



Introduction

Voting tends to be the one of the most contested aspects of meetings. That makes sense, because meetings are about making decisions. Whether or not an important resolution is adopted or rejected is based on the votes for and against it. Whether your candidate wins or loses is based on the votes for each nominee. If a voting is not handled properly, it leads to controversy, disputes, and even lawsuits distracting the organisation from its primary objective: Improving the lives of its deaf members.

If handled properly, voting is the heart of the deliberative process. Your members have discussed, debated, changed, and tweaked a proposal for action. Now you are ready to make a decision and implement it. Of course, after you have cast your votes, you have to figure out the result and determine what it means. It is not always as simple as “the majority wins”. This module will cover the different options for deciding the results of your vote.

Knowing your voting rights and responsibilities

Before we proceed too much into the details about the different methods of voting and specific procedures for each method, some fundamental points about voting in general should be covered. This section deals with your rights and responsibilities when it comes to voting. Knowing these points helps you keep the voting process fair and efficient. Some organisations, mostly in USA, are relying on Robert’s Rules of Order when conducting their meetings including voting, but the rules can be very complicated and not flexible, hence they are not recommended for organisations based on volunteers, but this module will make references to Robert’s Rules of Order where it is deemed relevant.

Who can vote?

When you hold a meeting in a deliberative assembly, which can be a board meeting, annual general meeting, membership meeting, and so on, you as a member of this group are entitled to all the rights and privileges associated with that membership. There might be different kind of memberships with different rights within an organisation, it must be defined in the statutes. Generally, members have the following rights:

- To attend the meeting
- To make motions
- To participate in a debate
- To vote

These are fundamental membership rights that cannot be taken from you without disciplinary action that is called due process, unless provisions set out in your statutes define limitations on these rights within specific membership categories. You may have heard the phrase “member in good standing”. A member who is in good standing is one whose membership rights have not been suspended through due process or based on the application of specific statutes/bylaw to the member’s standing. E.g. if you have not paid your dues or membership fees, you might not be “in good standing.” A fundamental principle is “one person, one vote”.



The right to vote is limited to the members, who are present in a meeting during the time a vote is actually taken. Therefore, rules cannot be suspended to give a right to vote to a non-member, cumulative voting is prohibited, absentee voting is prohibited, and only one motion can be considered and voted on at a time.

Voting as a duty

Voting is not just a right of membership; it is your duty to vote when you have an opinion about a matter being decided. You might have heard stories about how important one vote can be. If you fail to vote, you allow others to make the decision, which is usually the same as having voted for the prevailing side. Whether you vote or not, you are still responsible in some way for the decision which is being made.

Abstaining from voting

Although it is your duty to vote when you have an opinion, you cannot be forced to vote. You have the right to remain neutral. In fact, some situations demand that you refrain from voting, even if you have a legal right to vote.

According to Robert's Rules, you should abstain from voting whenever you have an interest in the outcome that directly affects you personally (or monetarily) in a manner not shared by the other members of your organisation. The key here is that the other members do not share your personal interest. For example, it is certainly okay for you to vote in favour of, e.g. holding a banquet, even though you have a direct personal interest: You benefit from having the organisation buy your dinner. But so does everybody else. However, if the motion decides whether to give your company the catering contract, good governance compels you to abstain from voting. In the principle, an organisation's board and staff members have right to vote, if they are members in good standing of the organisation, but they should abstain from voting on issues directly affecting them personally. Just to be clear, the abstention rule is a should rule. Just as you cannot be forced to vote, you cannot be compelled not to vote.

Abstentions do not count! If you abstain from voting, you have not voted. The fact that you were in the room does not make any difference unless the result is based on the numbers of members present. Figuring abstentions into vote totals or noting them in the record is never correct unless the vote is a roll-call vote. Then it is important only that the record shows you were present. Your abstention still does not count as a vote.

Some organisations have a practice/tradition of letting the participants casting an absenting vote by e.g. raising a white voting card (Green: Yes, Red: No, White: Abstain). This is a bad practice as it is counted as a no vote creating misunderstandings and confusions and is contracting the principle of abstentions, which is abstaining from casting a vote at all!



