

**CONSTITUTION OF
San Diego Chapter No. 724, CSEA
Latest Revision October 17, 2009**

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 San Diego Chapter No. 724, CSEA.

APPROVED

California School Employees Association

Date: March 27, 2010

By: *Denise K. Jensen*, Executive Manager

Table of Contents

1		
2		
3		<u>Page</u>
4	Article I – Name and Objects	3
5	Article II – Membership	3
6	Article III – Dues and Assessments	6
7	Article IV – Officers & Executive Board/Election Procedures	7
8	Article V – Authority of Executive Board/Duties of Officers	9
9	Article VI – Meetings	13
10	Article VII – Control of Funds/Budget	14
11	Article VIII – Committees	14
12	Article IX – Job Stewards	17
13	Article X – Site Representatives	18
14	Article XI – Recall or Removal from Office	19
15	Article XII – Delegates to Conference	20
16	Article XIII – Contract Ratification	21
17	Article XIV – Concerted Activities	23
18	Article XV – Amendments to Constitution	23
19	Article XVI – Disbandment of Chapter	24
20	Article XVII – Parliamentary Authority	24
21	Article XVIII – Fiscal Year	24
22	Article XIX – Chapter Pre-Retirement Resource Person	25
23	Article XX – Maintenance & Operations Academy	25
24		

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

**ARTICLE I
NAME AND OBJECTS**

Section 1. Name: The name of this organization shall be San Diego Chapter No. 724 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.

23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48

**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.

1 (4) Active members of this chapter must also be Active members of the
2 Association as defined in the Association's Constitution.
3

4 (b) **Inactive:** Any Active member of this chapter who (1) is granted an unpaid
5 leave of absence by the employer, or (2) is placed on a reemployment list for reasons
6 other than layoff and is not otherwise in a paid status with the employer, or (3) is laid off
7 and elects not to continue as an Active member under provisions of paragraph (a)(1)
8 above, may continue membership in an "Inactive" status until expiration of the approved
9 leave of absence or reemployment list, or until returned to paid employment status in an
10 eligible position [as defined by paragraph (a) above], whichever occurs first, upon
11 continued payment of dues at 1/2 the rate required of them as an Active member at the
12 time the leave or placement on the reemployment list occurred. Such dues shall be
13 paid annually in advance, or for the number of months of the approved leave if less than
14 one year. Such members shall be eligible to continue to receive such membership
15 benefits as are generally made available to the Active membership, unless specifically
16 excluded by contract. They shall not, however, be accorded voice or vote in chapter or
17 Association affairs.
18

19 (c) **Lifetime Retired:** Any person who was a member of the chapter at the
20 time of retirement may become a "Lifetime Retired" member of this chapter upon
21 payment of a one-time fee of \$25.00. Such members shall be permitted to attend
22 chapter meetings and social functions and to receive the chapter newsletter as long as
23 they live in the local area. They shall not otherwise be accorded voice, vote or other
24 participation in chapter affairs.
25

26 **Section 2.** Active membership shall be effective upon the completion, dating,
27 and signing of an official CSEA application form as provided by the Association, and
28 execution of a valid authorization for payroll deduction of dues or payment of at least
29 one year's dues in advance. The application shall be promptly countersigned by the
30 Chapter Treasurer who shall immediately forward the approved application, together
31 with advance dues received if any, to the Association, and submit payroll deduction
32 authorizations to the appropriate district office.
33

34 **Section 3. Membership "In Good Standing"**

35
36 (a) Membership "in good standing" shall be effective and shall continue upon
37 receipt of the required dues for the current month. For purposes of establishing voting
38 rights and eligibility to hold an elected or appointed office, Active members whose dues
39 are paid via payroll deduction shall not be deemed to be in good standing until the first
40 of the month following the month in which the first dues are deducted, unless s/he pays
41 dues in cash for the interim period.
42

43 (b) Membership shall terminate with:
44

45 (1) The effective date of layoff for members who are laid off and who
46 choose not to continue in either an Active or Inactive status under provisions of Sections
47 1(a)(1) or 1(b) above.
48

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

4
5 (3) The date of termination of their 39-month reemployment rights or
6 approved leave of absence for members who have continued in an Active or Inactive
7 status, if such members have not been returned to active employment.

8
9 (4) The date of execution of a document terminating payroll deduction
10 of dues, unless arrangements have been made with the Chapter Treasurer for advance
11 cash payment.

12
13 (5) The effective date of removal from the bargaining unit, or voluntary
14 termination of employment.

