# BMWED Lodge Elections Guide

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A Guide by the BMWED Education Department



## Notes on Revision

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## Proponency

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#### **Approved for Unrestricted Release**

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#### **Electing Our Leaders**



New officers of the former Pennsylvania Federation swearing in at their 23<sup>rd</sup> Regular Convention

When we elect our union leaders and representatives, we carry forward the values upon which we founded our Brotherhood. We work together, we stand together, and we act together!

Our union elects our leaders at every level of our organization. From our National Convention, through our System Divisions and Federations, all the way down to our local Lodges, we choose the brothers and sisters we want to guide our work, set policies, and sustain our progress as we continue our fight.

This guide is intended to assist our local Lodge members and officers in understanding what responsibilities they have in conducting fair elections under our Bylaws. This guide offers tools and clarification where needed and will be a resource to ensure that our members can feel confident in their ability to properly elect the leaders of their Lodges, those brothers and sisters whose work is so vital to the success of every level of our union.



#### **Election Governance**



of the Brotherhood of Maintenance of Way Employes Division

of the International Brotherhood of Teamsters

Revised and Amended at the Fifth Regular Convention of the National Division held in the city of Las Vegas, Nevada June 13-15, 2022



NATIONAL DIVISION HEADQUARTERS Novi, Michigan Lodge officers should take time to review our BMWED Bylaws, specifically Article XVIII, Section 9, to understand their responsibilities when conducting Lodge officer elections.

Our Bylaws work alongside the BMWE/IBT Merger Agreement to determine the eligibility of members to take part in elections or run for and hold elected office. Our Bylaws also provide for some, but not all, of the methods our Lodge officers must use when conducting these elections, as well as specific requirements that must be met for Lodge elections to be considered valid within our union's legal obligations.

> READ AND UNDERSTAND ARTICLE XVIII, SECTION 9 OF OUR BMWED BYLAWS!

READ AND UNDERSTAND ARTICLES 4.8, 4.9, 4.10, AND 4.11 OF THE BMWE/IBT MERGER AGREEMENT!

You can access these and other governing documents at <u>bmwe.org/governing</u>



#### Lodge Elections "At a Glance"



Local Lodge elections are held every three (3) years.



Elections are held in the last three (3) months of the year they are to take place. For instance, since the year 2023 is an election year for local Lodge officers, Lodges will conduct their elections at a regular meeting held in October, November, or December of that year.



Your Lodge can decide to hold nominations and elections during the same meeting, or to hold a nomination meeting before the election meeting. There are notice requirements that must be followed for both nomination and election meetings, which will be described in more detail later in this Guide.



The terms for newly elected officers will begin on January 1 of the year following the year in which they were elected. For instance, since 2023 is an election year, new Lodge officers' terms will begin on January 1, 2024.



Elections are conducted by secret ballot, with a majority of votes cast needed to elect a candidate to office.



### Who Are We Electing?



You have several offices that need to be filled during a regular election:

**Lodge President** 

Vice President

Secretary-Treasurer

**Recording Secretary** 

(can be combined with the Secretary Treasurer's office)

Local Chairperson

**Grievance Committee** 

(at least 1 member for each Department represented in your Lodge)

**Audit Committee** 

(at least 3 members)

**Past President** 

(an honorary position)

The responsibilities for each of these officers is laid out in Article XVIII, Section 13, Authority and Duties of Officers.



Your **Lodge Legislative Representative** is chosen in a separate election per our Bylaws. Refer to Article XII, Section 3.



BMWED Lodge Elections Guide

#### Who Can Vote?

Article XVII of our Bylaws lays out the different rights, responsibilities, and duties of Membership within the BMWED, including who has the right to vote and how such voting rights are maintained.

Article XVII, Section 7 describes how our Members maintain **Good Standing**, which is required to maintain their voting rights. Maintaining Good Standing includes:

- Staying up to date on all required dues, paid before the end of the month in which they are due.
- Not voluntarily withdrawing from membership or become ineligible for membership.
- Not being expelled or suspended under the Bylaws.

