



Republic of the Philippines
DEPARTMENT OF EDUCATION
Region VII, Central Visayas
SCHOOLS DIVISION OF NEGROS ORIENTAL
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September 18, 2018

Division Memorandum
No. 534 s, 2018

**2018 ELECTION RULES AND REGULATIONS for the TEACHERS AND EMPLOYEES
MULTI-PURPOSE COOPERATIVE of NEGROS ORIENTAL, Inc. (TEMPCoNO)**

To : Asst. Schools Division Superintendents
Chiefs, CID & SGOD
Education Program Supervisors/Division Coordinators
Public Schools District Supervisors/District In-Charge
Public Elementary & Secondary School Heads and Teachers
All Others Concerned

1. Attached is 2018 Election Rules and Regulations to guide those aspiring to file Certificates of Candidacy for the positions of Board of Directors, members of the Election Committee and members of the Audit Committee of the Teachers and Employees Multi-Purpose Cooperative of Negros Oriental (TEMPCoNO) on September 29, 2018 at the Negros Oriental High School

2. For wide dissemination.

WILFREDA D. BONGALOS, Ph. D., CESO V
Schools Division Superintendent

9/18/18

19 SEP 2018

**2018 ELECTION RULES AND REGULATIONS for TEACHERS AND EMPLOYEES
MULTI-PURPOSE COOPERATIVE OF NEGROS ORIENTAL, INC. (TEMPCoNO)
Board of Directors, Election Committee, Audit Committee**

WHEREAS, the 2018 Election Rules and Regulations of TEMPCoNO, Inc. provides that the General Assembly shall elect nine (9) Board of Directors (BOD), three (3) Election Committee; and three (3) Audit Committee;

WHEREAS, the term of office of its first set of elected Board of Directors shall be two (2) years for the first five elected Board of Directors obtaining the highest number of votes, and the four remaining directors for one (1) year, two (2) years for the Election Committee and Audit Committee unless earlier removed for cause or have resigned or have become incapacitated;

WHEREAS, the newly promulgated 2018 Election Rules and Regulations of TEMPCoNO, Inc. will serve as guide to promote a free, orderly, honest, peaceful and credible conduct of elections for the Board of Directors (BOD), Election Committee, and Audit Committee of the Cooperative;

WHEREAS, by virtue of the power and authority vested upon the members of the interim TEMPCoNO, Inc. Election Committee for the 2018 election of Board of Directors, Election Committee and Audit Committee, we do hereby promulgate the 2018 Election Rules and Regulations of the TEMPCoNO, Inc. for approval by the TEMPCoNO General Assembly during the meeting called for the purpose.

ARTICLE I

SCHEDULE OF ACTIVITIES for the ELECTION of the TEMPCoNO, Inc. BOARD OF DIRECTORS, ELECTION COMMITTEE and AUDIT COMMITTEE

Section 1. *Election Period.* – The Election Period for the election of the NINE (9) Regular Members of the Board of Directors, THREE (3) Election Committee & THREE (3) Audit Committee of the TEMPCoNO, Inc. shall commence on September 12, 2018 and shall end on October 1, 2018.

Section 2. *Schedule of Election Activities.* – The following is the schedule of election activities:

- September 12, 2018 (Wednesday) – Sending of Certificates of Candidacy and Election Schedule to all members
- September 13, 2018 (Thursday) – September 20, 2018 (Thursday) – Filing of Certificates of Candidacy
- September 21, 2018 (Friday) – Publication of Qualified Candidates and Printing of Ballots
- September 22, 2018 (Saturday) – September 28, 2018 (Friday) – Campaign Period
- September 29, 2018 (Saturday) – Distribution of Ballots, Casting, Counting and Canvassing of Votes; Announcement of the Result of Counting and Canvassing; Induction of the first set of Board of Directors, Election Committee & Audit Committee of TEMPCoNO, Inc.
- October 1, 2018 (Monday) – Publication of the result of counting and canvassing of votes and the list of the newly elected BOD, ELECOM & AUDITCOM.