15
16 (6) The effective date of involuntary termination of employment, unless
17 the member is eligible to continue and elects to retain Active status as permitted under
18 provisions of Section 1(a)(2) above.

19
20 (7) Actions pursuant to Sections 5 or 6 below.

21
22 **Section 4. Fair Share Service Fee Payers:** Employees obligated to pay
23 either dues or fair share service fees to CSEA pursuant to organizational security
24 provisions in the collective bargaining agreement and who choose not to be Active
25 members of this chapter shall be carried on the chapter rolls as "Fair Share Service Fee
26 Payers". Such persons shall pay fair share service fees in an amount equal to the dues
27 required of Active members of the chapter (less any local chapter fees unless collection
28 of local chapter fees has been approved by the Association) subject to annual requests
29 for advance refunds of the portion of fair share service fees that CSEA determines will
30 be used for purposes not related to collective bargaining, in accordance with the policies
31 of the Association.

32
33 Fair share service fee payers shall be entitled to full rights of representation in all
34 matters related to their collective bargaining agreement. They shall not, however, have
35 the right of voice, vote, or other participation in chapter or Association affairs, unless
36 otherwise provided herein or required by law.

37
38 **Section 5. Delinquency & Resignation:**

39
40 (a) Members who no longer wish to retain that status may resign CSEA
41 membership by written notification to the Chapter Treasurer. They shall become fair
42 share service fee payers subject to the same fair share service fees and rights, benefits
43 and burdens as provided under Section 4 of this article.

44
45 (b) Any member failing to pay all dues owed for the current month shall be
46 deemed delinquent and shall not be considered to be in good standing until such
47 delinquency has been remitted. Any member allowing his/her arrearages for dues to
48 run over 90 days shall be conclusively presumed to have resigned his/her membership

1 effective on said date and if applicable shall be subject to paragraph (a) above and such
2 action as may be provided under the collective bargaining agreement, unless the
3 Treasurer is notified 30 days prior thereto that the member has not resigned and
4 arrangements for payment of arrearages are made.

5
6 (c) Members who have resigned shall, upon reapplication, be admitted as
7 new members.

8
9 **Section 6. Expulsion, Suspension, Discipline:**

10
11 (a) No member may be involuntarily removed from the membership rolls
12 except as provided for in Sections 3 and 5 above, or in accordance with the procedures
13 for expulsion, suspension and discipline of members as specified in the Association
14 Constitution.

15
16 (b) All matters for proposed disciplinary action against members shall be
17 referred to the Association for action, except that members may be recalled from office
18 in accordance with provisions of Article XI of this Constitution.

19
20
21 **ARTICLE III**
22 **DUES and ASSESSMENTS**

23
24 **Section 1. Association Per Capita Dues**

25
26 (a) Per capita dues to the Association for Active members shall be assessed
27 at the rate of 1.5% of the first \$2,450 of monthly gross salary (*excluding overtime*, but
28 *including* longevity, professional growth and anniversary increments), but not to exceed
29 a maximum of \$367.50 for the 12-month period commencing each September 1st and
30 continuing through the following August 31st. Said dues shall be payable by payroll
31 deduction or annually in advance direct to the Association.

32
33 (1) Payroll deduction shall commence in September of each year and
34 continue through the following August for each month the member is in a paid status, or
35 until the maximum of \$367.50 has been deducted, whichever comes first.

36
37 (2) Annual in advance payments must be remitted direct to the
38 Association's accounting office no later than September 30, or within 30 days following
39 membership application for new members after September. Such annual payments
40 shall be as calculated by the Association's Accounting Office in accordance with the
41 Association's Bylaws.

42
43 **Section 2. Chapter Dues.** Local chapter dues for Active members of this
44 chapter shall be \$15.00 per year, payable by payroll deduction during each of the
45 months September through June in which the member is in regular paid status; or
46 payable annually in advance to the Chapter Treasurer.

1 (b) Nominations for these offices shall be accepted from the floor at the
2 October and November chapter meetings.
3

4 (c) If, after nominations are closed at the November chapter meeting there is
5 only one nomination for an office, the single nominee shall be declared elected to the
6 office, and no balloting or other action shall be required. The Chapter President shall so
7 notify the membership in writing as soon thereafter as possible.
8

9 (d) When there is more than one nominee for an office, a secret ballot
10 election shall be conducted on the day scheduled for the December chapter meeting,
11 with polls open from 7:00 a.m. to 5:00 p.m. The Executive Board shall determine the
12 polling places.
13

14 Those eligible to vote for the positions of Vice President shall only be those
15 members in good standing present who are employed in the respective unit.
16

