CONSTITUTION OF
Merced College Chapter No. 274, CSEA
Revised November 12, 2008

This Constitution is the local operating document for this Chapter as formulated under Article III, Section 8 of the Association Constitution.

Where used throughout this document, "Association" means the California School Employees Association, the statewide governing body for this organization; "organization" and "Chapter" are interchangeable and mean Merced College Chapter No. 274, CSEA.

APPROVED

California School Employees Association

Date: November 29, 2008

By: *Denise K. Jensen,* **Executive Manager**

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ARTICLE I
NAME AND OBJECTS

Section 1. Name: The name of this organization shall be Merced College Chapter No. 274 of the California School Employees Association.

Section 2. Objects: The objects of this organization shall be to promote the good and welfare of the members of this organization under the available labor relations system, and to secure for them reasonable hours, fair wages and improved working conditions; to establish a spirit of cooperation, good faith and fair dealings with the employer; to safeguard, advance and promote the principle of free collective bargaining in a democratic society; to promote such legislation as may be in the best interests of the members of this organization; to promote the efficiency and raise the standards of service of its members and other public service workers; to instill confidence, good will and understanding among the members and their employers; to promote the economic and social welfare of the members of the Association through unity of action and mutual cooperation.

ARTICLE II
MEMBERSHIP

Section 1. Membership in this Chapter shall be as follows:

(a) **Active:** "Active" membership, which carries with it the privilege of full participation in Chapter activities, including the right to vote and to hold elected or appointed offices, shall be extended to any person employed in a bargaining unit represented by this Chapter, without regard to race, creed, color, national origin, sex, age, sexual orientation or political belief. Active membership status shall cease at such time as the member becomes eligible for any other category of membership defined herein, except as follows:

(1) Active members who are laid off may continue in Active status until expiration of their 39-month reemployment period or until reemployed, whichever comes first, upon continued payment of the established dues in effect at the time of layoff.

(2) Active members who are appealing an involuntary termination action by the employer may continue in Active status until the appeal(s) process has been terminated and the status of their employment has been finally decided, upon continued payment of the established dues in effect at the time of the involuntary termination.

(3) Nothing herein shall be construed to require continued Active status of members under paragraphs (1) and (2) above for the purpose of continued CSEA representation regarding their employment/reemployment rights. However, retention of Active status shall be required for such employees to continue to be eligible to hold appointed or elective offices within the Association and Chapter and to have voice and vote and otherwise participate in Chapter and Association affairs.

(4) Active members of this Chapter must also be Active members of the Association as defined in the Association's Constitution.

(b) **Inactive:** Any Active member of this Chapter who (1) is granted an unpaid leave of absence by the employer, or (2) is placed on a reemployment list for reasons other than layoff and is not otherwise in a paid status with the employer, or (3) is laid off and elects not to continue as an Active member under provisions of paragraph (a)(1) above, may continue membership in an "Inactive" status until expiration of the approved leave of absence or reemployment list, or until returned to paid employment status in an eligible position [as defined by paragraph (a) above], whichever occurs first, upon continued payment of dues at half (1/2) the rate required of them as an Active member at the time the leave or placement on the reemployment list occurred. Such dues shall be paid annually in advance, or for the number of months of the approved leave if less than one (1) year. Such members shall be eligible to continue to receive such membership benefits as are generally made available to the Active membership, unless specifically excluded by contract. They shall not, however, be accorded voice or vote in Chapter or Association affairs.

(c) **Lifetime Retired**: Any person who was a member of the Chapter at the time of retirement may become a “Lifetime Retired” member of this Chapter upon payment of a one-time fee of $24.00. Such members shall be permitted to attend Chapter meetings and social functions and to receive the Chapter newsletter as long as they live in the local area. They shall not otherwise be accorded voice, vote or other participation in Chapter affairs.

(d) **Active Retired**: Any person who was a member of the Chapter at the time of retirement and who also maintains a retired membership in good standing with the Association may continue as an Active member of this Chapter upon payment of the regular Chapter dues required of Active members. Such dues shall be paid annually in advance or monthly in advance direct to the Chapter Treasurer. Such members shall be entitled to continued full participation in Chapter affairs, including the right to hold appointive or elective offices and the right to vote, with the exception of the right to vote in contract ratification and concerted activities matters.

Should such member cease to be a retired member in good standing of the Association, his/her Chapter membership shall automatically terminate.

Section 2. Active membership shall be effective upon the completion, dating, and signing of an official CSEA application form as provided by the Association, and execution of a valid authorization for payroll deduction of dues or payment of at least one (1) year's dues in advance. The application shall be promptly countersigned by the Chapter Treasurer who shall immediately forward the approved application, together with advance dues received if any, to the Association, and submit payroll deduction authorizations to the appropriate district office.

Section 3. Membership "In Good Standing"

(a) Membership "in good standing" shall be effective and shall continue upon receipt of the required dues for the current month. For purposes of establishing voting rights and eligibility to hold an elected or appointed office, Active members whose dues are paid via payroll deduction shall not be deemed to be in good standing until the first of the month following the month in which the first dues are deducted, unless s/he pays dues in cash for the interim period.