ARTICLE II

QUALIFICATIONS AND DISQUALIFICATIONS OF CANDIDATES

Section 4. *Qualifications of the Candidates for the Board of Directors, Election Committee, & Audit Committee* – The Election Committee shall not accept, merit and consider any Certificate of Candidacy (COC) for the Board of Directors, Election Committee & Audit Committee of the TEMPCoNO, Inc. unless the applicant possesses the following qualifications:

- a. S/he must have paid the membership fee of P100.00;
- b. When elected as one of the BOD, s/he must be willing to pay the minimum capital requirement of at least 5 shares, & 3 shares for the Election & Audit Committee of the TEMPCoNO, Inc. any time until the end of 2018;
- c. S/he must be of proven integrity, probity, honesty and independence;
- d. S/he must be of good moral character and continuously patronize the goods and services of the Cooperative;
- e. S/he has completed or willing to complete the required education and training as may be provided by law, rules and regulations and policy to be approved by the General Assembly.

Section 5. *Disqualification of Candidates.* - The following are disqualified to become a candidate for the TEMPCoNO, Inc. Board of Directors, Election Committee, Audit Committee:

- a. Those having a conflict of interest with the business of the cooperative;
- b. Those full time employee/s of the TEMPCoNO, Inc.;
- c. Those having been convicted of a crime involving moral turpitude, of gross neglect of duty, or gross misconduct in the performance of his duties or found culpable in any administrative proceedings or case involving such offenses;
- d. Those having been convicted and/or penalized by the Cooperative;
- e. Those having been disqualified pursuant to disqualifications prescribed by the Cooperative Development Act;
- f. Those holding any other position directly involved in the day-to-day operation and management of the Cooperative; and
- g. Those having direct or indirect personal interest in the business of the Cooperative.

Section 6. *Official Candidate/s.* - Only those candidate(s) who filed his/her COC and received by the Election Committee on or before the midnight of September 20, 2018 shall be considered official candidate(s) for the election of Board of Directors (BOD), Election Committee (ELECOM) & Audit Committee (AUDITCOM).

Section 7. *Letter of Intent.* - Each and every candidate must fill out the Letter of Intent form below the COC.

Section 8. *Disqualification Notice.* - Any member who filed a Certificate of Candidacy for BOD, ELECOM & AUDITCOM and whose application was not accepted, given merit and considered by the Election Committee or have been disqualified, shall be notified at the soonest possible time of her/his disqualification and the reasons thereof.

Section 9. *Withdrawal of Candidacy.*- Any officially approved candidate for the BOD, ELECOM & AUDITCOM by the TEMPCoNO, Inc. Election Committee can withdraw from her/his candidacy by officially writing the TEMPCoNO, Inc. Election Committee before the scheduled election. Hence, any vote cast in her/his favor shall be considered stray and shall not be counted.

Section 10. *Campaign Period.* - The campaign period of the candidates for BOD, ELECOM & AUDITCOM shall be from September 22, 2018 to September 28, 2018.

ARTICLE III CONDUCT OF ELECTION OF THE BOARD OF DIRECTORS (BOD), ELECTION COMMITTEE (ELECOM) & AUDIT COMMITTEE (AUDITCOM)

Section 11. *Duties and Function of the interim Election Committee.* - The following are the duties and function of the interim Election Committee:

- a. Ensure that the 2018 TEMPCoNO, Inc. Election Rules and Regulations are disseminated and clearly understood by all election officers and members.
- b. Supervise, monitor and ensure the proper conduct of election proceedings.
- c. Ensure that all members are able to cast their votes.
- d. Designate polling precincts as deemed necessary.

- e. After the votes have been casted, they shall count and canvass the votes.
- f. Announce the first elected BOD, ELECOM, & AUDITCOM.
- g. Publish the results and the list of the first elected BOD, ELECOM, & AUDITCOM.

Section 12. *Manner of Elections*. - Guidelines in the casting of votes during the TEMPCoNO, Inc. elections.

- i. The list of voters/members shall be printed and posted during the Election day to determine the total number of members.
- ii. Voters/members shall affix their signatures above their printed names.
- iii. The Election shall be conducted on September 29, 2018. Votes shall be cast without undue intimidation from the candidates or any personnel related to them.
- iv. The voting shall be by secret balloting using the official ballot as duly approved by the members of the election committee.

Section. 13. *Prohibition of Proxy and Cumulative Voting*. - No proxy voting and cumulative voting of TEMPCoNO, Inc. shall be allowed.

ARTICLE IV COUNTING AND CANVASSING OF VOTES FOR THE BOARD OF DIRECTORS, ELECTION COMMITTEE & AUDIT COMMITTEE

Section. 14. *Counting and Canvassing*. - The counting and canvassing of vote for the BOD, ELECOM, & AUDITCOM shall be made immediately after all votes have been casted and collected by the interim Election Committee.