17 (e) Every member shall be notified, at least five working days in advance of
18 the date set for balloting, of the exact location of their balloting site, the specific date
19 and time (hours) during which balloting will take place, and the candidates and offices
20 which will appear on the ballot. At least two election tellers will be present at each
21 balloting site to verify voter eligibility and secure the balloting process.
22

23 (f) Immediately following the appointed hour for close of polls, the election
24 tellers shall deliver the ballot boxes, sign-in sheets and related materials to a pre-
25 determined location where the tally will then take place.
26

27 (g) All procedural matters relating to the site balloting process and tally shall
28 be conducted in accordance with Association Policy 618 and *Robert's Rules of Order*.
29 All candidates shall be permitted to appoint an observer at each site to observe the
30 balloting procedures, and each candidate or his/her representative shall be permitted to
31 observe the ballot tally.
32

33 (h) It shall require a plurality vote to elect an officer. Write-in votes shall not
34 be accepted. The official ballot tally shall be provided in writing to all candidates within
35 five working days, and shall be announced at the December chapter meeting, where the
36 presiding officer shall officially declare the winning candidates or announce such other
37 action as may be necessary.
38

39 (i) All ballots, including used, unused, invalid and challenged ballots, sign-in
40 sheets, tally sheets and related election documents, including notices of nomination and
41 election, shall be retained by the Chapter Secretary for one year, or until any and all
42 challenges to the election or charges of misconduct in running the election have been
43 resolved, whichever is the longer period.
44

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

1 At the January chapter meeting of each year, the membership shall select from
2 the Vice Presidents who shall be designated as a 1st Vice President. The selected Vice
3 President shall serve as a 1st Vice President for one year.

4
5 **Section 6. Vacancies:**

6
7 (a) A vacancy in the office of President shall be filled by the 1st Vice
8 President.

9
10 (b) A vacancy in the office of 1st Vice President shall be filled by a Vice
11 President chosen by lot from among those willing to serve in the position. If none are
12 willing to serve, the vacancy shall be filled in accordance with paragraph (d) below.

13
14 (c) A vacancy in an office of Vice President shall be filled by vote of the Active
15 members in good standing employed within the designated job grouping present at a
16 meeting at which nominations are taken and a secret ballot vote conducted, provided
17 that at least five working days advance notice shall be given as to the date, time, and
18 place of said meeting.

19
20 (d) For vacancies in any other elected office, the Executive Board shall submit
21 its recommendation to fill the office in writing to the chapter membership at least five
22 working days in advance of a designated chapter meeting. Nominations from the floor
23 shall also be accepted at said meeting. If there are no nominations from the floor, the
24 Executive Board's candidate shall be declared elected. If nominations from the floor are
25 made, a secret ballot election shall be conducted among the Active members in good
26 standing present.

27
28
29 **ARTICLE V**
30 **AUTHORITY OF EXECUTIVE BOARD / DUTIES OF OFFICERS**

31
32 **Section 1. Executive Board:** The Executive Board shall have general
33 supervision of the affairs of the chapter between the general membership meetings. It
34 shall transact the routine business of the chapter as authorized and required herein,
35 prioritize and determine recommendations on matters requiring discussion and action
36 by the general membership, and perform such other duties as are specified in this
37 constitution. The Board shall be subject to the orders of the chapter membership, and
38 none of its actions shall conflict with actions taken by the chapter membership.

39
40 A report on all actions taken by the Executive Board shall be made to the
41 membership at the next regular or special chapter meeting, with such actions subject to
42 membership ratification if appropriate.

43
44 Minutes of chapter and Executive Board meetings shall be kept on file for at least
45 five years. Chapter financial records shall be kept on file for at least five years.

1 The Executive Board shall meet at the call of the President or at such times and
2 places designated by it; the President shall call a special meeting upon the written
3 request of a majority of the Board.
4

5 A majority of the members of the Executive Board shall constitute a quorum.
6

7 **Section 2. Duties of Officers, General:** Upon separation from office, an
8 officer shall immediately turn over to his/her successor or other properly designated
9 CSEA official all books, records, money and other effects of the chapter in his/her
10 possession.
11

12 **Section 3. President:** The President shall:
13

14 (a) Be chairperson of the Executive Board, call and preside over all meetings
15 of the chapter and Executive Board at which s/he is in attendance.
16

17 (b) Fix the time and place of meetings except as otherwise directed by the
18 membership.
19