(b) Membership shall terminate with:

(1) The effective date of layoff for members who are laid off and who choose not to continue in either an Active or Inactive status under provisions of Sections 1(a)(1) or 1(b) above.

(2) The effective date of an unpaid leave of absence or placement on a reemployment list for reasons other than layoff, for such members who choose not to continue in an Inactive status under provisions of Section 1(b) above.

(3) The date of termination of their 39-month reemployment rights or approved leave of absence for members who have continued in an Active or Inactive status, if such members have not been returned to active employment.

(4) The date of execution of a document terminating payroll deduction of dues, unless arrangements have been made with the Chapter Treasurer for advance cash payment.

(5) The effective date of removal from the bargaining unit, or voluntary termination of employment.

(6) The effective date of involuntary termination of employment, unless the member is eligible to continue and elects to retain Active status as permitted under provisions of Section 1(a)(2) above.

(7) Actions pursuant to Sections 5 or 6 below.

Section 4. Fair Share Service Fee Payers: Employees obligated to pay either dues or fair share service fees to CSEA pursuant to organizational security provisions in the collective bargaining agreement and who choose not to be Active members of this Chapter shall be carried on the Chapter rolls as "Fair Share Service Fee Payers". Such persons shall pay fair share service fees in an amount equal to the dues required of Active members of the Chapter (less any local Chapter fees unless collection of local Chapter fees has been approved by the Association) subject to annual requests for advance refunds of the portion of fair share service fees that CSEA determines will be used for purposes not related to collective bargaining, in accordance with the policies of the Association.

Fair share service fee payers shall be entitled to full rights of representation in all matters related to their collective bargaining agreement. They shall not, however, have the right of voice, vote, or other participation in Chapter or Association affairs, unless otherwise provided herein or required by law.

Section 5. Delinquency & Resignation:

(a) Members who no longer wish to retain that status may resign CSEA membership by written notification to the Chapter Treasurer. They shall become fair share service fee payers subject to the same fair share service fees and rights, benefits and burdens as provided under Section 4 of this article.

(b) Any member failing to pay all dues owed for the current month shall be deemed delinquent and shall not be considered to be in good standing until such delinquency has been remitted. Any member allowing his/her arrearages for dues to run over ninety (90) days shall be conclusively presumed to have resigned his/her membership effective on said date and if applicable shall be subject to paragraph (a) above and such action as may be provided under the collective bargaining agreement, unless the Treasurer is notified thirty (30) days prior thereto that the member has not resigned and arrangements for payment of arrearages are made.

(c) Members who have resigned shall, upon reapplication, be admitted as new members.

Section 6. Expulsion, Suspension, Discipline:

(a) No member may be involuntarily removed from the membership rolls except as provided for in Sections 3 and 5 above, or in accordance with the procedures for expulsion, suspension and discipline of members as specified in the Association Constitution.

(b) All matters for proposed disciplinary action against members shall be referred to the Association for action, except that members may be recalled from office in accordance with provisions of Article X of this Constitution.

ARTICLE III
DUES and ASSESSMENTS

Section 1. Association Per Capita Dues

(a) Per capita dues to the Association for Active members shall be assessed at the rate of 1.5% of the first $2,450 of monthly gross salary (*excluding overtime*, but *including* longevity, professional growth and anniversary increments), but not to exceed a maximum of $367.50 for the 12-month period commencing each September 1st and continuing through the following August 31st. Said dues shall be payable by payroll deduction or annually in advance direct to the Association.

(1) Payroll deduction shall commence in September of each year and continue through the following August for each month the member is in a paid status, or until the maximum of $367.50 has been deducted, whichever comes first.

(2) Annual in advance payments must be remitted direct to the Association's accounting office no later than September 30, or within thirty (30) days following membership application for new members after September. Such annual payments shall be as calculated by the Association's Accounting Office in accordance with the Association's Bylaws.

Section 2. Chapter Dues. Local Chapter dues for Active members of this Chapter shall be $20.00 per year, payable by payroll deduction during each of the months August through May in which the member is in regular paid status; or payable annually in advance to the Chapter Treasurer.

Section 3. The local Chapter dues plus the Association per capita dues equals the member's total dues requirement.

Section 4. Assessments: No assessments shall be levied in this Chapter other than those approved by three-fourths (3/4) of the Chapter membership present and voting on the question by secret ballot, provided that each member has been notified in writing at least ten (10) days in advance of the nature of the proposal and the time, date and place where the matter will be voted on.

Section 5. Fund Solicitation: No funds shall be solicited in the name of the Chapter without authorization of the Executive Board. All funds collected (together with an accounting of source) shall be delivered to the Chapter Treasurer within five (5) working days of receipt, for deposit in the Chapter's account.

ARTICLE IV
OFFICERS & EXECUTIVE BOARD/ELECTION PROCEDURES

Section 1. Officers: The following officers shall be elected by and from among the total Active membership of the Chapter, regardless of the location of their employment: President, Vice President, Secretary, Treasurer, Public Relations Officer, and Chief Job Steward.

Section 2. Executive Board: The elected officers designated in Section 1, plus the Past President, shall constitute the Executive Board of this Chapter. To be eligible, the Past President must have completed at least one (1) full term in office as Chapter President. The Past President shall be the most current Past President that is eligible and willing to serve.

