



## **POPA Standing Rules December 2025**

### **Definition of Communist Affiliation**

1. A person shall be deemed to be "affiliated with Communist or other totalitarian movements" if that person (a) is a member of the Communist party or other totalitarian movement, (b) has taken substantial action in support of such movements over and above mere advocacy of their underlying philosophies, or both (a) and (b).

### **Definition of Corrupt Influences**

2. A person shall be deemed to be "identified with corrupt influences" if that person has been convicted of, or served any part of a prison term resulting from conviction of, a felony, for ten years after such conviction or after the end of such imprisonment, unless prior to the end of such ten-year period such person's citizenship rights, having been revoked as a result of such conviction, have been fully restored.

### **Definition of a Member**

3. A person shall be deemed to be a "member" if that person qualifies for membership as stated in Article IV, Section 1, of the Constitution, and has paid yearly dues or is up-to-date with dues within the immediately preceding year. (December 2025)

### **Definition of a Member in Good Standing**

4. A member shall be deemed to be in "good standing" if that member has paid yearly dues or is up-to-date with dues within the immediately preceding twelve months, and who has not voluntarily withdrawn from membership, nor has been excluded from membership. (December 2025)

## **Negotiated Agreements**

5. The Secretary shall provide an electronic copy of any Association negotiated agreement to any member of the bargaining unit who requests such a copy and whose rights as a unit member are directly affected by such agreement. The Secretary also shall maintain copies of all such agreements, which copies shall be available for inspection by any member or by any employee whose rights are affected by such agreement. (December 2025)

## **Election Protest**

6. Any member of the Association may file a protest alleging violations of the nomination and election procedures. The protest must (a) be in writing, (b) contain a clear and concise statement of the facts alleged to constitute violations of the nomination and election procedures, (c) contain a statement of the relief requested and (d) be presented to the Election Committee no more than three working days after the certified election results. The Election Committee shall render a written decision and transmit a copy to the protestor and the Executive Committee. The protestor may appeal the decision of the Election Committee to the Executive Committee by presenting a written appeal to the President at least ten working days prior to the annual December meeting. If the Election Committee does not render a written decision within three working days of receipt of the protest, then the protestor may appeal directly to the Executive Committee by presenting said protest to the President at least ten working days prior to the annual December meeting. Within one week of either such appeal, the protestor shall be notified of the time and place of a special meeting of the Executive Committee, at which meeting the protestor will be afforded an opportunity to be heard. A 2/3 majority vote of the members of the Executive Committee present and voting shall be necessary to sustain the election protest. The protested election shall be presumed valid pending final resolution by the Executive Committee. For purposes of this section only, "working day" is any weekday, Monday-Friday, excluding Federal Holidays. (December 2025)

## **Exclusion from Office**

7. Any member of the Association may file a request to exclude any member, hereinafter, in this Rule, to be referred to as the affected member, from office in the Association for the reasons stated in Article III, Section 2(E) of the Constitution. The request to exclude from office must (a) be in writing, (b) contain a clear and concise statement of the facts alleged to be sufficient to exclude from office and (c) be presented to the Election Committee. The Election Committee shall render a written decision explaining the basis for exclusion or non-exclusion and transmit a copy to the requestor, the affected member and the

Executive Committee. If the Election Committee does not render a written decision within two weeks of receipt of the request, then the requestor may appeal directly to the Executive Committee by presenting said request to the President. A decision for exclusion may be appealed by the affected member to the Executive Committee by presenting a written appeal to the President within two weeks of such decision. Within one week of either such appeal, the affected member shall be notified of the time and place of a special meeting of the Executive Committee, at which meeting the affected member will be afforded the opportunity to be heard. A 2/3 majority vote of the members of the Executive Committee present and voting shall be necessary to sustain the request to exclude.

### **Election Apportionment**

8. For purposes of election apportionment and election voting, dues-paying members from the Central Reexamination Unit (CRU) and the Patent Training Academy, or their organizational successors, as well as dues-paying members who are either a Training Quality Assurance Specialist (TQAS), Subject Matter Expert (SME) or any other Technology Center-specific assigned bargaining unit positions, shall be considered to be members in the discipline (Electrical, Mechanical, Chemical) they are assigned to work in. Any other new bargaining unit members not specifically assigned to a particular Technology Center or specific discipline will be part of the "Designs and Others" category. (June 2011, September 2014, December 2025)

### **Nomination Procedures**

9. The Election Committee shall make a Call for Nominations no later than October of Association election years and shall specify a period of not less than one full week during which nominating petitions will be accepted. (June 2011, September 2014)
10. Nominations for an Officer shall be by petition stating the Office sought, acknowledging a willingness to serve over the nominee's signature and signed by at least 15 members in good standing.
11. Nominations for an Area Delegate shall be by petition stating the organizational area sought to be represented, acknowledging a willingness to serve over the nominee's signature and signed by at least 5 members in good standing from the organizational area sought to be represented. A nominee for a particular organizational area must occupy a position within that area.
12. If a nominee for Area Delegate is on temporary detail, work assignment or equivalent during the nominating period, the nominee can run for area delegate in the area the

nominee was assigned to prior to going on temporary detail, work assignment or its equivalent. (October 2006)

- 13.** Nominating petitions must be delivered to the Election Committee, or to the Secretary, who will transmit them to the Election Committee.
- 14.** The Election Committee shall decide the validity of every nominating petition by verifying that each nominee is a member in good standing and that all other requirements for nominations have been satisfied.

