

Procedures for Delegate Recall: By Class from which the Delegate came.

Section 1. The recall petition is to be sent to the secretary of the LSB, c/o the radio station. The petition may be delivered in person, or via US mail or commercial delivery service. Notice of the delivery of the petition shall be sent to the secretary via e-mail. The secretary will forward it within 2 days to legal counsel, previously designated by the PNB, for a determination of whether or not the petition is alleging behavior that is “adverse to the best interest of the Foundation or the local radio station”. The Secretary will notify the Chair of the PNB and the Pacifica Executive Director of the arrival of the petition at the same time. Counsel is to return it to the Chair of the PNB within 5 working days. The PNB at a special meeting if necessary, will decide, upon the advice of counsel, whether the charges in the petition meets the standard in the bylaws for actions “detrimental to the best interests of the foundation”. If the decision is affirmative, the Chair of the PNB will notify the GM of the station within 2 days of the need to certify the petition. If it is negative, the PNB chair will notify the petitioners that their charges have not met the legal standard necessary, and the recall will not occur.

Section 2. The General Manager will have 10 working days from receipt of the petition to certify that the names on the petition are authentic and of sufficient number to satisfy the bylaw requirement of 2% of the membership of the class of the delegate. The GM will notify the secretary of the LSB immediately when that determination is made. The number of required signatures shall be clearly stated in this letter of determination.

Section 3. The record date for the recall election will be the date that the GM certifies the petition, and only members in good standing at that time are entitled to vote. The secretary, upon receipt of the certification will immediately notify the Chair of the PNB that a recall election must be held, with the record date of the petition. The Chair will immediately notify the delegates subject to recall of the record date. To be a valid signature on an LSB Recall Petition, the person signing must be a member on the date of signing the petition.

Section 4. The PNB or their appointed representative shall appoint an agent to supervise the conducting of the election or otherwise see that the election is conducted fairly. The ballots are to be distributed between 45 and 60 days from the record date. They are to be returned within 35 days of their mailing date. Ballots are to be counted and a result declared by the election supervisor within 15 days of the return date of the ballots.

Section 5. The ballot will consist of the text of the recall petition of 1000 words or less, exactly as submitted, a statement from the delegate subject to recall of no more than 1000 words, and the ballot question which will be comprised of only yes or no as a response to whether the delegate shall be recalled. The delegate’s statement is required to be filed 21 days before the mailing date determined by the election supervisor.

Section 6. Delegates subject to recall and petitioners shall have equal access to the mailing list for the eligible members. Any challenges to the names on the lists will be resolved by the appointed supervisor in consultation with the General Manager.

Section 7. All recall elections must be completed prior to 90 days before the date for sending out of ballots for a general election, if any delegate subject to recall is eligible for election in that general election.

Section 8. The election shall be subject to the quorum rules for the class, and the recall will be deemed to have failed if a quorum is not reached.