Section 3. Eligibility to Hold Office: Officers shall be elected from among the Active members in good standing of the Chapter who have maintained such membership continuously for a period of six (6) consecutive calendar months immediately preceding the month in which they are elected.

(a) Nominees for elected office shall be Active members of the Chapter in good standing at the time of nomination and can only accept nomination for one (1) Executive Board office.

Section 4. Nominating and Election Procedures:

(a) Nominations to fill the elective offices of President, Vice President, Secretary, Treasurer, Public Relations Officer, and Chief Job Steward shall be accepted annually.

(b) Nominations for these offices shall be accepted from the floor at the October and November Chapter meetings.

(c) If, after nominations are closed at the November Chapter meeting there is only one (1) nomination for an office, the single nominee shall be declared elected to the office, and no balloting or other action shall be required. The Chapter President shall so notify the membership in writing as soon thereafter as possible.

(d) When there is more than one (1) nominee for an office, a secret ballot election shall be conducted on the day scheduled for the December Chapter meeting. Balloting shall be conducted at such times and at campus site locations (including those sites separate from the main campus) as determined by the Chapter President. Hours for balloting shall be set so that polls will close prior to the start of the Chapter meeting.

(e) Every member shall be notified, at least five (5) working days in advance of the date set for balloting, of the exact location of their balloting site, the specific date and time (hours) during which balloting will take place, and the candidates and offices which will appear on the ballot. At least two (2) election tellers will be present at each balloting site to verify voter eligibility and secure the balloting process.

(f) Immediately following the appointed hour for close of polls, the election tellers shall deliver the ballot boxes, sign-in sheets, and related materials to a pre-determined location where the tally will then take place.

(g) All procedural matters relating to the site balloting process and tally shall be conducted in accordance with Association Policy 618 and *Robert's Rules of Order*. All candidates shall be permitted to appoint an observer at each site to observe the balloting procedures, and each candidate or his/her representative shall be permitted to observe the ballot tally.

(h) It shall require a plurality vote to elect an officer. Write-in votes shall not be accepted. If a tie exists, the election shall be determined by lot (draw) between the tied candidates. The official ballot tally shall be provided in writing to all candidates within five (5) working days, and shall be announced at the December Chapter meeting, where the presiding officer shall officially declare the winning candidates or announce such other action as may be necessary.

(i) All ballots, including used, unused, invalid and challenged ballots, sign-in sheets, tally sheets, and related election documents, including notices of nomination and election, shall be retained by the Chapter Secretary for one (1) year, or until any and all challenges to the election or charges of misconduct in running the election have been resolved, whichever is the longer period.

Section 5. Terms of Office: Elected officers shall take office and assume their duties on the January 1 following their election and shall continue to serve for one (1) year or until their successors are elected, provided that any officer shall automatically forfeit such office if they cease to be an Active member in good standing.

Section 6. Vacancies:

(a) A vacancy in the office of President shall be filled by the Vice President.

(b) For vacancies in any other elected office, the Executive Board shall submit its recommendation to fill the office in writing to the Chapter membership at least five (5) working days in advance of a designated Chapter meeting. Nominations from the floor shall also be accepted at said meeting. If there are no nominations from the floor, the Executive Board's candidate shall be declared elected. If nominations from the floor are made, a secret ballot election shall be conducted among the Active members in good standing present.

Section 7. Installation: Installation of the Executive Board officers shall be held no later than January 31.

ARTICLE V
AUTHORITY OF EXECUTIVE BOARD/DUTIES OF OFFICERS

Section 1. Executive Board: The Executive Board shall have general supervision of the affairs of the Chapter between the general membership meetings. It shall transact the routine and necessary business of the Chapter as authorized and required herein, prioritize and determine recommendations on matters requiring discussion and action by the general membership, and perform such other duties as are specified in this constitution. The Board shall be subject to the orders of the Chapter membership, and none of its actions shall conflict with actions taken by the Chapter membership.

A report on all actions taken by the Executive Board shall be made to the membership at the next regular or special Chapter meeting, with such actions subject to membership ratification if appropriate.

Minutes of Chapter and Executive Board meetings shall be kept on file for at least five (5) years. Chapter financial records shall be kept on file for at least five (5) years.

The Executive Board shall meet at the call of the President or at such times and places designated by it; the President shall call a special meeting upon the written request of a majority of the Board.

A majority of the members of the Executive Board shall constitute a quorum.

Section 2. Duties of Officers, General: Upon separation from office, an officer shall immediately turn over to his/her successor or other properly designated CSEA official all books, records, money and other effects of the Chapter in his/her possession.

No Executive Board officer may sign agreements or other matters regarding the working conditions of bargaining unit members with the District without two-thirds (2/3) ratification of the Executive Board. This provision does not apply to agreements governed by Association Policy 610 and requiring ratification of the membership.

Section 3. President: The President shall:

(a) Be chairperson of the Executive Board, call and preside over all meetings of the Chapter and Executive Board at which s/he is in attendance.

(b) Fix the time and place of meetings except as otherwise directed by the membership.

(c) Set the agenda for Chapter meetings, as noted in Article VI.

(d) Appoint and direct the activities of the various committees, standing or special, required by this constitution or established by the Executive Board, or as may be ordered by vote of the membership, except as otherwise provided herein.

