

OAKLAND UNIFIED SCHOOL DISTRICT CHAPTER BYLAWS
Oakland School Employees Association (OSEA) &
Oakland Child Development Paraprofessional Association (OCDPA)
SEIU Local 1021

PREAMBLE

We, the employees of Oakland Unified School District, working as free and responsible individuals, recognize that the labor movement in general, and SEIU Local 1021, in particular, can be instrumental in improving our status and resolving the social and health problems of our community; therefore we enter into union and agree to adopt these bylaws, consistent with the Bylaws and Constitution of Local 1021, as an instrument for concerted action and collective bargaining in the interest of our members and for the community we serve.

Article 1. NAME AND JURISDICTION

This Chapter will be known as the Oakland Unified School District Oakland School Employees Association & Oakland Child Development Paraprofessional Association (OSEA & OCDPA) Chapter of SEIU Local 1021. The jurisdiction of this Chapter shall be all employees in the bargaining unit represented by SEIU Local 1021.

Article 2. AFFILIATION

This Chapter is part of SEIU Local 1021, and shall be subject to the Bylaws and Constitution of that Union and all policies adopted pursuant thereto.

Article 3. MEMBERSHIP

All persons, without regard to race, creed, color, religion, gender, gender expression, sexual orientation, national origin, citizenship status, marital status, ancestry, age, disability status, or political affiliation shall be eligible for membership.

Article 4. CHAPTER STRUCTURE

(a) Six (6) Chapter Officers shall comprise the Chapter Board (Leadership). The Chapter Membership shall elect every three (3) years, a Chapter Board of the following Chapter Officers:

President
Vice President
Secretary
Treasurer
Chief Steward
COPE Coordinator
Membership Coordinator

The term of office shall be three (3) years from the date of being sworn-in. The maximum amount of terms of office shall be three (3) terms.

- (b) The Chapter Board shall have power to act for the Chapter between General Membership meetings. The Chapter Board shall meet at least once a month or as often as deemed necessary by the Chapter Board. A majority (51%) of the Chapter Board members shall constitute a Chapter Board quorum.
- (c) The General Membership is the highest authority within the Chapter structure.
- (d) The Chapter shall hold regularly scheduled General Membership meetings at least once each quarter. For chapters with less than 200 members, quorum shall be ten percent (10%) of the general membership. For chapters between 200 and 400 members, quorum shall be six percent (6%) of the general membership. For chapters between 500 – 999 members, quorum shall be five percent (5%) of the general membership. For chapters between 1,000 – 1,799 members, quorum shall be 55 members. For chapters of more than 1,800 members, quorum shall be 55 members, plus 2 for each additional 100 members. Quorum is needed for official chapter business including the expenditure of chapter funds, the approval of appointments, the creation of committees and the calling of strike votes. Special membership meetings may be called by the Chapter Board or by petition of ten percent (10%) of the membership in good standing (dues paying members).
- (e) The Chapter shall maintain a file of Chapter minutes on a non-District (non-OUSD) account and make available a copy thereof to the Secretary of the Local Union and members upon request, within 5 business days.
- (f) The Chapter shall notify the Local 1021 Executive Board of any dissenting action taken on the minutes or action of the Executive Board of the Local Union.
- (g) The Chapter shall maintain financial records. All funds, including income and expenditures, shall be recorded and proper financial records shall be maintained in accordance with procedures established by the Local Union. These records shall be transmitted to the Executive Board of the Local Union upon request. All fiscal records shall be kept for a period of at least six (6) years or longer if required by applicable law. Three (3) signatures (of Chapter officers) shall be required to expend Chapter funds. Chapter financial records shall be regularly audited by a Chapter Officer or member of the Chapter Board who is not a signer on the Chapter account. Elected Chapter Officers shall be entrusted and authorized to access up to \$1,000 per event/expense without having to hold a chapter membership vote. Any amounts larger than \$1,000 will need to be brought before Chapter Membership for approval. All expenses will be reported back at the next Chapter Membership Meeting.

Article 5. OFFICERS AND DUTIES

- (1) **President:** The President shall officiate at all meetings and shall be responsible for directing the implementation of directives voted on by the Chapter membership. The President shall be an ex-officio member of all committees, and welcome and orientate new members. The President shall be one of three (3) officers authorized to withdraw funds from a Chapter account, after such expenditures have been approved by the Chapter Board and/or General Membership, in accordance with Article 4. (g) of these Chapter Bylaws.