20 (c) Set the agenda for chapter meetings, as noted in Article VI.
21

22 (d) Appoint and direct the activities of the various committees, standing or
23 special, required by this constitution or established by the Executive Board, or as may
24 be ordered by vote of the membership, except as otherwise provided herein.
25

26 (e) Attend all regional presidents' meetings (RPMs) and such other meetings
27 as required by the Association or direction of the chapter, and report back to the
28 Executive Board and chapter membership at the next chapter meeting, with
29 recommendations for chapter action or as otherwise required.
30

31 (f) Perform such other duties as normally pertain to the office of President or
32 ordered by this constitution.
33

34 **Section 4. 1st Vice President:** The 1st Vice President shall:
35

36 (a) In the absence or disability of the President, possess all of the powers and
37 perform all of the duties in his/her stead.
38

39 (b) At all times assist the President in the performance of his/her duties.
40

41 (c) Assume the office of President if a vacancy occurs.
42

43 (d) Serve as Chairperson of the Membership Committee.
44

45 (e) Coordinate the activities of the standing committees.
46

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

1 **Section 5. Vice Presidents:** The Vice Presidents shall:

2
3 (a) At all times assist the President in the performance of his/her duties.

4
5 (b) Keep the Chapter and Executive Board informed on the activities and
6 achievements within their individual areas (job groupings). This may be done via
7 chapter newsletter or by an oral report to the membership with a written summation for
8 secretarial records.

9
10 (c) In coordination with the Chief Job Steward, call and conduct periodic
11 meetings with all Job Stewards to ensure an appropriate level of communication.

12
13 (d) Perform such other duties as may be assigned by the President/Executive
14 Board or ordered by this constitution.

15
16 **Section 6. Secretary:** The Secretary shall:

17
18 (a) Keep an accurate record of all proceedings of chapter and Executive
19 Board meetings, including an accurate roll of members and officers in attendance at
20 each.

21
22 (b) Keep an accurate roster of the officers of the chapter and see that such
23 information is forwarded to the Association as required.

24
25 (c) Issue notices of all meetings of the Executive Board and chapter
26 meetings, which shall include notice of matters for discussion at same.

27
28 (d) Notify members of all committees of their appointment/election.

29
30 (e) Have custody of all correspondence, official documents and historical
31 records of the chapter, which shall be open at all times for the inspection of the
32 President or his/her agent, members of the Executive Board, and Chapter members as
33 appropriate.

34
35 (f) Maintain up-to-date copies of the Constitution & Bylaws and Policy of the
36 Association and the constitution of this chapter and see that copies of same are
37 available for reference at all Executive Board and chapter meetings, and available for
38 inspection by the general membership upon request.

39
40 (g) Perform such other duties as normally pertain to the office of Secretary or
41 as may be assigned by the President/Executive Board or ordered by this constitution.

42
43 **Section 7. Treasurer:** The Treasurer shall:

44
45 (a) Receive all funds of the chapter and keep and disburse same under the
46 direction of the President and as required by the Constitution & Bylaws of the
47 Association and this chapter.

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

4
5 (c) Provide access to all records, vouchers and statements to the Auditing
6 Committee for annual inspection at the close of each fiscal year.

7
8 (d) Report at each meeting of the chapter as to the financial condition of the
9 treasury with a detailed statement of receipts and expenditures and accounts payable,
10 to include per capita dues/fees paid and owed to the Association if any.

11
12 (e) Prepare the annual PERB financial report to include the last day of the
13 fiscal year, and immediately submit same to the President for review and forwarding to
14 the Association, and the membership.

15
16 (f) Promptly process and forward membership applications and dues
17 payments to CSEA Headquarters and payroll deduction authorizations to proper district
18 office for processing.

19
20 (g) Maintain an accurate record of members in good standing, and prepare
21 such monthly reports and remittances as may be required by the Association and
22 promptly forward to CSEA Headquarters within thirty days of request.

23
24 (h) Assist in preparation of the chapter budget.

25
26 (i) Upon leaving office, sign such bank signature cards or other documents
27 necessary for the transfer of all chapter accounts to the new Treasurer.

28
29 (j) Perform such other duties as normally pertain to the office of Treasurer or
30 as may be assigned by the President/Executive Board or ordered by this constitution.

31
32 **Section 8. Public Relations Officer:** The Public Relations Officer shall:

33
34 (a) Edit and distribute a newsletter or similar publication as may be authorized
35 by the Executive Board and the chapter membership.

36
37 (b) Write articles of interest pertaining to chapter affairs for local newspapers
38 and official publications of the Association.

39
40 (c) Perform such other duties as normally pertain to the Public Relations Officer
41 or as may be assigned by the President/Executive Board or ordered by this constitution.