(e) Attend all District Board of Trustee meetings, and report back to the Executive Board.

(f) Attend all regional presidents' meetings (RPMs) and such other meetings as required by the Association or direction of the Chapter, and report back to the Executive Board and Chapter membership at the next Chapter meeting, with recommendations for Chapter action or as otherwise required.

(g) Perform such other duties as normally pertain to the office of President or ordered by this constitution.

Section 4. Vice President: The Vice President shall:

(a) In the absence or disability of the President, possess all of the powers and perform all of the duties in his/her stead.

(b) At all times assist the President in the performance of his/her duties.

(c) Assume the office of President if a vacancy occurs.

(d) If directed by the Executive Board, compile a report on the activities and achievements of the Chapter, and forward a copy of same to each member in January.

(e) Serve as Chairperson of the Membership Committee.

(f) Coordinate and direct the activities of the Site Representatives.

(g) Coordinate the activities of the standing committees.

(h) Perform such other duties as may be assigned by the President/Executive Board or ordered by this constitution.

Section 5. Secretary: The Secretary shall:

(a) Keep an accurate record of all proceedings of Chapter and Executive Board meetings, including an accurate roll of members and officers in attendance at each.

(b) Keep an accurate roster of the officers of the Chapter and see that such information is forwarded to the Association as required.

(c) Issue notices of all meetings of the Executive Board and Chapter meetings, which shall include notice of matters for discussion at same.

(d) Notify members of all committees of their appointment/election.

(e) Have custody of all correspondence, official documents and historical records of the Chapter, which shall be open at all times for the inspection of the President or his/her agent and members of the Executive Board.

(f) Maintain up-to-date copies of the Constitution & Bylaws and Policy of the Association and the constitution of this Chapter and see that copies of same are available for reference at all Executive Board and Chapter meetings, and available for inspection by the general membership upon request.

(g) Perform such other duties as normally pertain to the office of Secretary or as may be assigned by the President/Executive Board or ordered by this constitution.

Section 6. Treasurer: The Treasurer shall:

(a) Receive all funds of the Chapter and keep and disburse same under the direction of the President and as required by the Constitution & Bylaws of the Association and this Chapter.

(b) Keep or cause to be kept regular books and full accounts which shall be open at all times to inspection of the President or his/her agent and the Auditing Committee.

(c) Provide access to all records, vouchers and statements to the Auditing Committee for annual inspection at the close of each fiscal year.

(d) Report at each meeting of the Chapter as to the financial condition of the treasury with a detailed statement of receipts and expenditures and accounts payable, to include per capita dues/fees paid and owed to the Association if any.

(e) Prepare the annual PERB financial report to include the last day of the fiscal year, and immediately submit same to the President for review and forwarding to the Association, and the membership.

(f) Promptly process and forward membership applications and dues payments to CSEA Headquarters and payroll deduction authorizations to proper district office for processing.

(g) Maintain an accurate record of members in good standing, and prepare such monthly reports and remittances as may be required by the Association and promptly forward to CSEA Headquarters within thirty (30) days of request.

(h) Assist in preparation of the Chapter budget.

(i) Upon leaving office, sign such bank signature cards or other documents necessary for the transfer of all Chapter accounts to the new Treasurer.

(j) Perform such other duties as normally pertain to the office of Treasurer or as may be assigned by the President/Executive Board or ordered by this constitution.

Section 7. Public Relations Officer: The Public Relations Officer shall:

(a) Edit and distribute a newsletter or similar publication as may be authorized by the Executive Board and the Chapter membership.

(b) Write articles of interest pertaining to Chapter affairs for local newspapers and official publications of the Association.

(c) Perform such other duties as normally pertain to the Public Relations Officer or as may be assigned by the President/Executive Board or ordered by this constitution.

Section 8. Chief Job Steward: The Chief Job Steward shall:

(a) Ensure that the Job Steward program of the Chapter functions according to the requirements set forth in this constitution; ensure that all grievances are handled properly in their investigation and filing, and consistent in their resolution.

(b) Maintain the necessary records on matters of contract enforcement to permit the Chapter to effectively represent bargaining unit employees.

(c) Process all grievances not settled at the immediate-supervisory level, unless CSEA staff assistance is required. If staff assistance is required, the President shall be notified.

(d) Keep the Executive Board informed on all grievance activity.

(e) Review all grievances being considered for arbitration and recommend to the Executive Board whether each particular case should be arbitrated.

Section 9. Past President: The Past President shall:

(a) Be a member of the Executive Board and perform such duties as may be assigned by the President and/or the Executive Board.

(b) In the absence or disability of both the President and Vice President, possess all of the powers and perform all of the duties of the President.

ARTICLE VI
MEETINGS

Section 1. Regular business meetings of this Chapter shall be held during the months of August through May, inclusive. The schedule of such meetings shall be established in January of each year for the succeeding twelve (12) month period and shall be provided to the membership.

Section 2. Special meetings of the Chapter may be called by a vote of two-thirds (2/3) of the Executive Board or upon petition to the President of twenty percent (20%) of the Chapter membership.