Section 15. *Counting and Canvassing; How done*. - The counting and canvassing of vote for the BOD, ELECOM & AUDITCOM shall be made by reading the name/s of the candidate voted for by any of the members of the interim Election Committee and the same shall be counted/tallied opposite the names of the candidates concerned.

ARTICLE V APPRECIATION OF BALLOTS

Section 16. If only the first name or the family name is written in the ballot, the same shall be counted in favor of the candidate having such first name or family name. provided, that if there is only one word and the name written is the first name of one of the candidates which is also the family name of the other candidate, the same shall be counted in favor of the latter. Provided further, that if there two (2) or more candidates having the same first name or family name, ascertainment of the identity of the candidate shall be made by the election committee. Provided finally, that should ascertainment is impossible, the vote shall be considered stray but shall not invalidate the ballot.

Section 17. When two or more words are written on the same line on the ballots, all of which are the surnames of two or more candidates, the same shall not be counted for any of them. Provided, that when two or more words are written on different lines on the ballot all of which are the surnames of two or more candidates bearing the same surname for and there are the same number of such surnames written as there are candidates with that surname, the vote shall be counted in favour of all the candidates bearing the surname.

Section 18. When two words are written in the ballot, one of which is the first name of a candidate and the other is the surname of another candidate, the vote shall not be counted for either.

Section 19. When in a space in the ballot there appears a name of a candidate that is erased and another clearly written, the vote is valid for the latter.

Section 20. If the candidates voted for exceed the number of those to be elected, the ballot is valid, but the votes shall be counted only in favour of the candidates whose names were firstly written by the voter within the spaces provided for in the ballot until the authorized number is covered.

ARTICLE VI PROCLAMATION OF WINNERS

Section 21. *Proclamation of the Winners.* – The winner/s of the conducted election shall be proclaimed by the interim Chairperson of the Election Committee immediately after the counting and canvassing of votes.

Section 22. *Publication of Votes Received.* – The interim Chairperson of the Election Committee shall make known the number of votes garnered by the winners from the highest to the lowest for the application of two-year (for those with the majority votes) or one-year term of office as BOD, and two-year of office as ELECOM & AUDITCOM.

Section 23. *Drawing of Lots.* – In case of a tie in the last and final slot, the same shall be resolved by drawing of lots in the presence of the candidates concerned or their authorized representative.

Section 24. *Disposition of Ballots.* – After the newly elected BOD, ELECOM & AUDITCOM have taken their oath, the ballots used shall be disposed of properly by the interim Election Committee. The interim Election Committee shall determine the manner of disposal thereof.

ARTICLE VII OATH OF OFFICE

Section 25. *Date of Oath Taking.* – The date of the oath-taking of the first set of elected TEMPCoNO, Inc. BOD., ELECOM & AUDITCOM shall be on September 29, 2018, immediately after the counting and canvassing of votes.

ARTICLE VIII ASSUMPTION OF OFFICE

Section 26. *Assumption of Office.* – Immediately after the oath-taking, the new BOD, ELECOM & AUDITCOM of the TEMPCoNO, Inc. shall assume office.

ARTICLE IX TERM OF OFFICE

Section 27. *Term of Office.* – The term of office of the first BOD of TEMPCoNO, Inc. shall be two (2) years for the first 5 BOD with the highest number of votes and the last 4 BOD shall have a term of one (1) year, while the term of office for the ELECOM & AUDITCOM shall have a term of two (2) years.

ARTICLE X REPEALING AND ADDITIONAL AUTHORITY

Section 28. *Applicability.* – This 2018 Election Rules and Regulations is applicable only until such time that the same or any of its provisions has been amended, repealed or modified accordingly.

Section 29. *Additional Authority of the interim Election Committee.* - Nothing herein shall preclude the interim TEMPCoNO, Inc. Election Committee from promulgating additional rules, with due notice, in order to promote a fair and just election of the TEMPCoNO, Inc. BOD.

**ARTICLE XI
EFFECTIVITY AND PUBLICATION**

Section 30. *Effectivity.* - This 2018 Election Rules and Regulations of the TEMPCoNO, Inc. shall take effect immediately. A copy thereof shall be published through a memorandum disseminated for the purpose.

Signed by the interim Election Committee:



KAREN JOY Y CUBALAN
Secretary, Election Committee



JEYLENE E CERIAL
Vice-Chairman, Election Committee



TARA GAY S DAPAT
Chairman, Election Committee