- (2) **Vice President:** The Vice President shall act as President in the absence of the President. The Vice President shall provide support to the President in organizing and supporting the growth of the union, and welcoming and orienting new members. The Vice President shall be one of three (3) officers authorized to withdraw funds from a Chapter account, after such expenditures have been approved by the Chapter Board and/or General Membership, in accordance with Article 4. (g) of these Chapter Bylaws.
- (3) **Secretary:** The Secretary shall keep a correct record of the proceedings on a non-District (non-OUUSD) account of all Chapter Board and General Membership meetings and shall provide a copy thereof to the Secretary of the Local Union and members upon request, within five (5) business days, as described in Article 4, Subsection (e). The Secretary is also responsible for welcoming and orienting new members.
- (4) **Treasurer:** The Treasurer shall be responsible for Chapter account deposits and dispersals and for carrying out the duties described in Article 4, Subsection (g). The Treasurer shall be one of three (3) officers authorized to withdraw funds from a Chapter account, after such expenditures have been approved by the Chapter Board and/or General Membership, in accordance with Article 4. (g) of these Chapter Bylaws. The Treasurer shall present the Chapter financial records for audit at the direction of the Treasurer of the Local Union or their representative. The Treasurer is responsible for welcoming and orienting new members.
- *The President, Vice President, and the Treasurer, as a group, shall be authorized to withdraw funds from a Chapter account, after such expenditures have been approved by the Chapter Board and/or General Membership.
- (5) **Chief Steward:** The Chief Steward shall serve as a resource for Area Reps (shop stewards) in carrying out their duties at the worksite. The Chief Steward role and responsibilities include but are not limited to: supporting Area Reps (stewards) in their role to provide ongoing training; welcome and orient new members; mobilize, educate, and inform members on union activities and other issues; resolve worksite issues; process grievances; provide timely and effective representation of the members.
- (6) **COPE Coordinator:** The COPE Coordinator shall be responsible for providing political information and education to the members of the chapter. This role shall assist and coordinate with turn-out, COPE cards, other duties related to political activities of the chapter and Local Union, and welcoming and orienting new members. The COPE Coordinator will be one (1) of the chapter Delegates to the Local 1021 Alameda County COPE Committee. Additional Delegates shall be appointed by the Chapter President, and based on the rules of the Alameda County COPE Committee. Any members may attend Alameda County COPE Committee meetings.
- (7) **Membership Coordinator:** The Membership Coordinator shall be responsible for recruiting members. The Membership Coordinators duties include, but are not limited to: presenting at new hire orientations and following up to engage new members in the Chapter and Local.

Article 6. AREA REPRESENTATIVES:

The Chapter shall have up to nine (9) Area Representatives (Stewards). Area Representative (Stewards) may be determined by a General Membership election, petition, or appointment to represent members under the collective bargaining agreement. Area Representatives (Stewards) are the face of the union at the worksite and are critical to building a strong, engaged, and active membership. Area Representatives' (Stewards) roles and responsibilities include, but are not limited to: provide ongoing training; welcome and orient new members; mobilize, educate, and inform members on union activities and other issues; resolve worksite issues; process grievances; provide timely and effective representation of the members.

Article 7. WEBSITE ADMINISTRATOR

A Chapter Website Administrator shall maintain and update the Chapter webpage to include current Chapter Bylaws, contracts, current Chapter Officers and contact information.

Article 8. INDUSTRY COUNCIL REPRESENTATIVES

The chapter shall elect or appoint representatives to attend meetings of Local 1021 industry councils (method of selection is subject to industry determination).

Article 9. CONVENTION DELEGATES

Chapter Delegates to the SEIU 1021 convention shall be elected by Chapter members in good standing based on the following formula: two (2) delegates for each chapter and two (2) additional delegates for every additional one hundred fifty (150) members in each chapter. Chapter Officers shall serve as automatic delegates to the convention. Based on the formula, if the maximum number of nominated Convention Delegates are not met, those nominated would automatically be seated, foregoing an election.

Article 10. CONTRACT NEGOTIATIONS

The General Membership shall elect a Contract Negotiations Committee (Bargaining Team) of (13) members, which is inclusive of the Chapter Officers (6), unless opted-out, and consistent with applicable collective bargaining agreements. If there are not more than 13 members in good standing who are nominated, those 13 would automatically be seated, foregoing an election. Upon completion of negotiations, a copy of the collective bargaining agreement shall be sent to the SEIU 1021 Executive Board.