Section 3. Meeting Notices:

(a) **Regular Meetings**. Unless otherwise specified herein, a meeting notice shall precede all Chapter meetings at least five (5) days in advance to allow members a reasonable opportunity to attend. Said notice shall include a summary of the business to be acted upon, and the time, date and place of the meeting.

(b) **Special Meetings**. Notice for special meetings shall include the specific topic(s) for discussion/action at said meeting, and unless otherwise required herein, a notice of less than five (5) days, but not less than twenty-four (24) hours in advance, may be given in an emergency situation.

Section 4. Unless otherwise ordered by two-thirds (2/3) vote of the members present, the order of business at regular Chapter meetings shall be:

(1) Pledge of Allegiance to the Flag
(2) Roll Call of Officers
(3) Approval of Minutes of the Previous Meeting
(4) Treasurer's Report
(5) Report of Executive Board Actions
(6) Recognition of New Members
(7) Committee Reports
    (a) Report of the Membership Committee
    (b) Report of the Negotiating Committee
    (c) Job Steward/Site Representative Reports
    (d) Other Committees as Required
(8) Unfinished Business
(9) New Business
(10) Correspondence
(11) Good of the Order
(12) Adjournment

Section 5. Quorum for Meetings: It shall require at least ten (10) members in good standing in attendance at any Chapter meeting for business to be conducted.

ARTICLE VII
CONTROL OF FUNDS / BUDGET

Section 1. All funds received shall be deposited in the name of Merced College Chapter No. 274, CSEA, in such bank or other financial institution as approved by the Executive Board. No funds shall be disbursed except by check, duly authorized and signed by the Treasurer and the President. In the event of absence of, inability to act by, or vacancy in the office of Treasurer, funds shall only be disbursed upon signature of the President and one (1) of the following: Vice President, Secretary.

Section 2. The Executive Board shall prepare an annual budget for approval of the Chapter membership no later than January of each year, which shall contain itemized estimated receipts and expenditures, and amounts to be set aside as a reserve fund, if any. The approved budget shall then regulate the expenditures of the Chapter, except that the Treasurer shall submit any single expenditure in excess of $100 to the Executive Board for prior approval. Expenditures in excess of those approved in the budget must have prior approval of the Chapter membership.

ARTICLE VIII
COMMITTEES

Section 1. Standing Committees: The President shall appoint the following standing committees, subject to the ratification of the Executive Board:

Committee	**Minimum Membership**
Activities	3
Auditing	3
Educational/Professional Growth	3
Elections	3
Membership	3
Political Action	3

In addition, a Negotiating Committee shall be elected by the membership.

Section 2. Ad Hoc Committees: Such other committees as the President/Executive Board or the Chapter membership may deem necessary to perform a specified task for the welfare of the Chapter may be appointed. The President/Executive Board shall determine the composition of such committees and the timelines for completion of their assigned duties. Such ad hoc committees shall cease to function upon completion of their specified task.

Section 3. The Vice President shall act as coordinator of all appointed committees, and shall be Chairperson of the Membership Committee.

Section 4. The President shall be an ex-officio member of all committees, except the Auditing and Elections Committees.

Section 5. Quorum: A majority of the members of any committee must be present at any meeting to constitute a quorum.

Section 6. Terms: Unless otherwise provided herein, the term of office for all committees shall be from January 1 until the end of the Chapter and fiscal year or until their successors are appointed, provided that any committee member shall automatically forfeit the office if they cease to be an Active member in good standing.

Section 7. Activities Committee: It shall be the duty of this committee to conduct any function that may be assigned it (such as Annual Blood Drive and Classified School Employee Week) and to appoint clean-up subcommittees for all meetings.

Section 8. Auditing Committee: It shall be the duty of this committee to receive and audit the books and records of the Treasurer immediately after the close of each fiscal year, and at such other times as may be directed by the President, and report its findings to the Chapter membership.

Section 9. Educational/Professional Growth Committee: It shall be the duty of this committee to develop in-service training programs, workshops, and such other programs that will upgrade and improve the efficiency of the Chapter membership. The committee shall coordinate its activities with Administration, the Regional Representative, the Association's Education Committee, and other Association officers in its effort to promote greater efficiency of knowledge for the Chapter membership.

Section 10. Elections Committee: It shall be the duty of this committee to supervise and assist in the preparation, distribution, and counting of the ballots in all elections (including contract ratifications) within the Chapter, and certify the results to the Chapter President. In addition, the committee shall ensure that election procedures are in accordance with applicable provisions of the Association's Constitution & Bylaws and Policy, and this constitution.

Section 11. Membership Committee: It shall be the duty of this committee to strive for 100% CSEA membership, and to prepare and execute a program designed to secure new members and stimulate membership attendance at Chapter meetings on an ongoing basis.

Section 12. Negotiating Committee (Team):

(a) The Negotiating Committee shall consist of four (4) representatives from the membership at large.

(1) **Eligibility:** Committee members shall be elected from among the Active members in good standing of the Chapter who have maintained such membership continuously for a period of six (6) consecutive calendar months immediately preceding the month in which they are elected.

(b) The committee members shall be elected by the members in good standing, with nominations and elections conducted with the Executive Board officer nominations/elections. Two (2) committee members shall be elected in the odd-numbered years. Two (2) committee members shall be elected in the even-numbered years. The nominee receiving the second highest number of votes in the elections conducted in the even-numbered years shall serve as an Alternate. All procedural matters relating to these elections, including timelines for notice to the affected members, shall be in accordance with Association Policy 618.

