



## **SEIU Local 1021 PORT OF OAKLAND CHAPTER BYLAWS**

### **PREAMBLE:**

We, the employees of Port of Oakland, working as free and responsible individuals, recognize that the labor movement in general, and SEIU Local 1021, CtW 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 Port of Oakland Chapter of Local 1021. The jurisdiction of this Chapter shall be all employees in the bargaining unit(s) represented by the Union.

### **Article 2. AFFILIATION:**

This Chapter is part of SEIU Local 1021, CtW 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:**

(1) The Chapter membership shall elect, in odd-numbered years, a Chapter Board of the following officers:

- President
- Vice President
- Secretary
- Treasurer
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- Treasurer
- Chief Shop Steward
- COPE Coordinator/Delegate
- Media Officer

The term of office shall be for three (3) years.

(2) 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 of the Chapter Board members shall constitute a Chapter Board quorum.

(3) The General Membership is the highest authority within the Chapter structure.

(4) The Chapter shall hold regularly scheduled General Membership meetings at least once each quarter. Twenty percent (20%) of the General Membership shall constitute a quorum. Special membership meetings may be called by the Chapter Board or by petition of ten percent (10%) of the membership.

(5) The Chapter shall maintain a file of Chapter minutes and make available a copy thereof to the Secretary of the Local Union upon request.

(6) 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.

(7) 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. Two (2) 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.

#### **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. 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.

**(2) Vice President:** The Vice President shall act as President in the absence of the President. 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.

**(3) Secretary:** The Secretary shall keep a correct record of the proceedings of all Chapter Board and General Membership meetings and shall provide a copy thereof to the Secretary of the Local Union upon request. The Secretary shall receive all correspondence and communications on behalf of the Chapter.

**(4) Treasurer:** The Treasurer shall be responsible for Chapter account deposits and dispersals and for carrying out the duties described in Article 4, Subsection (7). 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. The Treasurer shall present the Chapter financial records for audit at the direction of the Treasurer of the Local Union or his/her representative.

**(5) Chief Shop Steward:** The Chief Shop Steward shall serve as a resource for shop stewards in carrying out their duties at the worksite. All Steward responsibilities (as described in Article 6.2) shall apply to the Chief Shop Steward.

**(6) COPE Coordinator/Delegate and County COPE Committee:** The COPE Coordinator/Delegate shall be responsible for providing political information and education to the members of the chapter. S/he shall assist and coordinate with turn-out, COPE cards, and other duties related to political activities of the chapter and Local Union. The coordinator will also be one of the chapter representatives/delegates to the Local 1021 County COPE Committee. Additional

delegates shall be selected based on the rules of the applicable County COPE Committee. Additional members may attend County COPE Committee meetings.

**(7) Media Officer:** Media Officer shall maintain and update the Chapter internet/social media and informational output to the membership. The Media Officer shall update and oversee the Union bulletin boards to ensure that the local members are receiving information, as outlined in the MOU and other important employee relevant information. The Media Officer shall post and manage the local social media site(s), ensuring that members are up to date on union information, meetings, minutes, job postings, actions, pictures, and all other union related and port related items and happenings deemed important by the officer and chapter board. The objective of the output platforms is always to offer clear and positive information regarding our local SEIU 1021 chapter. The Media Officer shall be responsible for overseeing that mission by ensuring that no derogatory or unfavorable posts, comments, or items of any kind are put out on the local media platforms. The Media Officer will work with the Vice President to create and maintain the accounts as decided on. The Secretary will send the minutes to the President for approval. Once approved, the Secretary will email the minutes to the Media Officer to post.

#### **Article 6. STEWARDS:**

Stewards may be determined by worksite, either by petition (50% of members within the specified worksite) and submitted to the Chief Steward and confirmed by the Chapter Board, or appointed by the Chapter Board. Stewards shall be determined by worksite or appointed at the start of each new Chapter Board term or any time before the term ends. The term for Stewards shall last until the end of the Chapter Board term. Stewards represent members under the collective bargaining agreement. Stewards are the face of the union at the worksite and are critical to building a strong, engaged and active membership. 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.

Worksites include:

1. Airport Administration Staff
2. Airside Operations (per shift)
3. Harbor Facilities
4. Landside/Custodians (per shift)
5. North Field Facilities
6. South Field Facilities/ESE (per shift)
7. Water Street Administration Staff
8. Future Added Areas

#### **Article 6.2 Steward Responsibilities:**

Stewards are to be professional, provide leadership, complete assigned training, and engage with Union membership.

##### 6.2.A Professionalism:

- 1) Be courteous and professional
- 2) Be present and available at the assigned work area
- 3) Preserve a good employment status avoiding disciplinary action
- 4) Maintain a good working relationship with Port Management
- 5) Be on time to Union and Port meetings
- 6) Coordinate and confirm union release times via email
- 7) Ability to communicate effectively in written and verbal form

#### 6.2.B Leadership:

Stewards are the leaders of their worksites

- a. Leads by example
- b. Advises membership of proper and correct procedures
- c. Listens to union members
- d. Guides union members
- e. Asks for assistance when needed

#### 6.2.C Training:

- 1) Complete all available SEIU Steward Trainings
- 2) SEIU Representative Training for Grievance Submittal
- 3) Professional Development via Port of Oakland E-Learning Training  
Stewards are requested to complete one (1) video course each month, before the monthly stewards meeting.
- 4) Online Complaint Form Training

