.

#### **5. Content of Campaign Literature**

Local 802 may not refuse to process or distribute any candidate's literature based on its content, nor may it edit any candidate's campaign literature.

#### **5. Freedom to Exercise Political Rights.**

Subject to the limitations set forth in Article IV, all Local Union members and all Local Union Officers and employees, if members, retain the right to participate in campaign activities, including the right to run for office if qualified, to openly support or oppose any candidate, to aid or campaign for any candidate, and to make personal campaign contributions.

### **ARTICLE IV**

#### **CAMPAIGN CONTRIBUTIONS**

##### **1. Limitations on Contributions.**

A. Receipt of Employer Contributions. No candidate for election shall accept from any contributions or other things of value, including but not limited to the contributions listed in Article

IV.1.B, below, from any employer (including employers who are not covered by Local 802 collective bargaining agreements), representatives of employers, foundations, trusts, or any other employer.

B. Employer Contributions. No employer shall be permitted to contribute anything to any candidate or their campaign. The prohibition on employer contributions extends to every employer, regardless of the nature of the business or whether any union represents its employees. It includes, but is not limited to, political action organizations (other than a candidate's campaign organization), nonprofit organizations, churches or civic groups, law firms, other professional organizations, and any organization that employs employees. This prohibition includes a ban on monetary contributions and the use of an employer's, stationery, equipment, telephones and cell phones, computers and laptops, facilities, personnel, professional services, websites, social media sites, and other employer resources.

C. Prohibited contributions from members. No member who is an employer of other members, or who is an agent or representative of any employer, or who directs, hires or engages Local 802 members on a continuing basis, or who directs or engages on a continuing basis another person or persons to hire members on their behalf, shall be permitted to make any campaign contributions, directly or indirectly, to any candidate for office in this election. This includes members who act as leaders, contractors, agents, Broadway or other producers, personnel managers, partners in a booking office or officers of a booking corporation, and any member continuously engaged in hiring, supervising, or assisting in the hiring of other members. No candidate shall be allowed to solicit or accept campaign contributions of any kind from any of these persons or entities.

D. Union Contributions. No labor organization shall be permitted to make any of the contributions listed in Article IV.1.B, above, to support or promote the candidacy of any individual or ticket, and no candidate may accept any contribution or any other thing of value from any labor organization.

## **2. Use of Local 802 Resources.**

No Local 802 services, facilities, stationery, equipment, telephones, cell phones, computers, laptops, personnel, professional services, goods, or any other thing of value shall be used to promote the candidacy of any individual, and all candidates are prohibited from using any of these or other Local 802 resources to promote their campaigns. The use of the Union's logo by any candidate for campaign purposes is strictly prohibited.

## **3. Social Media.**

Campaigning for union office on any Local 802 social media account, including but not limited to Local 802's Facebook and Instagram accounts, is strictly prohibited. Until the election date, comments on the Local's social media accounts will be disabled.

#### **4. No Campaigning on Paid Time.**

No member may campaign for themselves or for any other candidate during time that is paid for by the Local Union, the AFM, or by any employer. However, campaigning incidental to work or regular Local Union business or during paid vacation, paid lunch hours, paid breaks, or similar paid time off, is permitted.

#### **5. Permissible Contributions.**

Nothing shall prohibit an individual from donating personal services rendered on the individual's personal, uncompensated time to a candidate.

#### **6. Notice to Contributors.**

It is strongly recommended that each candidate notify all prospective contributors of the limitations on campaign contributions.

### **ARTICLE V. THE ELECTION**

#### **1. The Ballot.**

A. Printing of Ballot. All ballots shall be identified as the "Official Ballot: Local 802 2026 Special Delegate and Alternate Delegate Election" and shall be printed in a legible manner, with appropriate voter instructions as determined by Local 802 and the Election Firm.

B. Headings. The names of all candidates for the following offices shall be printed on the ballot in alphabetical order: Delegates to the AFM Convention and Alternate Delegates to the AFM Convention. The names of all candidates on a ticket shall be placed under the heading of the name or title of the ticket, as designated by a ticket declaration form timely submitted to the Local 802 Recording Vice-President.

C. Order of Ticket Placement. All full and then partial tickets shall be listed on the ballot before the column(s) listing independent candidates. The order of placement on the ballot of full tickets, and then partial tickets, shall be determined by the Election Firm by lot at the candidates meeting on April 30<sup>th</sup>, 2026.

D. Candidate Names. Candidates shall be identified on the ballot only by name and, if affiliated, by ticket.

E. No Write-in Votes. Write-in votes are not permitted and will not be counted.

F. Additional Ballot Rules. There shall be no check box on the ballot to vote for an entire ticket.

G. Ballot Custody. Representative(s) of the Election Firm shall maintain the ballots at all times throughout the election period and for a period of one (1) year thereafter.