(1) The four (4) elected committee members shall select from themselves a Chief Negotiator.

(c) Term of office for the elected members and alternate shall commence on the January 1 following their election and shall continue to serve for two (2) years or until their successors are elected, provided that any committee member shall automatically forfeit such office if s/he ceases to be an Active member in good standing.

(d) Vacancies shall be filled by special election for the remainder of the original term only.

(e) **Duties:** It shall be the duty of the Negotiating Committee to:

(1) Research issues and prepare and submit initial bargaining proposals (including proposals on re-openers) for review and approval of members in good standing of the bargaining unit(s) prior to commencement of negotiations, including recommendations relating to salary schedules and fringe benefits.

(2) Negotiate the contract (including re-openers and modifications) for and on behalf of the Chapter with assistance from CSEA field staff.

(3) Ensure that all bargained agreements are submitted for ratification of the bargaining unit(s) in accordance with Article XII of this constitution.

(4) Review all insurance programs, which may be available to the Chapter membership and to acquaint the membership with those programs; and act as an intermediary for any member between administration insurance carriers and other concerned persons or groups for any member so requesting and involving a program of group insurance available to the membership.

(f) **Chief Negotiator:** In addition, the Chief Negotiator shall:

(1) Serve as chairperson of the Negotiating Committee.

(2) Keep the Executive Board and the membership informed on the progress of negotiations and solicit membership input where advisable. When the Chapter President requests the presence of the Chief Negotiator at an Executive Board meeting, attendance is strongly recommended. If the Chief Negotiator is unable to attend, another member of the committee should attend in his/her place.

(3) Attend monthly Chapter meetings.

(4) Report to the Negotiating Committee whenever there is communication between the district and the Chief Negotiator.

Section 13. Political Action Committee: It shall be the duty of this committee to:

(a) Recommend to the Chapter membership legislative proposals it deems desirable for submission to the Association's Annual Conference or transmitted to the Board of Directors for consideration and inclusion in the Association's legislative program.

(b) Receive and report to the membership the legislative program of the Association.

(c) Provide the Legislative Committee of the Association with such assistance in the furtherance of the program that it deems appropriate, with the approval of the Chapter.

(d) Work cooperatively with the Political Action Coordinator (PAC) and other Association officials in furtherance of the Association's legislative and political goals.

(e) Encourage all members to support PACE of CSEA, and educate the membership regarding the necessity for active participation in the political process, at least as it relates to the school board and local assembly and senate district elections.

ARTICLE IX
JOB STEWARDS/SITE REPRESENTATIVES

Section 1. Job Stewards:

(a) **Appointment**: The Executive Board shall appoint trained Job Stewards to serve the membership. The Executive Board shall determine the number of Stewards to be appointed.

(b) **Term:** The term for Job Stewards shall commence upon their appointment in the even-numbered years and continue for two (2) years or until their successors are appointed, provided that any Job Steward shall automatically forfeit such office if s/he ceases to be an Active member in good standing. Vacancies shall be filled by appointment of the Executive Board for the remainder of the original term only.

(c) **Duties:** The Job Stewards shall:

(1) Attend annual training sessions for Job Stewards provided by the Association and/or other appropriate training as directed by the Executive Board.

(2) Educate bargaining unit employees about their rights under the contract and determine how problems arising under the contract can best be handled.

(3) Investigate and prepare grievances for presentation to management, present grievances to the employee's supervisor; and be present as required during other steps of the grievance procedure.

(4) **Preserve the confidentiality** of personal grievances, resolve differences among the membership in grievance handling, and maintain a file on all grievances handled.

(5) Act as the basic channel of communication between the employees and the Chapter and relay specific member concerns to the Chapter's Negotiating Committee for incorporation into the bargaining proposals.

Section 2. Site Representatives:

(a) **Appointment:** Site Representatives to serve each worksite shall be appointed by the President and ratified by the Executive Board. The Vice President shall maintain the list of Site Representatives and designated areas.

(b) **Duties:** The Site Representatives shall:

(1) Recruit employees into CSEA membership and educate employees about CSEA.

(2) Distribute Chapter newsletter, bulletins, and other CSEA information at the worksite; keep CSEA bulletin boards up-to-date and clear of non-CSEA material.

(3) Conduct periodic site-level meetings to keep the members informed of actions taken at Chapter meetings, to explain CSEA benefit plans and services, and to keep members informed of Association and/or Chapter activity regarding grievances, PERB decisions, contract negotiations, legislative and political activity, and other matters of importance.

(4) Relay member concerns to the appropriate Job Steward or other Chapter officer.

(5) Attend Chapter meetings; attend training workshops and other seminars as directed and approved by the Executive Board.

ARTICLE X
RECALL OR REMOVAL FROM OFFICE

Section 1. Recall of Elected Offices

(a) Any member of the Executive Board and Negotiating Committee, and conference delegates and alternates, may be recalled from office upon a two-thirds (2/3) secret ballot vote of Active members of the Chapter in good standing present and voting at a meeting called for the purpose of a recall action.