The biggest challenge our members have is ensuring they don't miss a dues payment through being on furlough, a medical leave of absence, or other period away from work when their dues are deducted from their payroll. Prior to the scheduled election meeting, the Secretary-Treasurer should work with their System Division, Federation, or National Division to obtain a list of all the members on Full Status, checking this list against their monthly dues check-off reports to identify any members who may have missed a dues payment. Lodge officers should reach out to these members and work with them to make up any necessary payments, seek dispensations, or resolve any other issues in time to restore them to Good Standing.

Article XVII, Section 8 of our Bylaws gives every member in Good Standing the right and privilege to vote in elections. More details about further conditions should be reviewed by referring to Section 8 and consulting with your System Division or Federation officers.



## Good Standing Versus Continuous Good Standing

#### **GOOD STANDING**

REQUIRED TO VOTE OR TO NOMINATE A CANDIDATE FOR AN ELECTED OFFICE

## Article XVII, Section 7 of our BMWED Bylaws

All required dues, fees, or assessments must be paid up to the month in which nominations or elections are being held.

Good Standing is determined by reviewing the previous month of the member's dues history.

Late payments to any dues in arrears back up to current can be accepted to restore a member to Good Standing.

#### CONTINUOUS GOOD STANDING

REQUIRED TO RUN FOR OR TO HOLD AN ELECTED OFFICE

#### Article 4.9 of the BMWE/IBT Merger Agreement

All required dues, fees, and assessments must be paid up to the month in which nominations or elections are being held <u>AND</u> there can be no break in the active status of the member for the twenty-four (24) months previous to the month in which nominations or elections are being held.

Continuous Good Standing is determined by reviewing the previous twenty-four (24) months of the member's dues history. <u>No</u> <u>late payments are accepted</u> to maintain Continuous Good Standing.



#### How to Determine Standing

The Lodge President should work with the Secretary-Treasurer in reviewing the monthly dues reports (check-off reports) against the Lodge's roster of active members (members on Full or Military status).

If the Lodge needs an updated copy of their membership roster, the Secretary-Treasurer should contact their System Division or Federation or the National Division Secretary-Treasurer's Department.

If any active member is missing from a monthly dues check-off report, you can also investigate whether that member remitted dues directly to the System Division or Federation to maintain Good Standing or Continuous Good Standing.

Reviewing a member's Good Standing or Continuous Good Standing BEFORE nominations or elections will prevent a Lodge from the hassle and expense of holding another election, if a candidate in the initial election is determined to be ineligible after review by the National Division Secretary-Treasurer's office.

It is the Lodge's responsibility to review and understand their members eligibility and status. Do not rely on the System Division or the National Division to do this work for you!

Bottom line, a member must be in Good Standing to VOTE and Continuous Good Standing to be eligible to hold office within the BMWED!



## Determining the Date for Your Lodge's Election



Per our Bylaws, during an election year (like 2023) the Lodge is supposed to hold their elections during the first regular meeting within the last three (3) months of that year. So, you will hold your election meeting between October 1<sup>st</sup> and December 31<sup>st</sup>, depending on your Lodge's own meeting calendar.

So, if your Lodge only meets once per quarter (every three months), then the meeting you have between October 1<sup>st</sup> and December 31<sup>st</sup> will be your election meeting. If your Lodge meets every month, your election meeting should be held in October. If your Lodge meets every other month, then you would hold your election in either October or November, whichever month happened to hold the first meeting within the three (3) month period specified in the Bylaws.

You may opt to have a separate meeting for nominations or choose to conduct nominations at the same meeting you hold your elections. If you choose to hold a nomination meeting separately, that meeting also has its own requirements for advance notice.



#### **Advance Notice Requirements**



Mail notices out by Oct. 4<sup>th</sup>, 2023, if your Lodge election is on Oct. 25<sup>th</sup>!

Meetings held for nominating new officers, electing new officers, or both, require advance notice be given to your Lodge members. The requirement is **fifteen (15) days advance notice**, in writing.

You can use the Notice of Meeting Cards (BMWED Form F-86) to provide written notice. By using the online tools at <u>https://www.bmwe.org</u> Lodge Secretary-Treasurers can generate Meeting Cards that specify whether the meeting is for nominating or electing officer, also providing information on the meeting's time, date, and location. Using the online tool requires you register for Member Access to the BMWED's website, and its online Membership Services applications. If you haven't already done so, you can register at <u>https://www.bmwe.org/account/aspx</u>.