42
43 **Section 9. Immediate Past President:** The Immediate Past President shall:

44
45 (a) Be a member of the Executive Board.

46
47 (b) Perform such duties as may be assigned by the President and/or the
48 Executive Board.

**ARTICLE VI
MEETINGS**

Section 1. Regular business meetings of this chapter shall be held at least nine times throughout the months of September through June.

Section 2. Special meetings of the chapter may be called by the Chapter President as deemed necessary, or shall be called by a vote of 2/3 of the Executive Board or upon petition to the President of 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 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 days, but not less than 24 hours in advance, may be given in an emergency situation.

Section 4. Unless otherwise ordered by 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) Approval of Minutes of the previous meeting
- (3) Communications
- (4) Report of Executive Board Actions
- (5) Treasurer's Report
- (6) Committee Reports
 - (a) Report of the Membership Committee/Recognition of New Members
 - (b) Report of the Negotiating Committee
 - (c) Job Steward/Site Representative reports
 - (d) Other committees as required
- (7) Unfinished Business
- (8) New Business
- (9) Good of the Order
- (10) 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.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48

ARTICLE VII
CONTROL OF FUNDS / BUDGET

Section 1. All funds received shall be deposited in the name of San Diego Chapter No. 724, 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 of the following: 1st 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. Any expenditure in excess of those approved in the budget must have prior approval of the chapter membership.

20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48

ARTICLE VIII
COMMITTEES

Section 1. Standing Committees: The following shall be the standing committees of the Chapter: Auditing, Elections, Membership, Negotiating, Political Action. Unless otherwise specified herein, the President shall, as soon as possible after January 1 of each year, appoint the chairpersons and members of the standing committees, which appointment shall be subject to the ratification of the Executive Board. The President shall determine the number of members to be appointed to each, except as otherwise provided herein.

Section 2. Ad Hoc Committees: Such other committees as the President or the chapter membership may deem necessary to perform a specified task for the welfare of the chapter may be appointed. The President 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 1st Vice President shall act as coordinator of all appointed committees, and shall be Chairperson of the Membership Committee.

Section 4. The President shall be, ex-officio, a 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

1 their successors are appointed, provided that any committee member shall
2 automatically forfeit the office if they cease to be an Active member in good standing.
3

4 **Section 7. Auditing Committee:** It shall be the duty of this committee to
5 receive and audit the books and records of the Treasurer immediately after the close of
6 each fiscal year, and at such other times as may be directed by the President, and
7 report its findings to the chapter membership.
8

9 **Section 8. Elections Committee:** It shall be the duty of this committee to
10 supervise and assist in the preparation, distribution, and counting of the ballots in **all**
11 elections (including contract ratifications) within the chapter, and certify the results to the
12 Chapter President. In addition, the committee shall ensure that election procedures are
13 in accordance with applicable provisions of the Association's Constitution & Bylaws and
14 Policy, and this constitution.
15

16 **Section 9. Membership Committee:** It shall be the duty of this committee to
17 strive for 100% CSEA membership within the represented bargaining unit(s), and to
18 prepare and execute a program designed to secure new members and stimulate
19 membership attendance at chapter meetings on an ongoing basis.
20

21 **Section 10. Negotiating Committee (Team):**
22

23 (a) The Negotiating Committee shall consist of the Chapter President or
24 his/her designee as chairperson, plus the Vice Presidents. In the event any Vice
25 President is unable or unwilling to serve, then the President shall appoint another
26 member in good standing from the same job grouping as the Vice President. All such
27 appointments shall be ratified by the Executive Board.
28

29 (b) **Duties:** It shall be the duty of the Negotiating Committee to:
30

31 (1) Research issues and prepare and submit initial bargaining
32 proposals (including proposals on reopeners) for review and approval of members in
33 good standing of the bargaining unit(s) prior to commencement of negotiations.
34

35 (2) Negotiate the contract (including reopeners and modifications) for
36 and on behalf of the chapter with assistance from CSEA field staff.
37

38 (3) Keep the Executive Board and the membership informed on the
39 progress of negotiations and solicit membership input where advisable.
40

41 (4) Ensure that all bargained agreements are submitted for ratification
42 of the bargaining unit(s) in accordance with Article XIII of this constitution.
43

44 (c) **Continuity:** In the event negotiations for any year are still in progress and
45 annual Chapter elections result in a change of leadership, the current sitting members
46 of the Negotiating Team shall remain in place until negotiations have been completed
47 and the contract ratified.
48

1 **Section 11. Political Action Committee:** It shall be the duty of this committee
2 to:

3
4 (a) Develop and implement a chapter alert system designed for emergency
5 contact of the membership when immediate chapter action is necessary on contract
6 matters, legislative and political issues, and other items of importance to the Association
7 and chapter.