Article 11. RECALL

Recall of officers may be originated by a petition signed by at least twenty five percent (25%) of the membership. After the recall has been originated, the Chapter Board shall appoint an Election Committee and conduct a secret ballot election of the General Membership within sixty (60) days of the presentation of the recall petition. A majority of votes cast shall determine the recall.

Article 12. VACANCIES

An elective office shall be declared vacant when the holder of the position resigns from office, resigns from SEIU Local 1021, is no longer a member in good standing, is on an extended leave of absence, or is recalled. Vacancies, with the exception of a Convention Delegate, that occur within six (6) months of the expiration of the term may be filled by appointment of the Chapter President; otherwise,

vacancies shall be filled by election of the General Membership. Delegates to the Local 1021 convention must be elected by the General Membership in an election. If there are vacancies after the election, the President shall appoint the remaining vacancies as non-voting attendees.

Article 13. CHAPTER ELECTIONS

Note: This article does not apply to elections that are solely to elect Chapter Convention Delegates.

- (a) Chapter Board Election Schedule:** Chapter elections shall be held every three (3) years and must be completed by March 31st.
- (b) Election Committee:** The Chapter Board or the President shall appoint three (3) members to an Election Committee. Members of the committee may not be candidates for office in the election. The committee shall adopt all rules and regulations necessary to assure a fair and honest election and nominations procedure, and shall provide each candidate with a copy. The committee also hears challenges to the conduct of the election. The Election Committee shall submit a written report to the Chapter Board and Local 1021 President within three (3) business days following the ballot count. The report shall include the election rules, procedures, schedule, candidate/issue vote totals, any challenges filed, and names and phone numbers of Election Committee members. Election results shall be provided to the membership by the next business day.
- (c) Eligibility:** In order to run for and serve as a Chapter Officer, candidates shall have been members in good standing for at least one (1) year and be employed within the bargaining unit represented by the Chapter. No member shall be a candidate for more than one (1) Chapter Board Office at a time.

In order to run for and serve as any Chapter officer, candidates shall have been members in good standing for at least one (1) continuous year immediately preceding the nomination and be employed within a bargaining unit represented by the Chapter. Should a member serve in a classification whose annual work year is between ten (10) months and twelve (12) months, they may aggregate their prior year's service to total the one (1) year of continuous membership. In order to run for and serve as a Chief Steward, in addition to having been a member in good standing for at least one (1) continuous year immediately preceding the nomination and employed within a bargaining unit represented by the Chapter, candidates shall also either have served as a steward previously, or agree to take all steward classes offered by the local as soon as practicable upon accepting said nomination

- (d) Notice:** Notice of the election shall be given to each Chapter member in good standing at least forty (40) days prior to the date set for the election by written notice and/or Chapter newsletter (notice must be at least 30 days in advance of the deadline for nominations). The notice must include method of nomination (at a meeting, by petition, email), deadline for nominations, deadline for submission of candidates' statements (if appropriate and permitted), method of election (meeting, worksite, mail ballot, electronic/online), date, time, and place of voting and challenge procedure. All official election materials and communications must be reviewed by the Election Committee and the assigned SEIU Local 1021 Field Representative prior to publication.

- (e) Nomination for Office:** Nominations for office will be submitted in writing (email) to the Election Committee. Nominees must submit a written notice (email) of acceptance of nomination within three (3) days of the deadline set for nominations. The nomination window will remain open for fifteen (15) days.
- (f) Voting:** Chapter elections must be conducted by secret ballot. Only members in good standing are eligible to vote. Proxy voting and write-in candidates are prohibited. The Chapter must provide a method for members to obtain duplicate ballots. The Election Committee shall determine if voting is conducted by mail, in person at the SEIU Local 1021 Office – 100 Oak Street, Oakland, CA 94607, electronic/online, or a combination of these methods. A plurality of valid ballots cast shall determine the elected candidates. In the event of a tie vote, a run-off election shall be conducted.
- (g) Ballot count:** The Election Committee shall count ballots at a location, date, and time immediately following the election.
- (h) Election Materials:** All election ballots and duplicate ballots—marked, unmarked, voided, unused—must be saved for one (1) year (all ballots printed must be accounted for).
- (i) Challenges:** Challenges to or disputes arising from a Chapter election must be submitted to the Chapter Election Committee within three (3) business days of the submission of the committee's election report to the Chapter Board. Challenges must be submitted in writing (email) and must cite specific violation(s) of the Chapter Election rules and procedures, Chapter Bylaws, or the Local 1021 Bylaws and Constitution. Challenges to the election will be considered valid only if they cite specific violations of election rules and procedures, Chapter Bylaws, or the Local 1021 Bylaws and Constitution and if the alleged violation may have affected the outcome of the election. The Chapter Election Committee shall investigate and resolve challenges within ten (10) business days of receipt of the challenge. The Election Committee may order a re-run of all or part of the election.
- (j) Appeals:** Challenges or disputes which are denied or cannot be resolved by the Chapter Election Committee may be appealed in writing to the Local 1021 Executive Board within five (5) business days of receipt of the Chapter Election Committee's decision. The Local 1021 Executive Board shall investigate and respond within fifteen (15) business days of receipt of the challenge. Challenges to the election will be considered valid only if they cite specific violations of the Chapter election rules and procedures, Chapter Bylaws, or the Local 1021 Bylaws and Constitution and if the alleged violation may have affected the outcome of the election.