Keep in mind that the "clock" for the 15 days of advance notice starts when your member receives the notice in their mailbox, **NOT WHEN YOU MAIL IT!** For nomination or election meetings you should get Meeting Cards in the mail well in advance of the 15-day mark. For USPS First-Class mail (postcards) the advised transit time is between 1-5 business days before delivery, with an average of 2.5 days. **So, your Meeting Cards should be stamped and at the Post Office 20 days before your meeting!** 



## Notes on Meeting Cards: Order or Print?

Through the Membership Services application on bmwe.org your Secretary-Treasurer can **order** cards to be printed from our National Division HQ in Novi and mailed to their address. If your Lodge uses this option, allow extra time for these cards to be produced, mailed to your Secretary-Treasurer, and for your Secretary-Treasurer to review them, add any further information, add a postcard stamp, and get them in the mail to your members.

## This option will add time to meeting your advance notice requirements! Plan for the extra handling time!



If your Lodge has access to a printer, your Secretary-Treasurer can also **print** Notice of Meeting Cards locally with all the necessary address and meeting information.  $4^{\circ}x6^{\circ}$  cardstock (usually Avery<sub>®</sub> #5389, #5689, or similar) is available from most office supply stores.

Postcard stamps (\$0.44) are cheaper than regular, First-Class "Forever" stamps (\$.0.66). Make sure you use postcards stamps for Notice of Meeting Cards! (Prices listed are from August 2023).



#### Date is set! Cards are out! Now what?

You figured out your date for your election meeting (and, maybe, your nomination meeting). You got the cards out on time, so your members will receive them at least 15 days before the meeting.

What do you do now?

Well, plenty!

Your Secretary-Treasurer should stay on top of any status changes or changes in Good Standing or Continuous Good Standing for the members. If there are issues that need addressed here, work with your System Division, Federation, or our National Division Secretary-Treasurer's Department.

As Lodge President, you should also review the conduct of the nominations or elections to ensure you understand the process. Take a look at the Bylaws, especially Article XVIII, Section 9, and where something doesn't make sense, ask for guidance.

Remember that these elections are to be conducted by SECRET BALLOT. So, in order to ensure that every member's ballot remains secret, you will have to come up with some method for marking and collecting ballots that doesn't give away the voter's identity. You may want to print up some ballot forms, find a box to hold the ballots, and round up pens or pencils for members to use to mark their ballots.

Where our BMWED Bylaws, or your System Division or Federation Bylaws, specify some procedures used for your elections, other procedures are left to the Lodge to figure out. So, this is the time to figure out your plan for how this will work.



#### Nominations

If you are holding a separate meeting for nominations, keep in mind that you may permit your members to submit nominations by mail or email. If a nomination is sent by email, it should be sent to you with a "read receipt" to allow for greater accountability and transparency in the nomination process. Each email system is slightly different, so you should discuss these options with your local members who may choose to submit nominations in this manner.

Per our Bylaws, if your Lodge chooses to hold a separate nomination meeting it should be held "at a meeting preceding the first regular meeting of the last three (3) months when elections are conducted, provided that all members in good standing of the Local Lodge have been given at least fifteen (15) days advance notice in writing at their last known addresses of the date, time and place at which elections shall be held..." Of course, you may also choose to combine the nomination and election meetings into a single meeting for both.

Nominations should be accepted throughout the period following the notice and preceding the meeting at which the election is to be conducted. So, inform your members in Good Standing that they can make nominations as soon as they receive notice of the election. Be sure to hold on to any nominations received in the time leading up to the meeting.

For BMWED Lodge officer elections, no "write-in" candidates are allowed! All officers shall be elected from duly nominated candidates.



#### Winning By Acclamation

Your Lodge President, in running the election meeting, should be very clear about offering time for nominations to occur. Usually, this will be announcing that nominations are open for any specific office, then asking for nominations at least two more times, waiting for a response from the assembled members.

If, after all that occurs and there is only a single member in Continuous Good Standing nominated for an office, do you need to vote?

#### NO!

If there is only a single candidate nominated for any particular office, and no other eligible candidates are nominated, that single candidate wins the election by ACCLAMATION.