8
9 (b) Keep the members informed about the legislative program of the
10 Association, and may recommend to the chapter membership legislative proposals it
11 deems desirable for submission to the Association's Legislative Committee for
12 consideration and inclusion in the Association's legislative program.

13
14 (c) Work cooperatively with the Political Action Coordinator (PAC),
15 appropriate staff and PACE and Legislative Committee area representatives in
16 furtherance of the Association's legislative and political goals, rendering regular reports
17 at chapter meetings regarding the same and recommending any chapter support or
18 activity it considers appropriate.

19
20 (d) Encourage all members to financially support PACE of CSEA and the
21 Victory Club, and educate the membership regarding the necessity for active
22 participation in the political process in accordance with Association and chapter goals.

23
24 (e) Make recommendations to the chapter membership regarding
25 endorsement of candidates for school board, in accordance with the following
26 procedures:

27
28 (1) The committee shall conduct a pre-screening of candidates to be
29 recommended for endorsement, through direct interviews or questionnaires sent to the
30 candidates. Following the pre-screening process, the committee shall present its
31 recommendations for endorsement at a designated chapter meeting for action by the
32 chapter membership. A majority vote shall be required for endorsement.

33
34 (2) Whenever possible, the committee shall arrange for a candidates'
35 forum to provide chapter members an opportunity to hear and question the candidates
36 on relevant issues prior to hearing the committee's recommendation and the
37 endorsement vote being taken.

38
39 (f) The committee shall determine the amount of financial support, if any, to
40 be requested from PACE of CSEA, and shall submit said request to PACE of CSEA on
41 such forms as may be required.

42
43 (g) The committee shall solicit volunteer activity by the chapter membership
44 on behalf of endorsed candidates, and shall be responsible for coordinating and
45 directing such member activities.

46
47
48

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46

**ARTICLE IX
JOB STEWARDS**

Section 1. Appointment: The Chapter President will appoint two (2) Chief Job Stewards, which appointments shall be subject to the ratification of the Chapter membership. The Chapter President will appoint Job Stewards, subject to the ratification of the Executive Board, in accordance with the current collective bargaining unit agreement, to serve the needs of the membership.

Section 2. Term of Office: Term of office for Job Stewards shall be from the January 1 following their appointment to the end of the chapter and fiscal year, or until their successors are appointed, provided that any Job Steward shall automatically forfeit such office if they cease to be an Active member in good standing employed within the designated service area. Vacancies shall be filled by appointment of the President, ratified by the Executive Board, for the remainder of the original term only.

Section 3. Duties.

(a) **Chief Job Stewards:** The Chief Job Stewards shall:

(1) Attend advanced steward training and fulfill the requirements of the CSEA Job Steward Certification Program

(2) Ensure that the Job Steward program of the chapter functions according to the requirements set forth in this constitution.

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

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

(5) In coordination with the Vice Presidents and the field staff, call and conduct periodic meetings with all Job Stewards to ensure an appropriate level of communication.

(b) **Job Steward(s):** The Job Steward(s) shall:

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

(2) Attend periodic Site Representative/site council meetings as directed by the Chief Job Steward.

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

1 (4) Act as the basic channel of communication between the employees
2 and the chapter and relay specific member concerns to the chapter's Negotiating
3 Committee for incorporation into the bargaining proposals.
4

5 (5) Investigate and prepare grievances for processing and handle
6 grievances at the immediate-supervisory level, and be present as required during other
7 steps of the grievance procedure.
8

9 (6) **Preserve the confidentiality** of personal grievances, resolve
10 differences among the membership in grievance handling; maintain a file on all
11 grievances handled which shall be turned over to the Chief Job Steward upon
12 completion.
13

14 **ARTICLE X** 15 **SITE REPRESENTATIVES** 16

17
18 **Section 1. Site Rep Coordinator.** The Chapter President shall appoint a Site
19 Rep Coordinator, subject to the ratification of the Executive Board.
20

21 (a) **Duties:** The Site Rep Coordinator shall:
22

23 (1) Work with the Executive Board and field staff to communicate with
24 the Site Representatives about Chapter, local and state activities, and other matters of
25 importance.
26

27 (2) Attend Chapter meetings, training workshops and other seminars
28 as directed by the Executive Board.
29

