

Post-Election Challenge Rules

OFNHP 2026 Election

1. Per the OFNHP bylaws, challenges to the election must be submitted in writing within 5 days of the vote count. The vote count for the election is on March 19, 2026, so challenges must be received by March 24, 2026.
2. The vote count date for a runoff will be announced if a runoff occurs. Challenges for any runoff elections will be due within 5 days of the runoff vote count.
3. Challenges to the election, or runoff, are both due within 5 days of the respective count. Per the constitution, the Election Committee will issue an opinion to the challenge within 10 days of receipt of a challenge. During this time the committee will extend the challenge to the prevailing candidate, review the evidence in the challenge and any rebuttal, and may hold a hearing if it determines necessary.
4. If you have submitted a pre-election complaint this does NOT satisfy the requirement to submit a post-election challenge. You must submit a new post-election challenge with documentation.
5. You may submit your challenge by email to elections@ofnhp.org. Do not fax, mail, or hand-deliver your complaint. You will get an email response from the committee that we have received your challenge.
6. Your challenge must include:
 - a. **A statement of supporting reasons.** You must explain what rules were broken and why the violation might have affected the results of the election.
 - b. **Specific facts.** Think: Who, What, Where, When. You must provide enough information that the candidate whose election you are challenging has a fair chance to put together a rebuttal to specific information.
 - i. Insufficient example: Candidate X campaigned on employer time.
 - ii. Sufficient example: Candidate X handed out flyers in front of the KSMC Emergency Department from 3-4pm on Monday February 2 while they were being paid by Kaiser to cover the mental health hotline. They handed out about one inch of flyers, and they won by 5 votes, so the number of flyers was greater than their margin of victory.

- c. **Documentation.** Witness statements and exhibits to show your facts are true. If you do not provide support for each fact, the Election Committee may reject your challenge without a hearing.
 - i. In the example above, you should include witness statements from people who saw Candidate X campaigning, and a witness statement or document to show they were on Kaiser time when they did it, such as a statement from a person who saw the schedule or the schedule itself.

7. The Election Committee will forward the challenge and documentation to the “prevailing candidate” (the individual whose election is challenged).
8. The prevailing candidate will be provided a deadline to send a rebuttal to the Election Committee.
9. The rebuttal must include supporting reasons, specific facts and documentations as described above.
10. The prevailing candidate must submit their rebuttal by email to elections@ofnhp.org. Do not fax, mail, or hand-deliver your rebuttal. You will get an email response from the committee that we have received your rebuttal.
11. The Election Committee will forward the rebuttal to the challenger.
12. The Election Committee will decide whether to hold a hearing and the scope of the hearing. The Election Committee reserves the right to decide issues without a hearing if either side fails to provide support for its position. However, given the tight deadlines, all parties should prepare to present all issues at a hearing.
13. The Election Committee will determine where and how a hearing may be held and any party or witness may request to attend. Both the challenger and prevailing candidate will have a right to appear themselves, to have another OFNHP member present their arguments, or both.
14. The hearing will proceed in the following order:
 - a. The hearing will proceed in the following order:
 - b. The challenger presents their evidence- only documents submitted in the original challenge may be presented. The challenger may call witnesses. After the challenger has questioned the witness the prevailing candidate and the Election Committee may ask the witness questions. Questioning will

continue until all sides have asked all the questions they feel necessary or the Election Committee finds no further questioning is needed.

- c. The prevailing candidate presents their evidence with the same rules as set for the challenger.
- d. The challenger and prevailing candidate may then present a rebuttal to each side's presentation if they wish.
- e. The challenger and prevailing candidate will present a closing statement respectively.
- f. The Election Committee retains the right to alter this sequence and make rulings as needed to ensure a fair and efficient hearing.

15. The challenger has the burden of proof to show that a violation of the LMRDA, AFT Constitution, OFNHP Bylaws, Constitution or Election Rules has occurred AND has the burden of proof to show that the violation might have affected the election results.

16. Any appeal of the Election Committee's decision to the AFT is handled by the AFT and governed by the AFT Constitution.