Voting for yourself

The rule that you should abstain from voting on matters of direct personal interest to you does not apply if you are nominated for office. If your status as a member makes you eligible for the office, you are entitled to benefit from a vote as any other member would. So go ahead and vote for yourself, if you want to.

Explaining your vote

When the members have moved on from the debate stage and voting is underway, you are not permitted to get a little debate in edgewise under the guise of explaining your vote. The right of free speech stops when the voting starts.

Making your vote count – once!

No matter how many constituencies you may represent at the at the General Assembly or board meeting, or how many offices/positions you hold, you have only one vote in the assembly/board of which you are a member. Secretary and treasurer may be two offices on the board, but even if you are serving in both offices, you do not get to vote twice. The rule of one person having only one vote is a fundamental principle of parliamentary law.

One exception to the principle is if the size of the district associations varies, the Statutes can have provisions for weighted votes based on e.g. number of members in each district association. Smaller district associations have fewer votes than bigger district associations.

Deciding questions of procedure

All questions related to the manner and methods of voting are being dictated by your statutes or bylaws. If they are silent on a specific situation, the procedures of voting are within the control of your membership, which should be agreed upon before the debate and voting on the proposal takes place.

Determining quorum

Quorum is defined as the minimum number of members who must be present at a meeting for it being able to make decisions. If your statutes do not define the quorum, Robert's Rules of Order establishes the following quorums:

- For most boards and committees, quorum is a majority of all the members
- For general assemblies, quorum is a majority of those who have been registered as attending.

In some cases, a quorum has been established if all the members have received proper notice about the meeting in advance as set in the statutes, regardless of how many members are present at the time of the meeting. This should be provided for in the statutes and be consistent with the legal practice in your country.



The general rule is that if there are no quorum, the decisions made at the meeting is null and void. Members who voted on meetings without a quorum can in some cases be held personally liable for their actions, e.g. by other members bringing them to the court. So do not proceed with the meetings without a quorum.

Selecting Voting Methods

Whether voting on motions or holding elections, you have got quite a selection of voting methods to choose from. Although many voting methods exists, they fall into two categories: **Usual voting methods for motions:** In most situations other than elections, you indicate your affirmative or negative vote by voice (signing) or by rising. The chair discerns the result and announces it, and then you move on to the next item on the agenda.

Voting methods provided by rule or ordered by membership: Depending on the type of organisation or the nature of the decisions, your rules or statutes probably dictates some particular methods of voting. For example, elections often require ballot votes so that members can vote without disclosing their choice of candidate. Similarly, the political/government assemblies often require roll-call votes because the representatives are accountable to their constituents.

Unanimous consent

Quite possibly the most efficient way of conducting a vote, unanimous consent is the voting method of choice because it saves so much time. The process involves simply asking the members whether anyone objects to adopting the motion. If no one objects, the motion is adopted.

If even one member objects, you take a vote using one of the other methods explained in this section.

Unanimous consent cannot be used in all situations, but it is perfect when a motion is not controversial and it appears that you have universal agreement, or at least that the minority is likely to agree to the decision without protest. For example, proper form is to use unanimous consent to reach approval of the minutes: "If there are no corrections, the minutes are approved as distributed." Another example occurs when it is apparent that the assembly agrees to an amendment to a motion: "If there is no objection, the main motion is amended." Unanimous consent can be used even on complex motions or when a two-thirds vote is required: Unless you encounter an objection, the minority has, in effect, said: "Okay with us, do it!".

Rising vote

When a motion is to be decided by a two-thirds vote or some other proportion greater than a majority, or when a voice vote is too close to call, you have a more definitive method in your voting arsenal. A rising vote is just what the name implies. The chair says: "Those in favour will rise. [pause] Be seated." Then he/she says: "Those opposed, rise. [pause] Be



seated". Odds are, everybody will be able to agree on whether the required threshold has been met. Only when the rising vote is too close to call do you need to move to a counted vote.

The rising vote has some variations that generally depend on the size of the group voting.

Voting by show of hands: A vote by show of hands suffices when you are in a small group, such as a committee or a board meeting.