30 **Section 2. Site Representatives.** The Chapter President shall appoint Site
31 Representatives to serve each work site, subject to the ratification of the Executive
32 Board.
33

34 (a) **Duties:** The Site Representative shall:
35

36 (1) Recruit employees into CSEA membership and educate employees
37 about CSEA.
38

39 (2) Distribute chapter newsletter, bulletins, and other CSEA information
40 at the work site; keep CSEA bulletin boards up-to-date and clear of non-CSEA material.
41

42 (3) Conduct periodic site-level meetings to keep the members informed
43 of actions taken at chapter meetings, to explain CSEA benefit plans and services, and
44 to keep members informed of Association and/or chapter activity regarding grievances,
45 PERB decisions, contract negotiations, legislative and political activity, and other
46 matters of importance.
47

1 (b) Any appointed committee chairperson or member failing to attend three
2 consecutive committee meetings, unless excused for cause, shall be automatically
3 removed from the committee.
4

5
6 **ARTICLE XII**
7 **DELEGATES TO CONFERENCE**
8

9 **Section 1. Delegates:** Voting delegates to an annual conference of the
10 Association (and their alternates) shall be designated from among the Active members
11 in good standing as follows:
12

13 (a) The Chapter President.
14

15 (b) Vice President-Custodial, Vice President-Distribution, Vice President-Food
16 Services, Vice President-Landscaping, Vice President-Maintenance & Operations, and
17 Vice President-Transportation.
18

19 (c) Additional delegates in such number as may be authorized by the chapter
20 for attendance, but not to exceed the total number authorized by the Bylaws of the
21 Association, shall be elected as provided in Section 2 below.
22

23 (1) **Eligibility:** Delegates/alternates shall be elected from among the
24 Active members in good standing of the Chapter who have attended at least one (1)
25 Chapter meeting and four (4) additional Chapter meetings and/or CSEA trainings within
26 the 12-month period immediately preceding the month in which they are nominated
27 (March through February).
28

29 **Section 2. Election:**
30

31 (a) Nominations for the authorized delegate positions, other than the
32 President, shall be taken at the regular chapter meeting in March, and election shall be
33 by secret ballot at the regular chapter meeting in April. Alternates in sufficient numbers
34 for each of the authorized delegates, to include an alternate for the President, shall also
35 be elected.
36

37 (b) Notification of nominations and election and all other procedural matters
38 relating to delegate and alternate election shall conform to Association Policy 618 and
39 shall be conducted under the supervision of the Elections Committee.
40

41 (c) In the event a delegate cannot attend, the Executive Board shall
42 determine which alternate shall replace the authorized delegate.
43

44 **Section 3. Responsibilities:** Delegates shall attend all conference business
45 and other sessions of importance to the chapter. In addition, the delegates shall:
46

1 (a) Attend at least one orientation meeting at the regional or area level of the
2 Association concerning the resolutions to the upcoming conference, as directed by the
3 Executive Board.

4
5 (b) Provide written and oral reports on conference activities to the chapter
6 membership at the first chapter meeting following the conference.

7
8 (c) If a delegate does not attend all conference sessions and is not excused
9 by the Regional Representative and/or Chapter President, all monies paid on behalf of
10 the delegate to attend conference will be returned to the Chapter within 90 days of the
11 close of conference. If not repaid in a timely manner, the delegate may be subject to
12 member disciplinary charges.

13
14 (d) The Chapter shall pay for double-occupancy housing (shared rooms) at
15 conference. Members with medical conditions, verified by a doctor's note, shall be
16 entitled to Chapter-paid single housing.

17
18
19 **ARTICLE XIII**
20 **CONTRACT RATIFICATION**

21
22 **Section 1.** Contract ratification procedures will comply with the provisions of
23 Association Policy 610.

24
25 **Section 2. Initial Proposals:**

26
27 (a) The initial bargaining proposal will be determined by a vote of the
28 membership.

29
30 (b) Copies of the chapter's initial proposal and the employer's initial proposal
31 shall be submitted to the field director and labor relations representative for review.

32
33 **Section 3. Negotiated Agreement:**

34
35 (a) When the Negotiating Committee has negotiated a contract, tentative
36 agreement, or modifications to an existing contract, it shall immediately submit one copy
37 to the CSEA labor relations representative assigned to service the chapter, for review
38 by the Association prior to membership ratification.

39
40 (1) All contract modifications shall be submitted to the labor relations
41 representative for review by the Association. However, membership ratification shall
42 not be required for those items listed as exceptions to the definition of "modifications"
43 within the provisions of Association Policy 610, unless they are included as part of
44 contract re-opener negotiations.