(b) Recall may be initiated by a petition of two-thirds (2/3) of the Executive Board or thirty percent (30%) of the members in good standing eligible to vote on the individual being recalled. The petition shall state the specific reasons in support of the recall, and the petition shall be presented to the Executive Board and to the individual.

(c) Upon receipt of the petition, the Executive Board shall arrange for a special meeting to be held not less than fifteen (15) days nor more than thirty (30) days following its receipt, at which the charged person shall be afforded opportunity to rebut the charges, including presentation and cross-examination of witnesses as may be appropriate, and the secret ballot vote shall be conducted. Attendance at said meeting shall be restricted to members of the Executive Board and members of the Chapter in good standing who are eligible to vote on the particular recall action, authorized representatives of the Association, and such witnesses as may be pertinent to the action. Notice specifying time, date, and place and the specific nature/purpose of the meeting shall be issued to those eligible for attendance at least ten (10) days in advance.

Section 2. Removal of Appointed Offices

(a) Any appointee of the President/Executive Board may be removed from office by a two-thirds (2/3) vote of the Executive Board, a quorum being present,

provided such person shall be provided at least five (5) days advance notice of the reasons for removal and the time, date and place where the Board will meet to vote on the matter. At said meeting the member shall be afforded an opportunity to provide rebuttal argument prior to the vote being taken.

(b) Any appointed committee chairperson or member failing to attend three (3) consecutive committee meetings, unless excused for cause, shall be automatically removed from the committee.

Section 3. Resignation from Office

(a) A resignation by an elected officer is not effective until accepted by the Active members in good standing present at a Chapter meeting.

(b) A resignation by any appointee of the President/Executive Board is not effective until accepted by the President/Executive Board.

ARTICLE XI
DELEGATES TO CONFERENCE

Section 1. Delegates: Voting delegates to an annual conference of the Association (and their alternates) shall be designated from among the Active members in good standing as follows:

(a) The Chapter President.

(b) Additional delegates in such number as may be authorized by the Chapter for attendance, but not to exceed the total number authorized by the Bylaws of the Association, shall be elected as provided in Section 2 below.

Section 2. Election:

(a) Nominations for the authorized delegate positions, other than the President, shall be taken at the regular Chapter meeting in March, and election shall be by secret ballot at the regular Chapter meeting in April. Alternates in sufficient numbers for each of the authorized delegates, to include an alternate for the President, shall also be elected.

(b) Notification of nominations and election and all other procedural matters relating to delegate and alternate election shall conform to Association Policy 618 and shall be conducted under the supervision of the Elections Committee.

(c) In the event a delegate cannot attend, the Executive Board shall determine which alternate shall replace the authorized delegate.

Section 3. Responsibilities: Delegates shall attend all conference business and other sessions of importance to the Chapter. In addition, the delegates shall:

(a) Attend at least one (1) orientation meeting at the regional or area level of the Association concerning the resolutions to the upcoming conference.

(b) Submit a brief written report of activities and expenses to the President within three (3) weeks after conclusion of a conference when the President does not attend.

(c) Render an oral report to the Chapter membership at the first Chapter meeting following the conference, which shall also be set forth in written form and distributed to all members.

ARTICLE XII
CONTRACT RATIFICATION

Section 1. Contract ratification procedures will comply with the provisions of Association Policy 610.

Section 2. Initial Proposals:

(a) The initial bargaining proposal will be determined by a vote of the membership.

(b) Copies of the Chapter's initial proposal and the employer's initial proposal shall be submitted to the Field Director and Labor Relations Representative for review.

Section 3. Negotiated Agreement:

(a) When the Negotiating Committee has negotiated a contract, tentative agreement, or modifications to an existing contract, it shall immediately submit one (1) copy to the CSEA Labor Relations Representative assigned to service the Chapter, for review by the Association prior to membership ratification.

(1) All contract modifications shall be submitted to the Labor Relations Representative for review by the Association. However, membership ratification shall not be required for those items listed as exceptions to the definition of "modifications" within the provisions of Association Policy 610, unless they are included as part of contract re-opener negotiations.

Section 4. Ratification Procedures:

(a) A copy of the tentative agreement or a summary of the tentative agreement, and a statement as to whether the Negotiating Committee is recommending ratification or rejection of the agreement, shall be provided each CSEA member of the bargaining unit(s) prior to the "contract information" meetings noted below. If a summary only is provided, copies of the tentative agreement containing the exact language of the proposal shall be available for review at said meeting(s).

(b) The Chapter President shall set the date, time and place for one or more "contract information" meetings, which shall be open to attendance by all employees within the bargaining unit(s), whether or not they are CSEA members.

(c) Notice of the "contract information" meeting(s) shall be issued to all bargaining unit employees no later than five working days in advance of the scheduled date. Distribution of said meeting notice(s) shall be at the discretion of the Chapter President, utilizing any of the following methods, which it determines to be most efficient:

(1) To individual bargaining unit employees utilizing the U.S. mail or the employer's mail system;
(2) Distribution by Site Representatives or others;
(3) Posting in prominent locations at each worksite.

Exception to the above: The Association's Executive Director, or designee, may approve a notice period of less than five working days upon request of the Chapter President, if it is deemed an expedited ratification is advisable.