If that happens, the Secretary-Treasurer or Recording Secretary should be very clear to record it in the Lodge Meeting Minutes. There will be no ballots for this particular office, so it's important to establish a clear record of how this office was filled.

Congratulations to the lucky (or unlucky?) candidate who was unopposed for their new office.

#### (Still make sure that candidate is eligible and has Continuous Good Standing, though!)



### Campaigning

Every properly nominated (bona fide) candidate can request to distribute literature for their candidacy. Lodges will comply with all reasonable requests from candidates to do this, which generally means providing candidates with contact information for the members of the Lodge.

Lodges are not required to pay for the mailing out or distribution of campaign materials. candidates are required to pay for campaigning on their own. No funds of the local Lodge will be used to promote any person for office. If a Lodge chooses to provide explanatory or informational material, it may do so (for instance, describing the duties and responsibilities of the offices being filled), but nothing a Lodge distributes or pays for should promote any candidate.

If a candidate asks for a membership list, the Lodge cannot discriminate among candidates. Each candidate should be treated equally by the Lodge and current Lodge officers regarding access to membership lists or contact rosters. Keep the concept of equal treatment in mind for candidates.

If the nomination meeting is combined with the election meeting, some Lodges may provide time for any candidate to speak, upon request, regarding their candidacy. If time is granted to any single candidate, be prepared to grant equal time to all candidates for this purpose.



#### Secret Ballots and Voting

BALLOT (Mark ONE Opti NO WRITE IN CANDIDATES ARE ALLOWED	on) 🛇
Candidate #1 🔿	
Candidate #2 🔿	20576
Candidate #3 🔿	
Candidate #4 🔿	$\bigcirc$

For Recording Secretary Candidate #1 is Joe Snuffy Candidate #2 is Tina Gandy Candidate #3 is Tom Maul No further candidates!

Your officer elections must occur using a Secret Ballot system. This means that there should be no way Scrutineers, Lodge officers, or anyone else can identify any particular vote with any particular member.

What that generally means is that you have a container of some sort where members can submit their completed ballots, the good old ballot box! Once a round of voting has concluded, your Scrutineers can open your ballot box and count the votes.

Also keep in mind that, per our Bylaws, **NO WRITE-IN VOTES ARE ALLOWED!** Candidates must be nominated.

One method to ensure ballots are difficult to match to a member is to assign a "Candidate Number" to each candidate for any particular office, for that round of voting. So, if you have three members running for Lodge Vice President, you'd assign each candidate a number (#1, #2, & #3). Your ballot slips don't have a space to write names down (remember, no write-ins!), but your members can mark the candidate they want by their number. If you use this method, find a whiteboard, easel, or other way of posting which candidate is assigned which number for each round of voting. If you need multiple rounds for a particular office, you can reassign numbers each round based on the remaining candidates. See the example above for one possible method.



## Scrutineers, Observers, and Counting Votes



After all your members in Good Standing present for the election cast their votes, the votes should be received and counted by two (2) Scrutineers appointed by your Lodge President. This is a temporary job solely to receive the votes cast and count them up. Each different office should be voted on and counted separately, so there is no confusion about what vote goes to what office.

If a Candidate chooses to do so, they may request to appoint an Observer to witness how the ballots are distributed, cast, received, and counted (tabulated). The Observer does not count votes, but observes the Scrutineers perform their work. If no Candidate chooses to use an Observer, it is not required.

If there are questions regarding any particular ballot or the eligibility of any member to vote, these questions shall be decided by the Scrutineers and the Lodge President. The Secretary-Treasurer should have up-to-date copies of the Lodge roster, listing all active Members in Good Standing, to assist in determining eligibility to vote. Also remember that any Candidates must have Continuous Good Standing.



## Scrutineers, Observers, and Counting Votes



Per our Bylaws, a majority of votes cast (50% +1) is necessary to win an election. If there is less than a majority and there are three (3) or more nominees, the candidate with the least votes shall drop off and another round of voting will commence, with the process repeating until one candidate receives the majority.

Ties in vote counts will require additional rounds of voting for that office and among those candidates until the tie is broken.

For Recording Secretary – **Round 1!** Total Votes cast – 36 (Majority is 19 votes) Candidate #1, Joe Snuffy, has 14 Candidate #2, Tina Gandy, has 15 Candidate #3, Tom Maul, has 7

Tom Maul is dropped from the race!