Voting by voting cards: In some general assemblies (usually very large ones), members are given coloured voting cards to hold up appropriately to show their vote. In very large assemblies, voting cards are probably the most efficient means of deciding most questions because large groups require large rooms: A presiding officer may have difficulty discerning the result of a voice vote or determining who is standing and who is not.

If the chair decides that the rising vote is not conclusive enough, he/she must retake the vote as a counted vote to ascertain the result. However, if the chair is comfortable with his/her call, he/she is not required to take a counted vote unless the membership adopts a motion to order a counted vote. Such a motion requires a second and is adopted by majority vote.

Counted vote

The procedure for taking a counted vote is the same as for a rising vote, except that you ask the members to remain standing (or keep their hands or voting cards raised) until they can be counted. You also need to appoint someone, the teller, to do the counting. In a small meeting, the secretary usually handles the count. In a larger meeting, the chair or board propose trusted members as tellers for the members' approval in the beginning of the meeting.

In very large meetings, you are probably better off conducting a ballot vote than a counted vote. But no hard-and-fast rule determines when counting ballot votes becomes easier than counting heads. It depends largely on your group, the time available, and whether you have an electronic device to vote with.

With rising or counted votes, the presiding officer should always call for the negative vote (except, of course, for courtesy resolutions expressing appreciation, thanks, and so on). Even if it looks like enough members rise in favour, you need the comparison to decide whether you have really made the right call.

Roll-call vote

Roll-call voting is used in representatives assemblies (usually political/government) in which the member represent constituencies and it is important for constituents to know how their representatives vote on particular issues.

If your group is a representative assembly, your statutes should provide details on how and when roll-call votes are ordered. Many such groups require a roll-call vote to decide all main motions. Others provide that a specified minority may order such a vote. Without such



provisions, a majority vote is required to order a roll-call vote. When a majority prefers not to have to go on the record, the constituents (especially those of the minority) cannot know how their representatives are voting.

You can conduct roll-call votes by ballot or by voice (sign). If by ballot, each member indicates his/her name and vote on the ballot. If by voice (sign), the chair puts the question and the secretary calls the members' names alphabetically (or according to some other adopted order) with the chair's vote taken last. Each member responds "Yes" for an affirmative vote, "No" for a negative vote, or "Abstain" if abstaining. The secretary repeats the name of each member and states the vote, to ensure accuracy in the recording.

In the interest of ensuring an accurate result, either the chair or the assembly can have the secretary then read the names of members based on their votes, first reading the names of those who voted "Yes", then reading the names of the members who voted "No", and finally reading the names of the members who abstained. This process is a way of double-checking with the members, in case a mistake was made.

The record of how each member voted is recorded in the minutes.

Voting by ballot

Voting by ballot is used whenever it is desirable that the members' individual views on the matter being decided not to be disclosed.

Ballots, the slips of paper on which voters indicate their preferences, are understood to be secret ballots unless otherwise specified, such as with signed ballots, which may be used in voting by mail, when secrecy is not required.

If your statutes provide for ballot votes on any matter, it is to protect you, as an individual member, from having to disclose your vote. Because the rule protects the rights of an individual, it is a rule that cannot be suspended (even by a unanimous vote), and no vote that would force you to disclose your views in order to protect that right is ever in order. If your statutes do not provide for ballot vote, any member can require a ballot vote before the voting starts. Such a request must be respected.

Ballots assumes one or two general purposes: They either decide a motion or decide an election.

If the ballot vote decides a motion, the question is clearly stated by the chair, and you are instructed to mark your ballot "Yes" or "No".

If the ballot vote decides an election, you are instructed to write the name of the nominee of your choice on your ballot

Voting "Yes" or "No" is never in order when electing persons to office. The only way you can vote against a candidate is to vote for another person!



In cases when the motion to be decided is known ahead of time or when the nominees are known, ballots may be pre-printed, to save time and make life easier for members at voting time as it just requires them to mark their choice in boxes.