(d) **Conduct of Informational Meeting(s):**

(1) The Negotiating Committee shall review the provisions of the tentative agreement and indicate its recommendations for ratification or rejection and reasons therefore.

(2) If the Association recommends rejection of the tentative agreement, an Association representative shall be in attendance at the meeting and shall be provided ample opportunity to outline the recommendation for rejection and the reasons therefore.

(3) Adequate opportunity for discussion, debate, and answering of questions shall be provided. Non-CSEA members of the bargaining unit(s) in attendance shall be granted the right to participate in the discussion and debate. **They shall not, however, have the right to make motions or vote.**

(e) **Ratification Vote:**

(1) The ratification vote shall be conducted by secret ballot at designated voting sites. The location and number of voting sites and the date and times for conducting the balloting shall be as determined by the Chapter President, except that the balloting shall not be earlier than the day following the informational meeting(s).

(2) Only Active CSEA members in good standing employed within the bargaining unit(s) shall be entitled to vote. Members shall be notified of the date, time(s) and location where the balloting will be conducted for their designated site. Such notice shall be issued at least five (5) working days in advance unless an exception is granted by the Association's Executive Director under provisions of Policy 610.

(3) The balloting process and vote tally shall be conducted in accordance with procedures proscribed by Association Policy 610. It shall require a majority vote to ratify.

(4) The results of the balloting shall be provided to the membership no later than five (5) days following the vote tally, and shall be announced at the next following Chapter meeting.

Section 5. Executed Agreement: Every collective bargaining agreement shall be executed by both the Association and appropriate representatives of this Chapter. No contract shall be valid which has not been ratified by the Chapter membership.

ARTICLE XIII
CONCERTED ACTIVITIES

Section 1. No concerted withholding of service shall be instituted by this Chapter unless such concerted action has been approved at a regular or special membership meeting, advance notice having been given, by secret ballot vote of not less than sixty-five percent (65%) of the Active members in good standing present and voting; and approval for such concerted activity has been granted by the Association's Board of Directors.

Section 2. If the dispute relates to contract negotiations, no concerted withholding of service shall be instituted unless the last offer of the employer has been submitted to the Chapter membership in accordance with Article XII of this constitution and has been rejected, and the requirements of Section 1 above shall have been met.

ARTICLE XIV
AMENDMENTS TO CONSTITUTION

Section 1. This Constitution shall at all times conform to all provisions of the Association Constitution & Bylaws and Policy, and where any conflict should occur, the Association Constitution & Bylaws and/or Policy shall prevail.

Section 2. Any member in good standing of the Chapter (or the Executive Board) may submit a written proposal to amend this constitution (containing the exact text of the proposed change) at any Chapter meeting, which shall constitute a first reading. The Chapter President shall then cause the proposed amendment(s) to be placed on the agenda of the next regular or a special Chapter meeting where the matter will be read a second time and acted upon, and shall cause written notification of the proposed amendment(s) and the date, time, and place of the designated Chapter meeting to be issued to all members in good standing at least ten (10) days in advance of said meeting. Said notification shall include at least a written summary of the proposed changes. The exact text of the proposed changes shall be made available for

review by members upon request prior to the second reading if not provided with said notification, and shall be distributed to all members in attendance at the second reading.

Section 3. Approval by two-thirds (2/3) of the Active members in good standing present and voting at the second reading shall be required to adopt the amendment(s). If the amendment relates to a revision of Chapter dues, the vote shall be conducted by secret ballot.

Section 4. All amendments shall be submitted to the Association's Executive Director immediately following their adoption by the Chapter. **No amendment shall become operative until approved by the Executive Director, or designee, or action of the Association's Board of Directors in accordance with Article III, Section 8 of the Association's Constitution.**

ARTICLE XV
DISBANDMENT OF CHAPTER

Section 1. Should the Chapter disband for any reason, all financial accounts shall be transferred to the control of the Association, and a final audit of the financial books and records of the Chapter shall be made in conjunction with the Association's Financial Analyst/Auditor. Upon conclusion and certification of such audit, final distribution of funds shall be as follows:

(a) All outstanding obligations of the Chapter shall be promptly paid.

(b) All funds due and owing the Association shall be promptly remitted to the Association's general fund.

(c) Funds then remaining shall then be distributed for purposes as appropriate and authorized in accordance with provisions contained in Association Policy 612.

ARTICLE XVI
PARLIAMENTARY AUTHORITY

The rules contained in the current edition of *Robert's Rules of Order, Newly Revised* shall govern the Chapter in all cases in which they are not inconsistent with this constitution, the Constitution & Bylaws or Policy of the Association, and any special rules the Chapter may adopt.

The President may appoint a Parliamentarian each year.

ARTICLE XVII
FISCAL YEAR

The fiscal year of this Chapter shall extend from January 1 through December 31, inclusive.

ARTICLE XVIII
CHAPTER PRE-RETIREMENT RESOURCE PERSON

Section 1. A Chapter Pre-Retirement Resource Person shall be appointed by the President and ratified by the Executive Board.

Section 2. His/her duties shall be to:

(a) Direct Chapter members to the right sources so they receive the best retirement information available.

(b) Attend Chapter meetings and training workshops/seminars as directed and approved by the Chapter President.