Round 2! Candidate #1, Joe Snuffy, has 16 Candidate #2, Tina Gandy, has 20



Tina Gandy wins a majority!

## Appeals



If any Member disagrees with the judgment of the Scrutineers or President regarding eligibility, vote tabulation, or results, they have a right to appeal.

If an appeal concerns eligibility to run for office, that appeal is handled per Article XXII, Section 5(a) of the IBT Constitution (per paragraph 4.10 of the BMWE/IBT Merger Agreement).

If the appeal concerns the holding or the conduct of the election itself, the System Division or Federation Bylaws and our BMWED Bylaws govern.

The bottom line is that, if any member desires to file an appeal regarding Local Lodge Officer Elections, they should communicate their issue and the exact details of the complaint as soon as they can to their System Division or Federation officers. Further appeals may go to our National Division President who in empowered under Article III to decide issues pertaining to our Bylaws. Appeals of the President's decision will be filed with our National Division Secretary-Treasurer, who will refer the matter to our National Division Appeal Board.

As a Lodge officer conducting elections, you can avoid misunderstandings by having a plan, clearly communicating, understanding our Bylaws, and asking questions ahead of time!



#### **Submitting Election Results**

Once your Scrutineers and your President count the votes and announce the winners, your Secretary-Treasurer or Recording Secretary should record the election results in your Meeting Minutes. Provide details on candidates, rounds of voting, or other issues for future reference in case of appeals or problems.

Secretary-Treasurers should then submit election results to National Division. A **COPY** (not original) of your Meeting Minutes should be forwarded to your System Division or Federation and to National Division, to have on file in case of appeals. This can be a digital copy.

Form F-53, the BMWED LOCAL LODGE OFFICERS LIST is the paper form for submitting election results. This Form can be found online by our Lodge Secretary-Treasurers through the BMWED Membership Services application (logging in to <u>https://www.bmwe.org</u>). Lodge Secretaries can also use the online portal to Submit Election Results. Once logged in at bmwe.org, click the *Lodges/Members* link on the left side of the screen. Lodge Secretaries should then see a tab titled "Submit Election Results." Clicking this tab will provide step-by-step guidance on submitting your Lodge's election results electronically, without the need for a triplicate Form F-53.

#### Submit Election Results

System Division:	Election Date:	
4104	8/23/2023	
Lodge #:	Office Effective Date:	
0001	✓ (10/14/2023	
Lodge City:	Lodge State:	
Anytown	Illinois	~
Election Hall (Name/Address):		
IBT Joint Council Hall, 321 Trackman Road, Anyto	wn, IL 62627	

Cancel



### **Keeping Records**

Lodge Secretary-Treasurers have the responsibility under both our Bylaws and federal law (the LMRDA) to preserve ballots and all other records pertaining to the election of officers for **one (1) year**.

A good idea is to take a copy of the Meeting Minutes, a copy of the paper Form F-53 (if used), and all ballots for the elections, put them in a large mailing envelope or similar, seal the envelope and add information about the election (date, time, location, etc.) on the envelope. Keep the envelope with your other Lodge records. You can dispose of the records after one (1) year if there is no challenge, appeal, or other issue with the election.





### **Installing Officers**

Our BMWED Ritual has guidance for the President on how to officially install officers. There is a brief swearing-in ceremony detailed in the Ritual, wherein an Installing Officer (usually the current President) provides an oath for the newly-elected officer to recite in the presence of the assembled membership.

Your election meeting may be attended by an officer of your System Division or Federation, or maybe National Division, who can also act as the Installing Officer. It's up to your Lodge, here.



The installation of National Division officers following their election during the 2022 BMWED National Convention

The use of our Ritual in conducting the business of our union is an important way to add proper meaning and respect to the work we do, ensure that all our members are properly recognized, and continue the traditions of our union into the future. As leaders of your Lodge, you should be respectful of your members and able to communicate to them the importance of the practices and traditions we use in our meetings and other business.

The following page has the ceremonial words for installing new officers, as laid out in the "Obligation" portion of our Ritual.