45
46
47
48

1 **Section 4. Ratification Procedures:**

2
3 (a) A copy of the tentative agreement or a summary of the tentative
4 agreement, and a statement as to whether the Negotiating Committee is recommending
5 ratification or rejection of the agreement, shall be provided each CSEA member of the
6 bargaining unit(s) prior to the ratification meeting. If a summary only is provided, copies
7 of the tentative agreement containing the exact language of the proposal shall be
8 provided at the meeting.

9
10 (b) The Chapter President shall set the date, time and place for the ratification
11 meeting, which shall be open to attendance by all employees within the bargaining
12 unit(s), whether or not they are CSEA members.

13
14 (c) Notice of the ratification meeting shall be issued to all bargaining unit
15 employees no later than five working days in advance of the scheduled date.
16 Distribution of said meeting notice shall be at the discretion of the Chapter President,
17 utilizing any of the following methods which s/he determines to be most efficient:

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

22
23 **Exception to the above:** The Association's Executive Director, or designee,
24 may approve a notice period of less than five working days upon request of the Chapter
25 President, if it is determined that an immediate ratification meeting would be advisable.

26
27 (d) **Conduct of Meeting and Vote:**

28
29 (1) The Negotiating Committee shall review the provisions of the
30 tentative agreement and indicate its recommendations for ratification or rejection and
31 reasons therefore.

32
33 (2) If the Association recommends rejection of the tentative agreement,
34 an Association representative shall be in attendance at the ratification meeting and shall
35 be provided ample opportunity to outline the recommendation for rejection and the
36 reasons therefore.

37
38 (3) Polls for voting shall not be opened until the period for discussion,
39 debate, and answering of questions has begun. Non-CSEA members (including fair
40 share service fee payers) of the bargaining unit(s) in attendance shall be granted the
41 right to participate in the discussion and debate. **They shall not, however, have the**
42 **right to make motions or vote.**

43
44 (4) The ratification vote shall be by secret ballot conducted at the
45 ratification meeting under the supervision of the Elections Committee and in accordance
46 with procedures required by Association Policy 610. Only Active CSEA members of the
47 bargaining unit(s) who are in good standing and present at the ratification meeting shall

1 be entitled to vote on the ratification or rejection of the agreement. Absentee or proxy
2 votes shall not be permitted.

3
4 (5) Ballots shall be tallied and results announced prior to close of the
5 meeting. A majority vote shall ratify.

6
7 **Section 5. Executed Agreement:** Every collective bargaining agreement
8 shall be executed by both the Association and appropriate representatives of this
9 chapter. No contract shall be valid which has not been ratified by the chapter
10 membership.

11
12
13 **ARTICLE XIV**
14 **CONCERTED ACTIVITIES**

15
16 **Section 1.** No concerted withholding of service shall be instituted by this
17 chapter unless such concerted action has been approved at a regular or special
18 membership meeting, advance notice having been given, by secret ballot vote of not
19 less than 65% of the Active members in good standing present and voting; and approval
20 for such concerted activity has been granted by the Association's Board of Directors.

21
22 **Section 2.** If the dispute relates to contract negotiations, no concerted
23 withholding of service shall be instituted unless the last offer of the employer has been
24 submitted to the chapter membership in accordance with Article XIII of this constitution
25 and has been rejected, and the requirements of Section 1 above shall have been met.

26
27
28 **ARTICLE XV**
29 **AMENDMENTS TO CONSTITUTION**

30
31 **Section 1.** This Constitution shall at all times conform to all provisions of the
32 Association Constitution & Bylaws and Policy, and where any conflict should occur, the
33 Association Constitution & Bylaws and/or Policy shall prevail.

34
35 **Section 2.** Any member in good standing of the chapter (or the Executive
36 Board) may submit a written proposal to amend this constitution (containing the exact
37 text of the proposed change) at any chapter meeting, which shall constitute a first
38 reading. The Chapter President shall then cause the proposed amendment(s) to be
39 placed on the agenda of the next regular or a special chapter meeting where the matter
40 will be read a second time and acted upon, and shall cause written notification of the
41 proposed amendment(s) and the date, time, and place of the designated chapter
42 meeting to be issued to all members in good standing at least ten days in advance of
43 said meeting. Said notification shall include at least a written summary of the proposed
44 changes. The exact text of the proposed changes shall be made available for review by
45 members upon request prior to the second reading if not provided with said notification,
46 and shall be distributed to all members in attendance at the second reading.

47