Conducting the ballot vote

Ballots are usually taking place during a meeting. The appointed tellers hand out and collect the ballots and are counting the votes. Tellers must be people known for their integrity. They do not have to be impartial, but whatever direct personal interest they have in the outcome should be the same as that of any other members. Some organisations appoint tellers representing each opposing side, to ensure that all sides of the decision have complete confidence in the result.

Limiting ballot access to members

Only members entitled to vote are given ballots or are allowed to deposit ballots with a teller or place them in the ballot receptacle. In meetings where persons who are not entitled to vote are present, take whatever measures are necessary to limit balloting to voting members. In this situation, the tellers distribute the ballots to the members, and the members return their marked ballots to the tellers.

Counting the ballots

When counting ballots, tellers need to keep a few key points in mind:

1. Blank votes are treated as scrap paper and do not count
2. Illegal votes cast by legal voters count toward the total votes cast, but they do not count for any individual choice or candidate. These votes are illegal votes:
 1. Unintelligible ballots
 2. Ballots cast for an unidentifiable candidate
 3. Ballots cast for an ineligible candidate
 4. Two or more marked ballots folded together (together they count as only one illegal vote)
3. If a marked ballot is folded together with a blank ballot, the marked ballot counts as a one legal vote, and the blank ballot is considered scrap paper
4. Each question on a multipart ballot is counted as a separate ballot. If a member leaves one part blank, the votes entered on the other questions are not negated.
5. If a member votes for more choices than positions to be elected, the vote is considered illegal
6. If a member votes for fewer choices than positions to be elected, the vote is not illegal
7. Small technical errors, such as marking spelling mistakes or marking an X when a check mark is called for, do not make a vote illegal as long as the voter's intent is discernible
8. Votes cast by illegal voters must not be counted or even included in the number of total votes cast. If illegal voters cast enough illegal votes to affect the result, and these votes cannot be identified and removed from the count, the vote is deemed null and must be retaken



Declaring the result

After the votes are counted, the tellers give the complete report of the vote counts to the presiding officer. The presiding officer reads aloud the report mentioning the vote count for each option concluding with a formal declaration of the result. For example, he/she may say "... and Mr. John Doe is declared elected as president of the association". The minutes of the meeting must include the entire tellers' report.

Destroying the ballots

To avoid running up a storage bill, destruction of the ballots and tally sheets should be ordered. When determining how long to keep these documents before destructing them, your main consideration is the possibility of needing a recount. After the period during which a recount can be conducted has passed, you no more keep the ballots and tally sheets. The actual length of time you retain these records is usually set at the meeting, when the vote takes place. Alternatively, your organisation can adopt a short retention period for ballots and tally sheets as a standing rule.

Determining voting results

You have no doubt heard the phrase: "The majority rules!" It is an age-old axiom, and in most cases, it is true. But according to the true definition and practice of democracy, might does always make right. The primary democratic concept that everyone has an equal voice means that the minority, even a minority of one person, has rights that must be respected. Robert's Rules of Order are designed to protect the minority against the "tyranny of the majority".

Parliamentary law establishes two fundamental voting thresholds:

1. Majority vote: Except when governed by a specific rule to the contrary, a majority vote is the fundamental requirement to pass a motion. A majority, simply stated, is more than half. Not 50 % plus one. Not one more than half. Just more than half. And a majority vote refers to more than half of the votes actually cast, not to more than half of the votes that could be cast if everybody voted. Unless a motion receives a majority vote, the motion is lost. If the vote is tied, it does not receive a majority vote, so it is lost.

2. Two-thirds vote: As a means of balancing the rights of the entire group with the rights of individuals, some decisions require the affirmative consent of at least twice the number of members as are not in favour. This vote is called a two-thirds vote and refers to two-thirds of the votes cast. It protects any minority greater than one-third. As with a majority vote, the measure against which the two-thirds threshold is determined refers only to the number of votes cast, not the number of votes that could be cast if everybody voted.

Two-thirds vote are most commonly required to amend an organisation's statutes and other motions just require a majority vote to pass.



Crossing voting thresholds

Voting results can also be determined according to a number of different variations on the basic majority and two-thirds votes. These variations relate not only to the threshold numbers required, but also to the number of members to be counted in determining that threshold.