## **Installing Officers**

*Installing Officer:* Please raise your left hand, place your right hand over your heart and repeat after me:

"I (your name), in the presence of these delegates and members, do solemnly promise that I will perform all the duties of my office as laid down in the Bylaws of the Brotherhood to the best of my ability, for the best interest of the membership as a whole. To all this I pledge my sacred honor."



The installation of National Division officers following their election during the 2022 BMWED National Convention

#### ONCE NEWLY-ELECTED OFFICERS HAVE REPEATED THE OATH:

**Installing Officer:** Delegates and members, your officers have been duly obligated to perform their several duties and invested with the badges of their offices; their success depends on their fidelity and your cooperation; work together in harmony at all times.

And now, by authority of the Bylaws of the Brotherhood of Maintenance of Way Employes Division, I declare your officers duly installed and authorized to enter upon the discharge of their several duties for the term for which they have been elected, or until their successors have been elected and installed.



### Questions?

Elections are not something we do often as a union. This may be your first time conducting a local Lodge election, or you may forget details regarding the elections you conducted three years ago.

Remember that this is important business, and that you have obligations within the union and within federal law regarding how you conduct this election!

You aren't alone, though! If you have questions or concerns, you should reach out to your System Division or Federation officers and to your National Division for support! We can help you with guidance on the proper way to get notices out, how to ensure members are eligible to vote or run for office, help you handle the paperwork, and offer support in making these elections work well for you and your Lodge!

You can find contact information for the officers of your System Division, Federation, or for our National Division officers and staff at

#### https://www.bmwe.org/directory

#### NOTES:



## Lodge Meeting Sign-In Sheet

Location:	Date:		
Meeting or Event:			
John Q Trackman	jt5000æemail.net	(012) 867-5309	
NAME	EMAIL	PHONE	
		Q	
		U	
		O	
		U	
		M	
	Pag	ge of	
A Gu	BMWED Lodge Meeting Manual ide to Conducting Effective Meetings for Lodg Officers and Members	re 27	

## Checklist – Holding Lodge Elections

Lodge: [	Date:
Nomination Meeting: Election Meeting:	Both:
Date Notification Cards Mailed Out: (WRITTEN NOTIFICATION MYST BE GIVEN 15 DAYS PRIC	DR TO MEETING)
If this is an Election, are the Ballot Forms ready f	for Secret Ballot voting?
Has the Lodge President appointed two (2) Scruc count the ballots?	tineers to receive and
Scrutineer #1:	
Scrutineer #2:	
Is there a secure method (box or similar) for the Secret ballots (ensuring that members cannot be	
Does the Secretary-Treasurer have Membership determine if members are eligible to nominate of for office, or hold office?	
Are the President and the Scrutineers briefed on for any member to nominate or vote on candida validity of ballots cast?	
NOTES:	



REFER TO BMWED BYLAWS ARTICLE XVIII, SECTION 9 FOR FURTHER GUIDANCE AND REQUIREMENTS!



#### BMWED LOCAL LODGE OFFICERS LIST (see reverse for instructions)

System Div./Fed		
Lodge #	Located	(City) (State)
Date Election Held	To take offi	ce effective
PAST PRESIDENT		Memb.#
Address		
Phone #	Cell #	E-mail:
PRESIDENT		Memb.#
Address		
Phone #	Cell #	E-mail:
VICE PRESIDENT		Memb.#
Address		
Phone #	Cell #	E-mail:
SECRETARY-TREASURER		Memb.#
Address		
Phone #	Cell #	E-mail:
RECORDING SECRETARY		Memb.#
Address		
		E-mail:
AUDITING COMMITTEE		
CHAIRMAN		Memb.#
Address		
Phone #	Cell #	E-mail:
MEMBER		Memb.#
Address		
Phone #	Cell #	E-mail:
MEMBER		Memb.#
Address		
Phone #	Cell #	E-mail:
GRIEVANCE COMMITTEE (	)	
LOCAL CHAIRMAN		Memb.#
Address		
Phone #	Cell #	E-mail:
		Memb.#
		E-mail:
		Memb.#
Address		
		E-mail:
GRIEVANCE COMMITTEE (		
		Memb.#
Address		
		E-mail:
		Memb.#
Address		
		E-mail:
Address		
		E-mail:
		on
Name and Address of Meeting Hall		
Date		

Form F-53 (4/11)