

ELECTIONS

# Election Arbitration Rules

of the American Arbitration Association®



AMERICAN ARBITRATION ASSOCIATION®

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# Election Arbitration Rules

## of the American Arbitration Association®



## Introduction

The need for fair and impartial procedures in the conduct of non-governmental elections has long been recognized. In recent years, a growing number of organizations has called on the Election Department of the American Arbitration Association to administer elections.

AAA® administration is based on observance of applicable federal and state laws, adherence to democratic practices, including the right of the constituency in good standing to participate fairly in the election, and compliance with the organization's constitution and bylaws regarding election procedures.

### 1. Authority

The American Arbitration Association may administer an election or referendum whenever the organization involved shall duly request that service. These rules, as then obtaining, shall be applicable. The duties of the AAA may be carried out through its officers, employees, or agents.

### 2. Initiation of an Election

The organization shall file with the AAA at any of its offices a written request that it administer an election, together with the election provisions of the organization's, constitution and bylaws or other documents that disclose the authority and obligations, of the administrator.

### 3. Appointment of Election Arbitrator

If the AAA shall thereafter agree to administer the election, it may at any time appoint an election arbitrator, or arbitrators, from its National Panel of Arbitrators. At its discretion, the AAA may exercise the powers and duties of an election arbitrator.

#### 4. Notice of Appointment

When the election arbitrator is notified by the AAA of the selection, the arbitrator must promptly disclose any circumstance that might disqualify him or her as an impartial arbitrator.

#### 5. Vacancies

If an election arbitrator should resign, be unable to serve, or be disqualified from performing the duties of the office, the AAA may declare the office vacant and appoint a new arbitrator. The election may proceed with or without a new arbitrator at the discretion of the AAA.

#### 6. Election Procedures

The AAA shall have the right to full disclosure as to the election, including the nomination procedures, if any, and shall determine the method of balloting, and all procedures and arrangements for the administration of the election.

#### 7. Meeting of Interested Parties

The AAA may call a conference of the interested parties for the purpose of advising them as to the procedures and arrangements for the administration of the election.

#### 8. Challenges and Certification

The election arbitrator shall rule on all challenged ballots and on any other objection to the election and shall certify the result, of the election in writing.

#### 9. Interpretation and Application of the Rules

The election arbitrator shall interpret and apply these rules insofar as they relate to the arbitrator's powers and duties. All other rules shall be interpreted and applied by the AAA, which shall have the right to withdraw its administration of an election at any time.

#### 10. Exclusion of Liability

Neither the AAA nor any election arbitrator shall be liable to any party for any act or omission in connection with any election conducted under these rules.

## 11. Fees

As a not-for-profit organization, the AAA and the election arbitrator, if any, shall be compensated for services performed in the administration of the election. An advance deposit may be required. The AAA will render an accounting to the organization or organizations involved.