Majority (or two-thirds) of the members present and voting

The majority vote and the two-thirds vote, if expressed without further qualification, are votes based on the total votes cast. These terms are often expressed with the phrases “a majority of the members present and voting” and “at least two-thirds of the members present and voting”.

Majority (or two-thirds) of the members present

Sometimes by design (and often by mistake), a voting threshold is states as “a majority (or two-thirds) of the members present”. Making decisions based on the number of votes in relation to the number of members present is usually undesirable because it removes a member’s right to remain neutral and it requires you to stop and count the number of members present to determine the result. If a member is in the room and chooses not to vote, his/her neutrality has the same effect as a negative vote because his/her presence is counted when determining the result.

Majority of the entire membership

In some cases, permitting a question to be decided by a majority of the entire membership is just as protective of the rights of individuals as deciding that question by a two-thirds vote as it also counts members not present at the meeting when determining the result. Sometimes this threshold is used as an alternative to a two-thirds vote in matters for which no previous notice has been given. For example, a motion to rescind something previously adopted requires a majority vote with previous notice, or a two-thirds vote without previous notice, or a vote of a majority of the entire membership.

Plurality

A plurality vote is the most votes cast for any choice in a field of three or more choices. The candidate or option receiving the most votes in such a situation has a plurality. A plurality is not necessarily a majority; try to avoid it, because it can designate a winner that the majority of the members oppose.

According to Robert’s Rules of Order, when a ballot has more than two choices, balloting must continue until one choice achieves a majority.



Cumulative voting

Some types of organisations, especially ones prone to factionalism, want to ensure that minority factions can achieve at least minimal representation on boards and committees. This aim is accomplished through cumulative voting. Using this approach, when several seats are to be filled, as on a board, each member may cast as many votes as there are seats to be filled; votes may be cast in any combination and for any number of candidates. For example, if five members were to be elected to the board, normally, you would cast one vote each for up to five candidates. Under cumulative voting, you can cast all five votes for one or more of the candidates, distributing your five votes as you please. Cumulative voting enables a faction to coordinate its voting to affect an election of some level of representation on the board. Although it violates a fundamental principle of parliamentary law because it allows members to transfer their votes, the method has its place. Still, it must be used cautiously and with a full understanding of its implications.

Handling a tie vote

Some of the people in your organisation may think that the presiding officer must break a tie vote. But the solution is not simple as that. Because a tie vote is not a majority, if your motion requires a majority vote, the motion is lost if it receives a tie vote. Therefore, a tie vote is as much of a decision as a majority vote in opposition.

The myth that the presiding officer votes to break a tie is only a partial truth. If the vote is by ballot, the presiding officer votes with everybody else, and a tie vote is either a lost motion or a failed election. If you are electing an officer, you must reballot until someone receives a majority.

However, if the vote is by voice, by rising, or by counted vote, the presiding officer properly casts a vote only after the results are known and if he/she wants his/her vote to affect the outcome. He/she may want to break a tie, causing the motion to pass; or make a tie, causing the motion to fail. Similarly, with a two-thirds vote, he/she may want to cause the motion to pass by adding his/her vote to reach the two-thirds threshold, or he/she may want to cause the motion to fail by adding to the minority to keep the two-thirds threshold from being met. The president's tie-breaking vote should be limited to board and committee meetings only and must be explicitly provided for in the organisation's statutes.

Challenging a vote

If you want to challenge a vote (not the same as challenging the action you voted on), you generally have to be fast. Any motion to challenge the conduct of the vote must be initiated before any debate on the next item on the agenda has started. These options are available when the time is right:

- Retaking the vote by another method: Asking the chair or the general assembly to order a counted vote may produce a different result. And if the general assembly thinks it would help, it can order that the vote to be retaken by ballot. The goal is to determine without the doubt the will of the general assembly.



Recounting the vote: Most of us know how to count, but most of us still make counting mistakes. When you have voted by ballot, you may think it had been easy to count the votes and the numbers right. But because even the smartest tellers get side-tracked, the membership can order a recount.