### **Election Procedures**

- 15.** The Election Committee shall, at least 15 days prior to the November election, mail notice thereof to each member at their last known address. The notice shall specify the date(s), time(s), method of election (i.e. U.S. mail,) and the offices to be filled. The notice shall also specify the place of the election if voting is to occur at a specific location. For purposes of this section only, a member shall be anyone who, as of the predetermined date, (a) has paid yearly dues or is up-to-date with dues that has not been terminated or (b) has within the year paid their dues by other than the dues- deduction method, and is still within the field of membership (i.e. the yearly dues covers at least through the election). Members shall be responsible for notifying POPA of their current mailing address and maintaining the accuracy of their mailing address. (June 2011, December 2025)
- 16.** The Election Committee shall comply with all reasonable requests of any candidate to distribute by mail or otherwise, at the candidate's expense, campaign literature in aid of such person's candidacy to all members in good standing. For one time only, within thirty days of the election or before the mailing of the ballots in a mail ballot election, each candidate shall have the right to inspect a list containing the names and last known addresses of all members in good standing relevant to the office sought. Candidates may not copy, photograph, or move such lists(s). (December 2025)
- 16.1** Any candidate may appoint an observer for the election. Observation is in-person only. The election may not be recorded (audio or visual) or livestreamed. The election may not be observed by phone or video call (e.g. FaceTime). Candidates may serve as their own observer or appoint an observer who is a member in good standing of the Association. Candidates are required to notify election officials of the identity of their observers prior to the election (day of the counting of the ballots). The observer may observe the counting of the ballots but shall in no way interfere with or disrupt the balloting and ballot counting procedures or with the individuals carrying out the ballot counting procedures. An observer shall not handle any of the ballots. No observer shall be left unattended with the election ballots. (June 2011, December 2025)

17. The Election Committee shall publish detailed election guidelines on the Association website. (December 2025)
18. Only members in good standing as of a predetermined date prior to determination of apportionment may participate in the election. (June 2011, September 2014)
19. Association elections will be held by secret ballot. Ballots shall include a list of candidates for Officers and Area Delegates. The order of listing of candidates on the ballots shall be determined by a random drawing and incumbents shall be identified. The election will be held by mail. Ballots shall be cast by mail through the U.S. Postal Service. Voting shall run for a period of no less than 15 days from the mailing date of the election ballots and ballots must be received on or before 9AM ET on the date of the election. If the Department of Labor promulgates rules and regulations for electronic voting, the Executive Committee will meet to determine if the election will be by mail or by electronic means. (June 2011, September 2014, December 2025)
20. Members may run both as an Area Delegate and as an Officer; however, they may be elected to only one position. If elected as an Officer, the member's name will automatically be removed from the list of Area Delegates.
21. In the event of a tie vote in any race, the candidates will be notified and an inquiry will be made as to whether any of the candidates wish to withdraw so as to resolve the contest. Failing this, a run-off will be held under the following guidelines:
  - a. The membership list will be closed, which means that no new members will be permitted to join and vote in the run-off.
  - b. Ballots will be prepared and distributed to the affected area, the election will be held and the ballots counted.
  - c. In the event of another tie vote, the contest will be decided by the flip of a coin.
22. The Election Committee shall furnish the Secretary and the President with a full written final report of the election. The Election Committee's final report shall be presented to the Executive Committee as soon as feasible.
23. The Secretary shall preserve for one year the ballots and all other records pertaining to the election.

#### **Quorum for Meetings**

24. A quorum for the purposes of an Executive Committee meeting shall be calculated on the basis of the number of currently elected and appointed Executive Committee members existing at the beginning of the Executive Committee meeting. (July 2006)

### **Executive Committee Meeting Rules**

- 25.** All Executive Committee motions shall be submitted to the Secretary and/or Assistant Secretary by normal COB (6:00 p.m. ET) of the day before the first scheduled Executive Committee meeting, and any motion involving internal POPA business shall be read/disseminated at said first Executive Committee meeting, with a vote on such motion to occur no earlier than at the next Executive Committee meeting. (December 2025)

*As amended 1984, 1993, 2000, 2006, 2008, 2011, 2014, 2025*