## **2. Time, Date and Location of Election.**

A. In-person Voting. The in-person voting process shall take place on Wednesday, May 20<sup>th</sup>, 2026 at the Local's offices from 10AM to 8PM and at Good-Shepherd Faith Presbyterian Church located at 152 W 66th St, New York, NY 10023 in their Social Hall from 12pm-7pm.

- A. Campaigning on Election Day. Campaigning at the election sites on Election Day shall not be permitted. Members may campaign outside the election sites on Election Day, including on the sidewalks.
- B. Absentee Balloting. Absentee balloting shall be permitted for those who, on or before April 30<sup>th</sup>, 2026, request an absentee ballot from the Recording Vice-President. Members must include their card number in their request for an absentee ballot. Absentee ballots will be mailed on May 4<sup>th</sup>, 2026 to voters who have requested them and must be received by the Election Firm no later than May 20<sup>th</sup>, 2026 at 10 am. Requests for replacement absentee ballots must be made to the Election Firm by May 10<sup>th</sup>, 2026. A member who returns both an absentee ballot and votes at the polls will only have their in-person vote counted.
- C. Election Challenges. A voter shall be permitted to vote subject to challenge(s). All unchallenged votes shall be counted first. In the event that any candidate attains a margin of victory greater than the number of challenged votes left to be counted, the count shall cease with respect to such candidate(s). However, if such is not the case for all candidates, for all offices, a sufficient number of challenged votes shall be resolved so that the number of challenged votes remaining could no longer affect the outcome of the election.
- D. Voting Rules. If, on any ballot, the total number of votes exceeds the number of candidates to be elected for such a position or positions, that portion of the ballot shall be void. In other words, if you vote for more candidates than the number of available positions, all your votes will be voided for that position.
- E. Vote Count. The vote count shall begin immediately following the closing of the polls on May 20<sup>th</sup>, 2026, and shall proceed without interruption until concluded. The Election Firm shall bring all ballots to the primary Local 802 election site before commencing the count.

### **3. Observers.**

Each candidate shall have the right, at their expense, to observe or to have observer(s) present at each phase of the election process, including the selection by lot of placement on the ballot, and the printing, mailing, pick-up and counting of ballots. Observer(s) must be the candidate or a representative designated by the candidate in writing to the Recording Vice-President at least one day prior to the observable event. The designated Ticket Representative may also serve as an observer in addition to the candidate and their designated representative.

### **4. Posting of Rules, Election Firm, and Impartial Arbitrator.**

On or before April 1<sup>st</sup>, 2026, Local 802 will post these Rules on its website. The Election Firm will be the American Arbitration Association (AAA), 120 Broadway, 21st Floor, New York, N.Y. 100271, 212-484-4136. The AAA's contact is [KawaharaH@adr.org](mailto:KawaharaH@adr.org).

## **ARTICLE VI. PROTESTS AND APPEALS**

### **1. Impartial Arbitrator**

As soon as practicable, the American Arbitration Association will appoint an impartial arbitrator to hear and determine post-election protests.

### **2. Eligibility Protests**

A. Any member who desires to challenge a candidate's eligibility to run for office must file an eligibility challenge by email to Recording Secretary within forty-eight (48) hours of when the member knew or should have known of the basis for the eligibility challenge.

C. With respect to any eligibility challenge, the burden is on the member challenging eligibility to demonstrate that an eligibility determination was made in error.

D. The decision on eligibility is appealable to the American Federation of Musicians pursuant to Article 5 of the AFM Constitution and Bylaws. Pending the appeal, the Union's eligibility determination stands.

### **4. Post-Election Protests.**

A. A post-election protest alleging a violation of these Election Rules, the Local 802 Constitution and Bylaws, the AFM Bylaws, or Title IV of the LMRDA must be sent by email and certified or registered mail to the American Arbitration Association, with a copy to the Recording Vice-President, within one (1) week after the tally of ballots. The protest must set forth the exact nature and specification of the claim and a description of how it affected the outcome of the election. All protests raised after one (1) week shall be deemed waived.

B. With respect to any protest, it shall be the burden of the protester to present evidence that a violation has occurred and that the violation affected the outcome of this election.

C. Both the respondent and the Union shall have a right to present their position to the impartial arbitrator.

D. If, as a result of any protest, the impartial arbitrator determines that these Rules, the Local 802 Constitution and Bylaws, the AFM Bylaws, or Title IV of the LMRDA has been violated, the impartial arbitrator may take appropriate remedial action.

E. The decision of the arbitrator is appealable to the American Federation of Musicians pursuant to Article 5 of the AFM Constitution and Bylaws. Pending the appeal, the decision of the impartial arbitrator stands.

#### **ARTICLE VII. ANNOUNCEMENT AND CERTIFICATION OF ELECTION RESULTS**

Upon completion of the vote count, the Election Firm will announce the results of the count and certify the count in writing. The candidates elected in the Local 802 Special Election will assume their offices on May 21<sup>st</sup>, 2026 and remain in office until the expiration of the current term.