Article 14. CONTRACT RATIFICATION

Ratification or rejection of a tentative agreement shall be referred to the General Membership at a membership meeting called for that purpose or through a mail or electronic/online ballot. The ratification vote shall be by written or electronic/online, secret ballot. Proxy voting shall not be allowed. At least three (3) days' notice must be given prior to a contract ratification vote.

Article 15. STRIKE

The Chapter may not initiate a strike without a majority concurrence vote of the voting membership by secret ballot in compliance with the International Union Constitution. The strike vote may be conducted

at a membership meeting or through a mail or electronic/email ballot. Proxy voting shall not be allowed. At least three (3) days' written notice shall be given prior to a meeting at which a strike vote is in order. If a strike vote is rendered, the Chapter shall obtain a sanction from the Local 1021 Executive Board. The Chapter shall not strike without previous notification to the SEIU Local 1021 President or, where prior notice is not practicable, without notification as soon as possible after commencement of the strike, in which notice the Chapter states that it has complied with all applicable notice requirements. Strike sanction shall also be received from the local central labor council prior to a strike.

The Chapter established a Chapter Strike Fund on May 10, 2023, utilizing Oakland School Employees Association/Oakland Child Development Paraprofessional Association chapter account. Starting in January 2026, five hundred dollars (\$500) will be deposited into the Chapter Strike Fund portion of the chapter account, and annual deposits in the amount of five hundred dollars (\$500) will continue every January thereafter. The Chapter Strike Fund shall be accessible to all members in good standing after three (3) full days of withholding labor and starting on the fourth (4th) day of a sanctioned strike, and the member requesting funds can prove considerable financial hardship. The Chapter Strike Fund is not intended to cover a member's full wages for hours unworked, but rather a portion, to be able to sustain strike participation and solidarity by holding a picket line and withholding labor. Eligibility will be determined by the Chapter Officers. The Chapter President, Vice President, and Treasurer will have to agree to be able to sign off on the issue of payment. Chapter Strike Funds will be issued in the amount of twenty dollars (\$20) per day, beginning on the fourth (4th) day of a sanctioned strike, and are limited to funds available and can be replenished anytime with a membership vote. Members may also explore additional funds eligibility through the SEIU Local 1021 Strike Hardship Fund Policy.

Article 16. PROCEDURE AND DEBATE

Chapter meetings shall be governed by the Robert's Rules of Order, Rules of Debate, and Order of Business set forth in the Constitution of the International Union. Every member shall follow and be subject to such rules governing debate at all meetings of the Chapter.

Article 17. AMENDMENT

Amendments to these bylaws may be originated by a majority vote of the Chapter Board or by petition signed by at least fifteen percent (15%) of the membership. These bylaws may be amended by majority vote of the General Membership at a membership meeting or a mail or electronic/online ballot. Members must be notified at least thirty (30) days prior to the consideration of any amendment and provided with the proposed amendments and the original sections of the bylaws. Amendments to these bylaws shall be submitted to the SEIU Local 1021 Union office (100 Oak St., Oakland, CA 94607) to be reviewed for conformity to the SEIU Local 1021 Bylaws and Constitution and to be kept on file. No amendment shall be valid or become effective until approved by the SEIU Local 1021 Executive Board. Amendments required to bring these bylaws into compliance with the Constitution or bylaws of SEIU Local 1021 or the International Union may be made by vote of the Chapter Board without submission to the General Membership.