#### 6.2.D Engagement:

- 1) Have thorough knowledge and understanding of work area policies and procedures
- 2) Accessibility for union members to contact steward
- 3) Address any union concerns brought by union members to the steward
- 4) Train union members on online complaint form
- 5) Assist/guide union members on filing grievances
- 6) Update union members on grievance notifications
- 7) Attend Union Membership and Stewards Meetings
- 8) Notify union members at worksite on details for upcoming union meetings
- 9) Advise union members on professional development
- 10) Welcome new members
- 11) Verifying worksite union bulletin boards and have up-to-date information
- 12) Have thorough understanding of Membership Responsibilities, in accordance with the SEIU Local 1021 Bylaws.
  - a. The responsibility to pay dues as established by this Union. A member in good standing is defined as a member whose membership dues are current and paid on time.
  - b. The responsibility to recognize and respect the interests of all union members when making decisions about union programs and goals.
  - c. The responsibility to participate fully in the Union's efforts to expand the voice of workers in one's industry, area and workplace.
  - d. The responsibility to help build a strong and more effective labor movement by building a political voice for working people.
  - e. The responsibility to treat all workers and members fairly. No member shall slander, advocate against, or harm another member.
  - f. The responsibility to assist in organizing the unorganized and standing up for one's coworkers and all workers.
  - g. The responsibility to participate in the conduct of the Union's programs and activities and offer honest, constructive criticism.
  - h. The responsibility to comply with decisions of the Union and carry out collective bargaining agreements.
  - i. No member shall engage in dual unionism or disaffiliation from this Union.

**Article 7. 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 8. CONVENTION DELEGATES:**

Chapter delegates to the SEIU 1021 biennial convention shall be elected by secret ballot 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. Elected Chapter Board Officers shall serve as automatic delegates to the convention. The Chapter Board shall determine what Officers will serve as delegates.

**Article 9. CONTRACT NEGOTIATIONS:** The General Membership shall elect a contract negotiations committee of up to ten (10) members and two (2) alternates consistent with applicable collective bargaining agreements. Upon completion of negotiations, a copy of the collective bargaining agreement shall be forwarded to the SEIU 1021 Executive Board. Chapter Officers may automatically serve on the negotiation committee. The remaining slots shall be elected by a vote of the membership at large. No more than three (3) members of the negotiations committee shall be from one worksite.

Worksites include:

1. Airport Administration Staff
2. Airside Operations
3. Harbor Facilities
4. Landside/Custodians
5. North Field Facilities
6. South Field Facilities/ESE
7. Water Street Administration Staff
8. Future Added Areas

**Article 10. RECALL OF OFFICERS:**

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 11. VACANCIES:**

An elective office shall be declared vacant when the holder of the position resigns from office, resigns from the Union, is no longer a member in good standing, is on an extended leave of absence, or is recalled. Vacancies may be filled by appointment of the Chapter Board. *Delegates to the Local 1021 convention must be elected by the general membership in a secret ballot election (they may not be appointed). Convention delegates who are appointed will not be eligible to vote.*

**Article 12. CHAPTER ELECTIONS:**

**Note: This article does not apply to elections that are solely to elect Chapter convention delegates.**

- (a) **Election Schedule:** Chapter elections shall be completed within three (3) years from the date of the last election.
- (b) **Election Committee:** The Chapter Board shall appoint or the president may 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 of same. 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 working (3) 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 following the election.

- (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 a bargaining unit represented by the Chapter. If the chapter has been in existence for less than one (1) year, the candidate must have been a member in good standing since the Chapter was recognized by Local 1021. Only members in good standing are eligible to participate in chapter elections.
- (d) **Notice:** Notice of the election shall be given to each Chapter member in good standing at least thirty (30) 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, deadline for nominations, deadline for submission of candidates' statements, method of election, date, time, and place of voting, procedures for obtaining duplicate ballots, and challenge procedure. All official election materials and communications must be reviewed by the Election Committee and the assigned field representative prior to publication.
- (e) **Nomination for Office:** Nominations for office will be made from the floor at a general membership meeting or submitted in writing to the Election Committee. Nominees must be present or submit written notice of acceptance of nomination within three (3) days of the deadline set for nominations.
- (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, at the worksites, at a General Membership meeting, 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 announced to the membership.
- (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) working days of the submission of the committee's election report to the Chapter Board. Challenges must be submitted in writing 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) working 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) working days of receipt of the Chapter Election Committee's decision. The Local 1021 Executive Board shall investigate and respond within fifteen (15) working 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 13. CONTRACT RATIFICATION:**

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

**Article 14. STRIKE:**

The Chapter may not initiate a strike without a majority concurrence vote of the total 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 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 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.

**Article 15. PROCEDURE AND DEBATE:**

Chapter meetings shall be governed by the Manual of Common Procedure, 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 16. 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 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 Local Union headquarters office (*100 Oak St., Oakland, CA 94607*) to be reviewed for conformity to the Local 1021 Constitution and to be kept on file. No amendment shall be valid or become effective until approved by the Executive Board of the Local Union. Amendments required to bring these bylaws into compliance with the Constitution or bylaws of the Local Union or the International Union may be made by vote of the Chapter Board without submission to the General Membership.